

MINUTES OF MEETING
OF
SANITARY AND IMPROVEMENT DISTRICT NO. 1
OF CASS COUNTY, NEBRASKA

A meeting of the Board of Trustees of Sanitary and Improvement District No. 1 of Cass County, Nebraska, was convened in open and public session at 11:00 a.m. on the 8th day of September, 2020, and to be held at the 10250 Regency Circle, 2nd Floor, Omaha, Nebraska.

Present: Peggy L. Lawton, Jon Meyers, Wayne Breyfogle, and Phillip Wright. Also, in attendance were Mark J. LaPuzza, attorney for the District, Kraig Thelen, Ed Hobza of Thompson, Dreessen & Dorner, Inc., and Jim Noerrlinger.

Absent: Scott Pekarek.

Notice of the meeting was given in advance thereof by publication in The Plattsmouth Journal on September 3, 2020, a copy of the proof of publication being attached to these minutes. Notice of this meeting was simultaneously given to all members of the Board of Trustees, and a copy of their acknowledgment of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the published notice and in the notice to the Trustees of this meeting. All proceedings of the Board were taken while the convened meeting was open to the attendance of the public. The agenda was at all times available at the office for the District at Regency Center, Suite 300, 10250 Regency Circle, Omaha, Nebraska 68114.

It was first publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held.

There was next presented in accordance with the provisions of Neb. R.R.S. Section 77-1601.02, the publication concerning the Board of Trustees recommendation that the property tax request for tax year 2020-2021 be set at a different amount than the 2019-2020 tax request. It was further reported that no person had appeared at the meeting in response to such hearing notice. The Clerk was directed to attach a copy of such notice to the minutes of these proceedings.

After discussion and upon a motion duly made and seconded, and upon a roll call vote, the Trustees, Peggy L. Lawton, Jon Meyers, Wayne Breyfogle, and Phillip Wright voted "Aye" with none voting "Nay" with the following resolution being thereby adopted and approved:

RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 1 of Cass County, Nebraska, that it is advisable that the property tax request for tax year 2020-2021 be set at a different amount than the 2019-2020 tax request as set out in the proof of publication attached hereto and incorporated herein by this reference, as follows:

1. The 2020-2021 property tax request be set at \$694,689.97 (\$1.500000), broken down as follows:

Bond Fund	\$509,439.30 - \$1.100000
General Fund	\$185,250.67 - \$0.400000
TOTAL	\$694,689.97 - \$1.500000

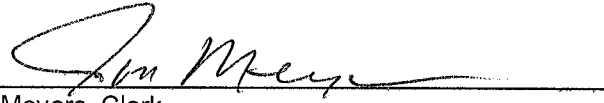
2. The total assessed value of property differs from last year's total assessed value by 0%.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$1.113167 per \$100 of assessed value.
4. The District proposes to adopt a property tax request that will cause its tax rate to be \$1.500000 per \$100 of assessed value, broken down as follows:

Bond Fund	\$509,439.30 - \$1.100000
General Fund	\$185,250.67 - \$0.400000
TOTAL	\$694,689.97 - \$1.500000
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the District will exceed last year's by -23%.
6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2020.

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SIGNATURES APPEAR ON THE FOLLOWING PAGE]**

There was next reviewed the Agenda which had been available for public inspection in accordance with the law prior to this meeting of the Board of Trustees and reported that all matters considered by the Board at this meeting appeared on the Agenda.

Jon Meyers, as Clerk for Sanitary and Improvement District No. 1 of Cass County, Nebraska (the "District") does hereby certify that the above proceedings are a true and accurate statement of the proceedings had by the District at its September 8, 2020, meeting.

A handwritten signature in black ink, appearing to read "Jon Meyers", written over a horizontal line.

Jon Meyers, Clerk

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OF
SANITARY AND IMPROVEMENT DISTRICT NO. 1
OF CASS COUNTY, NEBRASKA

A meeting of the Board of Trustees of Sanitary and Improvement District No. 1 of Cass County, Nebraska, was convened in open and public session at 11:05 a.m. on the 8th day of September, 2020, and to be held at the 10250 Regency Circle, 2nd Floor, Omaha, Nebraska.

Present: Peggy L. Lawton, Jon Meyers, Wayne Breyfogle, and Phillip Wright. Also, in attendance were Mark J. LaPuzza, attorney for the District, Kraig Thelen, Ed Hobza of Thompson, Dreessen & Dorner, Inc., and Jim Noerrlinger.

