

Independent School District 507 Regular
School Board Meeting
Wednesday, March 12, 2025 6:00 PM

1 Pine St, Nicollet, MN 56074, Community
Room
1 Pine St
Nicollet, MN 56074

Join Zoom Meeting

<https://us02web.zoom.us/j/8658971046?pwd=UTljNktqanFoMVhwYzNRTUtFNDkzQT09>

Meeting ID: 865 897 1046

Passcode: 136511

Agenda

{{Name: Agenda Item Name}}

1. CALL TO ORDER
2. ROLL CALL
3. VISITOR COMMENTS
The school board meeting is a meeting in the public, not a public meeting. Nicollet School Board Policy provides that persons who wish to have a subject discussed at a public school board meeting are encouraged to notify the superintendent's office in advance of the school board meeting. The school board chair will recognize one speaker at a time and will rule out of order other speakers who are not recognized, violations of data privacy, or inappropriate comments.
4. APPROVAL OF AGENDA
5. FINANCIAL UPDATE
Budget, enrollment, check points- building a revised budget.
6. REPORTS AND PRESENTATION
 - 6.a. Superintendent's Report 3
 - 6.b. Principal's Report 5
 - 6.c. Student Representative's Report
 - 6.d. Board Committees' Reports
7. CONSENT AGENDA
 - 7.a. Approval of Minutes 7
 - 7.b. Approval of Bills in the amount of \$ 10

7.c. Approval of Personnel Items	14
7.d. Accept Donations	15
8. RESOLUTION TO NON RENEW	16
<p>The superintendent recommends the School Board non renew the following positions working toward positive fiscal management due to declining enrollment. (attach resolution)</p>	
9. STAFFING CONFIGURATION RECOMMENDATION	
<p>9.a. Reassignments</p> <p>The superintendent recommends reassigning the current Ag/CTE full time teacher to ½ time CTE(Career, Tech Ed) teacher/ ½ time TOSA. Teacher on Special Assignment coordinating a robust CTE program, Grant writing chair, Workbase Coordinator, and FFA Coordinator.</p>	
<p>9.b. New Hire</p> <p>The superintendent recommends posting a position for a full time CTE teacher.</p>	
10. ENROLLMENT TASK FORCE-Nancy Remmert	
<p>10.a. Task Force</p> <p>Update from the Task Force chair</p>	
<p>10.b. Additional Spending</p> <p>Superintendent recommends an additional \$2000 to the committee for the purpose of advertisement and mailing encouraging open enrollment to Nicollet public schools.</p>	
11. APPROVE AWARD RESOLUTION/SIGNATURES FILES TO CLOSE CERTIFICATION	17
12. ADJOURNMENT	

March 12, 2025 Superintendent Report

1. Staffing:	2024-2025	2025-2026
	1 FTE Readiness	1 FTE Readiness
	1 FTE Kindergarten	1 FTE Kindergarten
	2 FTE First Grade	1 FTE First Grade
	1 FTE Second Grade	2 FTE Second Grade
	1 FTE Third Grade	1 FTE Third Grade
	2 FTE Fourth Grade	1 FTE Fourth Grade
	1 FTE Fifth Grade	2 FTE Fifth Grade
	1 FTE Behavior Interventionist	Reduce
	4 FTE Special Education	3.6 FTE Special Education
	1 FTE Sixth Grade	1 FTE Sixth Grade (sec. math)
	2 FTE Secondary LA	2 FTE Secondary LA
	2 FTE Secondary Soc. Stu.	2 FTE Secondary Soc. Stu.
	3 FTE Secondary Math	2.4 FTE Secondary Math
	2 FTE Secondary Science	2 FTE Secondary Science
	2 FTE Phy ED K-12	2 FTE Phy Ed K-12
	1 FTE Secondary CTE	1 FTE Secondary CTE (New)
		1 FTE Secondary CTE/TOSA
	3 FTE K-12 Arts	3 FTE K-12 Arts

Custodial Services/Library Aid: 1 FTE
Food Service: 3 FTE / 1 Student worker

Eliminate: 1 FTE
Eliminate: 1 FTE

Eliminate overtime: Food Service, Daycare, Custodial, Paraprofessional

Administration: Contract w Remmert Consulting Non renew that contract
1 FTE / Supt/ 9-12 Principal
1 FTE Dean of Students

2. Administrative Configuration Options-

- a. Two full time administrators (Superintendent Courier, Reassign Sam Cotton ½ Dean of Students ½ K-8 Principal)
- b. Two full time administrators (Superintendent/K-12 Principal duties) and Dean of Students K-12
- c. If funding available: Superintendent, K-12 Principal (post), Dean of Students.

Activities Director: 1 FTE
Community Ed: 1 PT

1 FTE
1 PT

3. Strategic Planning: First Meeting March 11 4:00-6:00 Agenda sent 3/10/25
Second Meeting March 19 4:00-6:00 Agenda will be sent
Third/Final Meeting April 2 4:00-6:00

4. Long Range Facility Planning Update
Robin met with NEXUS virtually 3/5/25 Looked at a proposed community survey.
March 24 - Final Survey review with Robin
April 9 - Board Mtg - Review the survey and timeline, prepare to send to the public.

5. 2BContinued Update - Mental Health First Aid Training
Fall 2024 Workshop - staff had a training
March 5, 2025 - Staff had a virtual training
March 6, 2025 - Parent Informational meeting
March 18, 2025 - 10th grade students begin their Teen Training (7 sessions - 2 groups)

6. Community Conversations:
We had 20-25 community members meet in February with Brianna Williamson from KinnectEd and will schedule two more opportunities to meet with the community. Likely in late April and May

- 7.

Principal Board Report: March 2025

<p>School Community Engagement</p>	<ul style="list-style-type: none"> ● PBIS ● Student Council ● CTBN student recognition breakfast-Feb 6 ● EC ● FFA 														
<p>Home and School Community Engagement</p>	<p>Choose To Be Nice Recognition Breakfast: We had our recognition breakfast on February 6th to celebrate the 9 students who were chosen by their peers as students who model the behaviors of Honesty. Each student invites up to two adults to the celebration and high school ambassadors joined us, as well, as we recognized our outstanding students.</p> <table border="1" data-bbox="483 963 1414 1409"> <tr> <td>Kindergarten</td> <td>JJ Hernandez</td> </tr> <tr> <td>1st grade</td> <td>Arrow Thompson and Ellie Bruno</td> </tr> <tr> <td>2nd grade</td> <td>Olivia Bruns</td> </tr> <tr> <td>3rd grade</td> <td>Adaline Gunderson</td> </tr> <tr> <td>4th grade</td> <td>Emma Soost and Kenzie Emich</td> </tr> <tr> <td>5th grade</td> <td>Holden Radel</td> </tr> <tr> <td>6th grade</td> <td>Gavin Radel</td> </tr> </table>	Kindergarten	JJ Hernandez	1st grade	Arrow Thompson and Ellie Bruno	2nd grade	Olivia Bruns	3rd grade	Adaline Gunderson	4th grade	Emma Soost and Kenzie Emich	5th grade	Holden Radel	6th grade	Gavin Radel
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5th grade	Holden Radel														
6th grade	Gavin Radel														
<p>Student Engagement</p>	<p>Choose To Be Nice (k-6): Friendship- Advisory-7 Mindsets (7-12):</p>														

<p>Staff Development and Early Release</p>	<p>Staff Development Plan 2024-2025 Focus Areas</p> <ol style="list-style-type: none"> 1. Student Engagement / Improvement 2. Purposeful Instruction: Professional Learning Communities (PLC) Multi-Tiered System of Support (MTSS) 3. Positive Connections <p>PLC Work: early release Feb 14th K-2 Teachers: prioritizing standards and aligning instructional resources 3-10 Teachers: MCA preparation-aligning instructional pacing to the standards</p> <p>READ Act</p> <p>READ Act Update:</p> <ul style="list-style-type: none"> • Teachers continue to progress through the READ Act mandated training. All K-6 and Special Education teachers have, at minimum, completed the 2nd required live session and have just 1 more live session remaining which needs to be completed by July 1, 2025.
<p>Being There Experiences (Field Trips) & Activities</p>	<p>Feb 25th-6th grade attended Biz Town in Saint Paul March 4 - 3rd & 4th grades Young Writers & Artist Conference at Bethany Lutheran College 3/7- 6th Math Masters at Bethany Lutheran College</p>
<p>Upcoming Events</p>	<p>World Down Syndrome Day-March 21 wear wacky socks MCA testing begins April 7 Kindergarten Round-Up April 3 5:30-7:30 Elementary BINGO night April 3 6-7:30</p>
<p>9-12 Principal Report</p>	

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Central

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Ashley Black: Absent
Mathew Cabanilla: Present
Abbi Carleton: Present
Adam Erickson: Present
Jill Martens: Present
Scot Osborne: Present
Present: 5, Absent: 1.

1. CALL TO ORDER

2. ROLL CALL

3. VISITOR COMMENTS

Visitors: Emmelyn Kin, Caroline Stutsman, Mike Slater, Nicole Helget, Heather Robb, Jake Robb, Liberty Allen, Brittany Anderson, Bridget Olsen, Joan Hulke, Julie Olsen, Carrie Hoffman and Katy Meister.

Visitors that wished to speak: Joan Hulke, Julie Olsen and Bridget Olsen, and we allowed one online-Ashley Swenson to speak on the topic of racism in the school.

4. APPROVAL OF AGENDA

Move to accept the Agenda as presented. This motion, made by Jill Martens and seconded by Scot Osborne, Carried.

Ashley Black: Absent, Mathew Cabanilla: Yea, Abbi Carleton: Yea, Adam Erickson: Yea, Jill Martens: Yea, Scot Osborne: Yea
Yea: 5, Nay: 0, Absent: 1

5. 2023-2024 AUDITOR PRESENTATION

6. REPORTS AND PRESENTATION

6.a. Superintendent's Report

6.b. Principal's Report

6.c. Student Representative's Report

6.d. Board Committees' Reports

7. CONSENT AGENDA

Move to accept the Consent Agenda as presented. This motion, made by Scot Osborne and seconded by Jill Martens, Carried.

Ashley Black: Absent, Mathew Cabanilla: Yea, Abbi Carleton: Yea, Adam Erickson: Yea, Jill Martens: Yea, Scot Osborne: Yea
Yea: 5, Nay: 0, Absent: 1

7.a. Approval of Minutes

7.b. Approval of Bills in the amount of \$

7.c. Approval of Personnel Items

7.d. Accept Donations

8. POLICY ITEMS

8.a. Policy 524.5 PERSONAL ELECTRONIC COMMUNICATION DEVICES

Approve final reading policy 524.5 as presented by superintendent. This motion, made by Jill Martens and seconded by Scot Osborne, Carried.

Ashley Black: Absent, Mathew Cabanilla: Yea, Abbi Carleton: Yea, Adam Erickson: Yea, Jill Martens: Yea, Scot Osborne: Yea

Yea: 5, Nay: 0, Absent: 1

8.b. Policy 515 PROTECTION AND PRIVACY OF PUPIL RECORDS

Motion to approve policy 515 recommended by the superintendent. This motion, made by Mathew Cabanilla and seconded by Jill Martens, Carried.

Ashley Black: Absent, Mathew Cabanilla: Yea, Abbi Carleton: Yea, Adam Erickson: Yea, Jill Martens: Yea, Scot Osborne: Yea

Yea: 5, Nay: 0, Absent: 1

Policy 515 PROTECTION AND PRIVACY OF PUPIL RECORDS The superintendent recommends editing Policy 515 as follows:

Under III Definitions - Add A. Authorized Representative and correct the headings for the letters B - R. Add D. Directory Information #2 Under Minnesota Law. This addition authorizes the school district to limit directory information by not designating a student's home address, telephone number, email address, or other personal contact information as "directory information".

9. 2025-2026 CALENDAR

Motion to approve 25-26 school calendar with the understanding that a few changes may have to be made to number of days. This motion, made by Scot Osborne and seconded by Mathew Cabanilla, Carried.

