Meeting Minutes

Call to order

Meeting of the Nebraska International Port of the Plains Board of Directors. Present were Vince Dugan, Leeann Ellis, James Hawks, J. Patrick Keenan, Kirk Olson, Dwight Porter, Michael Steele, Robert Stefka and Kevin Tighe. Attorney Kendra Strommen was present. Chair Hawks called the meeting to order at 2:00 p.m.

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

Approval of minutes

Ellis moved to approve the minutes regarding the Nebraska International Port of the Plains Board meetings held on September 28, 2026. Porter seconded the motion. Present and voting "aye": Ellis, Hawks, Keenan, Olson, Porter, Steele, Stefka and Tighe."Nays" none. Dugan-abstain. Motion carried.

4. Finance Committee-

Austin Partridge of Northland Securities presented information regarding bonds to the Board for future consideration. They are a public finance investment banking firm of FNDO. And the team specialty is local government, tax exempt bond issues. Austin presented information regarding the statutory reference to the inland port's ability to issue revenue bonds, to fund different types of projects. Austin and Mike met with a bond attorney and had discussions with other port authorities across the state as well. The biggest question is the tax status of the bonds that the port authority could issue. There are some instances where we run into some private use issues, so the private industry is utilizing a facility, or something that the board would issue a bond for, then that bond has to be deemed taxable. The benefit, the good news that we wanted to share with you, is that in our case, any bond that the Port Authority would issue to fund real assets that would be owned or controlled by the Port Authority would be able to be tax exempt. And that's important because tax exempt bond is just a financing tool that local governments have available to them to fund certain type of qualified projects. And that tax status is important because on tax exempt bonds, investors that hold that bond don't pay interest on the federal or the state level, and they're willing to turn around and pass that benefit onto the authority in the form of a lower interest rate on any financing, bond financing that you would look at. It sounds like construction is estimated to be complete around June of next year. And so, likely, the timeline that we would be looking at for the bond financing could be sometime early in the spring, to get that bond in place. But that is something that we would be putting together in more detail with the Board, throughout the process, and actually putting together a financing schedule, tying dates to that, and tying in what the steps in the process would be to get to that, to that closing base so that the funds are available.

The 1st step in the process would be for the board to review and consider a bond resolution. The bond resolution would be the legal authority for the port authority to issue a revenue bond for the project. And that resolution is just a parameters resolution. The resolution would have a not to exceed bond amount that would be set. Once the resolution is in place, then they would start putting together the documents to issue the bond. One of those being an offering document. Within that offering document, a list of all the information that an investor might need to purchase that bond or that financing, so it would have the legal authority to issue a bond and would have the repayment source. It lists all the information about the Port Authority and all the information about the bond. There's really 2 main approaches to issuing a bond. One is a public bond issue. The other is a private placement issue. The college and City used the public issuance as they have a stable repayment source. All information is shared publicly. If there is information that needs to be kept confidential and not shared publicly like agreements with tenants, private tenants within the port, potential fee scheduled then private issuance. Local community banks are given first priority to review and participate. Private placements involves one bank whereas public bond issue placement would involve 10, 20, 30 investors . With a private placement, there is a bit more flexability and one option within could be a traditional draw construction loan. In a public placement the funds have to be drawn all at once. Keenan asked about the changes that could occur or opportunities that could take place and if the port needed more money if they could afford more and could the port draw more if needed. Austin stated if would all go back to the resolution passed and the parameters of it. The resolution could be amended to set higher amounts in the future so that if the revenue level is such in the future that you could support a larger bond issue, then you could come back and amend the resolution and do a larger financing in the future. Keenan asked about the length of bonds. Austin stated the standard call feature is 5 years on a long term bond. After that time, you have the ability to look at refinancing or starting to pay them down. You have that option, but you just have to wait the 5 years, but there are alternative structures that the port could look into for short term, more construction type financing that would be more flexible call features. On a shorter bond, anything under 5 years, the board would have flexibility in what they would want to set that call feature at. The general rule of thumb is the longer you can push your call out, the more that's going to benefit your investor, the lower rate. You may pay a slightly higher interest rate, but that would give you the flexibility to look at refinancing it if the rating environment was favorable or allowed that opportunity. Keenan asked about progress payments. On slide seven, we put together some initial scenarios for us just to discuss, to give you an initial idea, the three scenarios that we put together are the first being bond anticipation notes. So those are short term interest only notes that really act as construction financing for the port to be able to construct the project. And other local governments utilize those all the time. The bond anticipation notes. Those would allow you to construct the project, but those would be interest only in nature, so you wouldn't make any principal payments towards the notes until after you construct the project. And after you might have a better idea of your level of revenues that you would have available. Once your project is done, once you're ready to take out the notes, then you could take, you could issue your long-term bonds and lock in your long-term financing, and your terms on your long-term financing revenue bonds are not subject to any type of statutory limitation. Revenue bonds are

treated a little bit differently. There's no statute that really caps how long that bond can be amortized.

