

RESOLUTION No. 2021- 11

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS PROVIDING FOR SUPPORT OF THE SoCo BROADBAND PROJECT; PROVIDING FOR A LETTER OF SUPPORT TO BE ISSUED FOR SCEDD'S GRANT REQUEST TO DOLA TO PARTIALLY FUND THE CREATION OF A COMPREHENSIVE IMPLEMENTATION BLUEPRINT; PROVIDING FOR A LETTER OF SUPPORT TO BE ISSUED FOR SCEDD'S GRANT REQUEST TO THE EDA TO LARGELY FUND THE HIRING OF A BROADBAND COORDINATOR AND SUPPORT STAFF FOR THREE YEARS; AND PROVIDING FOR COMMITMENT BY KIOWA COUNTY OF \$4,096 OF ITS AMERICAN RESCUE PLAN ACT (ARPA) FUNDS FOR THESE PURPOSES.

WHEREAS, Kiowa County is a municipality formed pursuant to Colorado statute and is authorized to commit and expend federal funds from the American Rescue Plan Act (ARPA) with the first half of the funds received by Kiowa County to be expended by the end of 2024 and the second half of the funds to be received by Kiowa County to be expended by the end of 2026; and

WHEREAS, the eligible uses of ARPA funds include making necessary investments in infrastructure, including broadband, water, storm water, and sanitary sewer infrastructure; and

WHEREAS, the eligible uses of ARPA funds include making grants to small businesses and non-profits who "faced significant challenges" in meeting operating costs as a result of the pandemic; and

WHEREAS, the U.S. Treasury Department's interim final rule grants recipients "considerable flexibility to use Fiscal Recovery Funds" so long as expenditures are within one of four eligible uses identified by the ARPA, including making necessary broadband investments (at ARPA, p. 79); and

WHEREAS, the Board of County Commissioners for Kiowa County, Colorado finds that many broadband infrastructure and small business assistance projects are hampered by a lack of identification of funding sources, planning, and engineering resources available to towns, cities, and rural counties; and

WHEREAS, Southern Colorado Economic Development District (SCEDD) is a non-profit, regional planning agency that serves thirteen counties, including Kiowa County; and

WHEREAS, SCEDD, in consultation with Region 10, Department of Local Affairs (DOLA), Economic Development Administration (EDA), and other state agencies, service providers, consultants and regional stakeholders has developed a compelling blueprint for leading broadband deployment that is consistent with the statute and regulations of ARPA; and

WHEREAS, the SoCo Broadband Project is being directed by SCEDD, and this program has several tasks that include, but are not limited to: (1) updating three outdated regional plans and creating a Comprehensive Implementation Blueprint, (2) staffing a highly qualified Broadband Coordinator and small support staff to provide regional broadband leadership and coordination, (3) seeking additional resources and grants to assist in leveraging matching to funds in the future from

Kiowa County to implement identified projects, and (4) enabling staff to assist with other infrastructure projects as determined necessary by Kiowa County to assist the region's prosperity, to assist small business, and COVID impacted sectors; and

WHEREAS, SCEDD has the capacity to assist municipalities in acquiring funds, planning, and engineering for and infrastructure projects;

NOW, THEREFORE, BE IT RESOLVED that Kiowa County hereby officially lends its support to SCEDD and will provide letters of support for the two contemplated grant applications, including (1) a SCEDD grant request to DOLA to partially-fund the creation of the Comprehensive Implementation Blueprint and (2) a SCEDD grant to request to the EDA to largely-fund the hiring of a Broadband Coordinator, support staff, etc. for three years; and

BE IT FURTHER RESOLVED that Kiowa County agrees to commit the sum of \$4,096 of its ARPA allocation to SCEDD from the ARPA funds provided to Kiowa County to implement this Resolution; and

BE IT FURTHER RESOLVED that SCEDD is obligated to spend the money on behalf of Kiowa County consistent with the Interim Final Rule, including but not limited to (1) provide match for its initial Implementation Project grants, (2) provide match for state funds for future planning, technical assistance, equipment purchase, construction projects, subsidy to individuals or internet service providers consistent with the Comprehensive Implementation Blueprint and ARPA regulations, (3) increase SCEDD's ability to identify funds to broadband, other infrastructure projects, and aid to small businesses, and (4) assist municipalities in planning, funding, and engineering said projects; and

BE IT FURTHER RESOLVED that SCEDD shall submit an annual written report to the Board of Commissioners for Kiowa County, Colorado before September 1 of each year for the years 2022 to 2026 setting forth SCEDD's expenditure and specific uses of ARPA funds so as to provide to Baca County information necessary for Baca County to timely file ARPA reports to the U.S. Treasury

The vote was:

Commissioner Lening	<u>yes</u>
Commissioner Oswald	<u>yes</u>
Commissioner Robertson	<u>yes</u>

The Chair declared the motion carried and so ordered.

PASSED AND ADOPTED this 14th day of September 2021 in Kiowa County, Colorado.

**BOARD OF COUNTY COMMISSIONERS
OF KIOWA COUNTY, COLORADO**

By Donald Oswald

Donald Oswald, Chair

By Mike Lening

Mike Lening, Commissioner

By Howard Robertson

Howard Robertson, Commissioner

ATTEST:

Diana S. Weeks

Kiowa County Clerk and Recorder



