

AGENDA
Eau Claire County
Broadband Committee
Thursday, January 20, 2022
4:00 P.M.
Remote Meeting via Webex Events

Those wishing to make public comments must submit their name and address no later than 30 minutes prior to the meeting to rod.eslinger@co.eau-claire.wi.us

Comments are limited to 3 minutes; you will be called on during the public comment section of the meeting. Written comments will also be accepted and should be submitted to the e-mail address listed above.

Join WebEx Meeting: <https://eauclairecounty.webex.com> Meeting ID: 167 775 1184, Password: qMPYqiCn574

*Meeting audio can be listened to using this Audio conference dial in information.

Public Access: Dial in Number: 1-415-655-0001 Access Code: 167 775 1184 ##

**Mute your device upon entry*

1. Call to order and confirmation of meeting notice.
2. Roll Call
3. Public Comment (limit to 3 minutes per person)
4. County ARPA Fund Support Update – (Dave Hayden) - **Discussion**
5. Internet Service Provider (ISP) Updates – **Discussion/Action**
6. Town ARPA Fund Update (Mark Zuber) - **Discussion**
7. Update on PSC grant applications - **Discussion**
8. SpaceX Starlink Pilot Project Update (Greg Dachel) – **Discussion/Action**
9. Town of Brunswick’s application for County ARPA fund match - **Discussion/Action**
10. Release of County ARPA Match Funds Checklist – **Discussion/Action**
11. Review/Approval of December 16, 2021, Committee Meeting Minutes – **Discussion/Action**
12. Next Steps and future meetings – **Discussion/Action**
 - a. Future Meeting: February 17, 2022.
13. Adjourn

MEETING MINUTES
Eau Claire County
Broadband Committee
Thursday, December 16, 2021
4:00 P.M.
Remote Meeting via WebEx Events

Those wishing to make public comments must submit their name and address no later than 30 minutes prior to the meeting to rod.eslinger@co.eau-claire.wi.us

Comments are limited to 3 minutes; you will be called on during the public comment section of the meeting. Written comments will also be accepted and should be submitted to the e-mail address listed above.

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Members Present: Donald Mowry, Joe Alf, Luke Hanson, Collin Pomplun, Thomas Lang, Lynn Thompson, Sarah Lipke, Scott Hoffman, and Mark Zuber.

Staff Present: Rodney J. Eslinger, Director of Planning and Development, Greg Dachel, Director of Information Systems

Others Present: Dave Hayden, Doug Carlson, Jim Kusilek, Kathryn Schauf, John LeBrun, Jeff Emery, Andy Neborak

1. Call to order and confirmation of meeting notice.

The meeting was called to order at 4:00 p.m. and the meeting notice was confirmed.

2. Roll Call – Members present are noted above.
3. Public Comment (limit to 3 minutes per person) – None
4. County ARPA Fund Support: Dave Hayden – Discussion

Dave Hayden updated the committee as to his new support role to the committee and briefly explained how he'll be assisting towns with their broadband infrastructure projects. Kathryn Schauf, County Administrator, stated her excitement to have Dave onboard to be able to address the broadband needs of our rural partners and advance the efforts the digital equity goals.

5. Internet Service Provider (ISP) Updates – Discussion/Action

Jim Kusilek of 24/7 Telecom Inc. updated the committee regarding its ARPA Broadband Grant it received to build out its fiber network to the remaining unserved/underserved areas of the Town of Brunswick. His company is currently in the planning stages on how this project will be built out in 2022. Jim also noted he's been in contact with the Town of Union regarding applying for a PSC Broadband Grant to build out the broadband infrastructure in areas that currently don't have it. He plans to meet with the Town of Union Town Board in January regarding the project.

6. Community Engagement Updates – Discussion

Don Mowry indicated that Tri-County Communications (TCC) is working with the Town of Pleasant Valley and the Town of Clear Creek on a possible broadband project.

Rod Eslinger said that Town of Washington and Town of Pleasant Valley was in working with Charter regarding a possible broadband project to serve the unserved/underserved areas in those communities.

Tom Lang inquired about how TDS will be serving the City of Eau Claire and whether the company plans to serve other areas in the County. Mr. Eslinger stated he talked with the TDS representative and the representative said their plans are to build the Eau Claire and Chippewa Falls broadband network first and then move into Village of Lake Hallie. Serving the rural areas would be based on densities of locations but would be out several years.

