

Glenwood Telecommunications, Inc.
Fillmore County Phase 2 Project
Attachment L – Public-Private Partnership

Glenwood Telecommunications, Inc. has a signed Public-Private Partnership Memorandum of Understanding (MOU) from Fillmore County regarding cooperation in seeking state funding for deployment of broadband infrastructure in rural areas of Fillmore County. A signed copy of the MOU and the Fillmore County Commissioners meeting minutes are attached for reference.

**Public-Private Partnership
Memorandum of Understanding**

This Memorandum of Understanding is entered on June 14, 2022, by and between Fillmore County, Nebraska ("Public Partner"), and Glenwood Telecommunications, Inc. ("Private Partner") with regard to cooperation in seeking state funding for deployment of broadband infrastructure in rural areas of Fillmore County, excluding all locations under the jurisdiction of incorporated cities and villages (the "Project").

Public Partner and Private Partner (the "Partners") acknowledge the following Principles:

1. Broadband connectivity is critical to attracting talent and facilitating innovation necessary to general economic sustainability and growth.
2. Broadband connectivity is critical to the success of Nebraska's agricultural industry and other industries competing in a global marketplace.
3. Broadband connectivity is critical to the provision of basic services, such as education, government, public safety, and health care, as the ongoing pandemic has demonstrated.
4. All interested parties should be working together to rapidly deploy broadband infrastructure throughout Nebraska/the Project footprint.
5. Public bodies, such as cities, counties, public power districts and cooperatives in Nebraska/the Project footprint have a demonstrated record of constructing and maintaining critical long-term infrastructure.
6. Private entities, operating rapidly evolving technologies in competitive marketplaces, best serve the needs of consumers of technology-based services.
7. Both Partners have demonstrated records of constructing and maintaining critical long-term infrastructure necessary to provide service in rural areas.
8. Cooperation between public bodies and private entities with proven records of serving Nebraskans, especially in rural areas like the Project footprint, is critical to rapid broadband deployment.

Acknowledging these Principles, the Partners agree as follows:

1. This Memorandum of Understanding shall not be construed to be or to bind either Partner to any specifications, requirements, statements of work, or invitations for bid or requests for proposal under the American Rescue Plan Act or any other governmental program, unless specifically and mutually agreed upon in writing.
2. The Partners will work together to seek the following funding for the Project:
 - a. Nebraska Broadband Bridge Program; and
 - b. Other funding the parties mutually agree in writing to seek.
3. The Partners will cooperate to promptly assemble information, marshal resources, and complete action needed to seek funding.
4. To prepare for the event that the Partners receive such funding for the Project, the Partners will earnestly work and negotiate in good faith to determine how to expeditiously deploy broadband infrastructure to best serve the needs of all locations in the Project footprint, including:
 - a. Establishment of necessary entities and contractual relationships for constructing, owning, operating, and maintaining broadband infrastructure, including, but not limited to:
 - i. Simple and efficient administrative processes;
 - ii. Dark fiber leasing and other arrangements that facilitate broadband deployment and allow, at least, recovery of costs, together with any debt service, capital recovery and ongoing maintenance directly related to the broadband infrastructure; and
 - iii. Collocation, pole attachment and easements rates that are cost-based and cover any debt service, capital recovery and ongoing maintenance directly related to the broadband infrastructure.
 - b. Cooperating with one another and collaborating with others in Project footprint to ensure that residents will be able to afford the services offered;
 - c. Effectively leverage other available funding for the Project;
 - d. Development of technical, financial, management, administrative, and legal structures, resources, processes, and best practices; and
 - e. Efficient and cost-effective Project planning, deployment, operations, and maintenance.
5. The Partners agree to use best efforts to utilize any awarded funding to work together to deploy broadband infrastructure necessary to offer reliable and affordable broadband and, as required, voice services to all locations in the Project footprint.
6. The Private Partner will provide services that comply with all applicable federal, state, and local legal and regulatory requirements.
7. So long as the Private Partner provides services consistent with the Memorandum of Understanding and any subsequently negotiated agreements, and subject to any such subsequent agreement, the Public Partner will not provide broadband services to customers in the Project Footprint for any fee, rate, tax, surcharge, or other assessment.
8. The Partners will further comply with requirements related to the Project mutually agreed to by the Partners, including deadlines for project completion, milestone reporting, speed test standards, and other reasonable accountability measures.
9. The Partners at any time may mutually agree in writing to modify the terms and conditions of this Memorandum of Understanding.

