

**GENERAL FINANCIAL CONDITION  
JEFFERSON COUNTY WISCONSIN  
March 1, 2022**

Available Cash on Hand		
February 1, 2022	\$	(290,862.14)
February Receipts	\$	<u>15,074,592.71</u>
Total Cash	\$	14,783,730.57
Disbursements		
General - February 2022	\$	13,445,578.20
Payroll - February 2022	\$	<u>1,665,926.65</u>
Total Disbursements	\$	<u>15,111,504.85</u>
	\$	<b>(327,774.28)</b>
Cash on Hand (in bank) March 1, 2022	\$	1,896,565.87
Less Outstanding Checks	\$	<u>2,224,340.15</u>
Total Available Cash	\$	<b>(327,774.28)</b>
Local Government Investment Pool - General	\$	31,898,066.48
Dana Investments	\$	39,430,707.42
Local Government Investment Pool -Clerk of Courts	\$	29,256.49
Local Government Investment Pool -Farmland Preservation	\$	180,165.09
Local Government Investment Pool -Parks/Liddle	\$	86,613.96
Local Government Investment Pool -County Bond	\$	<u>9,381,279.57</u>
	\$	81,006,089.01
2022 Interest - Super N.O.W. Account	\$	135.68
2022 Interest - L.G.I.P. - General Funds	\$	2,676.54
2022 Interest - DANA Investments	\$	91,408.88
2022 Interest - L.G.I.P. - Parks /Carol Liddle Fund	\$	10.78
2022 Interest - L.G.I.P. - Farmland Preservation	\$	22.41
2022 Interest - L.G.I.P. - Clerk of Courts	\$	3.64
2022 Interest - L.G.I.P. - County Bond	\$	<u>1,166.84</u>
Total 2022 Interest	\$	95,424.77

JOHN E. JENSEN  
JEFFERSON COUNTY TREASURER

**RESOLUTION NO. 2021 - \_\_\_\_\_**

**Creating public-private partnerships for broadband expansion in Jefferson County**

Executive Summary

Broadband has often been referred to as the infrastructure of the future impacting business investment, education access, residential attraction, and quality of life. During the development of Jefferson County's Strategic Plan, broadband expansion to underserved and unserved parts of the County was highlighted as a key initiative for the County that impacts everyone such as rural and urban residents and business and agri-business by providing access to education and lifelong learning. The importance of broadband was reinforced through Jefferson County's update of its Comprehensive Plan which was approved in 2021, where broadband was determined to be a demonstrated need brought forward by our communities and other stakeholders. Further, there were many lessons learned during COVID -19 related to the impact of limited internet service.

Jefferson County, under the guidance of the Broadband Working Group, has received its Broadband Forward! certification and Telecommuter Forward! certification. Further, the County engaged with broadband service providers Bertram Communications and Netwurx Internet in previous public-private partnerships for purposes of expanding broadband in Jefferson County. These partnerships resulted in the county receiving approximately \$1,118,000 in CARES Act funds to build four fixed wireless towers with Bertram Communications that also facilitated co-location of county communications systems.

Following this grant, the County continued to work on partnerships and grant opportunities for the expansion of reliable and adequate broadband in Jefferson County. This included continued efforts to look at private partners that could assist in broadband improvements. The County has reserved over 2 million dollars in American Rescue Plan Act Funds to assist in these improvements. This resolution authorizes the County Administrator to enter into a public-private partnerships with Hilbert Communications LLC/Bug Tussel, Charter/Spectrum, Edge Broadband, AT&T and other broadband service providers to look at opportunities for the continued expansion and improvement of broadband in Jefferson County through Wisconsin Public Service Commission grants, other state and federal grant programs, and collaborative efforts with private companies. The Jefferson County Broadband Working Group and Finance Committee approved this resolution at a joint meeting on March 3<sup>rd</sup>, 2022 and recommended forwarding to the County Board for approval.

