

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 20th day of November, 2019, and to be held at the 10250 Regency Circle, Suite 300, Omaha, Nebraska.

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

Absent: Phillip Wright.

Notice of the meeting was given in advance thereof by publication in The Plattsmouth Journal on November 14, 2019, 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.

The Board was next informed that General Fund Warrant No. 5466 is to be cancelled due to the fact that Nebraska Public Health Environmental Lab has a credit balance so no payment is due and has not been registered with the Cass County Treasurer or paid. Upon discussion of this matter, the following resolution was duly made and seconded, whereupon a roll call vote was taken during which the Trustees, Gary P. Bruechert, Jon Meyers, Wayne Breyfogle and Peggy L. Lawton voted "Aye," with none voting "Nay," thereby approving the following resolution:

RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 1 of Cass County, Nebraska, that General Fund Warrant No. 5466, payable to Nebraska Public Health Environmental Lab, be and hereby is canceled.

FURTHER RESOLVED, that the Clerk of the District be and hereby is authorized to note such cancellation on the records of the District.

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

There was next presented correspondence from Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of Zach's Boat Lift Service, for services entitled Tractor Rental – March 2019 Flood (Lake Wa-Con-Da), Invoice dated November 11, 2019, in the amount of Forty-Three Thousand Eighty and no/100 Dollars (\$43,080.00).

There was next presented correspondence from Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of Noerrlinger Farms Inc., for services entitled **Equipment Rental – March 2019 Flood (Lake Wa-Con-Da)**, Invoice dated November 12, 2019, in the amount of Twenty-Six Thousand Three Hundred Eighty-One and 25/100 Dollars (\$26,381.25).

There was next presented correspondence from Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of Frontier Cooperative, for the purchase of fuel for the tractor entitled **Tractor Fuel – March 2019 Flood (Lake Wa-Con-Da)**, Statement dated October 31, 2019, in the amount of Thirteen Thousand Nine Hundred Ninety-Seven and 72/100 Dollars (\$13,997.72).

There was next presented correspondence from Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of Midwest Laboratories, Inc., for water quality testing and shipping entitled **Lake Water Package – March 2019 Flood (Lake Wa-Con-Da)**, Invoice No. 957012, in the amount of One Thousand Six Hundred Ten and 55/100 Dollars (\$1,610.55).

There was next presented correspondence from Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of Noerrlinger Construction Inc., for services entitled **Equipment Rental – March 2019 Flood (Lake Wa-Con-Da)**, Invoice #619, in the amount of One Thousand Thirty-Five and no/100 Dollars (\$1,035.00).

There was next presented correspondence from Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of Final Grade Construction and Conservation, for delivery, excavator and labor services, as follows: (i) **Trucking – March 2019 Flood (Lake Wa-Con-Da)**, Invoice #124, in the amount of Nine Hundred Twelve and 44/100 Dollars (\$912.44), and (ii) **Excavator and Labor – March 2019 Flood (Lake Wa-Con-Da)**, Invoice #180, in the amount of One Thousand Seven Hundred Fifty and no/100 Dollars (\$1,750.00); said statements being in the aggregate amount of Two Thousand Six Hundred Sixty-Two and 44/100 Dollars (\$2,662.44).

There was next presented correspondence from Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of Kreifels Electric L.L.C., for services entitled **Replacement Cord and Labor – March 2019 Flood (Lake Wa-Con-Da)**, Invoice #4674, in the amount of Six Hundred Six and 33/100 Dollars (\$606.33).