7. SpaceX Starlink Pilot Project Update – **Discussion/Action**

Greg Dachel gave the committee an update on the Starlink pilot project.

8. Digital Inclusion –

- a. Resolution to create a coalition committed to county-wide digital inclusion – Discussion/Action
- b. Federal Infrastructure Bill – Broadband – Discussion
- c. Application to the UWEC Community Leadership Class – Discussion/Action
- d. United Way/Broadband Committee - Digital Inclusion Partnership Opportunity – Discussion/Action

Discussion on how to move forward with a Digital Inclusion program. Don Mowry and Andy Neborak discussed about looking at the Techquity program of the United Way of Greater Milwaukee & Waukesha County as a possible framework for a collaboration with the United Way of the Chippewa Valley. The Techquity core strategies are:

- Access: Ensuring all members of our community have access to affordable, reliable broadband.
- Devices: Meeting the community's needs for digital devices required to be healthy and successful at work, school, home, and the community at large.
- Skills: Equipping our community with the necessary digital skills, literacy, and vocational opportunities to participate and excel in the digital economy.
- Advocacy: Using our collective voice to fight for the digital equity and inclusion of every member of our community.

Don mentioned that the City and County of Eau Claire already recycle PC's with the PCs for People out of Minnesota. This program provides PC's to families in need.

The committee discussed the next step to support Digital Inclusion. Kathryn Schauf mentioned that we need to identify a pathway forward and what it looks like to be sustainable beyond the ARPA dollars.

It was suggested to put together an advisory group. Put out a list of skillsets and collect names. Scope an overall strategy and make budget requests. There are points of intersection with this committee to move on. Tom Lang suggested looking at the public libraires as a launch point and to sustain a program. Some names suggested for the work group:

Dave Hayden, Andy Neborak, Tom Lang (or CVTC rep), Scott Hoffman, Don Mowry, Beth Martin, Greg Dachel

Don mentioned that he applied for Digital Inclusion grant through the Federal Infrastructure Bill but was not selected this year.

9. Digital Literacy and Equity Updates – Discussion

Don Mowry updated the committee on the Digital Literacy & Equity program at UW-EC. 7 applications were filed seeking assistance which were matched to 5 students.

10. Review/Approval of October 21, 2021, and November 18, 2021 Committee Meeting Minutes – Discussion/Action

The committee reviewed the meeting minutes of October 21, 2021, and November 18, 2021. Mark Zuber motioned to approve the minutes as presented, Luke Hanson seconded the motion; motion carried on a voice vote with all in favor of the motion.

11. Next Steps and future meetings – **Discussion/Action**

- a. Future Meeting: January 20, 2022
- b. Update on Grant Applications
- c. Grants to look at for Digital Equity
- d. Look at Tele-medicine PSC grants for rural health
- e. Geo Partners statewide broadband performance testing

12. Adjourn

Adjourn Action: Meeting adjourned by unanimous consent at 5:00 p.m.

Respectively submitted by,

Rodney J. Eslinger,
Clerk for the Broadband Committee
Director of Planning and Development

Greg Dachel
IS Director

Public Service Commission (PSC) definition.

Application Timeline & Procedures

Completed application shall be submitted to Rodney Eslinger, Clerk for the Broadband Committee at rod.eslinger@co.eau-claire.wi.us. Please note the maximum attachment size is 10MB. If an email and attachments exceed the allowable size, please send multiple emails.

Application shall be reviewed by the Broadband Committee at their next regularly scheduled meeting (the Broadband Committee currently meets the third Thursday of the month at 4 pm). The Broadband shall act on the request to allocate the funds requested.

Successful applicants will also be required to sign an intergovernmental agreement that further defines the expectations for the ARPA fund match.