Another idea for discussion is called community improvement districts. A community improvement district is a separate political entity that has taxing authority and it has bonding authority. A district would be established that district would issue construction funding warrants, to put in the infrastructure that's involved. The streets, water, sewer and as valuation gets billed and as homes or commercial developments get built within the district, they have the ability to levy a tax on that valuation to repay their warrants and then eventually their warrants get taken out into bonds. And the reason we thought about that was as a security or as a more of a credit enhancement for the Port Authority to be able to have that potential backup of a tax levy for any valuation that comes within the district, to be able to have that as a backup for more favorable financing terms and rates. That revenue would be the security on how the bonds would be repaid. On slide 10 is a list of the recent port activity that Northland has been a part of.

Hawks asked about insurance for the bond. One additional strategy that a lot of local governments have looked at here in recent years has been this strategy of utilizing a bond insurance policy on bonds that they issue. A bond insurance policy would act very much like a bond rating, that bonds had from time to time, the city would have a rating, the hospital would have a rating. insurance policy is a policy from a national bond insurance firm that would provide a guarantee of bond payments to investors. That helps you to get lower interest rates on any bond that you would issue if you have a bond insurance. We always want the cost of the insurance, the savings that you would get through a lower rate on the financing to more than outweigh the cost of the insurance.

One thing that we may recommend getting in place sooner than later is called a reimbursement resolution. So, a reimbursed resolution is pretty common with larger construction projects. Reimbursement resolution would allow the board to go back. So as you start to construct the project, it would allow the port to go back in time, if this bond or financing is taken or issued early next year, it would allow you to go back in time and reimburse the authority for any cash or any proceeds or grant proceeds that you spent on the rail for, some of the projects.. There's no obligation to go back and reimburse, but it just provides you the flexibility and the option to go back and reimburse yourself.

Keenan asked the time frame of bonds. Austin said typically say about 30 to 45 days from the time that you say go. The one caveat is, that's generally when you have that bond resolution in place, we take a date, and that's the date that we go off to the bond market and sell the bond and lock the rate. Through a private placement process, sometimes that we would like to give banks a window to review and respond to that. 30 to 45 days would be pretty comfortable if we had the resolution in place and already to go.

10. Update from Stephanie Camerone of NDOT-Mark Worth , the economic development director representative for the Midwest section agreed on a federal level that our project would pass the EDA. Stephanie did ask about the port having already put the track out for bid and accepted it that it would not be allowed to use grant funding if construction has started. That it

could be a possibility that the project could be phased. Any of the funds you spend before we have a grant agreement would not be counted as match. Only one grant needs to be applied for as they wouldn't grant 2 grants. We wouldn't hear about this grant until July, 2027. We would apply for $3.5 million. So that is something the board needs to discuss is the ability to phase the project to utilize the grant funds if awarded and be able to use the match. Stephanie needs letters of support. She has a 1st draft ready to be sent out.

Executive Committee-Paul Hentschke of GFT Inc.

The preconstruction meeting is scheduled for tomorrow at 2 o'clock. Jim wanted the entire board to be able to attend but due to it being a quorum the executive committee will be attending and Kendra and Spiros. The completion date was moved to July 2027.

5. Transloading, Handling and Storage Agreement-

Attorney Kendra Strommen prepared the agreement, stated it is fee schedule consistent with the market. Dugan asked that an email that is specific to the port be used and not a personal email. Board agreed and Mike stated he had an email created that he created for the grant application. Kendra will change the notification email. Dugan asked about who is reviewing the agreements. In March the Port created an Oversight Committee consisting of Chair, Treasurer, Dwight Porter, Gary Person and a Lincoln County Commissioner.

Olson moved to approve the transloading, handling & storage agreement with the suggested changes. Keenan seconded the motion. Present and voting "aye": Dugan, Ellis, Hawks, Keenan, Olson, Porter, Steele, Stefka and Tighe."Nays" none. Motion carried.

