

**MINUTES OF THE MEETING
OF THE BOARD OF SUPERVISORS OF
THE HOWARD BEND LEVEE DISTRICT**

January 4, 2022

A meeting of the Board of Supervisors (the "Board") of the Howard Bend Levee District (the "District") was held on Wednesday, December 29, 2021 at 2:30 p.m. at the City of Maryland Heights Community Center located at 2300 McKelvey Rd, Maryland Heights, MO 63043.

The Supervisors participating in the meeting were, Jim Carver, Ken Franklin, Doug Jones, Tom Ott and Ed Ortmann. Also participating were David Human and David Human Jr., as counsel for the District. Karen Frederich, the District Engineer was also present. Mike Kelly, Darrel Knobbe and Albert Stix were also present.

Upon motion of Tom Ott, seconded by Jim Carver, all in favor, the Board passed a motion to approve the Minutes of the December 16, 2022 meeting and the December 29, 2022 meeting as presented.

The meeting was held open for public comment. Mike Kelly, Darrel Knobbe and Albert Stix spoke in favor of building the 500 cfs pump station.

Next, the District discussed the stormwater conveyance system. Upon motion of Ken Franklin, seconded by Ed Ortmann, all in favor, the Board passed a motion authorizing Karen Frederich to provide a cost estimate to create a preliminary master stormwater plan but to wait to receive the model to be prepared by the successful pump station bidder before pursuing this work.

Next, Doug Jones raised concerns about the equitable treatment of landowners in the construction of the stormwater conveyance channels and the Districts acquisition of right of way. Upon motion of Ken Franklin, seconded by Ed Ortmann, all in favor, the Board passed a motion authorizing Karen Frederich to explore the equitable apportionment of these costs.

Next, Karen gave a presentation regarding the two pump station bids. Tom Ott made a motion to accept the Klingner/Plocher bid and the direction that the 500 cfs alternative be taken upon securing financing. The motion was seconded by Ed Ortmann and a roll call vote was taken: Ed Ortmann: aye; Jim Carver: aye; Tom Ott: aye; Ken Franklin: aye and Doug Jones: nay. The motion passed.

Next the Board considered the financing of the alternate that would allow construction of the full 500 cfs pump station. Upon motion of Jim Carver, seconded by Doug Jones, all in favor, the Board authorized the District to pursue the issuance of additional bonds to pay for the alternate.

Next, the Board considered retaining an Underwriter for the Bond Issuance. Upon motion of Tom Ott, seconded by Ken Franklin, the Board authorized Ed Ortmann to execute an agreement to retain Stifel as underwriter.

Next the Board discussed the District's Fitch rating. Upon motion of Doug Jones, seconded by Jim Carver, all in favor, the Board passed a motion to no longer maintain a Fitch rating.

Upon motion of Tom Ott, seconded by Ed Ortmann all in favor, the Board adjourned the meeting at 9:50 a.m.

Jim Carver, Secretary

Dated: _____