DEADLINE: January 1, 2023

SECTION I-TOWN ARPA FUND MATCH REQUEST	
Please indicated the requested amount of County ARPA Fund Match for the broadband infrastructure project in your township.	
Project Name	Amount
1. <i>Town of Brunswick Broadband</i>	\$ <i>176,349</i>
2.	\$
3.	\$

SECTION II-TOWN CONTACT INFORMATION	
Town of: <i>Brunswick</i>	
Mailing Address: <i>W 6335 Spehle Rd.</i>	
City, State, Zip: <i>Eau Claire, WI 54701</i>	Website URL: <i>none</i>
Town Chair: <i>Wes Vicek</i>	Town Clerk: <i>Debra Grinde</i>
Office Phone: <i>(Clerk) 715-834-7307</i>	Email: <i>brclerk@gmail.com</i>
DUNS # <i>118072299</i>	
FEIN ((Federal Employee Identification Number -Tax ID): <i>39-1717363</i>	

Provide a description of the scope of work for the broadband project, and attached a detailed drawing of the area to be served by the project (attach supporting documentation):

Exhibit A

Signed agreement

Please submit the following project-level information for the broadband project: *24-7 Telecom*
 Technology to be deployed (highspeed internet) *Jim K.*
 Pricing tiers to be offered (affordability)
 Miles of fiber
 Cost per mile
 Speeds to be offered
 System download speed
 System upload speed
 Number of households to be served - *297*
 Number of institutions and businesses to be served
 Anticipated start date *June 1, 2022*
 Anticipated completion date

SECTION III- INTERNET SERVICE PROVIDER CONTACT INFORMATION			
Name	Address	Phone	Email
<i>Jim Kusilek</i>	<i>24-7 Telecom</i>	<i>715-231-0550</i>	<i>jkusilek@nwt.coop</i>

SECTION IV- PROJECT FINANCE DETAIL	
Please detail how you intend to use the MATCH dollars. Attach documentation.	
Internet Service Provider (ISP) Match:	\$
Town ARPA Fund Match:	<i>\$176,349.00</i> \$
County ARPA Fund Match:	<i>\$176,349.00</i> \$
PSC Grant Application:	<i>\$869,545.00</i> \$
Other Loans:	\$
Other financing (businesses or property owners):	\$
OVERALL PROJECT TOTAL:	<i>\$1,739,090.00</i> \$

7/20/2021 ✓

SECTION V - ATTACHMENTS	
The following required attachments are provided (check box that applies):	Yes
No	
Scope of work description (if not indicated in section II)	<input checked="" type="checkbox"/> <input type="checkbox"/>
Project map of area to be serviced	<input checked="" type="checkbox"/> <input type="checkbox"/>
Town Board Approval (meeting minutes, town letter)	<input checked="" type="checkbox"/> <input type="checkbox"/>
Other documents/information:	<input checked="" type="checkbox"/> <input type="checkbox"/>

SECTION VI - CERTIFICATION/SIGNATURE	
By signing below, the applicant(s):	
<ul style="list-style-type: none"> • Certifies that to the best of its knowledge and belief, the information being submitted in this application, and accompanying attachments, is true and correct. • Understands that unless it qualifies as a trade secret, all information submitted to the Eau Claire County Broadband Committee is subject to Wisconsin's Open Records Law. • Understand that additional information may be required and may be requested. 	
Signature:	Signature: <i>Debra A. Grinde</i>
Name:	Name: <i>Debra A. Grinde</i>
Title: Town Chair	Title: Town Clerk
Date:	Date: <i>Jan. 15, 2022</i>

Please submit the following project-level information for the broadband project: *24-7 Telecom*
 Technology to be deployed (highspeed internet) *Jim K.*
 Pricing tiers to be offered (affordability)
 Miles of fiber
 Cost per mile
 Speeds to be offered
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 Number of households to be served - *297*
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SECTION III- INTERNET SERVICE PROVIDER CONTACT INFORMATION			
Name	Address	Phone	Email
<i>Jim Kusilek</i>	<i>24-7 Telecom</i>	<i>715-231-0550</i>	<i>jkusilek@wwt.coop</i>

SECTION IV- PROJECT FINANCE DETAIL		
Please detail how you intend to use the MATCH dollars. Attach documentation.		
Internet Service Provider (ISP) Match:	<i>\$516,847.00</i>	\$
Town ARPA Fund Match:	<i>\$176,349.00</i>	\$
County ARPA Fund Match:	<i>\$176,349.00</i>	\$
PSC Grant Application:	<i>\$869,545.00</i>	\$
Other Loans:		\$
Other financing (businesses or property owners):		\$
OVERALL PROJECT TOTAL:	<i>\$1,739,090.00</i>	\$