Ashley Black: Absent, Mathew Cabanilla: Yea, Abbi Carleton: Yea, Adam Erickson: Yea, Jill Martens: Yea, Scot Osborne: Yea

Yea: 5, Nay: 0, Absent: 1

10. TEACHER EARLY RETIREMENT INCENTIVE REQUEST

Move to approve the Early resignation of Jodi Murphy with early retirement incentive. The negotiating board recognizes that Jodi has the option to accept as written or choose to withdraw her request for early retirement. This motion, made by Mathew Cabanilla and seconded by Abbi Carleton, Carried.

Ashley Black: Absent, Mathew Cabanilla: Yea, Abbi Carleton: Yea, Adam Erickson: Yea, Jill Martens: Yea, Scot Osborne: Yea

Yea: 5, Nay: 0, Absent: 1

Terms of retirement incentive as follows: \$20,000 contributed to HCSP, one time payment. From then on, \$11,000 annually with the difference to paid by the teacher until medicare.

11. BUSINESS MANAGER REQUESTS FOR APPROVAL

11.a. Approve Resolution for a Corporate Line of Credit in the amount of \$150,000/\$250,000 with ProGrowth Bank effective February 12, 2025 through February 12,2026.

Move to approve line of credit as stated. This motion, made by Scot Osborne and seconded by Jill Martens, Carried.

Ashley Black: Absent, Mathew Cabanilla: Yea, Abbi Carleton: Yea, Adam Erickson: Yea, Jill Martens: Yea, Scot Osborne: Yea

Yea: 5, Nay: 0, Absent: 1

11.b. Remove and add authorized signers with ProGrowth. remove Mike Slater, add Jill Martens attached a copy of the corporate resolution that was done in July 2023.

Motion to approve as stated. This motion, made by Mathew Cabanilla and seconded by Abbi Carleton, Carried.

Ashley Black: Absent, Mathew Cabanilla: Yea, Abbi Carleton: Yea, Adam Erickson: Yea, Jill Martens: Yea, Scot Osborne: Yea

Yea: 5, Nay: 0, Absent: 1

12. Enrollment Task Force

Motion to approve as stated. This motion, made by Mathew Cabanilla and seconded by Jill Martens, Carried.

Ashley Black: Absent, Mathew Cabanilla: Yea, Abbi Carleton: Yea, Adam Erickson: Yea, Jill Martens: Yea, Scot Osborne: Yea

Yea: 5, Nay: 0, Absent: 1

13. ADJOURNMENT

Motion to Adjourn @ 7:55 pm. This motion, made by Adam Erickson and seconded by Scot Osborne, Carried.

Ashley Black: Absent, Mathew Cabanilla: Yea, Abbi Carleton: Yea, Adam Erickson: Yea, Jill Martens: Yea, Scot Osborne: Yea

Yea: 5, Nay: 0, Absent: 1

Nicollet Public Schools
 Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void	Amount
												Date	
NSBG		50945		Wire	1	5323	METROPOLITAN LIFE INSURANCE COM		Yes	Yes	Yes	02/28/2025	(1,568.03)
NSBG		52208		Check	1	01674	NICOLLET EDUCATION ASSOCIATION		Yes	No	Yes	02/04/2025	(1,276.15)
NSBG		52216		Check	1	01674	NICOLLET EDUCATION ASSOCIATION		Yes	No	Yes	02/05/2025	0.00
NSBG		52217		Wire	1	01152	INTERNAL REVENUE SERVICE		No	Yes	No	02/05/2025	27,548.45
NSBG		52218		Wire	1	01231	PUBLIC EMPLOYEES RETIREMENT		No	Yes	No	02/05/2025	5,603.70
NSBG		52219		Wire	1	01234	TEACHERS RETIREMENT ASSN		No	Yes	No	02/05/2025	13,646.84
NSBG		52220		Wire	1	06742	MN DEPARTMENT OF REVENUE		No	Yes	No	02/05/2025	4,744.60
NSBG		52221		Wire	1	3010	FURTHER		No	No	No	02/05/2025	912.49
NSBG		52222		Wire	1	3279	AVIBEN		No	Yes	No	02/05/2025	3,193.72
NSBG		52223		Wire	1	5267	BPAS		No	Yes	No	02/05/2025	408.34
NSBG		52227		Wire	1	1829	XCEL ENERGY		No	Yes	No	02/07/2025	17,644.31
NSBG		52228		Wire	1	3433	VERIZON WIRELESS		No	Yes	No	02/07/2025	85.02
NSBG		52241		Wire	1	2065	US BANK ST. PAUL		No	Yes	No	02/04/2025	88,355.00
NSBG		52244		Wire	1	5284	ARBITER SPORTS LLC		No	Yes	No	02/03/2025	5,000.00
NSBG		52275		Wire	1	01152	INTERNAL REVENUE SERVICE		No	Yes	No	02/21/2025	28,413.90
NSBG		52276		Wire	1	01231	PUBLIC EMPLOYEES RETIREMENT		No	Yes	No	02/21/2025	6,334.56
NSBG		52277		Wire	1	01234	TEACHERS RETIREMENT ASSN		No	No	No	02/21/2025	13,850.05
NSBG		52278		Wire	1	06742	MN DEPARTMENT OF REVENUE		No	Yes	No	02/21/2025	4,999.95
NSBG		52279		Wire	1	1829	XCEL ENERGY		No	Yes	No	02/21/2025	9,659.96
NSBG		52280		Wire	1	3010	FURTHER		No	No	No	02/21/2025	1,352.08
NSBG		52281		Wire	1	3279	AVIBEN		No	Yes	No	02/21/2025	3,193.72
NSBG		52282		Wire	1	3719	MN PEIP		No	No	No	02/21/2025	21,278.90
NSBG		52283		Wire	1	5267	BPAS		No	Yes	No	02/21/2025	408.34
NSBG		52284		Wire	1	5323	METROPOLITAN LIFE INSURANCE COM		No	No	No	02/21/2025	1,390.08
NSBG		52308		Wire	1	02447	DEPARTMENT OF HUMAN SERVICES L		No	Yes	No	02/24/2025	730.00
NSBG		52309		Wire	1	3279	AVIBEN		Yes	Yes	Yes	02/28/2025	0.00
NSBG		52341		Wire	1	00245	PROGROWTH BANK FOR CASH		No	Yes	No	02/28/2025	69.84
NSBG		52342		Wire	1	4263	REVTRACK		No	Yes	No	02/28/2025	541.56
NSBG		52343		Wire	1	4336	TUITION EXPRESS		No	Yes	No	02/28/2025	704.87
NSBG		52382		Wire	1	01152	INTERNAL REVENUE SERVICE		No	Yes	No	02/08/2025	1,882.10
NSBG		52383		Wire	1	06742	MN DEPARTMENT OF REVENUE		No	No	No	02/08/2025	3,038.38
NSBG		52384		Wire	1	3279	AVIBEN		No	No	No	02/08/2025	145.00
NSBG		52048	78273	Check	1	4419	BIO-LOGIC, INC		Yes	No	Yes	02/20/2025	(190.00)
NSBG		52183	78370	Check	1	00233	MASA		Yes	No	Yes	02/10/2025	(339.00)
NSBG		52224	78380	Check	1	01674	NICOLLET EDUCATION ASSOCIATION		Yes	No	No	02/04/2025	1,276.15
NSBG		52225	78381	Check	1	01674	NICOLLET EDUCATION ASSOCIATION		Yes	No	No	02/05/2025	1,276.15
NSBG		52231	78382	Check	1	07203	A. H. HERMEL COMPANY		Yes	No	No	02/07/2025	328.71
NSBG		52233	78383	Check	1	3573	BIMBO BAKERIES USA		Yes	No	No	02/07/2025	81.90

Nicollet Public Schools
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Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void		Amount
												Date		
NSBG		52230	78384	Check	1	07124	CAPITAL ONE (WALMART)		Yes	No	No	02/07/2025		281.20
NSBG		52232	78385	Check	1	07230	CENTERPOINT		Yes	No	No	02/07/2025		3,789.92
NSBG		52238	78386	Check	1	5160	ENTER, JOY		Yes	No	No	02/07/2025		187.40
NSBG		52239	78387	Check	1	5389	HINES, SHIRLEY		Yes	No	No	02/07/2025		930.80
NSBG		52235	78388	Check	1	4683	MINNESOTA STATE UNIVERSITY, MANK		Yes	No	No	02/07/2025		400.00
NSBG		52237	78389	Check	1	5159	REINHART, STACY		Yes	No	No	02/07/2025		545.27
NSBG		52229	78390	Check	1	00053	SOUTH CENTRAL SERVICE COOPERAT		Yes	No	No	02/07/2025		590.00
NSBG		52236	78391	Check	1	4945	VESTIS		Yes	No	No	02/07/2025		89.48
NSBG		52234	78392	Check	1	4408	WEST SIDE TRANSPORTATION LLC		Yes	No	No	02/07/2025		237.41
NSBG		52267	78393	Check	1	5161	BRAND, JOHN		Yes	No	No	02/14/2025		3,500.00
NSBG		52255	78394	Check	1	07230	CENTERPOINT		Yes	No	No	02/14/2025		265.54
NSBG		52270	78395	Check	1	5390	GAPPA, CHRIS		Yes	No	No	02/14/2025		360.00
NSBG		52256	78396	Check	1	3234	HENDRYCKS BUS CO		Yes	No	No	02/14/2025		9,842.33
NSBG		52266	78397	Check	1	5049	IBARRA, JUDITH		Yes	No	No	02/14/2025		21.55
NSBG		52271	78398	Check	1	5391	JOHNSON, LEEANN		Yes	No	No	02/14/2025		158.26
NSBG		52262	78399	Check	1	4908	KING, EMMELYN		Yes	No	No	02/14/2025		135.00
NSBG		52268	78400	Check	1	5332	KNOLL, JENNA		Yes	No	No	02/14/2025		384.00
NSBG		52254	78401	Check	1	07097	MCKINLEY, BECKY		Yes	No	No	02/14/2025		9,909.13
NSBG		52264	78402	Check	1	4975	MIDWEST REFRIGERATION AND HEAT		Yes	No	No	02/14/2025		266.00
NSBG		52265	78403	Check	1	5035	NEVILLE, LAURA		Yes	No	No	02/14/2025		91.05
NSBG		52257	78404	Check	1	3901	NICKEL TRANSPORTATION, INC.		Yes	No	No	02/14/2025		14,857.98
NSBG		52258	78405	Check	1	4361	OTTO BUS COMPANY, LLC		Yes	No	No	02/14/2025		10,387.95
NSBG		52260	78406	Check	1	4527	PERFORMANCE FOODSERVICE - MAR		Yes	No	No	02/14/2025		2,664.88
NSBG		52269	78407	Check	1	5373	PODRATZ, HANNAH		Yes	No	No	02/14/2025		234.78
NSBG		52253	78408	Check	1	02421	QUILL CORPORATION		Yes	No	No	02/14/2025		99.27
NSBG		52251	78409	Check	1	00187	REGION V COMPUTER SERVICES		Yes	No	No	02/14/2025		2,492.00
NSBG		52252	78410	Check	1	00271	RUDENICK BUS SERVICE, LLC		Yes	No	No	02/14/2025		10,384.33
NSBG		52261	78411	Check	1	4674	SPX SPORTS		Yes	No	No	02/14/2025		358.19
NSBG		52263	78412	Check	1	4959	SUMMIT FIRE PROTECTION		Yes	No	No	02/14/2025		318.90
NSBG		52259	78413	Check	1	4408	WEST SIDE TRANSPORTATION LLC		Yes	No	No	02/14/2025		6,107.10
NSBG		52274	78414	Check	1	4419	BIO-LOGIC, INC		Yes	No	No	02/20/2025		190.00
NSBG		52293	78415	Check	1	3145	AMAZON CAPITAL SERVICES		Yes	No	No	02/21/2025		1,628.81
NSBG		52301	78416	Check	1	4983	CABANILLA, MATHEW		Yes	No	No	02/21/2025		211.04
NSBG		52297	78417	Check	1	4078	CONSOLIDATED COMMUNICATIONS		Yes	No	No	02/21/2025		2,040.54
NSBG		52288	78418	Check	1	02652	CRYSTAL VALLEY COOP		Yes	No	No	02/21/2025		294.22
NSBG		52304	78419	Check	1	5206	FOUR SEASONS SCREEN PRINTING		Yes	No	No	02/21/2025		201.62
NSBG		52289	78420	Check	1	08216	GILLETTE PEPSI MANKATO		Yes	No	No	02/21/2025		555.00
NSBG		52299	78421	Check	1	4809	IMMANUEL LUTHERAN SCHOOL PTL		Yes	No	No	02/21/2025		90.00