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WHEREAS the Executive Summary is incorporated into this resolution, and,

WHEREAS, Hilbert Communications, LLC ("Hilbert"), and its subsidiary broadband wireless internet service provider company, Bug Tussel Wireless, LLC ("Bug Tussel"), Charter/Spectrum, Edge Broadband, AT&T (hereinafter the Providers) desire to commence projects consisting of the construction and operation of certain fiber optic assets to- provide the most advanced infrastructure to the unserved and underserved residents of Jefferson County, and

WHEREAS, Jefferson County desires to pursue Broadband Expansion Grants offered by and through the State of Wisconsin Public Service Commission and other grant opportunities that may be made available through state and federal government programs, and

WHEREAS, the Jefferson County Broadband Working Group considered the track record of community partnerships and the proposal to expand broadband to unserved and underserved areas of Jefferson County, and hereby recommends partnering with the Providers to pursue broadband expansion grants, and

WHEREAS, Providers and Jefferson County desire to pursue and make application for any and all grant money available for broadband coverage, and

WHEREAS, Providers and Jefferson County are willing and able to create a public private partnership to provide the latest advancements in broadband coverage, and to seek all available grants to provide and subsidize the cost of necessary broadband infrastructure.

NOW THEREFORE, BE IT RESOLVED, that the Jefferson County Board of Supervisors, authorizes the application to the State of Wisconsin Public Service Commission for broadband expansion grants in partnership with Providers, and further authorizes applications for additional broadband funding sources in partnership with other private partners that could assist in broadband expansion; and

BE IT FURTHER RESOLVED, that the Jefferson County Board of Supervisors authorizes the County Administrator to enter into the attached Agreement to Establish a Public-Private Partnership for the Purpose of Applying for a Broadband Expansion Grant with said Providers, substantially similar to the attached Exhibit A, and further authorizes the County Administrator to enter into agreements for public-private partnerships for the purpose of submitting grant applications that could assist with broadband expansion in Jefferson County, and

BE IT FURTHER RESOLVED that the County Administrator is authorized to do all such acts and to execute, acknowledge, and deliver all such documents necessary or desirable to fulfill the intent of this resolution.

*Fiscal Note: Passage of this resolution will have no fiscal impact at this time. If Jefferson County is awarded a grant pursuant to this resolution, a separate resolution to accept the grant, authorize a new agreement with Providers, and amend the budget accordingly will be brought to the Board of Supervisors for approval.*

Referred By:

Broadband Working Group and Finance Committee

03-08-2022

REVIEWED: County Administrator: BPW    Corporation Counsel: JBW    Finance Director:



## EXHIBIT A

### AGREEMENT TO ESTABLISH PUBLIC PRIVATE PARTNERSHIP FOR THE PURPOSE OF APPLYING FOR A BROADBAND EXPANSION GRANT

THIS PUBLIC PRIVATE PARTNERSHIP AGREEMENT ("Agreement") is made this \_\_\_\_ day of \_\_\_\_\_, 2022 ("Effective Date") by and between Jefferson County, Wisconsin (the "County"), a political subdivision of the State of Wisconsin, and \_\_\_\_\_ (respective provider). The County and \_\_\_\_\_ are collectively referred to as the "Parties".

#### RECITALS

A. The County seeks to promote development of high-speed broadband services to unserved and underserved areas within its boundaries and believes that cooperation with private sector partners is necessary for the development of a county-wide broadband network that meets the needs of the County, its resident, and its businesses.

B. To encourage and facilitate deployment of high-speed broadband service in unserved and underserved areas within the County, the County and \_\_\_\_\_ seek to enter into a public private partnership to construct broadband infrastructure to facilitate the future development by Hilbert and/or other third-party \_\_\_\_\_ internet service providers (the "Project").

C. The full scope of the Project will be defined in the final partnership agreement between the Parties ("Final Partnership Agreement").

D. The Parties intend that \_\_\_\_\_ Hilbert, with the County as its public partner, apply to the State of Wisconsin Broadband Expansion Grant Program ("Grant Program") to obtain a grant to be used to pay for a portion of the cost of constructing the Project.

E. The County finds the Project to be in the public interest of the residents and businesses of Jefferson County.

#### AGREEMENT

THE PARTIES agree as follows:

1. **Purpose.** By this Agreement, the County and \_\_\_\_\_ agree to form a public-private partnership so that \_\_\_\_\_ Hilbert can apply to the Grant Program to obtain funds to be applied toward construction of the Project. The County agrees that, as Hilbert's \_\_\_\_\_ public partner, it will cooperate with \_\_\_\_\_ in preparation of the grant application.