7/20/2021 ✓
24-7 contribution

SECTION V - ATTACHMENTS	
The following required attachments are provided (check box that applies):	Yes
No	
Scope of work description (if not indicated in section II)	<input checked="" type="checkbox"/> <input type="checkbox"/>
Project map of area to be serviced	<input checked="" type="checkbox"/> <input type="checkbox"/>
Town Board Approval (meeting minutes, town letter)	<input checked="" type="checkbox"/> <input type="checkbox"/>
Other documents/information:	<input checked="" type="checkbox"/> <input type="checkbox"/>

SECTION VI - CERTIFICATION/SIGNATURE	
By signing below, the applicant(s):	
<ul style="list-style-type: none"> • Certifies that to the best of its knowledge and belief, the information being submitted in this application, and accompanying attachments, is true and correct. • Understands that unless it qualifies as a trade secret, all information submitted to the Eau Claire County Broadband Committee is subject to Wisconsin's Open Records Law. • Understand that additional information may be required and may be requested. 	
Signature: <i>Wes Vlcek</i>	Signature: <i>Debra A. Grinde</i>
Name: <i>Wes Vlcek</i>	Name: <i>Debra A. Grinde</i>
Title: <i>Town Chair</i>	Title: <i>Town Clerk</i>
Date: <i>1-15-2022</i>	Date: <i>Jan. 15, 2022</i>

Town of Brunswick FTTH Project

Total Cost of Project	\$1,739,090.00
Town of Brunswick - ARPA Funds Available	\$176,349.00
Total Locations	297

