

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 14th day of April, 2021, and to be held at 10250 Regency Circle, Suite 300, Omaha, Nebraska.

Present: Peggy L. Lawton, Jon Meyers, Wayne Breyfogle and Matt Burnham. 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 April 8, 2021, 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.

The attorney for the District noted that the meeting was being conducted with one or more individuals participating telephonically pursuant to Executive Order Nos. 20-36 and 21-02 of the Governor of the State of Nebraska, Pete Ricketts. The option to participate in the meeting telephonically was provided to all individuals requesting such information and was posted at the published location of the meeting at least one hour prior to the commencement of the meeting. It was confirmed at the outset of the meeting that all telephone participants could hear and be heard by those in physical attendance and those participating telephonically.

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 presented with consideration of its outstanding bills and invoices.

There was next presented a statement Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of CDS Enterprise, LLC, for services rendered in connection with the project entitled Levee Expansion Site Demolition (Lake Wa-Con-Da), Payment Recommendation No. 1, in the amount of Seventy-Seven Thousand Four Hundred and no/100 Dollars (\$77,400.00).

The Clerk next presented to the Board the final estimate with regard to Levee Expansion Site Demolition (Lake Wa-Con-Da) and its installation by CDS Enterprise, LLC, which recommended that a final and complete payment be made in the total amount of Ten Thousand Nine Hundred Fifty and no/100 Dollars (\$10,950.00) with such being final payment and the final estimate for work completed on such project. The Clerk also presented the Certificate of Completion from the District's engineers, Thompson, Dreessen & Dorner, Inc., recommending that final payment and acceptance of such project be made by the

District. Upon a motion duly made and seconded, and upon the following roll call vote, the Trustees, Peggy L. Lawton, Jon Meyers, Wayne Breyfogle and Matt Burnham 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, that the District's project entitled Levee Expansion Site Demolition (Lake Wa-Con-Da) be accepted as completed in accordance with recommendation of the District's engineers, Thompson, Dreessen & Dorner, Inc. and that final payment be made in the following scheduled amount:

<u>Contractor</u>	<u>Amount</u>
CDS Enterprise, LLC	\$10,950.00

There was next presented a statement Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of Yost Excavating, for services rendered in connection with removal of basketball court and grading the site, Invoice #550, in the amount of Fifteen Thousand and no/100 Dollars (\$15,000.00).

There was next presented a statement Thompson, Dreessen & Dorner, Inc., engineers for the District, presenting and recommending payment in favor of Final Grade Construction and Conservation, for services rendered in connection with Sand Removal – Flood Fight 2019 (Lake Wa-Con-Da), Invoice #443, in the amount of Eleven Thousand Two Hundred and no/100 Dollars (\$11,200.00).

There were next presented statements from Thompson, Dreessen & Dorner, Inc., engineers for the District, for service rendered in connection with the USACE Levy Project, as follows: (i) Invoice #142203, in the amount of Four Thousand Seventy and no/100 Dollars (\$4,070.00). ***The Board was next reminded that there was a duplicate payment made in the amount of Eight Hundred Sixty-Two and 65/100 Dollars (\$862.65), so credit was applied in that amount to this invoice with a final amount due in the amount of Three Thousand Two Hundred Seven and 35/100 Dollars (\$3,207.35)***, (ii) Invoice #141538, in the amount of Four Thousand Four Hundred Four and 35/100 Dollars (\$4,404.35), and (iii) Invoice #142984, in the amount of Thirteen Thousand Nine Hundred Seventy-Two and 47/100 Dollars (\$13,972.47); said statements being in the aggregate amount of Twenty-One Thousand Five Hundred Eighty-Four and 17/100 Dollars (\$21,584.17).

There were next presented statements from Kraig J. Thelen, for services rendered in connection with Federal Disaster DR 4420 NE, as follows: (i) Statement dated February, 2021, in the amount of One Thousand Six Hundred Sixty-Two and 50/100 Dollars (\$1,662.50), and (ii) Statement dated March, 2021, in the amount of One Thousand Five Hundred Forty-Eight and 50/100 Dollars (\$1,548.50); said statements being in the aggregate amount of Three Thousand Two Hundred Eleven and no/100 Dollars (\$3,211.00).