There was next presented correspondence from Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of Lake Waconda Association, for services entitled **Receipt Reimbursement – March 2019 Flood (Lake Wa-Con-Da)**, as follows: (i) Bomgaars, Invoice #36635760, in the amount of Seven and 84/100 Dollars (\$7.84), (ii) Bomgaars, Invoice #36630840, in the amount of One Hundred Twenty-Nine and 99/100 Dollars (\$129.99), (iii) Bomgaars, Invoice #36641134, in the amount of Four Hundred Ninety-Seven and 24/100 Dollars (\$497.24), (iv) Bomgaars, Invoice #36641131, in the amount of Ninety and 13/100 Dollars (\$90.13), (v) Bomgaars, Invoice #36641134, in the amount of Three Hundred Thirty-Nine and 16/100 Dollars (\$339.16), (vi) Bomgaars, Invoice #36641829, in the amount of Thirty-Two and 08/100 Dollars (\$32.08), (vii) Bomgaars, Invoice #36644185, in the amount of One Hundred Seventy-Nine and 98/100 Dollars (\$179.98), (viii) AgriVision Equipment Group, Invoice #2932727, in the amount of Five Hundred Twenty-Five and 37/100 Dollars (\$525.37), (ix) AgriVision Equipment Group, Invoice #2958901, in the amount of One Hundred Forty-Four and 56/100 Dollars (\$144.56), (x) AgriVision Equipment Group, Invoice #2961920, in the amount of Two Hundred Forty-Three and 68/100 Dollars (\$243.68), (xi) AgriVision Equipment Group, Invoice #2964980, in the amount of Two Hundred Sixty and 76/100 Dollars (\$260.76), (xii) AgriVision Equipment Group, Invoice #2974613, in the amount of Three Hundred Thirty-Three and 65/100 Dollars (\$333.65), (xiii) AgriVision Equipment Group, Invoice #2976079, in the amount of Three Hundred Fifty-Eight and 45/100 Dollars (\$358.45), (xiv) Beaver Lake Marina, Invoice #48976, in the amount of Seventeen and 92/100 Dollars (\$17.92), (xv) O'Reilly Auto Parts, Invoice #325-243058, in the amount of Ninety-Nine and 50/100 Dollars (\$99.50), (xvi) O'Reilly Auto Parts, Invoice #325-245669, in the amount of

Seventeen and 09/100 Dollars (\$17.09), (xvii) Kreifels Plumbing, Invoice #3903, in the amount of Seventy-Five and no/100 Dollars (\$75.00), (xviii) Menards, Invoice #140610041042, in the amount of Eighty-Five and 56/100 Dollars (\$85.56), and (xix) UPSP (Plattsmouth), Invoice #307155-0048, in the amount of Twenty and 90/100 Dollars (\$20.90); said statements being in the aggregate amount of Three Thousand Four Hundred Fifty-Eight and 86/100 Dollars (\$3,458.86).

There were next presented statements from Kraig J. Thelen, for work performed on FEMA Disaster DR 4420, as follows: (i) September 2019, in the amount of Seven Hundred Thirty-One and 50/100 Dollars (\$731.50), and (ii) October 2019, in the amount of Six Hundred Fifty-Five and 50/100 Dollars (\$655.50); said statements being in the aggregate amount of One Thousand Three Hundred Eighty-Seven and no/100 Dollars (\$1,387.00).

There were next presented statements from Thompson, Dreessen & Dorner, Inc., engineers for the District, for services rendered as follows: (i) March 2019 Flood, Invoice #134409, in the amount of One Thousand One Hundred Fifty-One and 60/100 Dollars (\$1,151.60), and (ii) Invoice #134410, in the amount of One Thousand Two Hundred Fourteen and no/100 Dollars (\$1,214.00); said statements being in the aggregate amount of Two Thousand Three Hundred Sixty-Five and 60/100 Dollars (\$2,365.60).

There were next presented statements from Nebraska Public Power District, for lighting at Highway 75, Account #211010041398, as follows: (i) Invoice dated September 18, 2019, in the amount of Sixteen and 78/100 Dollars (\$16.78), and (ii) Invoice dated October 17, 2019, in the amount of Sixteen and 78/100 Dollars (\$16.78); said statements being in the aggregate amount of Thirty-Three and 56/100 Dollars (\$33.56). **The Board next directed advance payment to be made in the amount of One Hundred Fifty and no/100 Dollars (\$150.00).**

There were next presented a statement of Summary Account #5843000090 from Omaha Public Power District, for street lights and other electrical services, in the aggregate amount of Three Thousand Seven Hundred Six and 88/100 Dollars (\$3,706.88).