2. **Project.** The Project will be developed by \_\_\_\_\_. The estimated cost of the Project is \_\_\_\_\_.

3. **Project Funding.** In its grant application, \_\_\_\_\_ Hilbert shall request a grant for \_\_\_\_\_ of the estimate project cost. If the Grant is awarded and if the Project receives final approval from each Party's respective governing body, each Party agrees in principle to be responsible for a portion of the estimated project costs, subject to further review.

4. **Authorization.** Each Party represents that it has the authority to execute this Agreement.

5. **Records.** \_\_\_\_\_ shall provide the County with a copy of its application to the Grant Program at the same time the application is submitted to the PSC.

6. **Termination.** This Agreement shall become effective on the Effective Date and shall terminate if \_\_\_\_\_ grant application is unsuccessful. If the grant application is successful, this Agreement shall terminate one (1) year after the grant award or in the event that the Parties enter into a Final Partnership Agreement before the one (1) year period expires.

7. **Entire Agreement.** There are no representations or understandings of any kind not stated in this Agreement.

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

9. **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.

## RESOLUTION NO. 2021 - \_\_\_\_\_

### **Authorizing creation of a public-private partnership with Hilbert Communications, LLC to explore Financing options for broadband expansion throughout Jefferson County**

#### Executive Summary

Broadband has often been referred to as the infrastructure of the future impacting business investment, education access, residential attraction, and quality of life. During the development of Jefferson County's Strategic Plan, broadband expansion to underserved and unserved parts of the County was highlighted as a key initiative for the County that impacts everyone such as rural and urban residents and business and agri-business by providing access to education and lifelong learning. The importance of broadband was reinforced through Jefferson County's update of its Comprehensive Plan which was approved in 2021, where broadband was determined to be a demonstrated need brought forward by our communities and other stakeholders. Further, there were many lessons learned during COVID -19 related to the impact of limited internet service.

Jefferson County, under the guidance of the Broadband Working Group, has received its Broadband Forward! certification and Telecommuter Forward! certification. Further, the County engaged with broadband service providers Bertram Communications and Netwurx Internet in previous public-private partnerships for purposes of expanding broadband in Jefferson County. These partnerships resulted in the county receiving approximately \$1,118,000 in CARES Act funds to build four fixed wireless towers with Bertram Communications that also facilitated co-location of county communications systems.

Jefferson County continues its efforts to work with partners to find opportunities through grants to assist in expansion of broadband. Although there is a demonstrated need for broadband in Jefferson County, recent changes to Wisconsin Public Service Commission maps, indicate that there is sufficient broadband service available for the residents of Jefferson County. As a result, Jefferson County has an additional challenge to overcome this Public Service Commission determination when seeking state grant funds. There is clearly a need for expanded broadband service within Jefferson County today and there is growing concern about the impacts of not having broadband service available to our residents and businesses as they strive to live, work, learn, and grow.

Jefferson County staff have been working with Bug Tussel and its parent entity Hilbert Communications on a financing option -in addition to grants, which would provide countywide broadband to homes as well as additional wireless service and increased cellular service with data. The availability of this financing option will –allow this project to move forward without grant proceeds, thereby helping to ensure project completion. Five counties, led by Fond du Lac County, have taken- steps to authorize this financing option in 2021. The conceptual framework was introduced to the Broadband Working Group on February 3, 2022 with additional discussion and approval on March 3, 2022 to continue action to move forward with this financing option.

This financing option utilizes revenue debt/conduit debt that is authorized by public entities. Fond du Lac County serves as the issuing county with participating counties, such as Jefferson County, serving as a guarantor for these funds for their portion of the project. Bug Tussel would be the primary borrower and responsible for debt payments. This financing would be further secured by Hilbert Communications, with a final guarantee by Jefferson County being third in line to guaranty payments. Jefferson County would receive 40 annual basis points (.40%) as a cash payment on its portion of outstanding debt for being the guarantor. Any costs incurred by Jefferson County using this financing option -are subject to reimbursement by Bug Tussel and Hilbert Communications. A debt reserve fund is required to be established with the bond trustee along with reserve of sufficient debt capacity. US Bank is the trustee for the debt service fund, and Jefferson County will be required to deposit an amount equal to one debt service payment into the Fund. This amount is estimated to be \$750,000 to \$1 million and could potentially be funded by bond proceeds. The total estimated project cost is between \$11 and \$15 million.