7. Railcore Logistics Service and Payment agreement-

Kendra stated it allows rail core to have the flexibility with each of our customers to enter into an agreement based on their product.

Dugan had questions regarding fees for different products. Porter stated transloading is a standard. Porter has reviewed the charges and fee structure. Dugan and Tighe had questions of billings, UP charges, and UP billing the port and the timeline that it could take to get paid by corporations. Porter stated there would be deposits taken and yes it takes corporations longer to send payments. But payment is Net30. Keenan would like to see a revenue projection to cover obligations. Hawks stated that Spiros is working on that.

Dugan moved to approve the Railcore Logistics Service and Payment agreement. Steele seconded. Present and voting "aye": Dugan, Ellis, Hawks, Keenan, Olson, Porter, Steele, Stefka and Tighe."Nays" none. Motion carried.

6. First Amendment to the Port Operating Agreement-

Dugan moved to approve the First Amendment to the Port Operating Agreement. Porter seconded the motion. Present and voting "aye": Dugan, Ellis, Hawks, Keenan, Olson, Porter, Steele, Stefka, and Tighe."Nays" none. Motion carried.

8. Commercial Lease Agreement with Wearparts.

Stefka stated Wearparts will need to do some work on the building and remove the tracks as they need a flat floor. Kevin stated he had concerns regarding the lease and if other tenants would want to lease the entire building. Stefka stated the building is 53,000 sq ft and Wearparts is renting 35,000 sq ft. Grit is using 3,000 sq ft. Stefka stated they would've taken entire building. Tighe asked about a termination clause and Dugan asked about CPI additions. Stefka stated the rentors want to occupy the building December 1. Board agreed that the estimated revenue will benefit the port. Stefka stated Wearparts will pay 70% of the utilities.

Dugan moved to approve the Commercial Lease Agreement with Wearparts. Ellis seconded the motion. Present and voting "aye": Dugan, Ellis, Hawks, Keenan, Olson, Porter, Steele, and Tighe."Nays" none. Stefka-abstain. Motion carried.

9. Lease Agreement with Grit Group LLC

Stefka stated Grit will use the 3,000 sq ft. It's a year to year lease. Grit Group will pay 10% of the utilities and Port will pay 20%. Keenan asked about real estate taxes. Hawks stated that there is state statute that states the port will not have to pay real estate taxes.

Ellis moved to approve the lease agreement with Grit Group LLC. Tighe seconded the motion. Present and voting "aye": Dugan, Ellis, Hawks, Keenan, Olson, Porter, Steele, and Tighe."Nays" none. Stefka-abstain. Motion carried.

11. Update from Development Corporation

- Energy- the biggest new challenge is NPPD has determined the Chamber Development Corporation is likely liable for a $744,690 capacitor bank improvement cost at Sutherland in order to bring a power transmission line from there to the Hershey Rail Park. This would be in addition to the estimated $5 million cost for the substation, transformer and distribution line from Dawson Public Power. Person said this will take away from its available funds targeted for the drop and pull transload project. A decision has been made and they will pay the fee in order for the rail park to have firm power by 2030. Interruptible power can be available by mid-2029. The proposed cold storage anchor project for the rail park would be the end recipient of the 15-megawatt needed to operate.
- Industry prospects – Anchor project-letter of intent for the Cold Storage facility. If we would lose the anchor project there is a consideration that future project considerations would be put in the back of the que but Gary is working with NPPD.
- One of the things needed on the track just being built right now is a survey and Gary has the surveyors lined up to do this. Paul will determine this, but additional property definitely will beon that survey. So then at that point, we can deed over our part. We have to get Department of Economic Developments Agreement on this, so the port controls and owns the entire line. That would fall within the property tax exemption, whereas, anything that the port owns will not pay property tax.

- The DED director was in North Platte and Gary took her on a community tour and to the port and so when she has to sign off on things she has a better understanding of how everythings going to work. Railpark is waiting on the approval of the 5 year extension.
- Road systems will need to be built, grant application could be for road infrastructure. Keenan encouraged discussion on adjusting the timeline of the project to see if the grant could be applied for.

Next meeting was discussed and the Board agreed that due to the holiday, November 16, 2026 would be the next meeting.

Olson moved to adjourn at 4:15 p.m. Keenan seconded the motion. Present and voting "aye": Dugan, Ellis, Hawks, Keenan, Olson, Porter, Steele, Stefka and Tighe."Nays" none. Motion carried.

Respectfully submitted

Tammy J. White