There was next presented correspondence from Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of Mid Nebraska Chemicals, for water dam tubes, Invoice #20726, in the amount of Four Thousand Two Hundred Forty-Seven and 96/100 Dollars (\$4,247.96).

There was next presented correspondence from Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of Final Grade Construction and Conservation, for removal of soil, reshaping of bank and stabilizing disturbed areas, Invoice #139, in the amount of Six Thousand Two Hundred and no/100 Dollars (\$6,200.00).

There was next presented correspondence from Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of Ground Penetrating Radar Systems, LLC, for waterline locating efforts on October 10, 2019, Invoice #284005, in the amount of Six Hundred Fifty and no/100 Dollars (\$650.00).

There was next presented correspondence from Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of Asphalt & Concrete Materials Co., for cold patch material delivered to the District, Invoice #46010, in the amount of Six Hundred Twenty-Eight and 50/100 Dollars (\$628.50).

There was next presented correspondence from Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of Noerrlinger Construction Inc., for equipment rental for miscellaneous tasks within the District, Invoice #618, in the amount of Six Hundred Eighteen and 75/100 Dollars (\$618.75).

There was next presented correspondence from Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of Wilbur-Ellis, for purchase of chemical for ground maintenance throughout the District, Statement dated November 1, 2019, in the amount of One Hundred Fifty-Four and 70/100 Dollars (\$154.70).

There were next presented statements from The Harry A. Koch Co., for renewal of Chairman and Clerk bonds, as follows: (i) Invoice #158085, in the amount of One Hundred Seventy and no/100 Dollars (\$170.00), and (ii) Invoice #158086, in the amount of One Hundred Seventy and no/100 Dollars (\$170.00); said statements being in the aggregate amount of Three Hundred Forty and no/100 Dollars (\$340.00).

There were next presented statements from One Call Concepts, Inc., for line locates within the District, as follows: (i) Invoice #9090555, in the amount of One and 92/100 Dollars (\$1.92), and (ii) Invoice #9100553, in the amount of Eleven and 14/100 Dollars (\$11.14); said statements being in the aggregate amount of Thirteen and 06/100 Dollars (\$13.06). **The Board was next reminded that it has a credit balance in the amount of Fifty-Nine and 81/100 Dollars (\$59.81), so no payment is due at this time.**

There were next presented statements from Nebraska Public Health Environmental Lab, for water testing, as follows: (i) Invoice #517427, having a zero balance, and (ii) Invoice #518704, having a zero balance. **No payment is due at this time.**

There was next presented a statement from Thompson, Dreessen & Dorner, Inc., engineers for the District, for miscellaneous District maintenance through November 11, 2019, Invoice #134408, in the amount of One Thousand Three Hundred and 50/100 Dollars (\$1,300.50).

There were next presented statements from Pansing Hogan Ernst & Bachman LLP, attorneys for the District, for legal services performed through October 31, 2019, as follows: (i) Miscellaneous District matters, in the amount of Three Thousand Twenty-One and 07/100 Dollars (\$3,021.07), and (ii) March 2019 Flood, in the amount of Two Thousand Four Hundred Forty-Four and no/100 Dollars (\$2,444.00); said statements being in the aggregate amount of Five Thousand Four Hundred Sixty-One and 07/100 Dollars (\$5,461.07).

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. 5481 through 5490, 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 November 20, 2024, 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. 5481, for the amount of Forty-Three Thousand Eighty and no/100 Dollars (\$43,080.00), payable to Zach's Boat Lift Service.

Warrant No. 5482, for the amount of Twenty-Six Thousand Three Hundred Eighty-One and 25/100 Dollars (\$26,381.25), payable to Noerrlinger Farms Inc.

Warrant No. 5483, for the amount of Thirteen Thousand Nine Hundred Ninety-Seven and 72/100 Dollars (\$13,997.72), payable to Frontier Cooperative.

Warrant No. 5484, for the amount of One Thousand Six Hundred Ten and 55/100 Dollars (\$1,610.55), payable to Midwest Laboratories, Inc.