The Clerk next directed the attention of the Board of Trustees to the fact that D.A. Davidson & Co. will purchase One Hundred Thirty-Nine Thousand Three Hundred Forty-Five and 17/100 Dollars (\$139,345.17) in warrants at this time ***and a total of Eighteen Thousand Three Hundred Twenty-Six and 85/100 Dollars (\$18,326.85), at the meetings on January 13, 2021 and February 4, 2021, for a total amount of One Hundred Fifty-Seven Thousand Six Hundred Seventy-Two and 02/100 Dollars (\$157,672.02)*** and that the contracted charge for such purchase of warrants is two percent (2%) or Three Thousand One Hundred Fifty-Three and 44/100 Dollars (\$3,153.44) in accordance with the financing agreement previously adopted by the Board. The Chairman recommended the issuance of a warrant for such amount to D.A. Davidson & Co.

There were next presented statements from Nebraska Public Power District, for lighting at Highway 75, Account #211010041398, **having a credit balance in the amount of Ninety-Nine and 64/100 Dollars (\$99.64), so no payment is due at this time.**

There were next presented statements of Summary Account #5843000090 from Omaha Public Power District, for street lights and other electrical services, as follows: (i) Statement dated February 3, 2021, in the amount of One Thousand Nine Hundred Twenty and 24/100 Dollars (\$1,920.24), and (ii) Statement dated March 4, 2021, in the amount of Two Thousand Twenty-Three and 72/100 Dollars (\$2,023.72); said statements being in the aggregate amount of Three Thousand Nine Hundred Forty-Three and 96/100 Dollars (\$3,943.96).

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, Invoice #651, in the amount of One Thousand One Hundred Ninety-Eight and 54/100 Dollars (\$1,198.54).

There was next presented a statement from Masimore, Magnuson & Associates, P.C., accountants for the District, for audit of financial statements as of June 30, 2020 and preparing Forms 1099 and 1096 for 2018, Invoice #57568, in the amount of Nine Thousand Nine Hundred Thirty and no/100 Dollars (\$9,930.00).

There were next presented statements from Nebraska Public Health Environmental Lab, for water testing, as follows: (i) Invoice #536211, in the amount of One Hundred Sixty-Two and no/100 Dollars (\$162.00), and (ii) Invoice #537250, in the amount of One Thousand Two Hundred and no/100 Dollars (\$1,200.00); said statements being in the aggregate amount of One Thousand Three Hundred Sixty-Two and no/100 Dollars (\$1,362.00).

There was next presented a statement from Frontier Cooperative, for the purchase of propane, Statement dated January 31, 2021, **having a credit balance in the amount of Two Hundred Seventy-Nine and 63/100 Dollars (\$279.63), so no payment is due at this time.**

There was next presented a copy of the 2021 Routine Sample Schedules and Cost Estimates, from Nebraska Department of Health and Human Services, for water testing for the 2021-year, Public Water System ID #NE3102519, in the amount of Two Thousand Three Hundred Ninety-Three and no/100 Dollars (\$2,393.00).

There were next presented statements from One Call Concepts, Inc., for line locates within the District, as follows: (i) Invoice #1010559, in the amount of Five and 39/100 Dollars (\$5.39), (ii) Invoice #1020560, in the amount of Seventy-Seven Cents (\$0.77), and (iii) Invoice #1030568, in the amount of One and 54/100 Dollars (\$1.54); said statements being in the aggregate amount of Seven and 70/100 Dollars (\$7.70). **The Board was next reminded that it has a credit balance in the amount of Sixty-Six and 46/100 Dollars (\$66.46), so no payment is due at this time.**

There were next presented statements from Thompson, Dreessen & Dorner, Inc., engineers for the District, for services rendered in miscellaneous District matters through April 6, 2021, as follows: (i) Invoice #142202, in the amount of One Thousand Five Hundred Ninety-Eight and no/100 Dollars (\$1,598.00), and (ii) Invoice #142983, in the amount of One Thousand Eight Hundred and no/100 Dollars (\$1,800.00); said statements being in the aggregate amount of Three Thousand Three Hundred Ninety-Eight and no/100 Dollars (\$3,398.00).

