

JDA Amended Minutes - June 21, 2017

Attachment: Exhibit 1 - June 21, 2017 JDA Minutes

Attachment: Exhibit 2 - June 21, 2017 JDA Minutes with change

Attachment: Exhibit 3 -Mark Pierce/John Phillips email exchange July 18, 2017

This is an **amendment** to the June 21st, 2017 meeting minutes, and an addendum to the January 17th 2018, April 18th, 2018 and May 7th, 2018 minutes. After careful review, discussion and listening to the voice recording of June 2017 JDA minutes, the board would like the following correction to be made part of all above minutes.

Please reference the June 21, 2017 meeting minutes, which are marked **Exhibit #1**. These minutes were emailed to the board 1-day prior to the July 19, 2017 JDA meeting. At the July 19th meeting, board member, Mark Pierce asked John Phillips to move Mark's proposal for the bakery project up in the meeting minutes prior to Bonnie & Mark Neis entering the meeting. The minutes "approved" by the board at that July 19th meeting were JDA minutes **Exhibit #1** with Pierce's requested change. A motion was made by Schulz to approve the minutes with the change as discussed relative to what part of the meeting the financing discussion ensued; seconded by Richter. Motion Carried. After the July 2017 meeting, we now assume revisions were made to the minutes which we will referred to as **Exhibit #2**. **Exhibit #2**, shows Mark Pierce's proposal was moved to the appropriate location of the meeting, but in addition, Secretary Phillip's inserted an additional sentence to reflect a Contract for Deed and a lease with option to purchase, options could be acceptable as part of the June discussion. See **Exhibit #2** highlighted in yellow. Both sets of minutes are exactly the same except for this addition.

Exhibit #2 minutes were not viewed or discussed by the board until February 21st, 2018. Several board members discovered that these changes to the June 21st, 2017 minutes as they were posted on the JDA website or were copied on an email string that contained these revised June 21st, minutes. This created questions and concerns among board members as they felt this Contract for Deed option was never a part of the June 2017 meeting or recording, nor was there ever board approval until after the Contract for Deed was signed and agreed upon with B'Dolce Bakery.

At the January 2018 board meeting, members were made aware that the Bakery Project had been finalized in December 2017 using a "Contract for Deed" and that this was signed by Darrell Bjerke as JDA Chairman and notarized by Heather Ferbee, City Auditor and the contract for deed was negotiated by John Phillips as the self-appointed project lead and Secretary and Treasurer. This was not the initial proposal that the Board was presented or in agreement with at the June 2017 meeting.

In the January 2018 meeting, JDA members felt the best way to move forward was to approve this "after the fact" since the Contract for Deed was already signed and notarized, and we were committed to a legal and binding agreement with Mark and Bonnie Neis.

All of this information was verified via voice recording from the Beulah Beacon and member emailed dating back to June 2017.

The amended meeting minutes should reflect the change listed above.