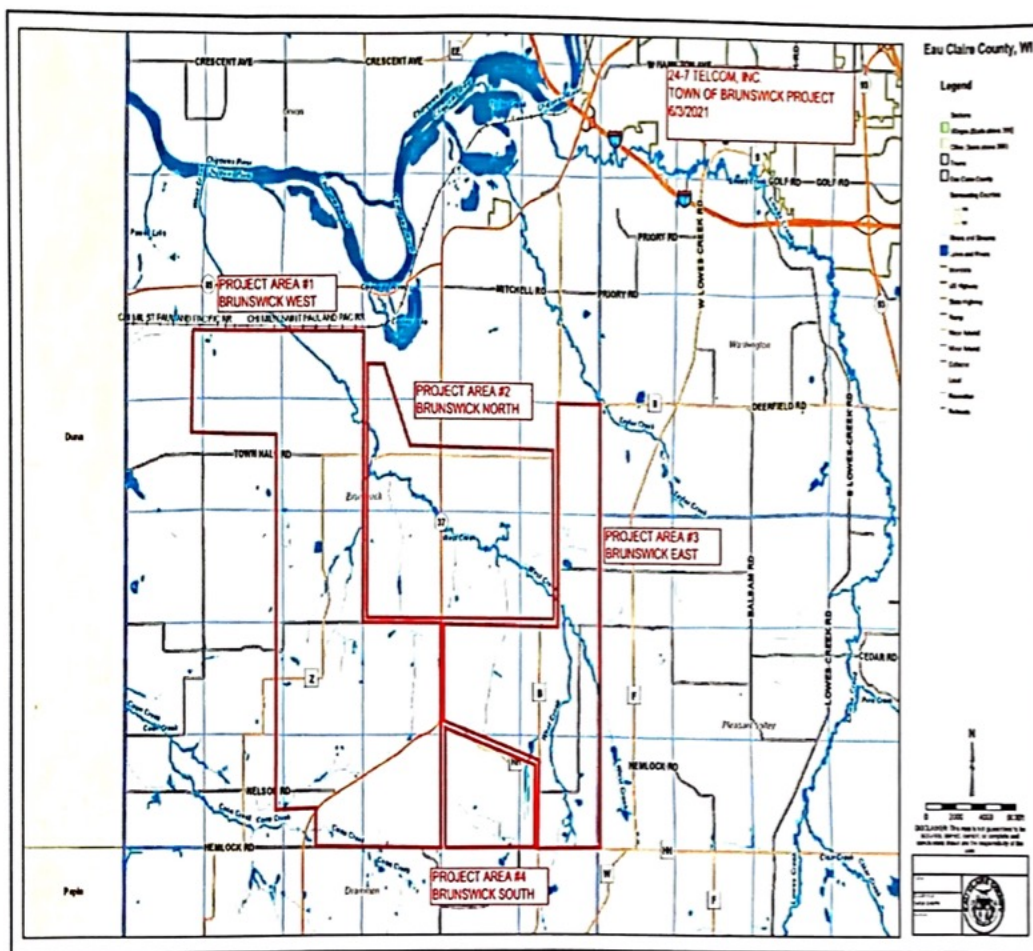
BRUNSWICK PROJECT FUNDING

PSC Grant Request	\$869,545.00
24-7 Telcom's Contribution	\$516,847.00
Town of Brunswick Contribution	\$176,349.00
Eau Claire County Contribution	\$176,349.00
Project Total	\$1,739,090.00

TOTALS

Total Cost of Projects	\$1,739,090.00
Total 24-7 Telcom Contribution	\$516,847.00
Total Town's Contribution	\$176,349.00
Total Eau Claire County Contribution	\$176,349.00
Total Locations	297

EXHIBIT A



Section IV
Project Finance
Detail



Town of Brunswick
Eau Claire County, Wisconsin

Wesley Vlcek

Chairman – Town of Brunswick

W5485 County Road Z

Eau Claire, WI 54701

7/9/2021

*Replaced
1/20/21*

Don Mowry

Chairman – Eau Claire County Broadband Committee

721 Oxford Avenue

Eau Claire, WI 54703

Dear Don Mowry:

24-7 Telcom, Inc. intends to build Fiber to the Home ("FTTH") to approximately 297 locations in the Town of Brunswick at a cost of approximately \$1,739,090.00 ("Project"). The Town of Brunswick has entered into a partnership agreement with 24-7 Telcom, and has committed to contribute \$176,349.00, which is equal to 100% of our American Rescue Plan Act ("ARPA") funds.

The 24-7 Telcom, Inc. Town of Brunswick FTTH Project – Phase 2 ("Project") will provide minimum speeds of 100Meg/100Meg with options of speeds up to 1Gig/1Gig service to all locations in the unserved/underserved and prohibitively expensive areas of our Town.

24-7 Telcom will submit a State of Wisconsin ARPA Broadband Access Grant requesting \$869,545.00 or 50% of the total project. The remaining balance will be paid by 24-7 Telcom, the Town of Brunswick and Eau Claire County. A breakdown of the project totals is attached along with a map of the project.

We are asking Eau Claire County to use a portion of its ARPA funds to match the Town of Brunswick's contribution of \$176,349.00 for this project.

Sincerely,

Wesley Vlcek

Chairman – Town of Brunswick



Town of Brunswick

Eau Claire County, Wisconsin

Town Board Meeting Minutes

June 8, 2021

7:00 P.M.

Brunswick Town Hall

Present: Chairman Wes Vlcek, Supervisors John Helwig and Don Jaquish, Clerk Debby Grinde, Treasurer Deb Heath

- **Call to order** at 7:01 p.m. by Chairman Vlcek. He led the Pledge of Allegiance to the Flag.
- **Informal public comment time:** Alvin Peterson commented that Charter Spectrum was at his property and offered high-speed internet by year-end. This plan was questioned by Doug Carlson as he was aware of a 6-year plan of proposed service to limited areas of the township. The broadband committee, led by Anita Vlcek is working on that topic. Town residents questioned the usefulness of Norrish Rd being designated for ATV/UTV use as it is a dead-end road. A sign will be installed indicating it as such.
- Motion made to approve the May 11, 2021 meeting minutes was made by Supervisor Jaquish and 2nd by Supervisor Helwig. Motion carried.
- **Bid Opening for Maple Road:** Bid options concluded with hot mix and a 4 inch base being installed. Senn Blacktop and Monarch Paving supplied bids. A motion to award the Maple Road project to Senn Blacktop for \$90,767.00 was made by Supervisor Jaquish and seconded by Supervisor Helwig. Motion passed.
- **Town Roads:** Chairman Vlcek is preparing a list of town roads that need shouldering and will give it to American Express Excavation to complete. Temporary maintenance will be done on Maple Road immediately. Roadside mowing will commence soon.
- **Guettinger Road** cost alternatives to improve the condition of the road were discussed. Bill Harper, Guettinger Rd. resident, indicated that he has LRIP funding opportunities researched and will supply Chairman Vlcek with that information. No cost estimate was given by American Express to improve the beginning of the road off Hwy 37, but temporary improvements could be accomplished by filling a large hole there.
- Motion made by Jaquish/Helwig to approve **liquor licenses** for The Welcome Matt, West Creek Event Center and 4-mile Restaurant and Bar. Motion passed.
- **24/7 Telcom** representative, Brad Schmidtknecht, explained the fiber to home project being offered to the township. Telcom proposes to construct broadband infrastructure to reach potentially 287 unserved and/or underserved resident and business locations where such service is currently unavailable or is prohibitively expensive. The project includes areas south of Town Hall Rd. and CTH Z to the town line. It includes Jene Rd., Maple Rd, and Spehle Rd in the NW corner of the Town and other properties along Hwy 85. This project would complete the entire Town with fiber to every unserved location. The Board voted to proceed with Telcom and the proposed joint broadband project with a motion by Helwig/Jaquish. Motion passed. Our (ARPA) funding in the amount of \$176,349 will be used and the town will contribute \$176,349.00. 24/7 Telcom's contribution will be \$472,176.00 and their grant request will be \$648,525. Total project cost is \$1,297,050.00. This project, subject to approval of grant application and PSC approval, would begin in 2022.