 *Wade Allen* chairman

Fillmore County, Nebraska


Glenwood Telecommunications, Inc.

The Fillmore County Board of Supervisors convened in open and public session at 9:08 a.m., June 14, 2022, in the Boardroom of the Courthouse in Geneva, Nebraska with Chairman Sluka presiding. Members present were Noel, Neiman, Graham, Harre, Cerny, and Lightwine. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:25 p.m.

MINUTES APPROVED

Chairman of the Board, Sluka declared the minutes from the May 24, 2022 May 27, 2022 and June 2, 2022, meetings approved as presented.

CARE MANAGEMENT AGREEMENT WITH AGING PARTNERS

Noel moved and Harre seconded the motion to approve the Aging Partners Care Management Agreement with the City of Lincoln beginning July 1, 2022 and ending June 30, 2023. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declared the motion carried.

CLAIMS

The claims were presented for payment. The following abbreviations describe the expenditures: Equip – equipment, HDM's – home delivered meals, Insur – insurance, Main – maintenance, Mtgs – meetings, Mile – mileage, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:

Ace Agricultural Supply	Equip, Rep	565.48
Action Auto Supply	Rep	31.77
Aging Partners	Sup	17.15
Aplied Connective Technologies	Ser	670.70
Auto Value Parts Stores	Rep, Main	148.50
Bi-Versal Services, LLC	Ser	489.43
Black Hills Energy	Uti	398.27
Carrier Corporation	Ser, Main	3,050.00
City of Geneva	Uti	475.20
Clay County News	Ads	56.33
Clearly	Uti	397.30
Melinda Coetzee	Sup	81.40
Cornerstone Bank	SS	6,273.78
Jill R. Cunningham	Rent	183.33
Diane Deepe	Ser	340.00
Dollar General – Regions 410526	Sup	5.15
Eakes Office Solutions	Sup	3,624.60
Election Systems & Software, Inc.	Sup	3,140.36
Patricia I. Engle	Meals	8.25
Erdkamp Motors	Main	108.84
Exeter Senior Center	USDA Reim	23.10
Fairmont Aging Services	USDA Reim	88.20
Farmers Cooperative	Fuel	1,024.89
Fillmore County Clerk of District Court	Fees	71.00
Fillmore County Medical Center	Ser	49.68
Fillmore County Sheriff	Fees, Mile	178.75
Fillmore County Treasurer	Transfer	215,000.00
First Concord Benefits Group	Insur, Ser	2,366.53
First Wireless, Inc.	Equip, Ser	16,368.72
Geneva Building Supply	Sup	20.25
Geneva Senior Center Foundation	USDA reim	450.80
Geneva Tire and Auto, Inc.	Rep	29.50
Glenwood Telecommunications	Uti	369.70
The Hebron Journal – Register	Ads	371.25
Dawn M. Henry	Rent	183.34
Kimberly J. Hirth	Rent	183.33
The Home Depot Pro	Sup	791.07
Hometown Leasing	Ser	1,523.95
Justice Data Solutions, Inc.	Main	2,800.00
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti, Sup	3,168.03
Jerry Knoche	Mile	26.91
Kopchos Sanitation, Inc.	Uti	148.75
Stephen J. Kraviec	Ser, Post	1,780.04
Lancaster County Sheriff	Fees	20.46

