

PROCEEDINGS OF THE FREMONT MUNICIPAL INLAND PORT AUTHORITY

Initial meeting of the Fremont Municipal Inland Port Authority was called to order by Chairman Dave Heineman at 1:00 P.M. on Thursday, April 27, 2023 in the First State Bank & Trust Education Center, 1005 East 23rd Street, Fremont, Nebraska. (The resolutions of the city and county appointing the members specifically appointed Dave Heineman as Chairman.) Chairman Heineman announced he received "Eligibility Statements" from all appointed members stating they have no conflicts of interest regarding possible actions of the Authority. He also stated notice of the meeting was legally published and posted at the Municipal Building and at the Courthouse. He also said a copy of the "Open Meetings Law" is posted on the wall as required by law. He also welcomed the approximately twenty people in the audience.

He also announced Tyler Ficken, City Clerk, will be temporary secretary until approval of an Authority Secretary later on the agenda.

Roll call taken by Mr. Ficken showed the following commissioners present: Dave Heineman, Christy Fiala, Jennifer Greunke, Fred Mytty, Steve Pribnow, Joe Sajevic, and Paul Vaughan. No one was absent.

The Authority unanimously approved the agenda as printed.

Remarks were then given by the Mayor of Fremont, Joey Spellerberg, Bob Missel, Chairman of the Dodge County Board of Supervisors, and former Governor and appointed Chairperson of the Authority, Dave Heineman. All pointed out there were seven applicants that applied to the State Economic Development and Fremont Area and North Platte Area were the only two selected. It wasn't overnight and the application was started soon after the bill became law two years ago. They also thanked the commissioners for their willingness to serve and Megan Skiles, Greater Fremont Development Council Executive Director, for her work on the application process. Chairman Heineman also pointed out that this was not competition to Omaha but a cooperation with the metro area.

In separate motions, the Authority unanimously placed on file a Resolution by the City of Fremont and Resolution by Dodge County forming the Interlocal Agreement to form a joint authority, Certification by the Nebraska Department of Economic Development approving this authority, the Resolution by the City of Fremont and Resolution by Dodge County approving the Mayor's appointment for the Fremont Municipal Inland Port Authority Board.

The Authority unanimously approved Resolution 2023-001, making the official name, Fremont Municipal Inland Port Authority, and the initial members.

The Board unanimously elected Paul Vaughan as Vice-Chairman of the Authority.

The Authority unanimously, with Mytty abstaining, elected Fred Mytty as Secretary. Mr. Ficken then relinquished his temporary appointment as secretary.

The Authority unanimously elected Steve Pribnow as Treasurer.

The next item was approval of the board policies and procedures. Mr. Mytty said

he had some amendments to the document, and they are needed by the next meeting.

On page 4 I-5, "Copies of the agenda shall be posted outside the Dodge County Courthouse and outside of Council Chambers at the Fremont Municipal Building and will be available to the public. Other distribution shall be at the discretion of the Port Authority Board or as required by law. Any required changes to the agenda, prior to the closing deadline, shall be noted and the amended agenda shall be posted outside the Dodge County Courthouse and outside of Council Chambers at the Fremont Municipal Building and made available to all affected parties in a timely fashion." In all areas mentioned, it should be changed to "posted on public bulletin boards at the Dodge County Courthouse and at the Fremont Municipal Building". The Authority unanimously approved this amendment. On page 7, II-8, "Should the person or persons persist in disturbing, disrupting, or otherwise interfering with the proceedings of the Board, the Chair shall ~~direct that law enforcement officers present for the security of the Board and the citizens attending such meeting~~ remove those individuals from the meeting place, and/or may, at the request of any Commissioner of the Board, or on the Chair's own motion, declare a recess until order has been restored." He did not think law enforcement was needed at meetings. The Authority unanimously approved this amendment removing the cross-through words. On page 9, IV-3, "The Port Authority Secretary shall attend the executive session. No minutes shall be taken. ~~and the Port Authority Secretary shall attend as an observer only.~~" The Authority unanimously approved this amendment removing the cross-through words and adding a period after "taken". On page 13, VII-III, "After the Claims Report is approved by the Board, either the Treasurer, Chair or Vice Chair may sign the check in the amount to satisfy the approved claims." He wanted it changed to "either the Treasurer and Chair or Vice Chair may sign the check" (to require two signatures on every check.). The Authority unanimously approved the amendment eliminating the cross-through word and revising the other words. The Authority unanimously approved the board policies and procedures as amended.

Megan Skiles, Executive Director of Greater Fremont Economic Development (GFDC), gave a power point presentation on inland port authorities and its impact on the Fremont area. Inquiries of companies wanting to locate here have doubled in the past three years. However, most companies want shovel ready areas with adequate utilities and roads available. The Legislature recognized Nebraska as a logistics center of the USA based on its central location to the east and west coasts and Mexican and Canadian borders. Inland authorities are made to help this situation. Authorities can acquire land and issue revenue bonds but do not have eminent domain abilities. The law had stipulations on their creation including at least two of them which were met with the district selected east of Fremont: within one mile of a major rail line and within two miles of a four lanes federal highway. (The 1,528 acres district picked was included in all documents of the city and county hearings and resolutions.) GFDC was awarded up to \$30 million in matching funds from the Nebraska Rural Projects Act to help with development. Finally, she said GFDC hired national consultant, BurnsMcDonnell/Olsson & Associates, to help with rail and site concepts, Phase 1 Environment and ALTA surveys, utilities capabilities, prioritized capital improvement projects and zoning/building codes.

Jennifer Dam, Planning Director of the City of Fremont, gave a quick presentation on the district's zoning. Ms. Dam advised the Authority that the City has a two mile extraterritorial jurisdiction so the Authority's district is subject to the city's zoning and permits. She said it is zoned agricultural and any industrial or commercial

developments are conditional uses which means their conditional use permit would have to go through public hearings through the Planning Commission and City Council.

The Chairman said future meetings will be scheduled as needed but the next meeting is a retreat for authority members to listen to experts in economic development scheduled for May 24, 2023, at 1:00 P.M. in this same meeting room.

At 2:12 P.M. the Authority unanimously passed a motion to go into closed session to discuss real estate strategy.

At 2:42 P.M., the Authority unanimously passed a motion to go back into open session.

The Chairman said no action is needed as a result of the closed session.

At 2:44 P.M. the Chairman adjourned the meeting until May 24th at 1:00 P.M.

Fred Mytty
Secretary