**ARPA BROADBAND ACCESS GRANT APPLICATION
PUBLIC/PRIVATE PARTNERSHIP AGREEMENT
WISCONSIN STATE STATUTE §196.504**

This Public/Private Partnership Agreement ("Agreement") is made by and between the Town of Brunswick, a Wisconsin municipal corporation (the "Town") and 24-7 Telcom, Inc. a Wisconsin corporation ("Telcom"). The Town and Telcom are individually referred to as "Party" and collectively referred to as "Parties".

WHEREAS, the Town seeks to help provide access to broadband services in unserved and/or underserved areas and to encourage economic development within its boundaries; and

WHEREAS, Telcom proposes to construct broadband infrastructure to reach certain unserved and/or underserved resident and business locations requesting broadband service in the Town where such service is currently unavailable or is prohibitively expensive; and

WHEREAS, Telcom is applying for a Fiscal Year 2022 American Rescue Plan Act ("ARPA") Broadband Access Grant ("Grant") to build Fiber-To-The Home ("FTTH") in a hard-to-serve area in the Town. The project area includes a fiber optic network serving the entire unserved/underserved areas South of Townhall Rd. and CTH Z to the Town Line. The project will include Jene Rd. Maple Rd, and Spehle Rd in the NW corner of the Town ("the Project"); and

WHEREAS, the Town is a political subdivision of the State of Wisconsin; and

WHEREAS, the Town desires to enter into this Agreement to work with Telcom to secure funding through application(s) to public grant and loan programs intending to construct broadband Infrastructure or through alignment of other appropriate external funding sources for economic development to support the Project; and

WHEREAS, at the June 8, 2021 Town Board meeting, the Board voted to proceed with Telcom and the proposed joint broadband Project between the Town and Telcom, and to contribute an amount of \$ 176,349.⁰⁰ to extend fiber into the Project area upon the award of a Wisconsin Public Service Commission ("Commission") Grant; and

WHEREAS, the Town will assist in public education, outreach, and mutually agreed upon operations in support of successful Project outcomes. The Town shall also provide in-kind assistance to the Project in the form of waived fees for permitting, zoning and easements necessary for the Project; and

WHEREAS, enhanced broadband access and availability will be utilized to position the Town for desirable economic growth through addressing existing service disparities, while providing a means for accessing the advantages of technology-based economic development practice for the subject localities.

NOW, THEREFORE, the Parties agree as follows:

1. Purpose. The Parties, agree to cooperate and exercise their powers jointly for the purpose of providing support and/or revenues for the Project – Exhibit A includes a map showing the Project area where Telcom fiber facilities are to be installed. The Project will extend Telcom's existing broadband network with a Fiber-to-the-Home ("FTTH") network to existing resident and business locations in the Project area. The network will also provide FTTH for all future businesses and residences that will be located in the Project area.

2. Authorization. Each Party shall authorize the execution, delivery and performance of this Agreement and authorizes Telcom, as an agent, to execute any other agreements requested to be executed and delivered hereunder, as an agent for the Parties.