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M & D Verhage and Sons, Inc.	Ser, Rep	1,020.00
Madison National Life Insurance Co.	Insur	148.99
Midwest Connect	Maint	500.00
MIPS, Inc.	Equip, Ser	6,395.14
Murray Law, PC, LLO	Ser	3,277.50
Nebraska Assoc. Of County Extension Brd	Dues	100.00
Nebraska Assoc. of County Officials	Wksh	570.00
Nebraska Public Power District	Uti	1,715.99
The Nebraska Signal	Ads, Pro	1,242.13
Darren Pfeifer	Misc	19.29
Postmaster	Post, Rent	1,480.00
PurFoods, LLC	Meals	404.58
Quadient Finance USD, Inc.	Post	700.00
Region V Systems	EPC billing	856.00
Retirement Plans Division of Ameritas	Ret	5,955.51
Timothy P. Rohrig, Ph.D, F-ABFT	Ser	400.00
S & S Worldwide, Inc.	Sup	27.99
Saline County Clerk	Sup	240.24
State of Nebraska – DAS Central Finance	Ser	448.00
State of Nebraska – DAS State Accounting	Ser	65.88
State of Nebraska Health & Human Serv	May patient care	186.00
Sullivan Shoemaker, PC, LLO	Ser	1,384.44
Thayer County Treasurer	Subscription	256.92
TK Elevator Corporation	Main	308.13
Unifirst Corporation	Ser	527.50
United States Treasury	Ser	142.29
University of Nebraska – Lincoln	4-H salary	704.92
US Bank, CPS	Sup, Post, Equip, Wksh, Lodging, Meals	4,843.23
Brandy VanDeWalle	Uti, Meals, Mile	63.72
Weaver Pharmacy	Sup	65.47
Wild Buffalo Technologies & Innovations	Equip	1,080.09
Windstream	UTi	141.01
Woodwards Disposal Service, Inc.	Ser	115.00
York County Communications Center	Wksh	237.60
Zito Media	Uti	70.32
Payroll	Salaries	89,278.02

ROAD/BRIDGE FUND:

AFC Industries	Sup	441.21
Auto Value Parts Stores	Parts, Sup, Rep	639.91
Paul Bauer	Ser	365.00
Beatrice Sand and Gravel	Gravel	46,956.87
Bi-Versal Services, LLC	Ser	882.43
Black Hills Energy	Uti	199.69
Carquest Geneva	Parts, Main, Rep	519.01
City of Geneva	Uti	64.50
Cornerstone Bank	SS	2,504.43
Farmers Cooperative	Fuel	351.27
Fillmore County Treasurer	Misc	10.00
Geneva Implement Co., Inc.	Parts, Rep	265.11
Geneva Tire and Auto, Inc.	Rep, Tires	1,833.31
Geneva Welding & Supply, Inc.	Parts, Sup	456.17
Glenwood Telecommunications, Inc.	Uti	194.85
Grafton Oil, Inc.	Fuel	3,929.80
Hometown Leasing	Ser	151.70
Hwy 41 Express Stop	Fuel	425.15
Kopchos Sanitation, Inc.	Uti	55.00
Lichti Oil	Fuel	21,891.94
Mid-Nebraska Aggregate, Inc.	Gravel	9,389.87
MIPS, Inc.	Ser	142.92
Newman Traffic Signs	Sup, Equip	189.30
Nichols Construction	Gravel	38,862.28
NMC Exchange, LLC	Parts, Ser, Rep	4,288.17
Perennial Public Power District	Uti	60.83
Postmaster	Rent	160.00
Power Plan	Rep	1,016.04
RDO Truck Centers	Rep	51.84
Retirement Plans Division of Ameritas	Ret	2,216.96
Donna Saltzman	Ser	90.00
Sargent Drilling	Sup	380.00
US Bank CPS	Post, Ser, Equip	420.10
VanKirk Bros Contracting	Box Culvert	120,604.88
Verizon Connect NWF, Inc.	Uti	38.65
Village of Exeter	Uti	22.25
Village of Fairmont	Uti	20.48
Village of Grafton	Uti	42.50
Village of Shickley	Uti	73.42
Windstream	Uti	171.96
Yant Equipment, Inc.	Rep	411.54

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33,412.16

Payroll

Salaries

REGISTER OF DEEDS PRESERVATION FUND:

MIPS, Inc.