There was next presented a statement from Eagle Nursery, for relocating two (2) Birch trees, Invoice #15747, in the amount of Five Hundred Twenty-Five and no/100 Dollars (\$525.00).

There were next presented statements from Pansing Hogan Ernst & Bachman LLP, attorneys for the District, for legal services performed through March 31, 2021, as follows: (i) Miscellaneous District matters, in the aggregate amount of Fifteen Thousand Three Hundred Thirty-Eight and 20/100 Dollars (\$15,338.20), (ii) March 2019 Flood, in the amount of Five Thousand Six Hundred Sixty and no/100 Dollars (\$5,660.00), and (iii) 2020 Condemnation Matters, in the amount of Thirty-One and 50/100 Dollars (\$31.50); said statements being in the aggregate amount of Twenty-One Thousand Twenty-Nine and 70/100 Dollars (\$21,029.70).

There was next presented correspondence from Jim Noerrlinger, presenting and requesting payment in favor of Lake Waconda Association, for miscellaneous expense, as follows: (i) Fry & Associates, Inc., for playground repairs, Quote #FRYQ64157, in the amount of Four Thousand Eight Hundred Thirty-Five and 16/100 Dollars (\$4,835.16), (ii) Kreifels Plumbing, for repair of cord for ditch pump, Invoice #5411, in the amount of Two Hundred Five and 80/100 Dollars (\$205.80), and (iii) Nebraska Rural Water Association 2021 Membership Renewal, in the amount of One Hundred Fifty and no/100 Dollars (\$150.00); said statements being in the aggregate amount of Five Thousand One Hundred Ninety and 96/100 Dollars (\$5,190.96).

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. 5864 through 5882, of the District, dated the date of this meeting, to the following payees and in the following amount, said Warrants to be drawn on the **BOND** Fund of the District and to draw interest at the rate of five percent (5%) per annum (interest to be payable on February 10 of each year) and to be redeemed no later than April 14, 2026, 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 Nos. 5864 through 5870, each for the amount of Ten Thousand and no/100 Dollars (\$10,000.00), and Warrant No. 5871, for the amount of Seven Thousand Four Hundred and no/100 Dollars (\$7,400.00), payable to CDS Enterprise, LLC.

Warrant No. 5872, for the amount of Ten Thousand and no/100 Dollars (\$10,000.00), and Warrant No. 5873, for the amount of Nine Hundred Fifty and no/100 Dollars (\$950.00), payable to CDS Enterprise, LLC.

Warrant No. 5874, for the amount of Ten Thousand and no/100 Dollars (\$10,000.00), and Warrant No. 5875, for the amount of Five Thousand and no/100 Dollars (\$5,000.00), payable to Yost Excavating.

Warrant No. 5876, for the amount of Ten Thousand and no/100 Dollars (\$10,000.00), and Warrant No. 5877, for the amount of One Thousand Two Hundred and no/100 Dollars (\$1,200.00), payable to Final Grade Construction and Conservation.

Warrant Nos. 5878 and 5879, each for the amount of Ten Thousand and no/100 Dollars (\$10,000.00), and Warrant No. 5880, for the amount of One Thousand Five Hundred Eighty-Four and 17/100 Dollars (\$1,584.17), payable to Thompson, Dreessen & Dorner, Inc.

Warrant No. 5881, for the amount of Three Thousand Two Hundred Eleven and no/100 Dollars (\$3,211.00), payable to Kraig J. Thelen.

Warrant No. 5882, for the amount of Three Thousand One Hundred Fifty-Three and 44/100 Dollars (\$3,153.44), payable to D.A. Davidson & Co.

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. 5883 through 5897, 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 April 14, 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. 5883, for the amount of Three Thousand Nine Hundred Forty-Three and 96/100 Dollars (\$3,943.96), payable to Omaha Public Power District, Account #5843000090.

Warrant No. 5884, for the amount of One Thousand One Hundred Ninety-Eight and 54/100 Dollars (\$1,198.54), payable to Noerlinger Construction Inc.

