

October 28, 2024

Meeting of the Nebraska International Port of the Plains Board of Directors. Present were Vince Dugan, LeAnn Ellis, James Hawks, J. Patrick Keenan, Kirk Olson, Michael Steele, Kimberly Steger and Kevin Tighe. Absent was Dwight Porter. Chair Dugan called the meeting to order at 2:00 p.m. Steele present at 2:10 p.m.

Dugan announced that the Open Meeting Act with amendments is posted for public review and Board of Directors will comply with the open meeting requirements.

Keenan moved to approve the minutes from September 16, 2024. Olson seconded the motion. Present and voting "aye": Dugan, Ellis, Hawks, Keenan, Olson, Steger and Tighe. "Nays" none. Motion carried.

Facilities Report: Logo presentation was a success. Congratulations to Art Whitton for the winning logo design contest. Olson addressed Tom Wolfgang regarding his concerns about the maintenance of the grounds. Mr. Wolfgang replied he understood the progress. Steger moved to approve the facilities report. Ellis seconded the motion. Present and voting "aye": Dugan, Ellis, Hawks, Keenan, Olson, Steger and Tighe. "Nays" none. Motion carried.

Executive Committee: Vince reported that he was notified by Harrison Johnson from Bellevue regarding a meeting to be held October 30<sup>th</sup> to discuss proposed legislation for state site development funding for inland ports and would like to invite the NIPP members. NIPP members attending via zoom will be Hawks, Dugan, Tighe and Steele. Tighe mentioned asking if Senator Jacobsen should be invited. Person is concerned they will try to reduce the Rural Project Act funds.

Keenan moved to approve the Executive Committee Report. Hawks seconded the motion. Present and voting "aye": Dugan, Ellis, Hawks, Keenan, Olson, Steele, Steger and Tighe. "Nays" none. Motion carried.

Finance Committee Report: Steele presented the Balance Sheet. Steele stated the bank increased interest rate to 3% and will review after election. Keenan moved to approve the finance report. Steger seconded the motion. Present and voting "aye": Dugan, Ellis, Hawks, Keenan, Olson, Steele, Steger and Tighe. "Nays" none. Motion carried.

Ironhorse Resources: Matt Cundiff, President of Ironhorse Resources Inc. was present to discuss his company and the benefits of a shortline railroad business. They have been in business over 35 years. He explained transload is a reaction to customer calls based on local markets. Person stated McAllens would be similar to greenbrier facility. Revenue based on loads in and out. Ironhorse has rebuilt some dormant railyards like Gardendale Railroad. Darin Wisniski from UPRR present and stated NIPP has a huge opportunity to build up this facility. Trevette Fisher with UPRR stated that transloading would be a recommendation for the facility. Mike with Ironhorse stated they could handle all aspects of transloading, from scale, design, vision to handling the locomotives on site. Managerial services can be included. Kevin Tighe asked about their relationship with customs. Matt stated that would be a 3<sup>rd</sup> party service. Kim stated she could see a reaction to a discovery of a market and once developed other industries could join. LeeAnn stated her excitement for positive information and feedback. Chris asked about marketing the acreage. Matt stated they usually become part of the community, they see what

works for site selection and work with UPRR. Chris stated that good partnership with all entities is important.

Keenan moved to enter into closed session to discuss potential lease terms between Lincoln County and the Nebraska International Port of the Plains for property located at 18610 West Highway 30, Hershey, NE at 2:35 p.m. Hawks seconded the motion. Present and voting “aye”: Dugan, Ellis, Hawks, Keenan, Olson, Steele, Steger and Tighe. “Nays” none. Motion carried. Dugan asked Commissioners Joe Hewgley and Chris Bruns to stay, board members and Tammy White to stay.

Dugan stated the Board will enter into closed session at 2:35 p.m.

Hawks moved to enter back into open session at 3:20 p.m. Steele seconded the motion. Present and voting “aye”: Dugan, Ellis, Hawks, Keenan, Olson, Steele, Steger and Tighe. “Nays” none. Motion carried.