Absent: Scott Pekarek.

Notice of the meeting was given in advance thereof by publication in The Plattsmouth Journal on September 3, 2020, a copy of the proof of publication being attached to these minutes. Notice of this meeting was simultaneously given to all members of the Board of Trustees, and a copy of their acknowledgment of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the published notice and in the notice to the Trustees of this meeting. All proceedings of the Board were taken while the convened meeting was open to the attendance of the public. The agenda was at all times available at the office for the District at Regency Center, Suite 300, 10250 Regency Circle, Omaha, Nebraska 68114.

It was first publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held.

It was next reported in accordance with the provisions of Neb. R.R.S. Section 13-501 through 13-513, the District's certified public accountants were directed to prepare a proposed budget and further that the Clerk attended to the required publication of notice with regard to the budgetary hearing to be held by the Board of Trustees. The Clerk had been directed to give the appropriate notices in accordance with the Nebraska Budget Act and that a budgetary hearing for the District be held on the 8th day of September, 2020, at 10250 Regency Circle, 2nd Floor, Omaha, Nebraska.

There was next presented the publication of this budgetary hearing as presented in The Plattsmouth Journal. It was next reported that such notice of the budgetary hearing along with a budget summary had been published in accordance with law. It was further reported that it appeared that no person had appeared at the meeting in response to such notice of the budgetary hearing and the Clerk was directed to attach a copy of such notice to the minutes of these proceedings.

After a lengthy discussion and upon a motion duly made and seconded, and upon a roll call vote, the Trustees, Peggy L. Lawton, Jon Meyers, Wayne Breyfogle, and Phillip Wright, voted "Aye" with none voting "Nay" with the following resolution being thereby adopted and approved:

RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 1 of Cass County, Nebraska, that the budget and tax levy as tentatively set forth be adopted as the final budget and levy in accordance with Exhibit "A" attached hereto and by this reference made a part hereof. Further that the Clerk of the District be directed to file a copy of the adopted budget with the levying board of the State Auditor's office as well as

certifying the levy to the Cass County officials as well as attaching a proof of publication to such adopted budget.

With the budget for the District having been adopted, it was then stated that it would be appropriate at this time to levy the tax in accordance with the budget statement. After a full and complete discussion and upon a motion duly made and seconded, and upon the following roll call vote, the Trustees, Peggy L. Lawton, Jon Meyers, Wayne Breyfogle, and Phillip Wright voted "Aye" with none voting "Nay" thereby passing and adopting the following resolution:

RESOLVED, that Sanitary and Improvement District No. 1 of Cass County, Nebraska, levy and collect for the year 2020-2021 a tax of \$1.500000 per One Hundred and no/100 Dollars (\$100.00) actual valuation of taxable property in the District, except intangible property, said tax to be credited to the appropriate fund as indicated below:

\$0.400000 on each One Hundred and no/100 Dollars (\$100.00) actual valuation to be credited to the General Fund of the District and thereby collect \$185,250.67 in taxes to be credited to this fund; and

\$1.100000 on each One Hundred and no/100 Dollars (\$100.00) actual valuation to be credited to the Construction (Bond) Fund of the District and thereby collect \$509,439.30 in taxes to be credited to this fund.

FURTHER RESOLVED, that the Clerk of this District be and hereby is directed to deliver and file with the County Clerk of Cass County, Nebraska and the Auditor of Public Accounts, a copy of this resolution.

The Board was next presented with consideration of its outstanding bills and invoices.

There were next presented statements from Kraig J. Thelen, for work performed on FEMA Disaster DR 4420, as follows: (i) Statement dated July 2020, in the amount of Seven Hundred Forty-One and no/100 Dollars (\$741.00), and (ii) Statement dated August, 2020, in the amount of Four Hundred Sixty-Six and 50/100 Dollars (\$446.50); said statements being in the aggregate amount of One Thousand One Hundred Eighty-Seven and 50/100 Dollars (\$1,187.50).

There was next presented a statement from Thompson, Dreessen & Dorner, Inc., engineers for the District, for services rendered for the project entitled March 2019 Flood, Invoice #139180, in the amount of Three Hundred Sixty and no/100 Dollars (\$360.00).