Warrant No. 5485, for the amount of One Thousand Thirty-Five and no/100 Dollars (\$1,035.00), payable to Noerrlinger Construction Inc.

Warrant No. 5486, for the amount of Two Thousand Six Hundred Sixty-Two and 44/100 Dollars (\$2,662.44), payable to Final Grade Construction and Conservation.

Warrant No. 5487, for the amount of Six Hundred Six and 33/100 Dollars (\$606.33), payable to Kreifels Electric L.L.C.

Warrant No. 5488, for the amount of Three Thousand Four Hundred Fifty-Eight and 86/100 Dollars (\$3,458.86), payable to Lake Waconda Association.

Warrant No. 5489, for the amount of One Thousand Three Hundred Eighty-Seven and no/100 Dollars (\$1,387.00), payable to Kraig J. Thelen.

Warrant No. 5490, for the amount of Two Thousand Three Hundred Sixty-Five and 60/100 Dollars (\$2,365.60), 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. 5491 through 5503, 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 November 20, 2022, 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. 5491, for the amount of One Hundred Fifty and no/100 Dollars (\$150.00), payable to Nebraska Public Power District, Account #211010041398

Warrant No. 5492, for the amount of Three Thousand Seven Hundred Six and 88/100 Dollars (\$3,706.88), payable to Omaha Public Power District, Account #5843000090.

Warrant No. 5493, for the amount of Four Thousand Two Hundred Forty-Seven and 96/100 Dollars (\$4,247.96), payable to Mid Nebraska Chemicals.

Warrant No. 5494, for the amount of Five Thousand and no/100 Dollars (\$5,000.00), and Warrant No. 5495, for the amount of One

Thousand Two Hundred and no/100 Dollars (\$1,200.00), payable to Final Grade Construction and Conservation.

Warrant No. 5496, for the amount of Six Hundred Fifty and no/100 Dollars (\$650.00), payable to Ground Penetrating Radar Systems LLC.

Warrant No. 5497, for the amount of Six Hundred Twenty-Eight and 50/100 Dollars (\$628.50), payable to Asphalt & Concrete Materials Co.

Warrant No. 5498, for the amount of Six Hundred Eighteen and 75/100 Dollars (\$618.75), payable to Noerrlinger Construction Inc.

Warrant No. 5499, for the amount of One Hundred Fifty-Four and 70/100 Dollars (\$154.70), payable to Wilbur-Ellis.

Warrant No. 5500, for the amount of Three Hundred Forty and no/100 Dollars (\$340.00), payable to The Harry A. Koch Co.

Warrant No. 5501, for the amount of One Thousand Three Hundred and 50/100 Dollars (\$1,300.50), payable to Thompson, Dreessen & Dorner, Inc.

Warrant No. 5502, for the amount of Five Thousand and no/100 Dollars (\$5,000.00), and Warrant No. 5503, for the amount of Four Hundred Sixty-One and 07/100 Dollars (\$461.07), payable to Pansing Hogan Ernst & Bachman LLP.

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 meeting began with a discussion regarding the general finances of the District. John Kuehl of D.A. Davidson & Co., fiscal agent for the District noted that a significant portion of the District's available capital had been spent in flood fighting, repair and improvements. In the spring of 2019, the District held approximately \$700,000.00 in available funds. John Kuehl reported that approximately half of those funds had been spent. Discussion continued noting that the District would be able to issue and register warrants after expending its available cash reserves. A brief discussion was held as to the formal process for the issuance and approval of bonds, allowing for long term financing of District debts.

Kraig Thelen then provided a status report as to projects involving reimbursement by the Federal Emergency Management Agency ("FEMA") and the Nebraska Emergency Management Agency ("NEMA"), as well as cost sharing projects involving the United States Army Corp of Engineers (the "Corp"). Kraig noted that the District would begin to receive FEMA reimbursements, processed through NEMA, in the coming months. The Trustees discussed that once work was completed and inspected, and FEMA applications were approved, would generally provide for prompt payment. However, the Trustees were reminded that the approval process can sometimes take months or even years in the event of a potential denial. Kraig reported that all submittals had been made for the recent road repair project, and that the cost for project, being below \$128,000.00, allowed for relatively timely reimbursement.

