

Southeast Nebraska Education Agency
Board Meeting
Monday, April 25, 2022 12:00 PM Central

Administration Building- Board Room
320 N 5th St
Beatrice, NE 68310

Notice of the meeting was given in advance by publication and/or posting in accordance with the Board approved method for giving notice of meetings. Notice of this meeting was given in advance to all members of the Board of Education. Availability of the agenda was communicated in the publicized notice and a current copy of the agenda was maintained as stated in the publicized notice. All proceedings of the Board of Education, except as may be hereinafter noted, were taken while the convened meeting was open to attendance of the public.

1. Call to Order

Mr. Alexander, Chairperson of the Board, called the meeting to order at 12:05 PM in the Administration Building Board Room. At the beginning of the meeting, the chairperson announced and informed the public that a current copy of the Open Meetings Act was posted on the west wall of the meeting room and accessible to members of the public.

2. Roll call and determination of a quorum present

Roll was called by Danielle Fairbanks

Present: Jason Alexander, Brenda A McNiff, Lisa Pieper, Jan Reimer, Jon Zimmerman. Present: 5.

3. Approval of meeting minutes- March 14, 2022

I move that the Southeast Nebraska Education Agency approve the meeting minutes from March 14, 2022 passed with a motion by Lisa Pieper and a second by Brenda A McNiff.

Jason Alexander: Yea, Brenda A McNiff: Yea, Lisa Pieper: Yea, Jan Reimer: Yea, Jon Zimmerman: Yea
Yea: 5, Nay: 0

4. Public Forum

No one spoke at this time.

5. Discussion

There were no discussion items presented by Board members.

6. Action

6.1. Construction Manager at Risk

6.1.1. Discuss, consider, and take all necessary action with regard to the highest ranked construction manager at risk for the proposed new PK-5 elementary school facility

Mr. Alexander and Derek Aldrege, legal counsel representing Perry Law Firm, provided an update on the negotiation process with Johnson Controls. Discussion regarding this process ensued.

Upon the recommendation of the Board Chairperson and Agency legal counsel, and pursuant to the Nebraska Political Subdivisions Construction Alternatives Act, the Board of Directors for the Southeast Nebraska Education Agency should and does hereby terminate negotiations with the highest ranked construction manager, Johnson Control, Inc., for the proposed new PK-5 elementary school facility project for the reason that the Agency was unable to timely negotiate a satisfactory contract with such highest ranked construction manager, and further hereby authorizes, directs, and delegates to the Board Chairperson, or designee, and Agency legal counsel to negotiate a contract with the second highest ranked construction manager, Hausmann Construction, Inc., on terms and conditions deemed in the best interest of the Agency, and then, upon completion of such negotiation present all appropriate contract documents for contract adoption and approval by the Board passed with a motion by Brenda A McNiff and a second by Lisa Pieper.

Jason Alexander: Yea, Brenda A McNiff: Yea, Lisa Pieper: Yea, Jan Reimer: Yea, Jon Zimmerman: Yea
Yea: 5, Nay: 0

6.1.2. Discuss, consider, and take all necessary action with regard to the construction manager at risk agreement for the proposed new PK-5 elementary school facility

The Board of Directors for the Southeast Nebraska Education Agency should and does hereby approve the construction manager at risk agreement between the Agency and Hausman Construction, Inc., for the proposed new PK-5 elementary school facility, such agreement in the form on file with official Agency records and as presented at this meeting or with such changes as are deemed necessary and in the best interest of the Agency and approved by the Board Chairperson, and further hereby delegates authority to and authorizes and directs the Board Chairperson, or a designee, to sign, execute and deliver the agreement, any agreement amendments, change orders or other documents call for in such agreement, to pay the contract sum, and to take all other action necessary to carry such agreement into effect passed with a motion by Jan Reimer and a second by Jon Zimmerman.

Jason Alexander: Yea, Brenda A McNiff: Yea, Lisa Pieper: Yea, Jan Reimer: Yea, Jon Zimmerman: Yea
Yea: 5, Nay: 0

6.2. Project Financing- Discuss, consider, and take all necessary action with regard to potential financing for the proposed new PK-5 elementary school facility

Mr. Alexander shared that with the assistance of the agency's bond underwriter and bond counsel, that a local financial institution (Pinnacle Bank) has presented the SNEA with a general financing terms proposal.

The Board of Directors for the Southeast Nebraska Education Agency should and does hereby approve the general financing terms proposal for financing the new PK-5 elementary school facility as more particularly described on the terms sheet proposal, on file with official Agency records and as presented at this meeting, and further hereby delegates authority to and authorizes and directs the Board Chairperson, or a designee, to further negotiate general financing terms deemed in the best interest of the Agency, and to sign, execute and deliver the term sheet proposal or separate memorandum of understanding or intent, either with such terms or changes in terms as are deemed necessary and in the best interest of the Agency and approved by the Board Chairperson, and to prepare final financing documents to be presented and approved by the Board of Directors at a subsequent meeting passed with a motion by Brenda A McNiff and a second by Jon Zimmerman.

Lisa Pieper: Abstain (With Conflict), Jason Alexander: Yea, Brenda A McNiff: Yea, Jan Reimer: Yea, Jon Zimmerman: Yea
Yea: 4, Nay: 0, Abstain (With Conflict): 1

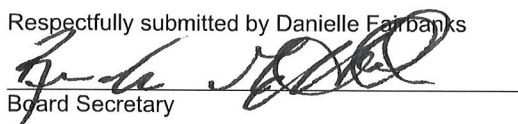
7. Adjournment

I move that the Southeast Nebraska Education Agency adjourn passed with a motion by Jon Zimmerman and a second by Jan Reimer.

Jason Alexander: Yea, Brenda A McNiff: Yea, Lisa Pieper: Yea, Jan Reimer: Yea, Jon Zimmerman: Yea
Yea: 5, Nay: 0

The meeting adjourned at 1:03 PM.

Respectfully submitted by Danielle Fairbanks


Board Secretary

6/16/2022
Date