3. Project Funding. Telcom intends to request a Commission ARPA Grant. The Town has agreed to provide a contribution of \$ 176,349.00 to the cost of the Project, to be paid as provided in section 4 below. Telcom, directly and through other sources, will provide the balance of the funding for the Project. If the Grant is awarded, Telcom may accept the Grant and enter into an acceptable Commission Broadband Grant agreement or, in Telcom's sole discretion, may decline the Grant and not enter into a Grant agreement. The Town's contribution shall only be payable if the Grant is accepted.

4. Payment to Telcom. The Town shall pay the amount of \$ 176,349.00 as follows:

Start of fiber construction

\$ 88,174.50

Project construction completed

\$ 88,174.50

5. Project Ownership. Telcom shall have sole ownership of the Project and shall be solely responsible for the construction, operation, and maintenance of the Project.

6. Liability. Telcom shall have sole liability for the Project and any and all claims, obligations, liability, costs, demands, damages, expenses, fines, penalties, or causes of action ("Claims") that may arise from the Project and its construction, operation, or maintenance. Each Party and its successors and assigns shall indemnify and hold the other Party and its officials, employees, and agents harmless from any and all Claims, including the costs of litigation and reasonable attorney's fees, which may arise out of the ownership, construction, maintenance, or operation of the Project regardless of any fault on the part of the Party, its officials, employees, or agents.

7. Records. Telcom will maintain records related to the Project; and, during the Project, Telcom will make those records available upon reasonable request of the Town.

8. Report. Until completion of the project, Telcom shall meet with the Town on a semi-annual basis for the purpose of presenting an oral report on the status of the Project. The date, time and place of such meeting shall be determined cooperatively among the Parties. No

less than seven (7) days prior to such meeting Telcom shall provide a written report regarding siting, construction progress with respect to the Project.

9. Effective Date. This Agreement shall become effective upon its execution by both Parties.

10. Termination Date. If the Grant is awarded, this Agreement shall terminate 30 days after Town's final payment to Telcom. If the Grant is not awarded, this Agreement shall terminate upon notice from the Commission that the Grant will not be awarded. If the Grant is not awarded, neither Party shall have any obligation to proceed with the Project or make any payment related to the Project. If the Grant is awarded in an amount less than requested in the Grant application, the Parties shall confer and determine the feasibility of proceeding with the Project.

11. Amendments. Any amendments to this Agreement must be in writing and signed by the Parties.

12. Entire Agreement. This Agreement, including its recitals and exhibits constitutes the entire agreement and understanding of the Parties with respect to the subject matter of this Agreement. There are no representations or understandings of any kind not stated in this Agreement.

13. Governing Law. This Agreement shall be governed by the laws of the State of Wisconsin.

14. Counterparts. This Agreement may be executed in two or more counterparts each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

THE TOWN OF BRUNSWICK:

By: Wes Vlcek
Wes Vlcek - Chairman

Date: 6-8-2021

24-7 TELCOM, INC:

By: Mark Stenseth
Mark Stenseth - CEO

Date: 7/15/2021

**INTERGOVERNMENTAL AGREEMENT
EUA CLAIRE COUNTY AND THE TOWN OF Brunswick
DISTRIBUTION OF AMERICAN RECOVERY PLAN ACT FUNDS FOR
BROADBAND EXPANSION**

A. PURPOSE:

Whereas because of the American Recovery Plan Act ("ARPA") that was passed by the United States Government in 2021, Eau Claire County and the Townships located within Eau Claire County have all received funds from ARPA which among other things can be used for the development and improvement of highspeed internet service otherwise known as "broadband" within Eau Claire County. Eau Claire County has set aside a portion of its ARPA funds and established a matching grant program, to match the amount of funds by the Towns for broadband expansion. This agreement entered into by and between Eau Claire County ("County") and the Town of Brunswick ("Town") will regulate how those funds will be disbursed and administered.

B. APPLICATION PROCESS:

The Town will complete and file an application with the Eau Claire County Broadband Committee for the purpose of requesting a grant from the County's ARPA funds for broadband purposes. The application will be filed on the form created by the Broadband Committee and will include at a minimum, the following information:

1. The amount of the Town's ARPA funds being committed to Broadband infrastructure/improvements; and,
2. the amount of funds being requested by the Town from the County as a matching grant; and,
3. the geographical area in the Town where the broadband project will take place; and,
4. a statement on the nature of the project being planned, and an itemization of how the funds will be spent including what equipment will be purchased, what work will be performed, the name of the individual or company who will perform the work, and the timeline for completion of the broadband project.