Equip, Ser

1,612.89

INHERITANCE TAX FUND:

Geneva Senior Center Foundation

Equip

8,824.11

Geneva Welding & Supply, Inc.

Equip

3,950.00

911 Custom

Equip, Rep

2,030.22

Security Equipment, Inc.

Equip, Ser, Sup

14,976.00

Woods Aitken, LLP

Ser

8,290.01

911 EMERGENCY MANAGEMENT FUND:

First Wireless, Inc.

Rep

586.70

Glenwood Telecommunications

Uti

64.95

National Emergency Number Assoc.

Wksh

598.00

Nebraska Public Power District

Uti

180.97

Windstream

Uti

1,966.90

AG SOCIETY BUILDING BOND FUND:

Union Bank & Trust Company

Principal & Interest

58,500.00

HOSPITAL OPERATING FUND:

Fillmore County Hospital

May taxes

10,122.15

CLAIMS APPROVED

Lightwine moved and Cerny seconded the motion to approve the claims presented, including past employee payouts. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declared the motion carried.

FEE REPORTS MAY 2022

Lightwine moved and Graham seconded the motion to approve the fee reports as presented for May 2022:

County Clerk \$6,419.57 (State \$1,958.31 & County \$4,461.26)

Clerk of the District Court \$1,798.33

County Sheriff \$1,268.65

Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declared the motion carried.

NIRMA INSURANCE FOR 2022/2023

After discussion, Neiman moved and Lightwine seconded the motion to increase the liability coverage per occurrence to \$8,000,000 and continue with same deductibles for the NIRMA Insurance for fiscal year 2022/2023 as previous year. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declared the motion carried.

GENEVA TOWNSHIP CLAIM

Cerny moved and Noel seconded the motion to approve the claim from Fillmore County Road Department in the amount of \$5,500.00 for Geneva Township and to direct the County Treasurer to pay the bill as presented. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Lightwine, Neiman, Noel, and Sluka

Nays: None

Absent: Harre

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY PERMITS

Neiman moved and Noel seconded the motion to approve the following occupy county right-of-way permits as presented by the Highway Superintendent:

Glenwood Telecommunications, Inc. – bury fiber optic cable along Road 6 between Hwy 74 and W Murray Street in Shickley, Between Section 11 and 12, Bryant Township. The owner will cooperate fully with the officials of Fillmore County and keep them fully and immediately informed of all construction or maintenance work required in the county right-of-way.

Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declared the motion carried.

SURPLUS MOTOR GRADER BATTERIES

After discussion, Lightwine moved and Graham seconded the motion to declare ten (10) motor grader batteries as surplus and return to Geneva Carquest with applied credit. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declare the motion carried.

SALES AGREEMENT FOR 2019 SKID LOADER

After discussion, Lightwine moved and Neiman seconded the motion to approve the purchase of the 2019 Skid Steer off of lease from NMC for \$49,999.00 (Hwy Superintendent was not able to receive any comparable bids from other vendors). Upon roll call, the vote was as follows;

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declared the motion carried.

DISCUSSION REGARDING NEW/USED PICKUP

After discussion, Graham moved and Lightwine seconded the motion to authorize the County Board Chairman and the Highway Superintendent to purchase a new/used pickup with comparable quotes from several vendors authorizing spending up to \$49,999.00. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declared the motion carried.