Warrant No. 5885, for the amount of Five Thousand and no/100 Dollars (\$5,000.00), and Warrant No. 5886, for the amount of Four Thousand Nine Hundred Thirty and no/100 Dollars (\$4,930.00), payable to Masimore, Magnuson & Associates, P.C.

Warrant No. 5887, for the amount of One Thousand Three Hundred Sixty-Two and no/100 Dollars (\$1,362.00), payable to Nebraska Public Health Environmental Lab.

Warrant No. 5888, for the amount of Two Thousand Three Hundred Ninety-Three and no/100 Dollars (\$2,393.00), payable to Nebraska Department of Health and Human Services.

Warrant No. 5889, for the amount of Three Thousand Three Hundred Ninety-Eight and no/100 Dollars (\$3,398.00), payable to Thompson, Dreessen & Dorner, Inc.

Warrant No. 5890, for the amount of Five Hundred Twenty-Five and no/100 Dollars (\$525.00), payable to Eagle Nursery.

Warrant Nos. 5891 through 5894, each for the amount of Five Thousand and no/100 Dollars (\$5,000.00), and Warrant No. 5895, for the amount of One Thousand Twenty-Nine and 70/100 Dollars (\$1,029.70), payable to Pansing Hogan Ernst & Bachman LLP.

Warrant No. 5896, for the amount of Five Thousand and no/100 Dollars (\$5,000.00), and Warrant No. 5897, for the amount of One Hundred Ninety and 96/100 Dollars (\$190.96), 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.

There was next presented a receipt from the Cass County Treasurer representing a deposit to the District's general fund for cash rent from Noerrlinger Farms, Inc., in the amount of Nine Thousand Eight Hundred Thirty-Seven and 50/100 Dollars (\$9,837.50).

The Clerk then presented for the consideration of the Trustees the plans and specifications for Bullfrog Bay Water Main Relocation (Lake Wa-Con-Da) prepared by Thompson, Dreesen & Dorner, Inc., the consulting engineers for the District, for the cost of such improvement in the total amount of Eighty-Four Thousand Eight Hundred and no/100 Dollars (\$84,800.00). The Clerk was directed to attach a copy of the engineer's estimates of the costs to the minutes of these proceedings. After discussion, the resolution attached hereto and by this reference made a part hereof was duly introduced and upon a motion properly made and seconded, a roll call vote was had upon such motion during which the Trustees, Peggy L. Lawton, Jon Meyers, Wayne Breyfogle and Matt Burnham voted "Aye" with none voting "Nay" thereby adopting the following resolution:

RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 1 of Cass County, Nebraska, that a hearing be had on the proposed Resolution of Advisability and Necessity for the construction of Bullfrog Bay Water Main Relocation (Lake Wa-Con-Da) at the Cobb Community Center located within the Lake Wa-Con-Da subdivision in Union, Nebraska, at 11:00 a.m. on May 13, 2021, at which time owners of the property within the District who might become subject to assessment

for the improvement contemplated by the proposed Resolution of Advisability and Necessity may appear and make objections to the proposed improvement, and if a petition opposing the proposed resolution is signed by property owners representing the majority of the front footage which may be subject to assessment for the costs of improvements set out in the resolution is filed with the Clerk of the District within three days before the date set for hearing on such resolution, such resolution shall and will not be passed.

FURTHER RESOLVED, that notice of such hearing be given by publication in The Plattsmouth Journal of Plattsmouth, Cass County, Nebraska, for two (2) consecutive weeks beginning on the 29th day of April, 2021, and ending on the 6th day of May, 2021, which publication shall contain the entire wording of the proposed Resolution of Advisability and Necessity, and that notice shall be posted in three (3) conspicuous places within the District as required by Section 31-745, Reissue Rev. Stat. of Neb. 1943.

