

**Broadband Subcommittee of
Temple Community Planning Committee (TCPC)
FINAL MINUTES
Thursday, June 4, 2020, 7:30 PM
Via Zoom per Gov. Sununu Emergency Orders #12 & #16**

Attendees: Christine Robidoux, Dana Nowell, Jessica Hipp

J. Hipp called the meeting to order at 7:29 p.m.

C. Robidoux read the Governor's State of Emergency text. Attendance was taken via roll call.

Meeting minutes from March 30, 2020 were approved unanimously.

The committee reviewed a draft memo regarding the broadband survey results. A motion was made to approve the memo as amended. A vote was taken and unanimously approved. The memo will be sent to the Select Board.

The committee reviewed a draft RFI and feedback from the bond counsel (see attached). The RFI was unanimously approved with minor edits. The RFI will be sent to the Select Board for approval before it is sent out.

The meeting adjourned at 8:05 p.m.

Upcoming Meetings

June 8th Monadnock Broadband Group

June 10th 730 pm Broadband Subcommittee Meeting

June 16th 7 PM TCPC All Committee Meeting

Right-to-Know Workshop TBD or July 8th

Respectfully submitted by Jessica Hipp

Re: NH Bond Counsel - Temple NH - Engagement Letter

Renelle L. L'Huillier <rlhuillier@devinemillimet.com>

Thu, Jun 4, 2020 at 4:16 PM

To: Christine Robidoux <cearobidoux@gmail.com>

Cc: Jessica Hipp <jess.hipp@gmail.com>, Dana Nowell <dana@gremlinfree.com>, Keith Charlton <keith.charlton@gmail.com>

Hi – sorry for the delayed response, I've been tied up all day and am just now getting to emails. See my responses in ALL CAPS below and I have copied below the broadband bond statute which I think is helpful for you to have.

33:3-g Broadband Infrastructure Bonds. –

I. A municipality may issue bonds for the purpose of financing the development, construction, reconstruction, and improvement of broadband infrastructure in any locations within a municipality unserved by broadband as defined in RSA 38:38, I(c). Without limiting the foregoing, broadband infrastructure may be the subject of public-private partnerships established in accordance with the provisions of RSA 33:3.

II. Bonds issued under this section shall be payable in annual payments so that the amount of annual payment of principal and interest in any year on account of any bond shall be not less than the amount of principal and interest payable in any subsequent year by more than 5 percent of the principal of the entire bond. The total amount of payments shall be sufficient to extinguish the entire bond at such bond's maturity. The first payment of principal on any bond shall be made no later than 5 years and the last payment not later than 30 years after the date issued. Each authorized issue of bonds shall be a separate and distinct loan.

III. A municipality shall not issue bonds for the purpose of financing the development, construction, reconstruction, renovation, improvement, and acquisition of broadband infrastructure in any location within a municipality unserved by broadband as defined in RSA 38:38, I(c) unless a request for information has been issued, at a minimum, to all providers serving the issuing community and such providers have been given 2 months to respond to the request. The request for information may include, but is not limited to, information identifying locations within a municipality unserved by broadband as defined in RSA 38:38, I(c). After completing, issuing, and receiving responses to such request for information, a municipality may issue a request for proposals for the purpose of engaging in a public-private partnership pursuant to RSA 33:3 or RSA 33-B for the deployment of broadband infrastructure, as defined in RSA 38:38, I(e), and the provision of broadband service as defined in RSA 38:38, I(f). A municipality may select a proposal based on criteria including, but not limited to, provider ability to deploy, manage, and maintain a broadband network which meets or exceeds the anticipated needs of the community. A municipality may determine that no provider has met the criteria included in the request for proposals and may issue bonds for purposes pursuant to RSA 33:3 and RSA 33-B, including but not limited to, open networks.

Source. 2006, 225:3, eff. July 31, 2006. 2018, 118:4, eff. July 29, 2018.

Let me know if you have any other questions.

Renelle

From: Christine Robidoux <cearobidoux@gmail.com>

Sent: Thursday, June 4, 2020 11:16 AM

To: Renelle L. L'Huillier <rlhuillier@devinemillimet.com>

Cc: Jessica Hipp <jess.hipp@gmail.com>; Dana Nowell <dana@gremlinfree.com>; Keith Charlton <keith.charlton@gmail.com>

Subject: Re: NH Bond Counsel - Temple NH - Engagement Letter

Great!