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Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void		Amount
												Date		
NSBG		52291	78422	Check	1	1792	LAKE CRYSTAL WELCOME MEMORIAL		Yes	No	No	02/21/2025		52.00
NSBG		52303	78423	Check	1	5141	LOFFLER COMPANIES, INC		Yes	No	No	02/21/2025		663.92
NSBG		52294	78424	Check	1	3162	MCDOWELL AGENCY, INC.		Yes	No	No	02/21/2025		44.00
NSBG		52290	78425	Check	1	1319	MENARDS		Yes	No	No	02/21/2025		580.14
NSBG		52286	78426	Check	1	00261	MINNESOTA SCHOOL BOARD ASSOCIA		Yes	No	No	02/21/2025		1,005.00
NSBG		52292	78427	Check	1	1885	MN DEPT OF LABOR & INDUSTRY		Yes	No	No	02/21/2025		30.00
NSBG		52287	78428	Check	1	01674	NICOLLET EDUCATION ASSOCIATION		Yes	No	No	02/21/2025		1,276.15
NSBG		52302	78429	Check	1	5134	O'REILLY AUTOMOTIVE, INC		Yes	No	No	02/21/2025		164.97
NSBG		52305	78430	Check	1	5254	POLKA DOT DAIRY		Yes	No	No	02/21/2025		1,270.92
NSBG		52295	78431	Check	1	3884	QUADE, JACOB		Yes	No	No	02/21/2025		2,325.00
NSBG		52296	78432	Check	1	3947	SHRED RIGHT		Yes	No	No	02/21/2025		58.91
NSBG		52300	78433	Check	1	4891	ST. PETER LUMBER COMPANY		Yes	No	No	02/21/2025		40.74
NSBG		52298	78434	Check	1	4286	SYSCO WESTERN MINNESOTA, INC.		Yes	No	No	02/21/2025		5,147.62
NSBG		52306	78435	Check	1	5357	VISA		Yes	No	No	02/21/2025		166.16
NSBG		52285	78436	Check	1	00046	ZINS IMPLEMENT, INC		Yes	No	No	02/21/2025		106.36
NSBG		52307	78437	Check	1	00053	SOUTH CENTRAL SERVICE COOPERAT		Yes	No	No	02/21/2025		649.56
NSBG		52312	78438	Check	1	07203	A. H. HERMEL COMPANY		Yes	No	No	02/28/2025		520.03
NSBG		52329	78439	Check	1	4677	ALLINA HEALTH SYSTEM		Yes	No	No	02/28/2025		220.00
NSBG		52319	78440	Check	1	3145	AMAZON CAPITAL SERVICES		Yes	No	No	02/28/2025		905.41
NSBG		52335	78441	Check	1	5019	BENZ, SEAN		Yes	No	No	02/28/2025		85.96
NSBG		52322	78442	Check	1	3573	BIMBO BAKERIES USA		Yes	No	No	02/28/2025		264.80
NSBG		52314	78443	Check	1	08060	CHILDREN'S MUSEUM OF SOUTHERN I		Yes	No	No	02/28/2025		306.00
NSBG		52310	78444	Check	1	00059	CITY OF NICOLLET		Yes	No	No	02/28/2025		725.60
NSBG		52323	78445	Check	1	3935	CREATIVE AD SOLUTIONS, INC.		Yes	No	No	02/28/2025		31.48
NSBG		52331	78446	Check	1	4882	DEFAULT PUBLISHING, INC.		Yes	No	No	02/28/2025		604.05
NSBG		52317	78447	Check	1	1759	ECOLAB		Yes	No	No	02/28/2025		381.41
NSBG		52338	78448	Check	1	5393	FAMILIES FIRST OF MINNESOTA		Yes	No	No	02/28/2025		50.00
NSBG		52324	78449	Check	1	4110	GROUND ZERO SERVICES, LLC		Yes	No	No	02/28/2025		487.50
NSBG		52326	78450	Check	1	4386	HVVEE ACCOUNTS RECEIVABLE		Yes	No	No	02/28/2025		274.47
NSBG		52311	78451	Check	1	02053	JW PEPPER & SONS, INC.		Yes	No	No	02/28/2025		138.99
NSBG		52320	78452	Check	1	3410	LJP ENTERPRISES WASTE & RECYCL		Yes	No	No	02/28/2025		704.89
NSBG		52327	78453	Check	1	4451	LOFFLER COMPANIES		Yes	No	No	02/28/2025		214.79
NSBG		52316	78454	Check	1	1319	MENARDS		Yes	No	No	02/28/2025		145.50
NSBG		52334	78455	Check	1	4975	MIDWEST REFRIGERATION AND HEAT		Yes	No	No	02/28/2025		802.00
NSBG		52321	78456	Check	1	3543	MOON DOGS		Yes	No	No	02/28/2025		250.00
NSBG		52339	78457	Check	1	5394	NORTH MANKATO TAYLOR LIBRARY		Yes	No	No	02/28/2025		12.98
NSBG		52328	78458	Check	1	4527	PERFORMANCE FOODSERVICE - MAR		Yes	No	No	02/28/2025		5,004.69
NSBG		52318	78459	Check	1	2804	PLANK ROAD PUBLISHING INC.		Yes	No	No	02/28/2025		82.85

**Nicollet Public Schools
Payment Reg by Bank and Check**

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Pay/Void		Amount
											Void	Date	
NSBG		52336	78460	Check	1	5254	POLKA DOT DAIRY		Yes	No	No	02/28/2025	1,337.56
NSBG		52332	78461	Check	1	4918	QUADIENT FINANCE USA, INC.		Yes	No	No	02/28/2025	200.00
NSBG		52313	78462	Check	1	07365	REGION 2A - MSHSL		Yes	No	No	02/28/2025	1,845.00
NSBG		52337	78463	Check	1	5324	REMMERT EDUCATIONAL CONSULTING		Yes	No	No	02/28/2025	14,500.00
NSBG		52315	78464	Check	1	08265	RIVERBEND BUSINESS PROD. INC.		Yes	No	No	02/28/2025	87.59
NSBG		52330	78465	Check	1	4745	SPS COMPANIES, INC.		Yes	No	No	02/28/2025	26.85
NSBG		52325	78466	Check	1	4286	SYSCO WESTERN MINNESOTA, INC.		Yes	No	No	02/28/2025	6,601.64
NSBG		52333	78467	Check	1	4945	VESTIS		Yes	No	No	02/28/2025	89.48
NSBG		52340	78468	Check	1	3279	AVIBEN		Yes	No	No	02/28/2025	70.84

Bank Total: \$400,380.25

Report Total: \$400,380.25

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I recommend accepting the gifts as described below.

Donor Name	Description	Value	Purpose of Gift
Lions Club	check	\$2,174.00	Choir Chanhassen Trip

RESOLUTION DISCONTINUING AND REDUCING
EDUCATIONAL POSITIONS

WHEREAS, the School Board of Independent School District No. 507 directs the administration to make recommendations for reductions in programs and positions, and

WHEREAS, said recommendations have been received and considered by the school board,

BE IT RESOLVED, by the School Board of Independent School District No. 507, as follows:

That the following programs and positions, or portions thereof, be discontinued:

1. Elementary Teacher: Behavior Interventionist
2. Middle School Math
3. 1 FTE Special Education Teacher
4. 1 Part-time custodian/library media assistant
5. Non renew the contract with Remmert Consult.

The motion for the adoption of the foregoing resolution was duly seconded by Member: _____ and
upon vote being taken thereon, the following voted in favor thereof:
and the following voted against:

whereupon said resolution was declared duly passed and adopted.

**CERTIFICATION OF MINUTES RELATING TO
GENERAL OBLIGATION AID ANTICIPATION CERTIFICATES OF INDEBTEDNESS,
SERIES 2025A**

ISSUER: INDEPENDENT SCHOOL DISTRICT NO. 507
(NICOLLET PUBLIC SCHOOLS)
NICOLLET, MINNESOTA

GOVERNING BODY: SCHOOL BOARD

DATE, TIME AND PLACE OF MEETING:

A special meeting held March 6, 2025, at 5:00 o'clock p.m., in the Community Room.

MEMBERS PRESENT:

MEMBERS ABSENT:

Documents Attached: Extract of Minutes of said meeting.

**RESOLUTION RELATING TO GENERAL OBLIGATION AID ANTICIPATION
CERTIFICATES OF INDEBTEDNESS, SERIES 2025A; AUTHORIZING THE
ISSUANCE AND NEGOTIATION OF THE SALE THEREOF AND TO TAKE
SUCH ACTION AND EXECUTE ALL DOCUMENTS NECESSARY TO
ACCOMPLISH SAID AWARD AND SALE; AND PROVIDING FOR CREDIT
ENHANCEMENT WITH RESPECT THERETO**

I, the undersigned, being the duly qualified and acting recording officer of the public corporation issuing the obligations referred to in the title of this certificate, certify that the documents attached hereto, as described above, have been carefully compared with the original records of said corporation in my legal custody, from which they have been transcribed; that said documents are a correct and complete transcript of the minutes of a meeting of the governing body of said corporation, and correct and complete copies of all resolutions and other actions taken and of all documents approved by the governing body at said meeting, so far as they relate to said obligations; and that said meeting was duly held by the governing body at the time and place and was attended throughout by the members indicated above, pursuant to call and notice of such meeting given as required by law.

WITNESS MY HAND officially as such recording officer this 6th day of March, 2025.

School District Clerk

**EXTRACT OF MINUTES OF A MEETING
OF THE SCHOOL BOARD OF
INDEPENDENT SCHOOL DISTRICT NO. 507
(NICOLLET PUBLIC SCHOOLS)
MINNESOTA**

HELD: MARCH 6, 2025

Pursuant to due call and notice thereof, a special meeting of the School Board of Independent School District No. 507 (Nicollet Public Schools), Minnesota, was held on March 6, 2025 at 5:00 o'clock p.m.

Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION RELATING TO GENERAL OBLIGATION AID
ANTICIPATION CERTIFICATES OF INDEBTEDNESS, SERIES 2025A;
AUTHORIZING THE ISSUANCE AND NEGOTIATION OF THE SALE
THEREOF AND TO TAKE SUCH ACTION AND EXECUTE ALL
DOCUMENTS NECESSARY TO ACCOMPLISH SAID AWARD AND SALE;
AND PROVIDING FOR CREDIT ENHANCEMENT WITH RESPECT
THERETO**

BE IT RESOLVED by the School Board (the "Board") of Independent School District No. 507 (Nicollet Public Schools), Minnesota (the "District"), as follows:

Section 1. Authorization. It is hereby found, determined and declared that certain state aids for schools receivable by the District during the July 1, 2024 to June 30, 2025 fiscal year will not be received in time to meet necessary expenditures for the purposes for which such aids are receivable. The District is authorized, pursuant to Minnesota Statutes, Sections 126C.50 through 126C.56, to borrow money by the issuance of its aid anticipation certificates of indebtedness in a principal amount not greater than 75% of the amount of such aids receivable by the District during the 2024-2025 fiscal year and has determined to issue its General Obligation Aid Anticipation Certificates of Indebtedness, Series 2025A in an amount not to exceed \$890,000 (the "Certificates") against aids receivable for funds 1, 2 and 4 (the "Operating Funds"). Proceeds of the Certificates will be used (i) to provide operating funds to cover a cash flow deficit in anticipation of aids to be received from or through the Department of Education of the State of Minnesota and (ii) to pay certain costs associated with the issuance of the Certificates (the "Project"). The principal amount of the Certificates to be issued pursuant to this resolution is within said statutory borrowing limitation. The District's Certificate as to State Aids

from the Commissioner of Education of the State of Minnesota will be received prior to the date on which the Certificates are issued.

Section 2. Sale; Approval of the Sale of the Certificates. Pursuant to Minnesota Statutes, Section 126C.56, the requirements of public sale do not apply to the issuance under certain circumstances of aid anticipation certificates of indebtedness. Pursuant to Minnesota Statutes, Section 475.60, Subdivision 2, paragraph (2), the requirement of a public sale shall not apply to the Certificates. The Board desires to proceed with the sale of the Certificates (i) by direct negotiation with Robert W. Baird & Co. Incorporated (herein “Baird”), as underwriter thereof, in which Baird will purchase the Certificates in an arms-length commercial transaction with the District, or (ii) by utilizing a private placement with a purchaser, in which Baird will act as placement agent. The District has retained Baird as its placement agent or underwriter in connection with the sale and placement of the Certificates.