The County Broadband Committee will review all applications for completeness and that the proposed project follows the rules and regulations of ARPA and will determine the following:

1. If the requested funds will be used by the Town for a broadband project as that term is defined under ARPA; and,
2. The total amount of the grant to the Town; and,
3. If any additional information is needed from the Town as part of the application process to assist the Broadband Committee with making a final determination for grant approval.

C. USE OF FUNDS BY THE TOWN:

The Town understands and agrees that the County has set aside a portion of its ARPA funds as a grant program to match the ARPA funds contributed by the Town towards Broadband improvement. In no instance will the Broadband Committee approve an allocation from Eau Claire County that exceeds the amount the Town is contributing from its own ARPA funds towards the project. The match is limited to use for broadband improvement/expansion as defined under ARPA and may not be used for any of the other purposes set forth in ARPA or for any other reason.

The funds distributed are matching funds, therefore the Town will use the Town's portion of the funds first and then use the matching funds contributed under this agreement. Any unused funds that were contributed under this program, at the completion of the project will be returned to the County so the County can either reallocate the funds or return them to the federal government consistent with ARPA.

The parties acknowledge and agree that the funds distributed under ARPA are restricted to the purposes set forth in the ARPA, and that the failure to comply with the requirements of the ARPA could cause the Town or the County to be required repay the federal government. Should at any time the federal government determine that the funds distributed to the Town were not used in compliance with ARPA and for other than broadband purposes, and informs the County that it must to repay the funds distributed to the Town, then the Town will within 10 days of being notified of the requirement to repay the funds to the federal government will pay to the County the full amount of the grant they received from the county, plus any interest or penalty assessed by the federal government.

D. REPORTING:

The American Rescue Plan Act requires local governments to keep track of and report to the federal government how ARPA funds were spent.

The Town will provide the County with the following information within 60 days of the expenditure of the grant and in no instance after December 31, 2024.

1. An itemized list of where and how the grant funds were spent, including, the following:
 - a. The date of the funds and who they were paid to.
 - b. A copy of the invoice, or payment record for each payment.
 - c. The purpose of the payment, and how it related to the broadband project

E. CONTACT PERSON/ NOTICE

The following individuals are the contact person for each organization and authorized to receive any correspondence/notices related to this agreement:

Eau Claire County:
Director of Planning and Development
Rod Eslinger
721 Oxford Ave
Eau Claire, WI 54703
715 839-4741

Town: Brunswick
Title: Clerk
Name: Debra Grinde
Address: W6335 Spehle Rd.
Eau Claire, WI 54701
Phone: 715-834-7307

F. RELATIONSHIP OF THE PARTIES; INDEMNIFICATION

The parties agree and acknowledge that this agreement in no way makes the County a party to the Town's broadband project, and that the County will not at any time indemnify or assume responsibility on behalf of the Town for the planning, execution, or completion of its broadband project. The County's responsibilities are solely limited to those set forth in this agreement. The Town will fully indemnify the County should any claims or judgments be filed against the County, including, costs, fees, or attorney fees, that stem from or are the result of the acts or omissions of the Town, its elected officials, officers, agents, or employees in relation to its broadband project for which funding is being provided under this agreement.

G. TERMINATION/CONCLUSION OF THIS AGREEMENT

This agreement in no instance shall extend past the conclusion of ARPA. All funds shall be expended, and all work completed consistent with the timelines established by ARPA. In the event the Town is unable to complete its project prior to these deadlines, it shall on or before the termination of ARPA complete its reporting obligations as set forth in this agreement and return all unused funds to the County.

H. AUTHORITY TO ENTER INTO THIS AGREEMENT

By signing this agreement, the parties acknowledge that they have the authority to act on behalf of the Eau Claire County Board and/or the Eau Claire County Broadband Committee and the Town Board to enter into this intergovernmental agreement.

EAU CLAIRE COUNTY

TOWN OF Brunswick

Name:

Debra Grinde
Name: Debra Grinde

Title:

Title: Clerk

Date: _____

Date: Jan. 15, 2022