There was next presented a statement from Nebraska Public Power District, for lighting at Highway 75, Account #211010041398, having a credit balance in the amount of Fifteen and 02/100 Dollars (\$15.02). **The Board was next reminded that made an advance payment at the July 30, 2020 meeting in the amount of One Hundred and no/100 Dollars (\$100.00), so no payment is due at this time.**

There were next presented statements from Wilbur-Ellis, for purchase of Rodeo and Trimec, Invoice #15570, in the amount of Two Hundred Eighty-Five and 50/100 Dollars (\$285.50).

There were next presented statements from One Call Concepts, Inc., for line locates within the District, as follows: (i) Invoice #0070558, in the amount of Eleven and 15/100 Dollars (\$11.15), and (ii) Invoice #0080558, in the amount of Ten and 39/100 Dollars (\$10.39); said statements being in the aggregate amount of Twenty-One and 54/100 Dollars (\$21.54). **The Board next directed advance payment to be made in the amount of One Hundred and no/100 Dollars (\$100.00).**

There was next presented a statement from Nebraska Public Health Environmental Lab, for water testing, Invoice #530051, with credit applied, now having a zero balance.

There was next presented a statement from Thompson, Dreessen & Dorner, Inc., engineers for the District, for miscellaneous District maintenance through August 28, 2020, Invoice #139179, in the amount of Two Thousand One Hundred Eight and 90/100 Dollars (\$2,108.90).

There was next presented s statement from Layne Christensen Company, for well testing, Invoice #1867353, in the amount of Two Thousand Three Hundred Fifty and no/100 Dollars (\$2,350.00).

There were next presented statements from Pansing Hogan Ernst & Bachman LLP, attorneys for the District, for legal services performed through August 31, 2020, as follows: (i) Miscellaneous District matters, in the amount of Twelve Thousand Six Hundred Twenty-Five and 92/100 Dollars (\$12,625.92), and (ii) March 2019 Flood, in the amount of One Thousand Seventy-Two and 50/100 Dollars (\$1,072.50); said statements being in the aggregate amount of Thirteen Thousand Six Hundred Ninety-Eight and 42/100 Dollars (\$13,698.42).

There was next presented correspondence from Jim Noerrlinger, presenting and requesting payment in favor of Lake Waconda Association, for miscellaneous expense, as follows: (i) running gear for fuel truck, in the amount of Eighty-Four and 40/100 Dollars (\$84.40), (ii) Impact Manufacturing, in the amount of Two Hundred Fifty-Three and 20/100 Dollars (\$253.20), and (iii) Big Iron Auction, in the amount of Five Thousand Three Hundred Eighty and 50/100 Dollars (\$5,380.50); said statements being in the aggregate amount of Five Thousand Seven Hundred Eighteen and 10/100 Dollars (\$5,718.10).

The previously described bills, invoices, recommendations and statements having been presented for the Board's consideration and after review and discussion of such items, the following resolution was duly moved and passed on a 4-0 vote.

RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 1 of Cass County, Nebraska, that the Chairman and Clerk be and they hereby authorized and directed to execute and deliver Warrant Nos. 5574 and 5575, of the District, dated the date of this meeting, to the following payees and in the following amounts, said Warrants to be drawn on the **BOND** Fund of the District and to draw interest at the rate of seven percent (7%) per annum (interest to be payable on February 10 of each year) and to be redeemed no later than September 8, 2025, subject to extension of said maturity date by order of the District Court of Cass County, Nebraska, after notice is given as required by law, to-wit:

Warrant No. 5574, for the amount of One Thousand One Hundred Eighty-Seven and 50/100 Dollars (\$1,187.50), payable to Kraig J. Thelen.

Warrant No. 5575, for the amount of Three Hundred Sixty and no/100 Dollars (\$360.00), payable to Thompson, Dreessen & Dorner, Inc.

FURTHER RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 1 of Cass County, Nebraska, that the Chairman and Clerk be and they hereby authorized and directed to execute and deliver Warrant Nos. 5576 through 5584, of the District, dated the date of this meeting, to the following payees and in the following amounts, said Warrants to be drawn on the General Fund of the District and to draw interest at the rate of six percent (6%) per annum and to be redeemed no later than September 8, 2023, subject to extension of said maturity date by

order of the District Court of Cass County, Nebraska, after notice is given as required by law, to-wit:

Warrant No. 5576, for the amount of Two Hundred Eighty-Five and 50/100 Dollars (\$285.50), payable to Wilbur-Ellis.