Baird is authorized to prepare an Official Statement related to the sale of the Certificates, as applicable.

The Superintendent or the Business Manager and a Board member are hereby authorized to approve the sale of the Certificates in an aggregate original principal amount not to exceed \$890,000 and to execute a Certificate Purchase Agreement with Baird of the purchase thereof for the purchase of the Certificates, provided that the True Interest Cost of this issue does not exceed 5.50%.

Section 3. Board Ratification of Sale. Upon approval of the sale of the Certificates by the Superintendent or Business Manager and a School Board officer, the Board will meet at its next regularly scheduled meeting or a special meeting to adopt the necessary approving resolution as drafted by the District's Bond Counsel.

Section 4. Approval of Documents. The Superintendent or Business Manager and any Board member, in consultation with and upon the advice of representatives Bond Counsel, are hereby authorized and directed to negotiate, finalize and execute the necessary documents in connection with issuance of the Certificates, including but not limited to a purchase agreement and related closing documents and certificates.

Section 5. State Credit Enhancement Program.

(a) The District hereby covenants and obligates itself to notify the Commissioner of Education of a potential default in the payment of principal and interest (maturity value) on the Certificates and to use the provisions of Minnesota Statutes, Section 126C.55 to guarantee payment of the principal and interest on the Certificates when due. The District further covenants to deposit with the Certificate Registrar or any successor paying agent three (3) days prior to the date on which a payment is due an amount sufficient to make that payment or to notify the Commissioner of Education that it will be unable to make all or a portion of that payment. The Certificate Registrar for the Certificates is authorized and directed to notify the Commissioner of

Education if it becomes aware of a potential default in the payment of principal or interest on the Certificates or if, on the day two (2) business days prior to the date a payment is due on the Certificates, there are insufficient funds to make that payment on deposit with the Certificate Registrar. The District understands that as a result of its covenant to be bound by the provisions of Minnesota Statutes, Section 126C.55, the provisions of that section shall be binding as long as any Certificates of this issue remain outstanding.

(b) The District further covenants to comply with all procedures now or hereafter established by the Departments of Management and Budget and Education of the State of Minnesota pursuant to Minnesota Statutes, Section 126C.55, subdivision 2(c) and otherwise to take such actions as necessary to comply with that section. The chair, clerk, business manager or superintendent is authorized to execute any applicable Minnesota Department of Education forms.

Section 6. Reimbursement; Official Intent.

(a) the Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the “Reimbursement Regulations”) providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met.

(b) the District expects to incur certain expenditures that may be financed temporarily from sources other than bonds or certificates, and reimbursed from the proceeds of a tax-exempt interest in the bonds (including the Certificates).

(c) the District has determined to make this declaration of official intent (the “Declaration”) to reimburse certain costs from proceeds of bonds or certificates in accordance with the Reimbursement Regulations.

(d) This resolution is intended to qualify as a reimbursement resolution pursuant to the Reimbursement Regulations. The District reasonably expects to reimburse the expenditures made for certain costs of the Project from the proceeds of the sale of the Certificates in an estimated maximum principal amount of \$890,000. All reimbursed expenditures will be capital expenditures, costs of issuance of the Certificates, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.

(e) This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of Certificates (or interests in the Certificates), except for the following expenditures: (a) costs of issuance of bonds/certificates; (b) costs in an amount not in excess of the lesser of \$100,000 or 5 percent of the proceeds of an issue; or (c) “preliminary expenditures” up to an amount not in excess of 20 percent of the aggregate issue price of the issue or issues that finance or are reasonably expected by the District to finance the Project for which the preliminary expenditures were incurred. The term “preliminary expenditures” includes architectural, engineering,

surveying, bond/certificate issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.

(f) This Declaration is an expression of the reasonable expectations of the District based on the facts and circumstances known to the District as of the date hereof. The anticipated original expenditures for the Project and the principal amount of the Certificates described in (d) are consistent with the District's budgetary and financial circumstances. No sources other than proceeds of Certificates to be issued by the District are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the District's budget or financial policies to pay such Project expenditures.

(g) This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

Section 7. Expiration of Authority. If a purchase agreement for the sale of Certificates has not been entered into by December 31, 2025, this resolution and all approvals hereunder shall expire.

The motion for the adoption of the foregoing resolution was duly seconded by Member _____ and, upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

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Independent School District No. 507 (Nicollet Public Schools), Minnesota
General Obligation Aid Anticipation Certificates of Indebtedness, Series 2025A

Non-Callable

BQ, No Underlying Rating / MN SD Credit Enh. Program Backed -- No Enhanced Rating

Desk Rate as of 3/5/25

PRE-MARKETING

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Sources and Uses of Funds	1
Certificate Payment Schedule	2
Certificate Summary Statistics	3
Certificate Pricing	4
100% Levy	5
Form 8038 Statistics	6
Proof of Arbitrage Yield	7

SOURCES AND USES OF FUNDS

Independent School District No. 507 (Nicollet Public Schools), Minnesota
General Obligation Aid Anticipation Certificates of Indebtedness, Series 2025A

Non-Callable

BQ, No Underlying Rating / MN SD Credit Enh. Program Backed -- No Enhanced Rating

Desk Rate as of 3/5/25

PRE-MARKETING

Dated Date 03/17/2025
Delivery Date 03/17/2025

Sources:

Certificate Proceeds:

Par Amount	890,000.00
Premium	3,043.80

893,043.80

Uses:

Project Fund Deposits:

Deposit into the Operating Fund	881,571.75
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Cost of Issuance:

Legal Opinion	5,500.00
Paying Agent	850.00
Underwriter's Expenses	672.05
	<hr/> 7,022.05

Underwriter's Discount:

Underwriter's Discount	4,450.00
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893,043.80

CERTIFICATE PAYMENT SCHEDULE

Independent School District No. 507 (Nicollet Public Schools), Minnesota
General Obligation Aid Anticipation Certificates of Indebtedness, Series 2025A

Non-Callable

BQ, No Underlying Rating / MN SD Credit Enh. Program Backed -- No Enhanced Rating

Desk Rate as of 3/5/25

PRE-MARKETING

Dated Date 03/17/2025
Delivery Date 03/17/2025

Period Ending	Principal	Coupon	Interest	Certificate Payments	Annual Certificate Payments
09/30/2025 06/30/2026	890,000	4.000%	19,085.56	909,085.56	909,085.56
	890,000		19,085.56	909,085.56	909,085.56

CERTIFICATE SUMMARY STATISTICS

**Independent School District No. 507 (Nicollet Public Schools), Minnesota
General Obligation Aid Anticipation Certificates of Indebtedness, Series 2025A**

Non-Callable

BQ, No Underlying Rating / MN SD Credit Enh. Program Backed -- No Enhanced Rating

Desk Rate as of 3/5/25

*****PRE-MARKETING*****

Dated Date	03/17/2025
Delivery Date	03/17/2025
First Coupon	09/30/2025
Last Maturity	09/30/2025
Arbitrage Yield	3.348600%
True Interest Cost (TIC)	4.298199%
Net Interest Cost (NIC)	4.294716%
All-In TIC	5.815493%
Average Coupon	4.000001%
Average Life (years)	0.536
Weighted Average Maturity (years)	0.536
Duration of Issue (years)	0.536
Par Amount	890,000.00
Certificate Proceeds	893,043.80
Total Interest	19,085.56
Net Interest	20,491.76
Certificate Years from Dated Date	477,138.89
Certificate Years from Delivery Date	477,138.89
Total Certificate Payments	909,085.56
Maximum Annual Certificate Payments	909,085.56
Average Annual Certificate Payments	1,695,703.64

Certificate Component	Par Value	Price	Average Coupon	Average Life	Average Maturity Date	PV of 1 bp change
Serial Certificates	890,000.00	100.342	4.000%	0.536	09/28/2025	44.50
	890,000.00			0.536		44.50

	TIC	All-In TIC	Arbitrage Yield
Par Value	890,000.00	890,000.00	890,000.00
+ Accrued Interest			
+ Premium (Discount)	3,043.80	3,043.80	3,043.80
- Underwriter's Discount	(4,450.00)	(4,450.00)	
- Cost of Issuance Expense		(7,022.05)	
- Other Amounts			
Target Value	888,593.80	881,571.75	893,043.80
Target Date	03/17/2025	03/17/2025	03/17/2025
Yield	4.298199%	5.815493%	3.348600%

CERTIFICATE PRICING

Independent School District No. 507 (Nicollet Public Schools), Minnesota
 General Obligation Aid Anticipation Certificates of Indebtedness, Series 2025A

Non-Callable

BQ, No Underlying Rating / MN SD Credit Enh. Program Backed -- No Enhanced Rating

Desk Rate as of 3/5/25

PRE-MARKETING

Certificate Component	Maturity Date	Amount	Rate	Yield	Price	Premium (-Discount)	Principal Cost
Serial Certificates:	09/30/2025	890,000	4.000%	3.350%	100.342	3,043.80	893,043.80
		890,000				3,043.80	893,043.80

Dated Date	03/17/2025
Delivery Date	03/17/2025
First Coupon	09/30/2025
Par Amount	890,000.00
Premium	3,043.80
Production	893,043.80
Underwriter's Discount	(4,450.00)
Purchase Price	888,593.80
Accrued Interest	
Net Proceeds	888,593.80

100% LEVY

Independent School District No. 507 (Nicollet Public Schools), Minnesota
General Obligation Aid Anticipation Certificates of Indebtedness, Series 2025A

Non-Callable

BQ, No Underlying Rating / MN SD Credit Enh. Program Backed -- No Enhanced Rating

Desk Rate as of 3/5/25

PRE-MARKETING

Date	Principal	Interest	Net Debt Service	100% Levy	Levy Year	Collect Year
06/30/2026	890,000.00	19,085.56	909,085.56	909,085.56	2024	2025
	890,000.00	19,085.56	909,085.56	909,085.56		

FORM 8038 STATISTICS

Independent School District No. 507 (Nicollet Public Schools), Minnesota
 General Obligation Aid Anticipation Certificates of Indebtedness, Series 2025A

Non-Callable

BQ, No Underlying Rating / MN SD Credit Enh. Program Backed -- No Enhanced Rating

Desk Rate as of 3/5/25

PRE-MARKETING

Dated Date 03/17/2025
 Delivery Date 03/17/2025

Certificate Component	Date	Principal	Coupon	Price	Issue Price	Redemption at Maturity
Serial Certificates:	09/30/2025	890,000.00	4.000%	100.342	893,043.80	890,000.00
		890,000.00			893,043.80	890,000.00

	Maturity Date	Interest Rate	Issue Price	Stated Redemption at Maturity	Weighted Average Maturity	Yield
Final Maturity	09/30/2025	4.000%	893,043.80	890,000.00		
Entire Issue			893,043.80	890,000.00	0.5361	3.3486%

Proceeds used for accrued interest	0.00
Proceeds used for certificate issuance costs (including underwriters' discount)	11,472.05
Proceeds used for credit enhancement	0.00
Proceeds allocated to reasonably required reserve or replacement fund	0.00

PROOF OF ARBITRAGE YIELD

Independent School District No. 507 (Nicollet Public Schools), Minnesota
General Obligation Aid Anticipation Certificates of Indebtedness, Series 2025A

Non-Callable

BQ, No Underlying Rating / MN SD Credit Enh. Program Backed -- No Enhanced Rating

Desk Rate as of 3/5/25

PRE-MARKETING

Date	Certificate Payments	PV Factor	Present Value to 03/17/2025 @ 3.3486001769%
09/30/2025	909,085.56	0.982353960	893,043.80
	909,085.56		893,043.80

Proceeds Summary

Delivery date	03/17/2025
Par Value	890,000.00
Premium (Discount)	3,043.80
	<hr/>
Target for yield calculation	893,043.80

CERTIFICATION OF MINUTES

RELATING TO

GENERAL OBLIGATION AID ANTICIPATION CERTIFICATES OF INDEBTEDNESS,
SERIES 2025A
(MINNESOTA SCHOOL DISTRICT CREDIT ENHANCEMENT PROGRAM)

ISSUER: INDEPENDENT SCHOOL DISTRICT NO. 507
(NICOLLET PUBLIC SCHOOLS), MINNESOTA

GOVERNING BODY: SCHOOL BOARD

KIND, DATE, TIME AND PLACE OF MEETING: A regular meeting held on March 12,
2025, at 6:00 o'clock p.m., held in the Community Room.