OTHER ROAD DEPARTMENT DISCUSSION

Pat Halbur, Highway Superintendent informed the Board that the budgeted items motor grader and overhead doors will not be delivered for the 2021/2022 budget year. Will continue to research items for road work on Road 2, between Road P and Road Q. Electrical work at the Road Dept. to connect more items to the generator was discussed. A few board members will meet Doug with 34 Electric after meeting to discuss his quote for completing this electrical work.

ANNUAL REPORT AND BUDGET REQUEST FROM USDA WILDLIFE SERVICES

Joni Abbott and Nicole Swartz SDA/APHIS Wildlife Services presented the annual report and budget request of \$11,924.03 for fiscal year 2022/2023.

CONTRACT FOR USDA WILDLIFE SERVICES

After discussion, Graham moved and Noel seconded the motion to approve the USDA Wildlife Services contract beginning July 1, 2022 and ending June 30, 2023 in the amount of \$11,924.03. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declared the motion carried.

ADDING AND REPLACING CAMERAS AND ADDING AN ACCESS DOOR

County Clerk, Amy Nelson informed the Board regarding adding, replacing cameras, and adding an access door with current vendor SEi Security.

After discussion, Neiman moved and Lightwine seconded the motion to approve adding two cameras on the 2nd floor of courthouse, adding an access door and replacing four (4) cameras at the East Office Building. Upon the roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declared the motion carried.

DISCUSSION WITH COUNTY ATTORNEY REGARDING CORONER DUTIES

County Attorney, Jill Cunningham informed the Board of changes to duties regarding coroner duties and issuing the cause of death on a death certificate. After discussion, the Board requested more information at the next meeting. Chief Deputy McFarland, Sargent Howland and deputy Roemmich were present for discussion.

MEMORANDUM OF UNDERSTANDING

After discussion, Neiman moved and Noel seconded the motion to approve the memorandum of understanding with Glenwood Telecommunications to apply for a new Public Service grant with the County paying 25% (max \$250,000.00) with 25% / 75% matching grant with county paying no more than \$250,000.00 if the grant is awarded. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, and Noel

Nays: Sluka

The Chairman declared the motion carried.

HOPE CRISIS CENTER

Carmen Hinman, Executive Director and Kylee Troutman, Victim Advocates of Hope Crisis Center gave an annual report and budget request of \$7,272.00 for fiscal year 2022/2023.

COMPREHENSIVE PLAN UPDATE

Keith Karl with Hanna-Keelan reviewed the bid submitted at the April 26, 2022 meeting, further discussion at the June 26, 2022 meeting.

INTERLOCAL AGREEMENT FOR SHARING MASS NOTIFICATION SYSTEM

After discussion and review, Neiman moved and Graham seconded the motion to approve the interlocal agreement for sharing the mass notification system with Jefferson, Nuckolls, Saline and Thayer counties beginning June 14, 2022 to June 13, 2023. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declared the motion carried.

DISCUSSION REGARDING PSAP, NEXT GEN, AND COMMUNICATIONS

Chief Deputy, McFarland and Emergency Manager, Jean Engle informed the Board that Next Gen 911 will soon be coming out with several changes and reviewing communications updates that will be necessary to maintain compliance.

EXECUTIVE SESSION

Lightwine moved and Neiman seconded the motion that the Fillmore County Board of Supervisors hold an executive session at this time pursuant to Section 84-1401, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and consider in executive session receiving advice from legal counsel on a personnel matter authorized by Statute to be discussed in executive session. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declared the motion carried and requested that County Clerk remain. Executive session began at 2:21 p.m.

RETURN TO REGULAR SESSION

Graham moved and Lightwine seconded the motion to return to open session at 2:24 p.m. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declared the motion carried.

ADJOURN

As there was no other business to come before the Board, Graham moved and Sluka seconded the motion to adjourn until 9:05 a.m., June 26, 2022. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka

Nays: None

June 14, 2022

The Chairman declared the motion carried.

Attest

Chairman