The next order of business was discussion regarding the property under sale contract to Dana Altman located at 4120 Bullfrog Bay, Union, Nebraska. The legal description for the property needed by the District had been provided by the District engineer and approved by the United States Army Corp of Engineer. Therefore, the District needed to determine whether it wished to convey the entirety of the property to Mr. Altman, with the levee project portion to be retained by the District in an easement, or whether the property should be subdivided, conveying title only to the residential lot and retaining title to the easement area. The Trustees discussed that this would be a matter of timing as to whether the District would be able to have the property subdivided through the County in a timely fashion as required to meet United States Army Corp of Engineer's deadlines. The Trustees directed that the sale should proceed following subdivision of the property, unless the District engineer determines that such timing would not be consistent with United States Army Corp of Engineer requirements, and that, if necessary, the property should be conveyed out as presently platted with a reserved easement over the necessary area. Mark LaPuzza and Ed Hobza agreed to work together on such a matter.

The next order of business was an update regarding communications and funding requests for FEMA and NEMA. Kraig Thelen provided an update that the point of contact for FEMA had been reassigned, and that new personnel would be involved. The Trustees were also informed of a request for information received from FEMA Region VII as to the road repair project. There were extended discussions regarding the nature of the information requested. The Trustees were informed that the documents and information requested were potentially relevant to the determination of FEMA and that such information and documents would be submitted, consistent with the 2011 Flooding Appeals.

The next order of business was discussion regarding the purchase of the Noerrlinger Farms property. Matt Burnham discussed that he had conversations with the seller regarding the property purchase. The seller had noted a preference to convey the entirety of the property, as opposed to simply selling an easement to the property. The seller had included several terms which he believes were appropriate for consideration by the District, including the cost of adjusting the seller's center pivot irrigation system, the requirement to relocate a ditch on the property, a desire to remove the staging area behind the Cobb Community Center from the sale (instead allowing a temporary construction easement for staging). The seller had identified a proposed purchase price of \$10,000.00 per acre for the property.

The Trustees discussed the timing and nature of negotiations with respect to the purchase. At this time, the Trustees discussed that further negotiation with the seller would be required.

Legal counsel for the District noted that discussions regarding negotiation strategy, pricing and related matters was proper for consideration by the Board in an Executive Administrative Session. Upon a motion duly made and seconded, and unanimously approved, the Board of Trustees entered into a Executive Administrative Session at 12:00 p.m.

At 12:27 p.m., the Board exited Executive Session and entered into normal public session. The Trustees were reminded that the meeting was conducted in accordance with the Nebraska Open Meeting Acts, as modified by Executive Order No. 21-02, signed by the Governor. As there were no members of the public in attendance when the meeting went into Executive Session, no notice was required to such individuals allowing them to return to the meeting.

Following the discussion and the Executive Session, the Trustees discussed that negotiations on behalf of the District with the seller should continue through Matt Burnham and Jon Meyers.

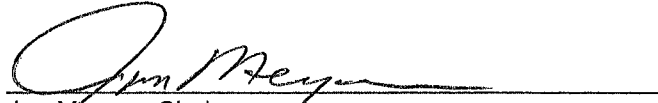
There was some discussion regarding the ability of the District to acquire property outside of its boundaries. Mark LaPuzza explained that he had researched the matter and had identified that acquisition of property outside of the District boundary was possible and consistent with Nebraska law, provided that the acquisition was approved by the County Zoning Authority. He had contacted the Cass County Zoning Department and was notified that approval would be available through informal application via correspondence. Bond Counsel for the District had been notified of the acquisition as well, but had identified that the acquisition would require identification and approval of a project. The exact nature of the project would need to be considered by Bond Counsel and the District Fiscal Agent as appropriate under the circumstances and consistent with Nebraska law. Mark LaPuzza reported that he would continue to work with Bond Counsel to obtain authorization related thereto.

The next order of business was discussion regarding an informal request that had been received from Piper Jaffrey to provide services with respect to the financing for the District. The Trustees discussed that such services are currently provided by D.A. Davidson & Co. The Trustees discussed that D.A. Davidson & Co. had provided exemplary service to the District through its years of operation, including the hardships of flooding expenses. It was noted that there would be additional complexity and concern involved with using two different financing providers, and that the District had no desire to discontinue its relationship with D.A. Davidson & Co. It was also noted that D.A. Davidson & Co. had provided discounted rates and/or fees as a service to the District over the years.

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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 April 14, 2021, meeting.



Jon Meyers, Clerk