MEMBERS PRESENT: _____

MEMBERS ABSENT: _____

Documents Attached: Extract of Minutes of said meeting.

**RESOLUTION RATIFYING THE SALE OF THE DISTRICT'S
GENERAL OBLIGATION AID ANTICIPATION CERTIFICATES OF
INDEBTEDNESS, SERIES 2025A; DETERMINING THE FORM AND
DETAILS OF SUCH CERTIFICATES; AUTHORIZING THE
EXECUTION, DELIVERY AND REGISTRATION OF SUCH
CERTIFICATES; AND PROVIDING FOR THE PAYMENT OF AND
THE SECURITY FOR SUCH CERTIFICATES**

I, the undersigned, being the duly qualified and acting recording officer of the public corporation issuing the obligations referred to in the title of this certificate, certify that the documents attached hereto, as described above, have been carefully compared with the original records of said corporation in my legal custody, from which they have been transcribed; that said documents are a correct and complete transcript of the minutes of a meeting of the governing body of said corporation, and correct and complete copies of all resolutions and other actions taken and of all documents approved by the governing body at said meeting, so far as they relate to said obligations; and that said meeting was duly held by the governing body at the time and place and was attended throughout by the members indicated above, pursuant to call and notice of such meeting duly given as required by law.

EXECUTED AND DATED this ___ day of March, 2025

School District Clerk

EXTRACT OF MINUTES OF A MEETING
OF THE SCHOOL BOARD
OF INDEPENDENT SCHOOL DISTRICT NO. 507
(NICOLLET PUBLIC SCHOOLS), MINNESOTA

HELD: March 12, 2025

Pursuant to due call and notice thereof, a regular meeting of the School Board of Independent School District No. 507 (Nicollet Public Schools), Minnesota (the “District”), was duly held on March 12, 2025, at 6:00 o’clock p.m., for the purpose, in part, of approving the sale of of the General Obligation Aid Anticipation Certificates of Indebtedness, Series 2025A of the District. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION RATIFYING THE SALE OF THE DISTRICT'S
GENERAL OBLIGATION AID ANTICIPATION CERTIFICATES
OF INDEBTEDNESS, SERIES 2025A; DETERMINING THE
FORM AND DETAILS OF SUCH CERTIFICATES;
AUTHORIZING THE EXECUTION, DELIVERY AND
REGISTRATION OF SUCH CERTIFICATES; AND PROVIDING
FOR THE PAYMENT OF AND THE SECURITY FOR SUCH
CERTIFICATES**

BE IT RESOLVED by the School Board (the “**Board**”) of Independent School District
No. 507 (Nicollet Public Schools), Minnesota (the “**District**”), as follows:

**Article I
Authorization and Sale**

Section 1.01 Authorization and Purpose. At a meeting held on March 6, 2025, this Board determined to sell and issue its General Obligation Aid Anticipation Certificates of Indebtedness, Series 2025A of the District pursuant to Minnesota Statutes, Sections 126C.50 to 126C.56 and Chapter 475 (collectively, the “**Act**”), as amended, subject to certain parameters, in the total aggregate principal amount of not to exceed \$890,000. Proceeds of the Certificates will be used to (i) provide operating funds to cover cash flow deficit in anticipation of the receipt of state and federal aids to be received from or through the Department of Education of the State of Minnesota for the current fiscal year and (ii) pay costs associated with the issuance of the Certificates. In furtherance of the foregoing, the Board hereby ratifies its decision and the actions of the District staff in negotiating the sale of its General Obligation Aid Anticipation Certificates of Indebtedness, Series 2025A (as more fully described herein, the “**Certificates**”). Proceeds of the Certificates

Section 1.02 Sale; Ratification of Award. The Board has determined that this issue shall be sold after direct negotiation, as authorized pursuant to Minnesota Statutes, Section 475.60, Subdivision 2(2), as amended. The proposal of Robert W. Baird & Co. Incorporated (the “**Underwriter**”) to purchase the Certificates at a price of \$889,065.50 (representing the par amount of the Certificates, plus original issue premium of \$3,515.50 and less underwriter’s discount of \$4,450.00), was accepted by the Superintendent or Business Manager and a School Board Officer on March 10, 2025, pursuant to the Certificate Purchase Agreement between the Underwriter and the Business Manager and a School Board Officer. The true interest costs is 4.1971%. The proposal of the Underwriter and the award of the sale of the Certificates is hereby approved and ratified in all respects.

Section 1.03 Execution of Documents. The execution of the Certificate Purchase Agreement dated March 10, 2025, between the Underwriter and the District is hereby ratified.

Section 1.04 Compliance with Law. All acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to happen and to be performed precedent to the issuance of the Certificates having been done, having happened and having been performed in regular and due form, time and manner as required by law, the Board hereby finds and determines that it is necessary for this Board to provide for the issuance, sale and delivery of the Certificates, to establish the form and terms of the Certificates and to provide for the payment and the security thereof.

Article II

Authorization; Certificate Terms; Registration; Execution and Delivery

Section 2.01 Authorization and Designation. In accordance with the laws of the State of Minnesota, the Board hereby authorizes the issuance of the Certificates in the aggregate principal amount of \$890,000 to be used for the purposes described in Section 1.01. Such Certificates shall be designated as “General Obligation Aid Anticipation Certificates of Indebtedness, Series 2025A”.

Section 2.02 Maturities, Interest Rates and Denominations. The Certificates shall be in the principal amount of \$890,000 and bear interest at the rate per annum of 4.00% from the date of issue until paid. The Certificates shall be originally dated their date of original issue and delivery (March 17, 2025), shall be issued and sold in denominations of \$5,000 or any integral multiple thereof within a single maturity, and shall mature on September 30, 2025, without option of prior payment. The Certificates shall be issuable only in fully registered form. Interest shall be computed on the basis of a 360-day year composed of twelve 30-day months. The interest thereon and, upon surrender of each Certificate, the principal amount thereof, shall be paid by check or draft issued by the Registrar described herein; provided, however, that so long as the Certificates are registered in the name of a securities depository, or a nominee thereof, in accordance with Section 2.08 hereof, the principal of and the interest on the Certificates shall be paid in accordance with the operational arrangements of the securities depository.

Section 2.03 Dates and Interest Payments. The Certificates will be issued as of the date of original issue. The interest on the Certificates is payable at maturity on September 30, 2025, to the registered owner of record thereof as of the close of business on the fifteenth (15th) day prior to such date, whether or not that day is a business day.

Section 2.04 Optional Redemption. The Certificates are not subject to optional redemption prior to maturity.

Section 2.05. Appointment of Initial Registrar. The District hereby appoints U.S. Bank Trust Company, National Association in St. Paul, Minnesota, as the initial certificate registrar, transfer agent and paying agent (the “**Registrar**”). The Chair of the Board and the Clerk of the District are authorized to execute and deliver, on behalf of the District, a contract with the Registrar (the “**Registrar Agreement**”). The Registrar shall have only such duties and

obligations as are expressly specified by this Resolution and the Registrar Agreement, and no other duties or obligations shall be implied to the Registrar, except as may be set forth in a written agreement between the District and a successor Registrar.

The District agrees to pay the reasonable and customary charges of the Registrar for the services performed. The Registrar shall notify the District in writing of any changes in its principal corporate trust office as set forth in this Section.

Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, such corporation shall be authorized to act as successor Registrar.

The District reserves the right to remove the Registrar upon thirty (30) days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Certificates in its possession to the successor Registrar and shall deliver the certificate register to the successor Registrar. The Chair of the Board and the Clerk of the District is each authorized to remove the Registrar as provided herein if he or she determines such removal is in the best interest of the District. Upon such removal, such officer is authorized to appoint a successor Registrar and to execute a Registrar Agreement with such successor Registrar in a form substantially similar to that approved by the Board pursuant to this Resolution, but with such changes as he or she shall deem appropriate or necessary.

Section 2.06. Registration. The effect of registration and the rights and duties of the District and the Registrar with respect thereto shall be as follows:

(a) Register. The Registrar shall keep at its principal corporate trust office a certificate register in which the Registrar shall provide for the registration of ownership of Certificates and the registration of transfers and exchanges of Certificates entitled to be registered, transferred or exchanged.

(b) Transfer of Certificates. Upon surrender for transfer of any Certificate duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Certificates of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after any Record Date and until the immediately succeeding Interest Payment Date.

(c) Exchange of Certificates. Whenever any Certificates are surrendered by the registered owner for exchange the Registrar shall authenticate and deliver one or more new Certificates of a like aggregate principal amount and maturity, as requested by the registered owner or the owner's attorney in writing.

(d) Cancellation. All Certificates surrendered upon any transfer or exchange shall be promptly canceled by the Registrar and thereafter disposed of as directed by the District.

(e) Improper or Unauthorized Transfer. When any Certificate is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Certificate or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The District and the Registrar may treat the person in whose name any Certificate is at any time registered in the certificates register as the absolute owner of such Certificate, whether such Certificate shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Certificate and for all other purposes, and all such payments so made to any such registered owner or upon the owner's order shall be valid and effectual to satisfy and discharge the liability upon such Certificate to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer or exchange of Certificates, the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Certificates. In case any Certificate shall become mutilated or be destroyed, stolen or lost, the Registrar shall deliver a new Certificate of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of any such mutilated Certificate or in lieu of and in substitution for any such Certificate destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Certificate destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that such Certificate was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the District and the Registrar shall be named as obligees. All Certificates so surrendered to the Registrar shall be canceled by it and evidence of such cancellation shall be given to the District. If the mutilated, destroyed, stolen or lost Certificate has already matured or been called for redemption in accordance with its terms it shall not be necessary to issue a new Certificate prior to payment.

(i) Authenticating Agent. The Registrar is hereby designated authenticating agent for the Certificates, within the meaning of Minnesota Statutes, Section 475.55, Subdivision 1.

(j) Valid Obligations. All Certificates issued upon any transfer or exchange of Certificates shall be the valid obligations of the District, evidencing the same debt, and entitled to the same benefits under this Resolution as the Certificates surrendered upon such transfer or exchange.

Section 2.07. Execution; Authentication and Delivery. The Certificates shall be prepared under the direction of the Clerk of the District and shall be executed on behalf of the District by the signatures of the Chair of the Board and the Clerk of the District, provided that all signatures may be printed, engraved, or lithographed facsimiles of the originals. In case any officer whose signature, or a facsimile of whose signature, shall appear on the Certificates shall cease to be such officer before the delivery of any Certificate, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. Notwithstanding such execution, no Certificate shall be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on such Certificate has been duly executed by the manual signature of the Registrar. The executed certificate of authentication on each Certificate shall be conclusive evidence that it has been authenticated and delivered under this Resolution. When the Certificates have been so executed and authenticated, they shall be delivered by the Clerk of the District to the Underwriter upon payment of the purchase price in accordance with the contract of sale heretofore made and executed.

Section 2.08. Securities Depository.

(a) For purposes of this section the following terms shall have the following meanings:

“Beneficial Owner” shall mean, whenever used with respect to a Certificate, the person in whose name such Certificate is recorded as the beneficial owner of such Certificate by a Participant on the records of such Participant, or such person’s subrogee.

“Cede & Co.” shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Certificates.

“DTC” shall mean The Depository Trust Company of New York, New York.

“Participant” shall mean any broker-dealer, bank or other financial institution for which DTC holds Certificates as securities depository.

“Representation Letter” shall mean the Representation Letter pursuant to which the District agrees to comply with DTC’s Operational Arrangements.

