

Update

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Participation Is POWER

Change Your World with Your Vote

On Nov. 6, Nebraska's political landscape will change as votes are tallied for the 2018 election. Political change will most certainly affect the banking industry which is why the NBA is reminding every banker to get out and vote! Each vote counts and helps to influence decisions at all levels. A statewide candidate list, sample ballot, information on the Medicaid Expansion Petition and other voter information can be found on the Nebraska Secretary of State's website at <http://www.sos.ne.gov/elec/2018/elections.html>.

Your Wallet

The NBA BankPAC Committee, led by Chairman Zac Karpf of Platte Valley Bank in Scottsbluff, carefully reviews candidates for public office and determines the committee's support level for each candidate. Support is based primarily on the candidate's interest in ensuring a high-quality, competitive business and financial services environment for Nebraskans.



View the [2018 NBA BankPAC Supported Candidates](#).
View the current [NBA BankPAC Honor Roll](#).

Your Voice

On Jan. 9, 2019, Nebraska's state senators will begin the first session of the 106th Legislature. Communicating with those we elect is a natural extension of the election process. The NBA's State Government Relations Forum will take place Jan. 31, 2019. Whether you are initiating first-time discussions or solidifying existing relationships, this meeting's senator luncheon provides the perfect opportunity for bankers and senators to converse face to face about issues or concerns. Stay tuned for NBA State Government Relations Forum details and registration information in upcoming NBA Updates.

In addition, if you have a personal relationship with a legislator, we are looking for NBA Contact Bankers to call upon during the legislative session. Contact Bankers are NBA members who are acquainted with legislators in their district and other areas of the state. Periodically, the NBA issues specific "calls to action" to Contact Bankers to reach out to their legislators on issues of importance. Click [HERE](#) for more information about the NBA Contact Bankers Program.

From voting on Election Day, donating to BankPAC, to attending the NBA's upcoming State Government Relations Forum, your individual participation helps the banking industry achieve greater strength in numbers. No matter what you choose, choose to participate!

News Briefs from Washington

New Credit Score Unveiled Drawing on Bank Account Data

Experian, FICO and Finicity announced Monday a new credit score called the UltraFICO score as part of a bid to ensure that creditworthiness is better reflected through credit scoring. The UltraFICO score draws on consumer-contributed data -- such as information from checking and savings accounts -- that reflects responsible financial management. The score will launch in early 2019 as a pilot.

Consumers opt-in to submit data for an UltraFICO score and grant permission to access information from bank statements on account duration, activity frequency and evidence of saving. Finicity software electronically reads this data, which, combined with consumer credit data contributed by Experian, forms the basis of the new score.

The new score could “improve credit access for the majority of Americans and is particularly relevant for those who fall in the gray area in terms of credit scores (scores in the upper 500s to lower 600s) or fall just below a lender’s score cut-off,” the companies said. “Consumers who are relatively new to credit with limited history or those with previous financial distress that are getting back on their feet stand to benefit the most.” [Read more.](#)

DOL Proposes Rule to Help Small Businesses Offer Retirement

The Department of Labor issued a proposal Monday that would allow small businesses to band together to offer 401(k) plans to employees like those offered by larger companies. Under the proposal -- which was issued in response to a presidential executive order earlier this year -- associations of employers in a city, county, state or a multi-state metropolitan area, or in a particular industry nationwide would be permitted to offer “association retirement plans.” Sole proprietors and their families would also be permitted to participate in these plans.

“Many small businesses would like to offer retirement benefits to their employees but are discouraged by the cost and complexity of running their own plans,” said Labor Secretary Alexander Acosta.

“Association Retirement Plans give these employers a simple and less burdensome way to offer valuable retirement benefits to their employees.” [Read more.](#)

IRS, Treasury Issue Guidance on Opportunity Zones

The Treasury Department and the Internal Revenue Service Friday issued proposed guidance on the Opportunity Zones tax incentive. The incentive -- which was part of the new tax reform law -- aims to drive long-term equity capital to distressed communities by providing tax benefits on investments in qualified projects, or “Opportunity Funds.” Treasury has certified 8,761 communities in the U.S., D.C., and U.S. territories as Opportunity Zones.