Ed Hobza of Thompson, Dreessen & Dörner, Inc., engineer for the District, then provided a brief update as to the status of a potential sanitary sewer system. The Trustees were reminded that failure of existing septic systems would become an issue for the District, as current standards and conditions would likely not allow the installation of a new septic system. For this reason, the Trustees asked the District engineer to initially investigate the cost of installing a force main sanitary sewer system.

Ed Hobza reported that a general estimate of the cost of such a system was around \$4,000,000.00. He also reported that funding for such a system could be provided through the Nebraska Department of Environmental Quality ("NDEQ"). John Kuehl also noted that he had some experience with projects funded in this manner. The Trustees discussed that the expense was substantial, but that failure to address this issue would result in houses becoming uninhabital, impacting the potential viability of the development and tax revenues.

The next order of business was discussion regarding large-scale levy improvements. Jon Meyers and Gary Bruechert provided an update as to discussions with the USACE as to large-scale levy improvements. The Trustees discussed that 60% of plans had been prepared already. The estimate of such plans put the cost of levy improvements between \$8,000,000.00 and \$10,000,000.00, with the District responsible for a 20% cost share on those improvements. The estimate did not include the cost of relocating buildings or property acquisition necessary to allow for the work and levy improvements.

The Trustees discussed at length the benefit of long term, large scale levy protections.

The next order of business was discussion regarding communications with emergency services personnel in the event of a disaster. The Trustees discussed that the Homeowners Association had purchased, and would allow the personnel of the District to use, hand held emergency radios. Jim Noerrlinger reported that the radios would easily communicate with one another, but wouldn't likely be able to communicate with police, fire and other public services without the installation of a signal repeater. The Trustees discussed that the purchase and installation of such a signal repeater would be an appropriate expenditure of the District. The cost of such item was not expected to not exceed \$5,000.00, including installation and, as necessary, Federal Communication Commission ("FCC") applications.

Thereafter, upon a motion duly made and seconded and upon a roll call vote, all the Trustees, Gary P. Bruechert, Jon Meyers, Wayne Breyfogle and Peggy L. Lawton voted "Aye" with none voting "Nay" thereby adopting the following resolution:

RESOLVED that Jim Noerrlinger is hereby authorized to purchase, locate and install an emergency radio signal repeater, with the cost therefore not to exceed \$5,000.00.

FURTHER RESOVLED that Jim Noerrlinger is hereby authorized and directed to make any FCC applications necessary on behalf of the District to allow for the operation of such a signal repeater.

FURTHER RESOLVED that Jim is directed to negotiate with third parties and coordinate with legal counsel regarding any easements or agreements necessitated by the repeater install projects.

The next order of business was discussion regarding 811 locate services. The Trustees discussed that Jim Noerrlinger is presently providing 811 locate services for the District. However, he noted that locating is currently done on site, and that a full set of plans locating SID underground utilities does not exist. The Trustees directed Jim Noerrlinger to work with Ed Hobza to prepare such plans for the sake of the continued provision of 811 locate services as required by law.

The Trustees then discussed that Gary Bruechert had placed his home on the market for sale. The Trustees hoped that Gary would continue to act as a Trustee until the sale of his home, and noted a desire to maintain a five (5) member Board of Trustees. The Trustees were encouraged to identify individuals who might be interested in being nominated to replace Gary. The Trustees discussed that it might be beneficial to personally invite such individuals to attend SID meetings, even prior to Gary's resignation, so that any potential Trustee would have some experience in the operation of the affairs of the District prior to holding the position as Trustee.

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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.

Gary P. Bruechert, as Chairman 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 November 20, 2019, meeting.

A handwritten signature in black ink, appearing to read 'G.P.B.', is written over a horizontal line.

Gary P. Bruechert, Chairman