(b) The Certificates shall be initially issued as separately authenticated fully registered certificates, and one Certificate shall be issued in the principal amount of each stated maturity of the Certificates. Upon initial issuance, the ownership of such Certificates shall be registered in the certificate register in the name of Cede & Co., as nominee of DTC. The Registrar and the District may treat DTC (or its nominee) as the sole and exclusive owner of the

Certificates registered in its name for the purposes of payment of the principal of or interest on the Certificates, selecting the Certificates or portions thereof to be redeemed, if any, giving any notice permitted or required to be given to registered owners of Certificates under this Resolution, registering the transfer of Certificates, and for all other purposes whatsoever; and neither the Registrar nor the District shall be affected by any notice to the contrary. Neither the Registrar nor the District shall have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Certificates under or through DTC or any Participant, or any other person which is not shown on the certificate register as being a registered owner of any Certificates, with respect to the accuracy of any records maintained by DTC or any Participant, with respect to the payment by DTC or any Participant of any amount with respect to the principal of or interest on the Certificates, with respect to any notice which is permitted or required to be given to owners of Certificates under this Resolution, with respect to the selection by DTC or any Participant of any person to receive payment in the event of a partial redemption of the Certificates, or with respect to any consent given or other action taken by DTC as registered owner of the Certificates. So long as any Certificate is registered in the name of Cede & Co., as nominee of DTC, the Registrar shall pay all principal of and interest on such Certificate, and shall give all notices with respect to such Certificate, only to Cede & Co. in accordance with DTC's Operational Arrangements, and all such payments shall be valid and effective to fully satisfy and discharge the District's obligations with respect to the principal of and interest on the Certificates to the extent of the sum or sums so paid. No person other than DTC shall receive an authenticated Certificate for each separate stated maturity evidencing the obligation of the District to make payments of principal and interest. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the Certificates will be transferable to such new nominee in accordance with paragraph (e) hereof.

(c) In the event the District determines that it is in the best interest of the Beneficial Owners that they be able to obtain Certificates in the form of certificate certificates, the District may notify DTC and the Registrar, whereupon DTC shall notify the Participants of the availability through DTC of Certificates in the form of certificates. In such event, the Certificates will be transferable in accordance with paragraph (e) hereof DTC may determine to discontinue providing its services with respect to the Certificates at any time by giving notice to the District and the Registrar and discharging its responsibilities with respect thereto under applicable law. In such event the Certificates will be transferable in accordance with paragraph (e) hereof.

(d) The execution and delivery of the Representation Letter to DTC, in substantially the form attached hereto as Exhibit B, by the Chair of the Board or the Clerk of the District, if not previously filed with DTC, is hereby authorized and directed.

(e) In the event that any transfer or exchange of Certificates is permitted under paragraph (b) or (c) hereof, such transfer or exchange shall be accomplished upon receipt by the Registrar of the Certificates to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of this Resolution. In the event Certificates in the form of certificates are issued to owners other than Cede & Co., its successor as nominee for DTC as owner of all the Certificates, or another securities depository as owner of all the Certificates, the provisions of this Resolution shall also apply to all matters

relating thereto, including, without limitation, the printing of such Certificates in the form of certificate certificates and the method of payment of principal of and interest on such Certificates in the form of certificates.

Article III Form of Certificates

The Certificates shall be issued in substantially the form of certificate attached as Exhibit A hereto.

Article IV Use of Certificate Proceeds

The proceeds of the Certificates shall be deposited in the Operating Funds of the District and shall be used solely to pay claims duly approved and allowed with respect to current operating expenses of the kinds and within the amounts provided in the official budget of the District. Such proceeds shall be recorded as liabilities of such funds, pursuant to Minnesota Statutes, Section 123B.78.

Article V Creation of Funds; Security and Covenants

Section 5.01. Debt Service Fund. The principal of and the interest on the Certificates shall be paid from a separate General Obligation Aid Anticipation Certificates of Indebtedness, Series 2025A Debt Service Fund (the “**Debt Service Fund**”) which shall be created and maintained on the books of the District as a separate debt redemption fund until the Certificates, and all interest thereon, are fully paid. At such time as state aids for schools distributable to the District for the current fiscal year, receipts of which are to be recorded as assets of the Operating Funds of the District pursuant to the Uniform Financial Accounting and Reporting System for Minnesota school districts, and which remain to be received, are in the amount of 105% of the principal of and interest due on the Certificates issued to fund the deposit to the Operating Funds, on their maturity date, there shall be deposited in the Debt Service Fund all subsequent receipts of such aids or other moneys of the District legally available therefor, until the balance in the Debt Service Fund is sufficient to pay all principal and interest due on the Certificates at maturity.

Section 5.03. Pledge of Full Faith and Credit. The full faith and credit of the District are pledged to the payment of the Certificates, and, in accordance with Minnesota Statutes, Section 475.61, the District hereby covenants and agrees that in the event of a deficiency in moneys to pay principal of and interest on the Certificates when due, it will levy and cause to be extended upon all taxable property within its corporate limits such ad valorem taxes as may be required for the payment of such principal and interest in full. If the District does not have other moneys available to pay scheduled debt service on the Certificates, the District shall take all necessary actions pursuant to Article IX hereof.

It is determined that the estimated state and federal school aids receivable by the District will produce at least five percent (5%) in excess of the amount needed to meet, when due, the principal and interest payments on the Certificate and that no tax levy is needed at this time. However, the Board shall levy ad valorem taxes on all taxable property in the District in the event of any deficiency of the state and federal school aids pledged, which taxes may be levied without limitation as to rate or amount.

Article VI Certification of Proceedings

Section 6.01. Filing with County Auditors. The Clerk of the District is hereby authorized and directed to file with the County Auditor of each county in which the District is located in whole or in part a certified copy of this Resolution together with such other information as the County Auditors shall require and to obtain from the County Auditors a certificate that the Certificates have been entered upon the certificate registers and that the tax for the payment of the Certificates has been levied as required by law.

Section 6.02. Certification of Proceedings. The officers of the District and the County Auditors are hereby authorized and directed to prepare and furnish to the Underwriter and to Kutak Rock LLP, Bond Counsel, certified copies of all proceedings and records of the District relating to the Certificates and to the financial condition and affairs of the District, and such other affidavits, certificates and information as may be required to show the facts relating to the legality and marketability of the Certificates as they appear from the books and records under the officer's custody and control or as otherwise known to the them. All such certified copies, certificates and affidavits, including any heretofore furnished, shall be deemed representations of the District to the correctness of all statements contained herein.

Section 6.03. Official Statement. The Preliminary Official Statement relating to the Certificates, as of its date March 5, 2025, prepared and distributed by the Underwriter, including any amendments or supplements thereto, is hereby ratified, approved and deemed "final" for purposes of Rule 15c2-12 promulgated under the Securities and Exchange Act of 1934, as amended ("**Rule 15c2-12**"). The Underwriter is hereby authorized on behalf of the District to prepare and distribute to the purchasers within seven business days from the date hereof, a Final Official Statement listing the offering price, the interest rates, selling compensation, delivery date, the underwriters and such other information relating to the Certificates required to be included in the Official Statement by Rule 15c2-12. The use and public distribution of the final Official Statement by the Underwriter in connection with the offering of the Certificates is hereby authorized. The officers of the District are hereby authorized and directed to execute such certificates as may be appropriate concerning the accuracy, completeness and sufficiency of the Official Statement.

Article VII Covenants and Arbitrage Matters.

Section 7.01. Restrictive Action. The District covenants and agrees with the registered owners of the Certificates, that it will not take or permit to be taken by any of its officers, employees or agents any actions that would cause interest on the Certificates to become includable in gross income of the recipient under the Code and applicable Regulations, and covenants to take any and all actions within its powers to ensure that the interest will not become includable in gross income of the recipient under the Code and the Regulations.

Section 7.02. Statement of Capital Expenditures and Arbitrage Certificate. The Board estimates that the principal amount of the Certificates will not exceed (i) the largest amount by which the District's working capital expenditures exceed available amounts for payment thereof during the period for which such aids are anticipated and during which the Certificates will be outstanding, and (ii) the amount of a working capital reserve equal to five percent of the District's working capital expenditures in the Operating Funds for the prior fiscal year, all as contemplated by the Regulations. The District Treasurer is directed to prepare a statement of estimated capital expenditures during the period for which such aids and other funds are anticipated and during which the Certificates will be outstanding for the purpose of verifying the correctness of this estimate. In the event that such statement does not verify such estimate, the principal amount of the Certificates shall be reduced to such amount as will not exceed the amount permitted by the Regulations. Prior to the issuance of the Certificates, the Chairperson and the Clerk, being the officers of the District charged with the responsibility for issuing the Certificates pursuant to this resolution, shall execute and deliver to the Purchaser a certificate as contemplated by the Regulations stating the facts, estimates and circumstances in existence on the date of issuance and delivery of the Certificates which indicate that the proceeds of the Certificates will not be used in a manner that would cause the Certificates to be "arbitrage bonds" within the meaning of the Code and Regulations.

Section 7.03. Arbitrage Certification. The Chair of the Board and the Clerk of the District, being the officers of the District charged with the responsibility for issuing the Certificates pursuant to this Resolution, are authorized and directed to execute and deliver to the Purchaser a certificate in accordance with the provisions of Section 148 of the Code and applicable Regulations stating the facts, estimates and circumstances in existence on the date of issue and delivery of the Certificates which make it reasonable to expect that the proceeds of the Certificates will not be used in a manner that would cause the Certificates to be "arbitrage bonds" within the meaning of the Code and the Regulations.

Section 7.04. Arbitrage Rebate. (a) It is hereby found that the District has general taxing powers, that no Certificate is a "private activity bond" within the meaning of Section 141 of the Code, that 95% or more of the net proceeds of the Certificates are to be used for local governmental activities of the District, and that the aggregate face amount of all tax-exempt obligations (other than private activity bonds) issued by the District and all subordinate entities thereof during calendar year 2025 is not reasonably expected to exceed \$5,000,000 plus the lesser of \$10,000,000 or so much of the aggregate face amount of the tax-exempt obligations as are attributable to financing or refinancing the construction of public school facilities. Therefore,

pursuant to Section 148(f)(4)(D) of the Code, the District shall be treated as meeting the arbitrage rebate requirements of paragraphs (2) and (3) of Section 148(f) of the Code.

(b) If, notwithstanding the provisions of paragraph (a) of this Section 6.03, the arbitrage rebate provisions of Section 148(f) of the Code apply to the Certificates, the District hereby covenants and agrees to make the determinations, retain records and rebate to the United States the amounts at the times and in the manner required by said Section 148(f).

Section 7.05. Post-Issuance Compliance Procedures. The Board hereby adopts the Post-Issuance Tax Compliance Procedures attached to this Resolution as Exhibit C to ensure that the District satisfies and meets all applicable post-issuance requirements of federal income tax law needed to preserve the tax-exempt status of the Certificates. The District reserves the right to use its discretion as necessary and appropriate to make exceptions or request additional provisions as it may determine. The District also reserves the right to change these policies and procedures from time to time, without notice.

Section 7.06. Bank Qualified Status. The Certificates are hereby designated qualified tax exempt obligations for purposes of Section 265(b)(3) of the Code. In order to qualify the Certificates as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code, the District makes the following factual statements and representations:

- (a) the Certificates are not “private activity bonds” as defined in Section 141 of the Code;
- (b) the District designates the Certificates as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code;
- (c) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, treating qualified 501(c)(3) bonds as not being private activity bonds) which will be issued by the District (and all subordinate entities of the County) during calendar year 2025 will not exceed \$10,000,000; and
- (d) not more than \$10,000,000 of obligations issued by the District during calendar year 2025 have been designated for purposes of Section 265(b)(3) of the Code.

Article VIII Continuing Disclosure

Section 8.01. Continuing Disclosure Undertaking. The Board (a) authorizes and directs any District officer to execute and deliver, on the date of the issuance of the Certificates, a continuing disclosure undertaking (the “**Undertaking**”) in such form that satisfies the requirements of Rule 15c2-12 and is acceptable to the Underwriter and bond counsel and (b) covenants that it will comply with and carry out all of the provisions of the Undertaking. A description of this undertaking is set forth in the Official Statement. Notwithstanding any other provisions of this Resolution or the Undertaking, failure of the District to comply with the Undertaking will not be considered a default under this Resolution or the Certificates; however,

any Certificate Holder or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the District to comply with its obligations under this subparagraph and the Undertaking. For purposes of this subparagraph, “**Beneficial Owner**” means any person who (i) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Certificates (including persons holding Certificates through nominees, depositories or other intermediaries), or (ii) is treated as the owner of any Certificates for federal income tax purposes.