Tighe moved to authorize the Chairman on behalf of the Board to contact DED requesting clarification of utilization of funds and to engage legal counsel to assist. Steger seconded the motion. Present and voting “aye”: Dugan, Ellis, Hawks, Keenan, Olson, Steele, Steger and Tighe. “Nays” none. Motion carried.

The board toured the facility.

Floor repair/rehabilitation. Olson asked about putting bids out for public bid. Question regarding what the Board has to abide by as a Quasi-governmental agency. Dugan will ask the attorney for clarification.

Paul Hentshke, consultant for TranSystems, recommended the floor will need improvements, filling holes and bringing floor up will enhance chances of leasing. Also can be done in a phased approach. Matt with Ironhorse agreed that the floor will need addressed in phases for leasing requirements and safety barriers. Tighe asked about rail access to the building. Paul stated rail is next to building but current track is not in service and may not be needed.

Steger moved to table the floor repair/rehabilitation. Ellis seconded the motion. Present and voting “aye”: Dugan, Ellis, Hawks, Keenan, Olson, Steele, Steger and Tighe. “Nays” none. Motion carried.

Paul Hentschke, of TranSystems Corporation present to discuss the updated agreement and provide recommendations. He discussed transloading options, drop & pull yard and discussions with the railroad. Fisher stated UP has accepted contingent on industry and will only service the railyard. TranSystems will provide proposed survey, soil prep, concept plan and advancing plans through the UP for approval and putting RFP out for bids. UP said yes to 2 switches.

Keenan moved to enter into closed session at 4:02 p.m. which is clearly necessary to protect the public’s interest to discuss TranSystem Agreement. Olson seconded the motion. Present and voting “aye”: Dugan, Ellis, Hawks, Keenan, Olson, Steele, Steger and Tighe. “Nays” none. Motion carried.

Dugan restated the motion to enter into closed session and asked the Board, Joe Hewgley, Chris Bruns, Tammy White Gary Person, Mike Dundiff and Paul Hentschke to the closed session.

Hawks moved to enter into open session at 4:40 p.m. Tighe seconded the motion. . Present and voting “aye”: Dugan, Ellis, Hawks, Keenan, Olson, Steele, Steger and Tighe. “Nays” none. Motion carried.

Steger moved to authorize TranSystems to proceed with conducting RFP and communicate with UPRR based on grant criteria per discussion from closed session. Ellis seconded the motion. Present and voting “aye”: Dugan, Ellis, Hawks, Keenan, Olson, Steele, Steger and Tighe. “Nays” none. Motion carried.

Steger moved to authorize the chairman to sign the modified Scope of Services per discussion today. Hawks seconded the motion. Present and voting “aye”: Dugan, Ellis, Hawks, Keenan, Olson, Steele, Steger and Tighe. “Nays” none. Motion carried.

Discussion of scheduling November and December meetings due to the holidays and holding the annual meeting.

Steele moved to combine November and December meetings and conduct the annual meeting on December 16 at 2:00 p.m. to be held in the Commissioners Room of the Lincoln County Courthouse. Tighe seconded the motion. Present and voting “aye”: Dugan, Ellis, Hawks, Keenan, Olson, Steele, Steger and Tighe. “Nays” none. Motion carried.

Gary Person updated the Board regarding meeting with prospects.

Olson moved to adjourn at 4:50 p.m. Steele seconded the motion. Present and voting “aye”: Dugan, Ellis, Hawks, Keenan, Olson, Steele, Steger and Tighe. “Nays” none. Motion carried.

Public Comment: No public comment

Advance notice and agenda for the October 28, 2024, inland port board meetings were sent to the Inland Port Board members and all others requesting the same. Advance public notice (includes agenda) of the Nebraska International Port of the Plains Board of Directors meeting was posted at the Lincoln County Courthouse, City Hall, Village of Hershey, and the Lincoln County website on October 24, 2024, and was also emailed to the media on October 24, 2024.

The agenda for the meetings to be held on Monday December 16, 2024, will be kept continually current and open for inspection at the office of the Lincoln County Board Assistant. The regular meeting of the Nebraska International Port of the Plains Board of Directors will be at the Lincoln County Commissioner’s Room, Lincoln County Courthouse, 301 North Jeffers, North Platte, NE at 2:00 p.m.

Submitted by:  
Tammy White