Warrant No. 5577, for the amount of Two Thousand One Hundred Eight and 90/100 Dollars (\$2,108.90), payable to Thompson, Dreesen & Dorner, Inc.

Warrant No. 5578, for the amount of Two Thousand Three Hundred Fifty and no/100 Dollars (\$2,350.00), payable to Layne Christensen Company.

Warrant Nos. 5579 and 5580, each for the amount of Five Thousand and no/100 Dollars (\$5,000.00), and Warrant No. 5581, for the amount of Three Thousand Six Hundred Ninety-Eight and 42/100 Dollars (\$3,698.42), payable to Pansing Hogan Ernst & Bachman LLP.

Warrant No. 5582, for the amount of Five Thousand and no/100 Dollars (\$5,000.00), and Warrant No. 5583, for the amount of Seven Hundred Eighteen and 10/100 Dollars (\$718.10), payable to Lake Waconda Association.

FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 1 of Cass County, Nebraska, that both they and the district hereby find and determine and covenant, warrant and agree as follows: the improvements and/or facilities being financed or refinanced by the above Warrants are for essential governmental functions and are designed to serve members of the general public on an equal basis; all said improvements have from the time of their first acquisition and construction been owned, are owned and are to be owned by the District or another political subdivision; to the extent special assessments have been or are to be levied for any of said improvements, such special assessments have been or are to be levied under Nebraska law as a matter of general application to all property specially benefited by said improvements in the District; the development of the land in the District is for residential or commercial use and the development of the land in the District for sale and occupation by the general public has proceeded and is proceeding with reasonable speed; other than any incidental use of said improvements by a developer during the initial period of development of said improvements, there have been, are and will be no persons with rights to use such improvements other than as members of the general public; none of the proceeds of said Bonds or any refinanced indebtedness have been or will be loaned to any private person or entity; the District hereby authorizes and directs the Chairperson or Clerk to file or cause to be filed, when due, an information reporting form pursuant to Section 149(e) of the Internal Revenue Code of 1986, as amended, pertaining to the above Warrants; and the District does not reasonably expect to sell or otherwise dispose of said improvements and/or facilities, in whole or in part, prior to the last maturity of the above Warrants.

FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 1 of Cass County, Nebraska, that the District

hereby covenants, warrants and agrees as follows: (a) to take all actions necessary under current federal law to maintain the tax exempt status (as to taxpayers generally) of interest on the above Warrants; and (b) to the extent that it may lawfully do so, the District hereby designates the above Warrants as its "qualified tax exempt obligations" under Section 265(b)(3)(B)(i)(III) of the Internal Revenue Code of 1986, as amended, and covenants and warrants that the District does not reasonably expect to issue warrants or bonds or other obligations aggregating in the principal amount of more than \$10,000,000 during the calendar year in which the above Warrants are to be issued.

FURTHER RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 1 of Cass County, Nebraska, that this and the preceding Resolutions are hereby adopted as the Certificate With Respect to Arbitrage of the District pertaining to the above Warrants and the District and the Chairman and Clerk of the District hereby further certify, as of the date of the registration of the above Warrants with the County Treasurer of Cass County, Nebraska, as follows:

1. No separate reserve or replacement fund has been or will be established with respect to the above Warrants. The District reasonably anticipates that monies in its Bond Fund reasonably attributable to the above Warrants in excess of the lesser of: (a) ten percent (10%) of the net principal proceeds of the above Warrants, (b) the maximum annual debt service due on the above Warrants, or (c) one hundred twenty-five percent (125%) of average annual debt service due on the above Warrants will be expended for payment of principal of and interest on the above Warrants within thirteen (13) months after receipt of such monies. That amount which is currently held in the District's Bond Fund which exceeds the amount which is to be expended for payment of principal and interest on the above Warrants within thirteen (13) months after receipt of such monies, plus that amount arrived at pursuant to the immediately preceding sentence, will not be invested in any securities or any other investment obligations which bear a yield, as computed in accordance with the actuarial method, in excess of the yield on the above Warrants.

2. To the best of their knowledge, information and belief, the above expectations are reasonable.

3. The District has not been notified of any listing of it by the Internal Revenue Service as an issuer that may not certify its bonds.

4. This Certificate is being passed, executed and delivered pursuant to Section 1.148-2(b)(2) of the Income Tax regulations under the Internal Revenue Code of 1986, as amended.