One of the questions was related to sending the RFI out to all providers. Our survey responses revealed the following list of providers:

Comcast

Consolidated

TDS

and a few HughesNet

There were also a couple of responses from residents who indicated they use Verizon JetPak. Do we sent the RFI to Verizon?

I AM NOT SURE THAT A JETPAK WOULD QUALIFY AS A PROVIDER UNDER RSA 38:38'S DEFINITION OF BROADBAND PROVIDER. YOU COULD SEND THE RFI TO VERIZON AND THEY WOULD RESPOND THAT THEY ARE NOT A BROADBAND PROVIDER IF THAT IS THE CASE.

We didn't know about the Verizon JetPak users, and wouldn't have known had we not sent out the survey. Is it possible there are other providers that we may not be aware of, and if so is it OK if we don't send to them, on the basis that we were not aware of them having users in town?

I THINK SOMETHING SIMILAR HAPPENED IN ONE OF THE OTHER TOWN'S I'M WORKING WITH WHERE THEY SENT THE RFIS OUT BASED ON SURVEY RESULTS AND THEN WERE CONTACTED BY OTHER PROVIDERS WHO WERE INTERESTED IN RESPONDING – I CAN'T RECALL HOW THOSE OTHER PROVIDERS FOUND OUT ABOUT THE RFI. LET ME LOOK INTO THAT BUT IT SOUNDS LIKE YOU HAVE DONE YOUR DUE DILIGENCE TO FIGURE OUT WHO ARE THE PROVIDERS SERVING YOUR COMMUNITY.

Also, can you confirm that it is in fact 60 days for the providers to respond? Someone thought they had read it was 45 days? We want to be sure we have the correct response time in the letter. TWO MONTHS IS CORRECT – SEE HIGHLIGHTED LANGUAGE ABOVE.

That's what is coming to mind at the moment. Should we send you a copy of the final version of the RFI along with the engagement letter next week? YES PLEASE, THANK YOU!

Thanks so much,

Christine

On Thu, Jun 4, 2020 at 10:49 AM Renelle L. L'Huillier <rlhuillier@devinemillimet.com> wrote:

Christine,

The RFI looks fine and is consistent with those used by the other communities with which I have worked.

Did you have any particular questions or concerns?

Thanks,

Renelle

From: Renelle L. L'Huillier
Sent: Thursday, June 4, 2020 6:33 AM
To: 'Christine Robidoux' <cearobidoux@gmail.com>
Cc: Jessica Hipp <jess.hipp@gmail.com>; Dana Nowell <dana@gremlinfree.com>; Keith Charlton <keith.charlton@gmail.com>
Subject: RE: NH Bond Counsel - Temple NH - Engagement Letter

Hi Christine,

Unfortunately, I can't join the meeting tonight but I'd be happy to look at your draft RFI and give you my thoughts today.

Best regards,

Renelle

From: Christine Robidoux <cearobidoux@gmail.com>
Sent: Wednesday, June 3, 2020 11:11 AM
To: Renelle L. L'Huillier <rlhuillier@devinemillimet.com>
Cc: Jessica Hipp <jess.hipp@gmail.com>; Dana Nowell <dana@gremlinfree.com>; Keith Charlton <keith.charlton@gmail.com>
Subject: Re: NH Bond Counsel - Temple NH - Engagement Letter

Good morning Renelle,

A few process questions came up at our Broadband meeting last night, and we are meeting again on Thursday to finalize our RFI. Would it be possible for you to join us? It is a zoom call scheduled for 7:30 PM. I have attached the

agenda with zoom instructions.

If not, would you be able to review our RFI DRAFT and give us your impressions? Also, attached.

We will present it to the Select Board at their meeting on Tuesday for approval, and we are hoping to get it sent out to providers as soon as possible. I will also ask the Select Board to sign the engagement letter on Tuesday.

I'm home today if you would prefer to speak in person, (603) 878-6196.

Thanks so much,

Christine

On Tue, Jun 2, 2020 at 10:41 AM Christine Robidoux <cearobidoux@gmail.com> wrote:

Thanks, Renelle!

The Select Board meets on Tuesday next week, I'll put it on their agenda and get it back to you asap.

Broadband committee meets tonight!

Christine

On Tue, Jun 2, 2020 at 9:41 AM Renelle L. L'Huillier <rlhuillier@devinemillimet.com> wrote:

Christine,

Our engagement letter is attached. Please have it signed by an authorized representative of the Town and return a PDF copy to me.