Article IX Credit Enhancement Act

The Board hereby covenants and obligates the District to be bound by and to use the provisions of Minnesota Statutes, Section 126C.55 (the “**Credit Enhancement Act**”) to guarantee payment of the principal of, the premium, if any, and the interest on the Certificates when due. The District shall comply with all procedures now or hereafter established by the Minnesota Department of Management and Budget and the Minnesota Department of Education pursuant to subdivision 2(c) of the Credit Enhancement Act and to take such actions as necessary to comply with the Credit Enhancement Act. The Chair of the Board, the Clerk of the District, and the superintendent and the business manager of the District are each authorized to execute any applicable forms of the Minnesota Department of Management and Budget or the Minnesota Department of Education. The Board understands and acknowledges that the provisions of the Credit Enhancement Act shall be binding on the District as long as any Certificates are outstanding.

The Board further covenants to deposit with the Registrar, at least three (3) business days prior to the date on which any payment of principal of, premium, if any, or interest on the Certificates is due, an amount sufficient to pay such payment. If the District believes it may be unable to pay the principal of, the premium, if any or the interest on the Certificates on the date any such payment is due, the District shall notify the Commissioner of the Department of Education as soon as possible, but not less than 15 business days before the date such payment is due. The District shall authorize and direct the Registrar to notify the Commissioner of the Department of Education if (i) the Registrar becomes aware of a potential payment default with respect to the Certificates or (ii) two (2) business days prior to the date a payment is due on the Certificates the Registrar does not have sufficient funds to make the payment due on such date.

Article X Authorization of Officers

Without in any way limiting the power, authority, or discretion elsewhere herein granted or delegated, the Board hereby (a) authorizes and directs each officer, employee and agent of the District to carry out, or cause to be carried out, and to perform such obligations of the District and such other actions as they, or any one of them shall consider necessary, advisable, desirable, or appropriate in connection with this Resolution and the issuance, sale, and delivery of the Certificates, including, without limitation and whenever applicable, the execution and delivery thereof and of all other related documents, instruments, certificates, and opinions; and (b) delegates to each such officer, employee and agent the right, power, and authority to exercise her

or his own independent judgment and absolute discretion in determining and finalizing the terms, provisions, form and contents of each of the foregoing. The execution and delivery by any such officer, employee or agent of the District of any such documents, instruments, certifications, and opinions, or the doing by them of any act in connection with any of the matters which are the subject of this Resolution, shall constitute conclusive evidence of both the District's and their approval of all changes, modifications, amendments, revisions, and alterations made therein, and shall conclusively establish their absolute, unconditional, and irrevocable authority with respect thereto from the District and the authorization, approval, and ratification by the District of the documents, instruments, certifications, and opinions so executed and the action so taken.

* * * * *

The motion was duly seconded by _____.

Upon vote taken on the foregoing resolution, the following voted in favor thereof:

_____;

the following voted against the same: _____;

and the following were absent or did not vote: _____.

Said Resolution having been voted upon favorably by a majority of the members of the Board,
the same was by the Chairperson declared passed and adopted.

EXHIBIT A

(FORM OF CERTIFICATE)

**UNITED STATES OF AMERICA
STATE OF MINNESOTA**

**INDEPENDENT SCHOOL DISTRICT NO. 507
(NICOLLET PUBLIC SCHOOLS)**

**GENERAL OBLIGATION AID ANTICIPATION
CERTIFICATE OF INDEBTEDNESS, SERIES 2025A**

R- _____ \$ _____

<u>INTEREST RATE</u>	<u>MATURITY DATE</u>	<u>DATE OF ORIGINAL ISSUE</u>	<u>CUSIP</u>
_____%	September 30, 2025	March 17, 2025	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: _____ DOLLARS

INDEPENDENT SCHOOL DISTRICT NO. 507 (NICOLLET PUBLIC SCHOOLS), MINNESOTA, a duly organized and existing independent school district, whose administrative offices are located in Nicollet, Minnesota (the “District”), hereby acknowledges itself to be indebted and for value received, promises to pay to the registered owner specified above, or registered assigns, the principal sum specified above on the maturity date specified above, and to pay interest thereon from the date of original issue specified above, or from the most recent interest payment date to which interest has been paid or duly provided for, at the rate per annum specified above, payable on the maturity date specified above, to the person in whose name this Certificate is registered at the close of business on the fifteenth day prior to the maturity date specified above (whether or not a business day). The interest hereon and, upon presentation and surrender hereof at the principal office of the Registrar described below, the principal hereof, are payable in lawful money of the United States of America by check or draft drawn on U.S. Bank Trust Company, National Association in St. Paul, Minnesota, as bond registrar, transfer agent and paying agent, or its successor designated under the resolution described herein (the “Registrar”).

This Certificate is one of an issue in the aggregate principal amount of \$890,000, issued by the District to be used for the purposes of anticipating receipt of certain unpaid state aids for schools receivable by the School District for the fiscal year in which this Certificate is issued, and is issued pursuant to and in full conformity with resolution adopted by the School Board on March 12, 2025 (the “Resolution”) and is issued pursuant to and in full conformity with the

Constitution and laws of the State of Minnesota thereunto enabling, including Minnesota Statutes, Chapter 475 and Sections 126C.50 through 126C.56, as amended.

The Certificates are issuable only in fully registered form, in denominations of \$5,000 or any integral multiple thereof, of single maturities. Capitalized terms used but not otherwise defined herein shall have the meanings given to such terms in the Resolution.

The principal hereof and interest hereon are payable from state and federal aids, as set forth in the Resolution. The full faith and credit and the taxing power of the District are irrevocably pledged for the payment of this Certificate and the District has obligated itself to levy ad valorem taxes on all taxable property in the District in the event of any deficiency of state and federal school aids pledged, which taxes may be levied without limitation as to rate or amount. The District has further covenanted to be bound by and to use the provisions of Minnesota Statutes, Section 126C.55, as amended (the "Credit Enhancement Act"), to guarantee payment of the principal of and the interest on the Certificates when due.

The Certificates are not subject to payment prior to maturity.

As provided in the Resolution and subject to certain limitations set forth therein, this Certificate is transferable upon the books of the District at the principal office of the Registrar, by the registered owner hereof in person or by the owner's attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner's attorney, and may also be surrendered in exchange for Certificates of other authorized denominations. Upon such transfer or exchange, the District will cause a new Certificate or Certificates to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The District and the Registrar may deem and treat the person in whose name this Certificate is registered as the absolute owner hereof, whether this Certificate is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the District nor the Registrar shall be affected by any notice to the contrary.

Notwithstanding any other provisions of this Certificate, so long as this Certificate is registered in the name of Cede & Co., as nominee of The Depository Trust Company, or in the name of any other nominee of The Depository Trust Company or other securities depository, the Registrar shall pay all principal of and interest on this Certificate, and shall give all notices with respect to this Certificate, only to Cede & Co. or other nominee in accordance with the operational arrangements of The Depository Trust Company or other securities depository as agreed to by the District.

The Certificates have been designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Certificate in order to make it a valid and binding general obligation of the District in accordance with its terms, have been done, do exist, have happened and have been performed as so required, and that the issuance of this Certificate, together with all other indebtedness of the District outstanding on the date hereof and on the date of its actual issuance and delivery, does not cause the indebtedness of the District to exceed any constitutional or statutory limitation of indebtedness.

This Certificate shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon shall have been executed by the Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, Independent School District No. 507 (Nicollet Public Schools), Minnesota, by its School Board, has caused this Certificate to be executed in its behalf by the facsimile signatures of the Chair of the Board and Clerk of the District, the District having no seal or said seal having been intentionally omitted as permitted by law.

**INDEPENDENT SCHOOL DISTRICT NO. 507
(NICOLLET PUBLIC SCHOOLS), MINNESOTA**

/s/ (Facsimile)
Chair of the Board

/s/ (Facsimile)
School District Clerk

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Certificate is one of the Certificates described in the within mentioned Resolution.

Date of Authentication: March 17, 2025

U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION
as Registrar and Paying Agent

By _____
Authorized Signature

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

_____ the within Certificate and does hereby irrevocably constitute and appoint _____ attorney to transfer the Certificate on the books kept for the registration thereof, with full power of substitution in the premises.

Dated _____

NOTICE: The assignor’s signature to this assignment must correspond with the name as it appears upon the face of the within Certificate in every particular, without alteration or any change whatever.

Signature Guaranteed:

Signature(s) must be guaranteed by a national bank or trust company or by a brokerage firm having a membership in one of the major stock exchanges or any other “Eligible Guarantor Institution” as defined in 17 CFR 240 Ad-15(a)(2).

The Registrar will not effect transfer of this Certificate unless the information concerning the assignee requested below is provided.

Name and Address:

(Include information for all joint owners if the Certificate is held by joint account.)

Please insert Social Security or other Tax Identification Number of Transferee.

[Empty rectangular box for Social Security or Tax Identification Number]

EXHIBIT B

BLANKET ISSUER LETTER OF REPRESENTATIONS

The Depository Trust Company

A subsidiary of the Depository Trust & Clearing Corporation

BLANKET ISSUER LETTER OF REPRESENTATIONS

(To be completed by Issuer and Co-Issuer(s), if applicable)

(Name of Issuer and Co-Issuer(s), if applicable)

(Date)

The Depository Trust Company
570 Washington Blvd, 4th FL
Jersey City, NJ 07310
Attention: Underwriting Department

Ladies and Gentlemen:

This letter sets forth our understanding with respect to all issues (the "Securities") that Issuer shall request to be made eligible for deposit by The Depository Trust Company ("DTC").

Issuer is: **(Note: Issuer shall represent one and cross out the other.)**

[incorporated in] [formed under the laws of] _____.

To induce DTC to accept the Securities as eligible for deposit at DTC, and to act in accordance with DTC's Rules with respect to the Securities, Issuer represents to DTC that issuer will comply with the requirements stated in DTC's Operational Arrangements, as they may be amended from time to time.

Very truly yours,

Note:
Schedule A contains statements that DTC believes accurately describe DTC, the method of effecting book-entry transfers of securities distributed through DTC, and certain related matters.

(Issuer)

By: _____
(Authorized Officer's Signature)

(Print Name)

(Street Address)

(City) (State) (Country) (Zip Code)

(Phone Number)

(E-mail Address)



BLOR 06-2013

EXHIBIT C

COMPLIANCE POLICY

Adopted March 12, 2025

Independent School District No. 507 (the “District”) hereby adopts this policy (this “Policy”) as its written policy for post-issuance tax compliance applicable to tax-advantaged loans, bonds, notes, leases, certificates of participation or similar obligations (collectively, “Obligations”) heretofore and hereafter issued or executed and delivered by it or on its behalf. This Policy is intended to supplement any previous post-issuance tax compliance policy that may have been adopted by the District and any procedures evidenced in writing by any tax document for any Obligations heretofore or hereafter issued, entered into or executed and delivered by it or on its behalf, the related information returns filed in connection with any Obligations and the instructions to such information returns.

1. **Responsible Person.** The District has assigned to the Superintendent of the District (the “Responsible Person”) the responsibility for ensuring post-issuance tax and remedial action compliance with the requirements of any tax and financing documents for Obligations. This responsibility is included in the job description for the Responsible Person, and such person has or will review any prior post-issuance tax compliance policy, this Policy, any tax documents for any Obligations heretofore or hereafter issued, entered into or executed and delivered by it or on its behalf, the related information returns, if any, filed in connection with any Obligations (such as IRS Forms 8038 and 8038-G) and the instructions to such information returns, and consult with bond or tax counsel and other professionals as needed.

2. **Succession Planning.** The District will ensure that, when the current Responsible Person leaves such person’s current position at the District, the responsibility for financing and tax covenant compliance will be explained in detail to such person’s successor and such successor will be provided compliance training (as further described in the following section).

3. **Training.** Compliance training for the Responsible Person should include, among other things, annual meetings with bond counsel to discuss monitoring compliance with applicable tax laws and attendance at post-issuance tax compliance trainings organized by bond counsel or applicable industry associations.