The next order of business was a discussion regarding reconstruction of a small earthen launching ramp. A resident presented a request that he be permitted to reinstate a previously installed earthen launching ramp. He offered to pay all expenses and indicated that he performed some initial work before being told not to proceed without the approval of the Board of Trustees. The Trustees discussed that this was an issue that required further investigation. In particular, the District has no authority to close the ramp as the matter is public right-of-way, meaning that there is some potential for use of the ramp by members of

the general public, introducing the potential of zebra mussels or other external environmental threats into the lake. It was discussed that the Homeowners Association may wish to be involved in such a manner, including, potentially, leasing ramp access. The Trustees requested that the matter be considered by the Homeowners Association, at which time the District would be able to better consider how it may wish to proceed.

The next order of business was discussion regarding the District's drinking water tank. It was discussed that the tank required some maintenance and showed some signs of wear in a regular inspection performed. The Trustees had previously discussed that a replacement of the water tank may be in order. The Trustees inquired as to the benefits of a larger water tank, particularly as it may be limited wear and tear on pumping equipment, and may potentially prevent pump failure while providing a greater reserve of water in the event of a pump failure. The Trustees directed Jim Noerrlinger and the District's engineer to investigate the costs for larger tank replacement options.

The next order of business was discussion regarding an easement over Lot 223. The Trustees discussed that an easement for access to a drainage pipe located on Lot 223 would be appropriate. The drainage pipe had been located on the property for some time, but a cursory review of the District's records did not indicate an existing permanent easement. The Trustees directed legal counsel to prepare a permanent easement for the drainage pipe as currently located, including the right to enter upon the property of the owner for the sake of accessing and cleaning out the pipe.

The next order of business was discussion regarding the installation of new power lines by OPPD. Jim Noerrlinger provided an update that the new power lines were to be installed. Additionally, a new street light was being installed at no additional cost to the District, with the District only to bear the additional monthly service fee for a single street light. The Trustees noted that and appreciated the update and installation.

The next order of business was discussion regarding the scheduling of the USACE Levee Project. Earlier in the week, Jon Meyers, Peggy Lawton, Ed Hobza and Mark LaPuzza participated in a telephone call with the Corp of Engineers inquiring as to timing for construction and property acquisition. It was discussed that there is a goal of acquiring the property by January of 2021.

The next order of business was discussion of a complete District topographical study with GPS coordinates. Ed Hobza reiterated, as noted in previous meetings, that he believed a full topographical survey was necessary in order to ensure that work was performed properly throughout the performance of the USACE Levee Project. Jon Meyers noted that he believed elevations had been previously been documented by Thompson, Dreessen & Dorner, Inc. under direction of Ed Hobza's predecessor, Darin Konda. The Trustees generally agreed that a full topographical study was reasonable and appropriate, but that proper investigation as to whether a prior survey existed was an appropriate cost control measure for the District. After discussion of the Board, the following resolution was duly moved and seconded and upon a roll call vote the Trustees, Peggy L. Lawton, Jon Meyers, Wayne Breyfogle and Phillip Wright voted "Aye" with none voting "Nay" thereby passing and adopting the following resolution:

RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 1 of Cass County, Nebraska, hereby that the District engineer, Thompson, Dreessen & Dorner, Inc. is hereby authorized and directed to perform a topographical survey of the District at a cost not to exceed \$50,000.00. As an element of the professional services provided by the District engineer.

FURTHER RESOLVED, that the Ed Hobza of Thompson, Dreessen & Dorner, Inc. shall contact Darin Konda and review the file records to appropriately determine whether existing topographical data is available in a usable form and, if so, to incorporate and use such data in any manner

as reasonable and appropriate to limit the expense of the topographical survey.

FURTHER RESOLVED, that Jon Meyers, as Clerk of the District, is hereby authorized and directed to communicate and coordinate efforts with Thompson, Dreessen & Dorner, Inc. as to existing information and impact on costs.

The next order of business was discussion regarding the preparation and execution of a grant of access to the Nehawka Rural Fire District. Jim Noerrlinger presented that the District had been requested to provide a grant of access to the Nehawka Rural Fire District for access to the lake for permission to draw water in the event of a fire or rescue emergency. The Trustees that this was appropriate, but that such grant should expressly identify the exact areas of public access authorized. The Trustees discussed a draft grant of access which included no specific location information and directed that the document should be updated to include specific locations. After discussion of the Board, the following resolution was duly moved and seconded and upon a roll call vote the Trustees, Peggy L. Lawton, Jon Meyers, Wayne Breyfogle and Phillip Wright voted "Aye" with none voting "Nay" thereby passing and adopting the following resolution:

RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 1 of Cass County, Nebraska, hereby that the District authorizes the execution and delivery of a grant of access in favor of the Nehawka Rural Fire District limited to specific locations identified by Jim Noerrlinger acting on behalf of the District.