If you have any questions, please let me know.

Best regards,

Renelle

From: Renelle L. L'Huillier
Sent: Saturday, May 30, 2020 8:57 AM
To: 'Christine Robidoux' <cearobidoux@gmail.com>
Subject: RE: NH Bond Counsel - Temple NH

Hi Christine,

You're very welcome and glad to hear about the contact with town counsel. I'll do my best to get you the engagement letter by June 2nd.

Have a great weekend!

Renelle

From: Christine Robidoux <cearobidoux@gmail.com>
Sent: Wednesday, May 27, 2020 4:43 PM
To: Renelle L. L'Huillier <rlhuillier@devinemillimet.com>
Subject: Re: NH Bond Counsel - Temple NH

Thanks so much for the attachments and for your help last week.

I received permission from our Select Board to contact our town counsel last night, and our Broadband committee is scheduled to meet virtually on Tuesday, June 2nd. I'll be in touch right after the meeting.

I'll keep an eye out for your email with the engagement letter. If you can get it to me before June 2nd that would be great.

Have a great weekend!

Christine

On Wed, May 27, 2020 at 2:23 PM Renelle L. L'Huillier <rlhuillier@devinemillimet.com> wrote:

Hi Christine,

As discussed on Friday, I have attached our bond requirements checklist along with our broadband bond checklist. Please have a look at the timing requirements in the broadband list and put together a draft schedule for our review.

I will send you my engagement letter for bond counsel services in the next few days.

Let me know if you have had an opportunity to speak with your regular town counsel regarding the possibility of a special meeting this fall to authorize the issuance of broadband bonds.

It was nice talking with you last week and I hope you had a good holiday weekend.

Best regards,

Renelle

From: Christine Robidoux <cearobidoux@gmail.com>
Sent: Friday, May 22, 2020 3:05 PM
To: Renelle L. L'Huillier <rlhuillier@devinemillimet.com>
Subject: Re: NH Bond Counsel - Temple NH

No worries! Thanks for letting me know..

Christine

On Fri, May 22, 2020 at 3:04 PM Renelle L. L'Huillier <rlhuillier@devinemillimet.com> wrote:

Hi Christine, I'm running a few minutes late so will call shortly! Thanks, Renelle

From: Christine Robidoux <cearobidoux@gmail.com>
Sent: Wednesday, May 20, 2020 7:34 AM
To: Renelle L. L'Huillier <rlhuillier@devinemillimet.com>
Cc: Jessica Hipp <jess.hipp@gmail.com>
Subject: Re: NH Bond Counsel - Temple NH

Yes, that sounds great. Thank you!

Cell number is (603) 566-5357

Christine

Sent from my iPhone

On May 19, 2020, at 10:47 PM, Renelle L. L'Huillier <rlhuillier@devinemillimet.com> wrote:

Hi Christine,

Thank you for the messages – yes, I am working at home; things are going well and I hope the same goes for you.

I'd be happy to talk with you about the broadband bond approval process. The next few days I'm pretty swamped but could talk on Friday afternoon – could I give you a call at 3:00?

Best regards,

Renelle

Renelle L. L'Huillier, Esq.

p. 603-410-1709 | [Biography](#) | [LinkedIn](#)

f. 603-518-2982

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From: Christine Robidoux <cearobidoux@gmail.com>
Sent: Tuesday, May 19, 2020 11:22 AM
To: Renelle L. L'Huillier <rlhuillier@devinemillimet.com>
Cc: Jessica Hipp <jess.hipp@gmail.com>
Subject: NH Bond Counsel - Temple NH

Hello Ms. L'Huillier,

I'm following up my voice mail with an e-mail, as I suspect you are working from home like so many of us are right now.

I'm on the Temple (NH) Broadband Committee. We are hoping to bring community-wide broadband to our rural town and have started the process by sending out surveys and generally learning as much as we can from other communities in the state. We would like to send out the RFI's very soon.

We are looking to move things along a bit faster than we had originally planned due to the COVID-19 emergency, if possible. We are shooting for the November Bond Bank application deadline. We need some guidance from Bond Counsel. Tammy St. Gelais recommended we contact you as soon as possible.

You can reach me via e-mail at cearobidoux@gmail.com or by phone at (603) 566-5357.

Thank you,

Christine Robidoux



Temple Community Planning Committee, Chair

Broadband Subcommittee