

Public Hearing December 12, 2022

These minutes were transcribed by Angela Eldridge, Secretary. Also, present were Matt Sawyer Jr., Town Administrator. The meeting was held in the Bub Avery Gymnasium at Town Hall.

Chairman Smith opened the Public Hearing at 4:31 PM to discuss the formation of the Carrol County Communication District.

Discussion:

Matt Plache presented to the Board. He discussed that in 2019 the Broadband Committee was put together in Carroll County regarding bringing better internet to Carroll County. Broadband is defined as 25 MB per second download and 3 MB per second upload speeds. It's a minimum of 3 MB just to do a zoom call. He mentioned that during the pandemic people were working from home and kids were doing schooling from home as well as doctors' appointments, making it difficult for the service that we currently have to give quality service. The committee was not a legal entity but sent a member from each town to monthly meetings to meet with providers. The committee is unable to apply for grants. RSA 53G was passed a few years ago allowing towns to form a communications district to promote better broadband. Carroll County formed a planning committee for putting together a district and draft a district agreement. He mentioned that the committee decided that it didn't make sense for Carroll County to become a provider as there are already lots of them that want to be the provider for Carroll County. The committee would be a facilitator for access to poles, going to the legislature, financing, etc. He advised that as a facilitator, the district will be able to apply for grants as it will be a municipal entity. He discussed the limitations of the committee including not incurring any debt for the town or raising any revenue by taxation. The committee would be run by a governing board and consist of 1 member and 1 alternate from each town that is participating. Matt Sawyer Jr. asked if the member would need to reside in that town. Plache advised that it would be up to the town of which they are appointed. Sawyer Jr. served on the planning committee for the Town of Ossipee. Plache advised that they would meet several times a year and have an annual meeting. Sawyer Jr. advised that he participated in multiple zoom meetings with minimal impact on the workday. M. Eldridge asked if there are a lot of towns interested in joining this district. Plache advised that there are 14 that have joined with the possibility of 2 more in the future. He also advised that the purpose of this hearing is to ask the Board to put this on the Warrant for Town Meeting. Discussion ensued. Emery asked if there is an option to opt out and also asked for confirmation that Ossipee wouldn't be responsible to come up with any money to apply for grants. Plache advised that they can opt out with a majority vote by the legislative body. He also advised that the one way they could get money from the town is by voluntary contribution. Sawyer Jr. said that the district could use revenue bonds to come up with a portion as well. Discussion ensued. Smith asked if there would be a vote to accept the bonds or grants. Plache advised that the governing board makes the decision to accept bonds or grants. Smith asked that if 4 or 5 towns say no then it can be withdrawn at Town Meeting. Plache believes it can be done in a way as to not cause the Town any heartaches. Discussion ensued.

Sawyer Jr. asked that if they join, would it prevent the Town from benefiting from its own agreement with the provider. Plached advised that is correct. Emery asked about health issues and radiation. Plache advised that they are focusing on fiber and not electronic radiation. Discussion ensued.

Ed Comeau asked if the governing board is appointed or elected. Plache said the towns will appoint. Comeau also asked if there will be a budget for this district. Plache advised that currently there is not one but there will eventually be an annual budget and as it is a municipal entity, it will be subject to 91A. Comeau commented that it will be subject to being sued as well. Plache advised it will be subject to everything a municipality does except taxing and issuing general obligation bonds. Comeau asked who funds the district. Plache advised that mostly grants will fund it. The operator could fund certain portions of operations as well. Comeau asked if they will be hearing RFP's and bids. He also asked if they are responsible for that function. Plache advised yes. Comeau asked if there was any opposition language against this. Plache advised that he hasn't heard any yet. Sawyer Jr. advised that the challenge was if there would be any tax obligation and the Town attorney also agreed with the language and the by-laws. Discussion ensued.

Mike Stevens asked if this is a rough draft. Plache advised that it was not a rough draft. Mike Stevens asked if grants are not received, and it goes to the taxpayers can the town opt out at that point. Plache advised that the district can't force a town to provide money and you can withdraw per section 5 and the language in RSA 53G. Smith asked that any amendments on the document would need a public hearing. Plache advised yes but section 5, 7, or 12 can be amended by the legislative body by a 2/3 vote. Comeau asked if there could be fees. Plache advised only voluntarily from the town as that is considered revenue. The goal is for the customer to pay the provider directly for services. Smith asked when the last public hearing would be. Plache advised that they are trying to schedule that now and would like for this to be complete this month so a warrant can be drafted timely. Sawyer Jr. asked the Board if they would consider voting to allow him to draft a warrant pending amendments or material changes. Smith advised that he wouldn't want to vote until he sees all final changes. Emery asked if it is a 2/3 vote to get in the district. Smith advised that it was a majority vote. Smith advised that this district is for the expansion of Broadband service. Discussion ensued.

Plache mentioned that this has gotten a lot of attention from legislators and discussed the need for symmetrical broadband speeds. Emery asked what the districts job is. Sawyer Jr. advised that it would be applying for grants. Plache said it would also be facilitating and sharing information to impact legislation. Discussion ensued over privacy issues as well.

Adjournment:

Being no further input, Smith made a motion to adjourn. Simpson seconded. A unanimous vote was taken.

Adjourned at 5:12 PM.

Jonathan H. Smith, Chairman

Susan J. Simpson

Martha B. Eldridge

To be approved 01/09/2023