FURTHER RESOVLED, that the Chairman and Clerk of the District are each independently authorized to and directed to execute such grant of access and to deliver the same to the Nehawka Rural Fire District and to any third party requesting or requiring such information.

The next order of business was discussion regarding the continuing property acquisition efforts with respect to the USACE Levee Project. The Trustees generally discussed that they had met with several of the property owners impacted by the Levee Project and that offers had been presented as authorized in the previous meeting. At this point, discussion turned to matters which involved negotiation and strategy related to the property acquisitions, at which time it was noted that Executive Session of the Board of the Trustees would be appropriate to protect the confidential interests of the District. After discussion of the Board, the following resolution was duly moved and seconded and upon a roll call vote the Trustees, Peggy L. Lawton, Jon Meyers, Wayne Breyfogle and Phillip Wright voted "Aye" with none voting "Nay" thereby passing and adopting the following resolution:

RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 1 of Cass County, Nebraska, went into Executive Session at 12:29 p.m.

At 12:56 p.m., during Executive Session, Phil Wright left the meeting to attend a previously scheduled appointment.

At 1:13 p.m., upon motion duly moved and seconded and upon a roll call vote the Trustees, Peggy L. Lawton, Jon Meyers and Wayne Breyfogle voted "Aye" with none voting "Nay", the Trustees existed the Executive Session and reopened the public meeting of the Board of Trustees.

The next order of business was discussion regarding engagement of an appraiser. The Trustees discussed that it was reasonable and appropriate to engage an appraiser and to coordinate efforts for access to individual homes for those home owners willing to cooperate with such request. It was discussed that Brian Harness of Harness Appraisal, LLC had performed several appraisals for individual property

owners within the District and appeared to be knowledgeable and competent to provide appraisals. After discussion of the Board, the following resolution was duly moved and seconded and upon a roll call vote the Trustees, Peggy L. Lawton, Jon Meyers and Wayne Breyfogle voted "Aye" with none voting "Nay" thereby passing and adopting the following resolution:

RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 1 of Cass County, Nebraska, the District hereby authorized the retention of Brian Harness to perform appraisals of all properties to be purchased.

FURTHER RESOLVED, that the District authorizes any individual Trustee to act on behalf of the District in coordinating with the property owners in question to schedule inspections necessary for such appraisals as soon as reasonably possible.

The next order of business was discussion regarding the property owned by Brett Kothenbuetal. The Trustees discussed that, having received a preliminary offer from Mr. Kothenbuetal, through legal counsel to sell the house and property for \$500,000.00, the Trustees authorized a counteroffer for the purchase of the entirety of the property, including the home for \$425,000.00. The Trustees further authorized an alternative offer to purchase simply the lake frontage of the property for a price of \$200,000.00. The Trustees acknowledged that Mr. Kothenbuetal appeared to have a preference to sell the entirety of the property as opposed to keep his home without the associated lake frontage. The Trustees indicated that such offer should be delivered noting that the District has no preference between the offers and hopes to work with Mr. Kothenbuetal and his legal counsel regardless of the election chosen.


It was discussed that Mr. Kothenbuetal should be given the opportunity, through communications with legal counsel, to allow the property to be inspected by Brian Harness of Harness Appraisal.

The next order of business was discussion regarding which Trustee or Trustees should be in charge of communications with individual property owners. It was discussed that, with the election of Trustees pending and the time sensitive aspects of the matter at hand, that all Trustees should be authorized to engage in communications with respect to property acquisition matters when communicating with any third parties.

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SIGNATURES APPEAR ON THE FOLLOWING PAGE]**

There was next reviewed the Agenda which had been available for public inspection in accordance with the law prior to this meeting of the Board of Trustees and reported that all matters considered by the Board at this meeting appeared on the Agenda.

Jon Meyers, as Clerk for Sanitary and Improvement District No. 1 of Cass County, Nebraska (the "District") does hereby certify that the above proceedings are a true and accurate statement of the proceedings had by the District at its September 8, 2020, meeting.



Jon Meyers, Clerk