

AMENDED
Resolution No. 35 - 07/21

Appropriating ~~\$250,000~~ \$500,000 of ARPA SLCFR Funding from the Recovery Grants Fund for the Purpose of Partnering with Charter Communications in the Wisconsin Public Service Commission ARPA Broadband Access Grants for Broadband Expansion and Authorizing the Necessary Ancillary Steps

1 Moved/Sponsored by: See Policy and Fiscal Note, section IV

2
3 **WHEREAS**, On April 20, 2021, County Board Resolution No. 03-04/21 Accepting U.S.
4 Department of Treasury (Treasury) American Rescue Plan Act (ARPA) State and Local
5 Coronavirus Fiscal Recovery (SLCFR) funds allocation provided the County framework to allow
6 the County to accept and begin to plan for the receipt of over \$20 million in federal funding to
7 assist the County and local economy with recovering from the pandemic; and,
8

9 **WHEREAS**, On May 11, 2021, County Ordinance No. 1240-05/21 Amending Section 30-173 of
10 the Walworth County Code of Ordinances Relating to Establishment of a Recovery Grants Fund
11 provides a new separate special revenue fund to account for the financial resources surrounding
12 the American Rescue Plan (ARP); and,
13

14 **WHEREAS**, State of Wisconsin ARPA funds are available for the Wisconsin Public Service
15 Commission's (PSC) ARPA Broadband Access Grant, and Walworth County ARPA SLCFR
16 funds are similarly allowable expenditures, as determined by the Act and the Treasury-provided
17 guidance on the eligible use of funds, which specifically includes use for broadband expansion
18 meeting certain standards; and,
19

20 **WHEREAS**, Partnering with a broadband provider dramatically enhances and leverages the
21 investment of the County's ARPA resources, while participating in an ARPA-funded PSC grant
22 ensures compliance with the Act and leverages the oversight and protections provided by the
23 PSC's administration of their grant funds; and,
24

25 **WHEREAS**, the PSC's ARPA Broadband Access Grant application deadline is July 27, 2021,
26 which will award \$100 million in broadband expansion grants.
27

28 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
29 does hereby appropriate within the Recovery Grant Department ~~\$250,000~~ \$500,000 of ARPA
30 SLCFR funding from the County's allocation for the purpose partnering in a grant application for
31 the PSC's Broadband Access Grant with Charter Communications, or an affiliate or broadband
32 construction partner of Charter Communications (hereafter "Charter Communications").
33

34 **BE IT FURTHER RESOLVED** that the Finance Director is authorized to execute a vendor
35 contract or agreement with Charter Communications, subject to the following:

- 36 a) the form of the contract or agreement has been approved by the County Administrator
37 and Corporation Counsel;
38 b) the contract or agreement provides matching funds not to exceed five percent of the total
39 project cost awarded to Charter Communications by the PSC and that all reimbursement

1 payments by Walworth County shall be after payment has been approved and awarded
2 by the PSC and shall be proportional to that amount based on the proportions of the total
3 cost share as awarded by the PSC;

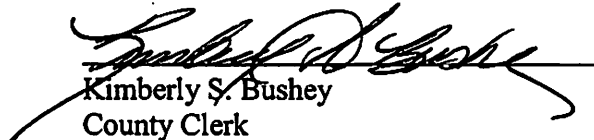
- 4 c) the grant application shall require no more than a forty-five percent match by the PSC;
- 5 d) the grant application will not duplicate areas for which Charter Communications
- 6 received federal Rural Digital Opportunity Fund (RDOF) awards; and,
- 7 e) the contract or agreement will stipulate that the County is not responsible for any cost
- 8 overruns.

9
10 **BE IT FURTHER RESOLVED** that the County Administrator, following review and approval
11 by Corporation Counsel as to form, is authorized to execute any necessary grant documents or
12 letters of support necessary to effectuate the intent herein of partnering in the PSC grant process.

13
14 **BE IT FURTHER RESOLVED** that the Walworth County Board of Supervisors authorizes
15 staff to utilize the County's budget amendment process to transfer line items within this
16 established budget appropriation for purposes listed in this resolution, but all new purposes will
17 be brought before the County Board for further action prior to allocation of funding.

18 

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21 Nancy Russell
22 County Board Chair

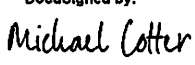
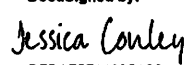
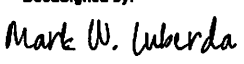


23
24 Kimberly S. Bushey
25 County Clerk

26 County Board Meeting Date: July 13, 2021

Action Required: Majority Vote _____ Two-thirds Vote X Other _____

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

| | | | |
|---|-------------------|--|-------------------|
| DocuSigned by:  Michael P. Cotter Corporation Counsel | 7/16/2021 Date | DocuSigned by:  Jessica Conley Finance Director | 7/16/2021 Date |
| DocuSigned by:  Mark W. Lubarda County Administrator | 7/19/2021 Date | | |

If unsigned, exceptions shall be so noted by the County Administrator.

This Resolution Ordinance was:
 Adopted: Roll Call U.C. Voice
 Rejected/Referred/Laid Over
 Ayes: Noes: Absent:
 Date July 13, 2021

Policy and Fiscal Note
Resolution No. 35 - 07/21

I. Title: Appropriating ~~\$250,000~~ \$500,000 of ARPA SLCFR Funding from the Recovery Grants Fund for the Purpose of Partnering with Charter Communications in the Wisconsin Public Service Commission ARPA Broadband Access Grants for Broadband Expansion and Authorizing the Necessary Ancillary Steps

II. Purpose and Policy Impact Statement: The purpose of this funding and project is to help expand broadband access to rural underserved areas of the County. The State has used ARPA funding to create a \$100 million grant opportunity administered through the PSC. The grants require the same minimum or allowable specifications as is required for use of the County ARPA funds. Although future rounds of grants are likely, this massive first investment may provide for less relative competition, as more units of local government will be prepared to apply in the future.

Partnering with Charter Communications increases their potential for approval of a PSC grant award within Walworth County. A significant local government contribution can become a contributing factor in final determination of awards since the federal guidelines, or “preferences,” are narrow in scope. Charter is addressing “last mile connections” with their “Fiber to the Home” buildout, which is the second stated federal preference. In total, the project scope is estimated \$4.9 million with less than forty-five percent provided by PSC grants. (The final requested grant percentage has not yet been determined.) The project would be within the PSC defined service area and is expected to pass 1,400 additional structures in rural underserved areas. At that cost, the County’s investment at less than ~~\$180~~ \$360 per “passing” leverages as much as \$4.65 million in other funding.

III. Budget and Fiscal Impact: No General Fund or property tax dollars are used. Local ARPA funding is being leveraged to help gain access to significant private investment and State ARPA funding.

IV. Referred to the following standing committees for consideration and date of referral:

The Finance Committee recommended a Committee of the Whole meeting be held to discuss certain potential ARPA funded projects that generally had time constraints involved. The Committee of the Whole met on June 29, 2021, and recommended that this item be drafted and placed on the County Board Agenda. The Committee of the Whole did not provide a recommendation related to approval consideration.

County Board Meeting Date: July 13, 2021

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

DocuSigned by:
Michael Cotter 7/16/2021
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Michael P. Cotter Date
Corporation Counsel

DocuSigned by:
Jessica Conley 7/16/2021
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Jessica Conley Date
Finance Director

DocuSigned by:
Mark W. Lubberda 7/19/2021
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Mark W. Lubberda Date
County Administrator