4. **Procedures for Timely Expenditure of Proceeds.** The District understands that at least 85 percent of the net sale proceeds of new money Obligations must be spent to carry out the projects financed with the proceeds of the Obligations within three years of the date such Obligations are originally issued, entered into or executed and delivered. The District will treat as “sale proceeds” any amounts actually or constructively received by the District from issuance or execution and delivery of the Obligations, including amounts used to pay accrued interest other than pre-issuance accrued interest. “Net sale proceeds” means the sale proceeds less any amounts deposited into reasonably required reserve or replacement or rental payment reserve funds. The District has established or will establish reasonable accounting procedures for tracking and reporting to the Responsible Person the expenditure of net sale proceeds.

5. **Compliance with Arbitrage Yield Restriction and Rebate Requirements.** The Responsible Person will create a system to ensure that for all applicable Obligations, not less than six months prior to each five-year anniversary of the closing date for Obligations, the District will retain an arbitrage rebate consultant to prepare a report determining the yield of the Obligations under the Internal Revenue Code of 1986 (the “Code”) and whether there is any amount owed to the Internal Revenue Service under Section 148 of the Code.

6. **Ongoing Policy.** The Responsible Person will review any prior policy, this Policy, tax and financing documents relating to Obligations, information returns for obligations and related instructions to such information returns, and the status and use of the property financed or refinanced by the Obligations (the “Financed Property”) *on at least an annual basis and at the following intervals:* (a) six months prior to each five-year anniversary of the issue or execution and delivery date of the Obligations; (b) within 30 days of the date the Obligations are finally retired, defeased, refunded or terminated; (c) when any rebate payment is made; (d) when the Financed Property is “Placed in Service” (which means the date on which, based on all facts and circumstances, the property reaches a degree of completion that will permit its operation at substantially its design level and the property is, in fact, in operation at such level); (e) if the District determines that the Financed Property will not be completed; and (f) if any of the representations, statements, circumstances or expectations of the District that are set forth in the tax or financing documents for Obligations are no longer true, have changed or have not come to pass as described in such documents. This review will be made for the purposes of identifying any possible violation of federal tax requirements related to Obligations and to ensure the timely correction of those violations pursuant to the remedial action provisions outlined below or through the Voluntary Closing Agreement Program. If any possible violation is identified, the Responsible Person will notify the District and the District’s counsel or the District’s bond counsel so that any existing or expected violation can be corrected.

7. **Final Allocation.** With respect to any new money Obligations, once the Financed Property relating to the new money Obligations has been Placed in Service, the Responsible Person will identify all investment earnings from any investment of proceeds of the Obligations (such proceeds together with such investment earnings are hereinafter referred to as “Proceeds”), compile and reconcile all expenditures of such Proceeds to identify the specific costs paid from such Proceeds and the dates such costs were paid, identify the economic useful lives of each asset financed by the Proceeds and identify the payee or payees who received the Proceeds. The Responsible Person will retain such information with its books and records for the Obligations in the manner and for the duration required by Section 9 below.

8. **Additional Policies and Procedures.** The District acknowledges that certain types of Obligations, such as tax credit obligations, may have special rules regarding the timely expenditure of proceeds, arbitrage yield restriction and rebate requirements and remediation requirements, all of which will be described in the tax certificates for the Obligations. Such rules are incorporated herein (except to the extent that this Policy been revised to incorporate any of such rules), and the District agrees to follow such rules with respect to Obligations, if applicable.

9. **Recordkeeping.** The Responsible Person will develop and implement a system for maintaining records relating to this Policy. Such records must be kept and maintained for the life of the related Obligations, and any Obligations that refund or refinance such obligations, plus

at least four years (or such longer period as may be required in related tax documents for such obligations). These records may be maintained on paper, by electronic media or by any combination thereof.

10. **Procedures to Comply with Remediation Requirements.** The Responsible Person will establish and maintain a system for tracking and monitoring the use of the Financed property to ensure that the use of all such property will not violate the private business tests or the private loan financing test under Section 141 of the Code. If, after the issuance or execution and delivery of Obligations, the use of the Financed Property changes so that the private business tests or the private loan financing test would be met, or if another violation of this Policy occurs which requires correction, the District will, in connection with consulting bond counsel, undertake a closing agreement through the Voluntary Closing Agreement Program of the Internal Revenue Service or take one of the remedial actions described in the next section, if available.

11. **Remedial Action Procedures.** If a deliberate action is taken with respect to the Obligations and the Financed Property subsequent to the issuance or execution and delivery of the Obligations which action is not in compliance with the tax requirements of the Code or Regulations (a “Deliberate Action”), then the Responsible Person should consult with bond counsel regarding permissible remedial actions that may be taken to remediate the effect of any such Deliberate Action upon the federal tax status of the Obligations. Possible remedial actions, and the conditions to taking any such remedial actions, include (but are not necessarily limited to) the actions described below.

(a) Conditions to Remedial Actions. None of the remedial actions described in (b) below are available to remediate the effect of any Deliberate Action with respect to the Obligations and the Financed Property unless the following conditions have been satisfied and unless bond counsel advises otherwise:

(i) the District reasonably expected on the date the Obligations were originally issued or executed and delivered that the Obligations would meet neither the private business tests nor the private loan financing test of Section 141 of the Code and the Regulations thereunder for the entire term of the Obligations (such expectations may be based on the representations and expectations of the applicable conduit borrower, if there is one);

(ii) the average weighted maturity of the Obligations did not, as of such date, exceed 120 percent of the average economic life of the Financed Property;

(iii) unless otherwise excepted under the Regulations, the District delivers a certificate, instrument or other written records satisfactory to bond counsel demonstrating that the terms of the arrangement pursuant to which the Deliberate Action is taken is bona fide and arm’s-length, and that the non-exempt person using either the Financed Property or the proceeds of the Obligations as a result of the relevant Deliberate Action will pay fair market value for the use thereof;

(iv) any disposition must be made at fair market value and any Disposition Proceeds (defined below) actually or constructively received by the District as a result of

the Deliberate Action must be treated as gross proceeds of the Obligations and may not be invested in obligations bearing a yield in excess of the yield of the Obligations subsequent to the date of the Deliberate Action; and

(v) Proceeds of the Obligations affected by the remedial action must have been allocated to expenditures for the Financed Property or other allowable governmental purposes before the date on which the Deliberate Action occurs (except to the extent that redemption or defeasance, if permitted, is undertaken, as further described in (b)(i) below).

“Disposition Proceeds,” as such term is used in this section 11, means any amounts (including property, such as an agreement to provide services) derived from the sale, exchange or other disposition of property (other than investments) financed with the proceeds of the Obligations.

(b) Types of Remedial Action. Subject to the conditions described in (a) above, and only if the District obtains an opinion of bond counsel prior to taking any of the actions below to the effect that such actions will not adversely affect the excludability of interest on the Obligations from gross income for federal income tax purposes, remedial actions including but not limited to those listed below may be available to remediate a Deliberate Action subsequent to the issuance of the Obligations:

(i) *Redemption or Defeasance of Obligations*.

(A) If the Deliberate Action causing either the private business use test or the private loan financing test of Section 141 of the Code and the Regulations thereunder to be satisfied consists of a fair market value disposition of any portion of the Financed Property exclusively for cash, then the District may allocate the Disposition Proceeds to the redemption of Nonqualified Obligations (defined below) *pro rata* across all the then-outstanding maturities of the Obligations at the earliest call date of such maturities of the Obligations after the taking of the Deliberate Action. If any of the maturities of the Obligations outstanding at the time of the taking of the Deliberate Action are not callable within 90 days of the date of the Deliberate Action, the District may (subject generally to the limitations described in (C) below) allocate the Disposition Proceeds to the establishment of a Defeasance Escrow (defined below) for any such maturities of the Obligations within 90 days of the taking of such Deliberate Action.

(B) If the Deliberate Action consists of a fair market value disposition of any portion of the Financed Property for other than exclusively cash, then the District may use any funds (other than proceeds of the Obligations or proceeds of any obligation the interest on which is excludable from gross income for federal income tax purposes) for the redemption of all Nonqualified Obligations within 90 days of the date that such Deliberate Action was taken. In the event that insufficient maturities of the Obligations are callable by the date which is within 90 days after the date of the Deliberate Action, then such funds may be used for the establishment of a Defeasance Escrow within 90 days of the date of the

Deliberate Action for all the maturities of the Nonqualified Obligations not callable within 90 days of the date of the Deliberate Action.

(C) If a Defeasance Escrow is established for any maturities of Nonqualified Obligations that are not callable within 90 days of the date of the Deliberate Action, written notice must be provided to the Commissioner of Internal Revenue Service at the times and places as may be specified by applicable regulations, rulings or other guidance issued by the Department of the Treasury or the Internal Revenue Service. Note that the ability to create a Defeasance Escrow applies only if the Obligations to be defeased and redeemed all mature or are callable within ten and one-half (10.5) years of the date the Obligations are originally issued or executed and delivered. If the Obligations are not callable within ten and one-half years, and none of the other remedial actions described below are applicable, the remainder of this section 11 is for general information only, and bond counsel must be contacted to discuss other available options.

“Nonqualified Obligations,” as such term is used in this section 11, means that portion of the Obligations outstanding at the time of a Deliberate Action in an amount that, if the outstanding Obligations were issued or executed and delivered on the date on which the Deliberate Action occurs, the outstanding Obligations would not satisfy the private business use test or the private loan financing test, as applicable. For this purpose, the amount of private business use is the greatest percentage of private business use in any one-year period commencing with the Deliberate Action.

“Defeasance Escrow,” as such term is used in this section 11, means an irrevocable escrow established to redeem Obligations on their earliest call date in an amount that, together with investment earnings thereon, is sufficient to pay all the principal of, and interest and call premium on, obligations from the date the escrow is established to the earliest call date. A Defeasance Escrow may not be invested in higher yielding investments or in any investment under which the obligor is a user of the proceeds of the obligations.

(ii) *Alternative Use of Disposition Proceeds.* Use of any Disposition Proceeds in accordance with the following requirements may be treated as a Remedial Action with respect to the Obligations:

(A) the Deliberate Action consists of a disposition of all or any portion of the Financed Property for not less than the fair market value thereof for cash;

(B) the District reasonably expects to expend the Disposition Proceeds resulting from the Deliberate Action within two years of the date of the Deliberate Action;

(C) the Disposition Proceeds are treated as Proceeds of the Obligations for purposes of Section 141 of the Code and the Regulations thereunder, and the use of the Disposition Proceeds in the manner in which such Disposition Proceeds

are in fact so used would not cause the Disposition Proceeds to satisfy the private activity bond tests;

(D) no action is taken after the date of the Deliberate Action to cause the private activity bond tests to be satisfied with respect to the Obligations, the Financed Property or the Disposition Proceeds (other than any such use that may be permitted in accordance with the Regulations); and

(E) Disposition Proceeds used in a manner that satisfies the private activity bond tests or which are not expended within two years of the date of the Deliberate Action must be used to redeem or defease Nonqualified Obligations in accordance with the requirements set forth in (i) above.

(iii) *Alternative Use of Facilities.* The District may be considered to have taken sufficient remedial actions to cause the Obligations to continue their applicable treatment under federal tax law if, subsequent to taking any Deliberate Action with respect to all or any portion of the Financed Property:

(A) the portion of the Financed Property subject to the Deliberate Action is used for a purpose that would be permitted for qualified tax-exempt obligations;

(B) the disposition of the portion of the Financed Property subject to the Deliberate Action is not financed by a person acquiring the Financed Property with proceeds of any obligation the interest on which is exempt from gross income under Section 103 of the Code for purposes of federal income taxation; and

(C) any Disposition Proceeds other than those arising from an agreement to provide services (including Disposition Proceeds arising from an installment sale) resulting from the Deliberate Action are used to pay the debt service on the Obligations on the next available payment date or, within 90 days of receipt thereof, are deposited into an escrow that is restricted as to the investment thereof to the yield of the Obligations to pay debt service on the Obligations on the next available payment date.

Absent an opinion of bond counsel, no Remedial Actions are available to remediate the satisfaction of the private security or payment test regarding the same with respect to the Obligations. Nothing herein is intended to prohibit Remedial Actions not described herein that may become available subsequent to the date the Obligations are originally issued or executed and delivered to remediate the effect of a Deliberate Action taken with respect to the Obligations, the proceeds thereof or the Financed Property.