

DRAFT

**MINUTES OF ANNUAL LANDOWNERS' MEETING
OF THE HOWARD BEND LEVEE DISTRICT**

August 21, 2018

The annual meeting of the landowners of the Howard Bend Levee District was held at the Maryland Heights Community Center, 2344 McKelvey Road, Maryland Heights, Missouri, at 4:00 p.m. on Thursday, August 21, 2018, pursuant to notice duly published and mailed to the landowners. The meeting was called to order at 4:00 p.m. by Warren Stemme, President of the District. Warren Stemme introduced the other Supervisors present at the meeting as Gary Hente, Darel Knobbe, Jeff Wagener and Ed Ortmann. Also present at the meeting were Daniel Human as Executive Director of the District, Karen Frederich of Horner & Shifrin, the engineers for the District, Suzanne Gaal-Chabloz, the accountant for the District, and David Human of Husch Blackwell LLP, attorney for the District.

The following landowners in the District were also present: Calvin F. Dierberg, Connie Cournoyer Kathleen Kurtz Tuttle, Thomas J. Neuner, Fern Ridoe, Frank, Peter Kinsella, M. Genove, Bradley Brown, Randy Beckemeir, Michael Moeller, Mayor of Maryland Heights, Dan Devereux, Steven Dussault, Michael Jerlecki, Robert Cameron, Cathy Dierberg, Guy Litzinger, Dale Boggs, Carol Boggs, Claire E. Newton, Jon B. Brady, Mark Brennsetter and Wilroy Schaftner. Jim Carver was present as a representative for Maryland Heights. Also present were Dan Peters, Thomas O' Tool and Howard Paperner.

The meeting was called to order by the President of the District, Warren Stemme and he presented the affidavit of publication of the notice of the meeting as published in the newspaper as required by statute.

Upon motion by Ed Ortmann, seconded by Gary Hente, all present were in favor of Warren Stemme acting as Chairman of the meeting.

The minutes of the last Annual Landowners' Meeting held on August 24, 2017 were presented and, upon motion by Gary Hente, seconded by Ed Ortmann, all present voted to approve the minutes as presented.

The next item on the agenda was the presentation of the financial report from 2017. Dan Human reported that the financial report had been printed for circulation at the meeting.

Next, the floor was opened to landowner comments. Dan Devereux raised concerns that the professional fees being paid by the District were inappropriately high. Dan Devereux, and other landowners, raised concerns that the District had not done enough to prioritize development in the District. Particularly landowners raised concerns that the process of levying levee assessment was not transparent and had resulted in lost opportunities for development.

On behalf of the Casino, Dan Peters informed the landowners that the Casino was exploring a suit against the District based on alleged overpayments made under an Agreement entered into between the District and the Casino's predecessor in title in 1995. Dan Peters stated

the Casino had payed millions of dollars under the agreement for works the Casino did not believe benefited their property.

Multiple landowners raised concerns about the construction of the Fee Fee Creek Levee. Landowner's raised concerns that it was irresponsible to construct this Project given the District's current level of debt. Other landowners were frustrated that the Fee Fee Creek Levee system had taken so long to construct.

Further concerns were raised regarding the District's debt. Multiple landowners expressed concern that the District had not done enough to pay down outstanding debt.

Finally, Dale Boggs raised concerns about interior storm water drainage issues in the District and how development throughout the watershed required certain landowners within the District to receive inordinate amounts of storm water.

At around 5:20 pm, Warren Stemme stated it was time to hold elections for positions on the Board, explained the rules of voting and asked for nominations. Warren Stemme explained that two Board positions would be elected at this meeting: the remainder of the term of the position of John Cournoyer, who had passed away, which would expire in 2021 and a full five year term for the position currently held by Gary Hente. David Human then explained the rules of voting.

The first election was held for the full five year term supervisor position currently held by Gary Hente. Upon motion of Jeff Wagener, seconded by Darel Knobbe, Gary Hente was nominated. Next upon motion of Peter Kinsella, seconded by Dan Devereux, Jim Carver was also nominated. There being no further nominations, nominations were closed and ballots were distributed, filed and collected. David Human, District Counsel, and Jim Krischke, City Administrator for Maryland Heights, counted ballots. David Human and Jim Krischke announced that Gary Hente had been elected to fill an additional five year term.

The second election was held for the remainder of John Cournoyer term set to end in 2021. Upon motion of Ed Ortmann, seconded by Gary Hente, Darel Knobbe was nominated. Next upon motion of Peter Kinsella, seconded by Dan Devereux, Jim Carver was nominated. Finally, upon motion of Guy Litzinger, seconded by Dale Boggs, Bob Cameron was also nominated. There being no further nominations, nominations were closed and ballots were distributed, filled in and collected. David Human and Jim Krischke announced that Jim Carver had been elected to fill the remainder of John Connoyer's term.

There being no further matters to come before the meeting, on motion by Ed Ortmann, seconded by Gary Hente, all present were in favor of adjourning the meeting. The meeting was adjourned at 6:10 p.m.

Gary Hente, Secretary