The proposed partnership would facilitate the construction of three towers, installation of 188 miles of fiber, and the ability for interconnection of Jefferson County communication systems and other county facilities, through 24 strains of fiber-optic infrastructure designated for future public use. This fiber network would provide the backbone for installation of fiber directly to buildings and homes as well as providing -additional fixed wireless access and enhanced cellular coverage. A total of 10,000 addresses will potentially have access to the proposed fiber--optic infrastructure and up to 11,500 addresses will have wireless access, 5,200 of which are in non-urban areas. The project proposes to initially provide at least 3,500 buildings and homes with fiber, with additional fiber installation to be determined based on the final project engineering and budget.

The next round of partnerships with Bug Tussel/Hilbert are poised to be finalize by July of 2022. Construction would expect to begin in late winter of 2022 or spring of 2023, with main infrastructure completed -approximately six months after the start of construction, and service provided to end users within 12 to 18 months.

Finally, there is a potential partnership opportunity to co-locate fiber infrastructure called point of presence on county property at county highway satellite facilities that would assist in interconnectivity, bandwidth and redundancy for emergency communications. The Jefferson County Broadband Working Group and Finance Committee approved this resolution at a joint meeting on March 3<sup>rd</sup>, 2022 and recommended forwarding to the County Board for approval.

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WHEREAS, the need for broadband has been a key action step in the Jefferson County Strategic Plan and the Jefferson County Comprehensive Plan, and

WHEREAS, Jefferson County has continued to work on efforts through development of partnerships and grant applications to provide reliable and sufficient broadband to it residents,

stakeholders and others due to quality of life, education, access to healthcare and economic development, and

WHEREAS, the County feels a significant public interest exists to work with Bug Tussel and Hilbert Communications to develop a financial model that accelerates opportunities to expand broadband to include fiber, fixed wireless, and cellular service in Jefferson County, and

WHEREAS, the fiber back bone will provide redundant fiber systems for county emergency operations and other public needs by providing 24 pairs of dark fiber for county use, and

WHEREAS, Jefferson County has allocated American Rescue Plan Act dollars towards broadband, which may be utilized to accelerate additional broadband service to Jefferson County upon final design efforts with Hilbert.

NOW THEREFORE IT BE RESOLVED, that the Jefferson County Administrator is authorized to continue efforts to coordinate with Hilbert Communications to develop a final plan and budget for broadband financing options with an anticipated completion date of July, 2022.

BE IT FURTHER RESOVLED, the County Administrator is authorized to engage with bond counsel and financial advisors to assist in the preparation of appropriate documents for consideration, and

BE IT FURTHER RESOLVED, the County Administrator is authorized to engage with Hilbert Communications for potential co-location of point of presence facilities on county property and inclusion as part of the total project to be financed.

*Fiscal Note: ~~Passage of this resolution will have no fiscal impact at this time. If Jefferson County is awarded a grant pursuant to this resolution, a separate resolution to accept the grant, authorize a new agreement with Providers, and amend the budget accordingly will be brought to the Board of Supervisors for approval.~~ Passage of this resolution will have no fiscal impact at this time. If Jefferson County pursues this financing model, the Board of Supervisors will be required to approve additional resolutions to meet necessary statutory requirements; to include a final resolution of  $\frac{3}{4}$  vote of the county board to issue bonds in the amount of the total project cost of Jefferson County's portion should the borrower default. This final resolution would allow Jefferson County to issue bonds, if needed, to satisfy its portion of the debt incurred without additional action by the County Board.*



Referred By:

Broadband Working Group and Finance Committee 03-08-2022

REVIEWED: County Administrator: BPW    Corporation Counsel: JBW    Finance Director:

A handwritten signature in blue ink, appearing to be "JTB", enclosed within a blue circular stamp.