The proposed regulations address numerous questions that have arisen since the enactment of the tax reform law. They outline -- among other things -- what gains qualify for deferral, which taxpayers and investments are eligible and the parameters for opportunity funds. The guidance appears to resolve an uncertainty generated by the wording of the statute regarding what types of gains are eligible for the benefit. The guidance indicates that only capital gains qualify.

Comments on the proposal are due in 60 days, and bankers are encouraged to submit their feedback for input in the American Bankers Association’s comment letter. The IRS and Treasury also indicated that they will issue additional guidance at a later date. [View the proposed guidance.](#) [View the revenue ruling.](#)

News Source: American Bankers Association

FTC Offers New Cybersecurity Materials for Small Business

Last week, the Federal Trade Commission (FTC) launched new cybersecurity resources for small businesses available at [FTC.gov/SmallBusiness](https://www.ftc.gov/SmallBusiness).

This new national cybersecurity education campaign grew out of FTC organization discussions from 2017 with small business owners across the country pertaining cybersecurity challenges. As a result, the FTC developed resources that businesses can use to learn about cybersecurity and to assist with employee training. The campaign is co-branded with the National Institute of Standards and Technology (NIST), the Department of Homeland Security (DHS), and the Small Business Administration (SBA).

The new materials include fact sheets, videos and quizzes on these topics: Cybersecurity Basics; Understanding the NIST Cybersecurity Framework; Physical Security; Ransomware; Phishing; Business Email Imposters; Tech Support Scams; Vendor Security; Cyber Insurance; Email Authentication; Hiring a Web Host; and Secure Remote Access. The format delivers information in a way that will make it easy for small business owners to talk about cybersecurity with employees, vendors, and others involved in business operations. These FTC resources are free for businesses to use and share.

NBA Preferred Vendor *SBS CyberSecurity* Understanding the Impact of a Cyber Attack

A common misconception is that small businesses have a lower risk of being the target of a cyberattack than large corporations. In reality, according to the [2018 Verizon Data Breach Investigations Report](#), 58 percent of malware attack victims are categorized as small businesses, making them the largest target for cybercriminals. Visit <https://sbscyber.com/resources> for a video about how modifying employee security awareness training to include exactly how one click can drastically impact a small business will help enforce training and increase effectiveness. Other SBS Cybersecurity resources are also available on their website.



\$2,000 College Scholarships Available Through NBEF

2017-2018 NBEF Donor Honor Roll Published

A big thank you to all the financial institutions and bankers who contributed to the foundation this past fiscal year. View the [2017-2018 NBEF Donor Honor Roll](#) on the NBA website.

Due to the generosity of NBA member banks and bankers, the Nebraska Bankers Educational Foundation (NBEF) will award nine college scholarships for the 2019-2020 school year in the amount of \$2,000 each.

NBA Member Bank Employees and Their Families are Eligible and Encouraged to Apply!

To be eligible for a scholarship, the student must obtain either junior or senior status by fall 2019, be a full-time student pursuing a business-related degree at a privately funded, Nebraska-based college or university (excluding the University of Nebraska), and have a minimum GPA of 3.0. The application deadline is Jan. 31, 2019. Now is a good time to start thinking about potential applicants in your bank or community.



For more information about the scholarship criteria, award guidelines and the application form, visit <https://www.nebankers.org/scholarships.html>, contact Sarah Sasse-Kildow at the NBA office at (402)474-1555 or email nbacommunications@nebankers.org.



CFPB Releases Complaint Snapshot: 50 State Report

The Bureau released our Complaint snapshot: 50 state report, which illustrates both the unique—and shared—challenges reported by people in all 50 states and the District of Columbia. [Read more.](#)

Share of U.S. Households without a Bank Account Continues to Drop

For the third consecutive survey period, the number of U.S. households without a bank account fell, according to the results of the 2017 biennial National Survey of Unbanked and Underbanked Households released by the Federal Deposit Insurance Corporation (FDIC) Tuesday. [Full article.](#)

Q&A

Q: Under Reg. DD, if a time account product is advertised generally, is there a requirement to provide the term for CDs if a specific CD product is not advertised, and instead, simply that time accounts are among products offered?

A: No, you're not required to provide the time requirements in 1030.8(c)(6)(i) when you are only advertising CDs generally and not a specific product. The time requirements are required when you are advertising a specific Annual Percentage Yield (or a bonus which would trigger the APY). If you advertise the APY, it is considered a "trigger term," which requires you to provide all of the required information in 1030.8(c), as applicable. Since you are only advertising a general product and no APY, the time period requirement is not necessarily required.

