

**Glenwood Telecommunications, Inc.**  
**Phelps County Project**  
**Attachment L – Public-Private Partnership**

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

**Public-Private Partnership  
Memorandum of Understanding**

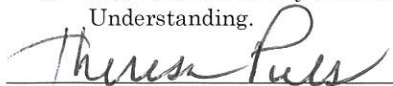
This Memorandum of Understanding is entered on 6/7/, 2022, by and between Phelps County ("Public Partner") and Glenwood Telecommunications, Inc. ("Private Partner") with regard to cooperation in seeking state funding for deployment of broadband infrastructure in rural areas of Phelps County, excluding all locations under the jurisdiction of incorporated cities and villages (the "Project").

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

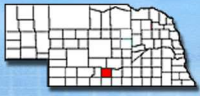
1. Broadband connectivity is critical to attracting talent and facilitating innovation necessary to general economic sustainability and growth.
2. Broadband connectivity is critical to the success of Nebraska's agricultural industry and other industries competing in a global marketplace.
3. Broadband 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. Effectively leverage other available funding for the Project;
  - c. Development of technical, financial, management, administrative, and legal structures, resources, processes, and best practices; and
  - d. Efficient and cost-effective Project planning, deployment, operations, and maintenance.
  - 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.

  
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Phelps County, Nebraska

  
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Glenwood Telecommunications, Inc.



# Phelps County Board Minutes



COMMISSIONERS ROOM, HOLDREGE, NE  
9:00 A.M. May 24, 2022

The Phelps County Board of Commissioners met in regular session on May 24, 2022, as advertised, with Commissioners Dennis Ostgren; Rick Streeter; Barb Malm; Matt Gregg; Tom Nutt; Russ Cruise and Theresa Puls present. The meeting was called to order by Chairman Puls. The Pledge of Allegiance was recited. Theresa announced the open meeting law would be in effect and that a copy is posted on the wall. Ostgren moved, seconded by Gregg, to approve the minutes of the previous meeting. Roll call vote was Ostgren, yes; Malm, yes; Gregg, yes; Cruise, yes; Nutt, yes; Streeter, yes; Puls, yes. Motion carried.

Nutt moved, seconded by Cruise, to approve May payroll claims in the amount of \$230,585.81 for the general, \$64,656.13 for the road and \$2,273.07 for the weed fund. Roll call vote was Ostgren, yes; Gregg, yes; Malm, yes; Cruise, yes; Nutt, yes; Streeter, yes; Puls, yes. Motion carried.

Melodie Marvin, Assessor reviewed the 521's (real estate transfer statements) with the Board.

Cruise moved, seconded by Streeter, to reappoint Gary Samuelson to the Veteran's Service Committee for another five- year term starting July1, 2022 and ending June 30, 2027. Roll call vote was Ostgren, yes; Malm, yes; Gregg, yes; Cruise, yes; Nutt, yes; Streeter, yes; Puls, yes. Motion carried.

Rick Streeter left the meeting at 10:00 a.m.

The Board discussed broadband infrastructure in rural Phelps County which can be funded through the ARPA Funds. Glenwood is asking for \$300,000 from the county for the bridge grant they are applying for. After discussion Ostgren moved, seconded by Nutt, to approve giving \$250,000 to Glenwood Telephone Co. for the bridge grant and they will put up \$50,000 in contingent they get the grant. This will be paid through the ARPA Fund. Roll call vote was Ostgren, yes; Malm, yes; Gregg, yes; Cruise, yes; Nutt, yes; Puls, yes. Streeter absent. Motion carried.

Matt, Rick and Tom discussed meetings they attended.

The meeting adjourned at 10:35 a.m.

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Sally Fox, County Clerk

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Theresa Puls, Chairman Board of Commissioner