(c) When additional disclosures are required. Except as provided in paragraph (e) of this section, if the annual percentage yield is stated in an advertisement, the advertisement shall state the following information, to the extent applicable, clearly and conspicuously: ...

(6) Features of time accounts. For time accounts:

(i) Time requirements. The term of the account.

12 C.F.R. 1030.8(c): <http://bit.ly/RegDD-CDadvertising>.

Not a Compliance Alliance Member?

Compliance Alliance offers a comprehensive suite of compliance management solutions. To learn how to put them to work for your bank, call 888-353-3933 or email info@compliancealliance.com.

NBA Employee Spotlight: Scott Lane, Senior Systems Analyst

Scott has been a part of the NBA team for 14 years. He currently oversees internal information technology operations, which include programming, database management, custom reports and maintenance of current custom software. Scott's expertise and understanding of the NBA structure, membership and association goals make him an invaluable asset of office and technology work flow.

Hometown: Lincoln, NE

Alma Mater: Lincoln Southeast High School; Truman State University

Favorite Part of My Job: Data manipulation with SQL database and Crystal Reports.

Favorite Thing About Nebraska: Husker Football.

Hobbies: In my free time I enjoy brewing beer, playing video games and reading.



2018 SUMMIT

REGULATORY ISSUES SUMMIT

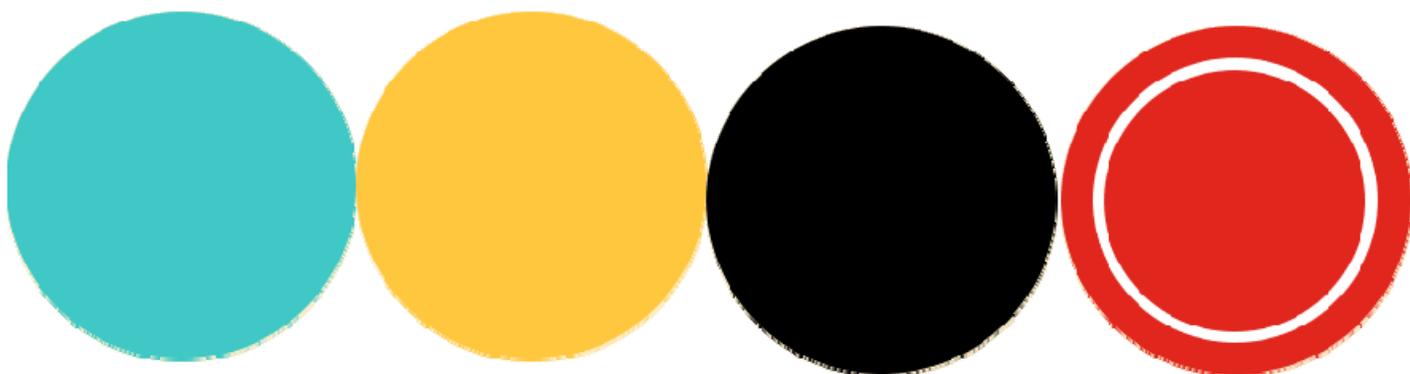


ANNUAL
SUMMIT
LINCOLN

**OCT
26**

DIALOGUE
WITH THE
REGULATORS

Cornhusker Marriott, Lincoln



Register online at www.nebankers.org

Share a Dialogue with the Regulators



The **2018 Summit on Regulatory Issues** has been planned to provide an opportunity for bankers to have a dialogue with banking industry regulators. You will hear from representatives from the FDIC, OCC, Federal Reserve, CFPB, and the Nebraska Department of Banking & Finance. We're sure this will be an outstanding event and one you won't want to miss.

Friday, October 26, 2018

9:00 a.m. Registration / Break Service

9:30 a.m. Opening Remarks

*Dave Dannehl, NBA Chairman
First State Bank of Loomis*

9:45 a.m. "Keeping Pace with the Demands of Regulatory Oversight"

*James C. Ballentine, Executive Vice President of
Congressional Relations and Political Affairs
American Bankers Association, Washington, DC*

10:00 a.m. "Regulatory Panel Discussion"

Moderated by *James C. Ballentine*

*James D. LaPierre, Regional Director
Federal Deposit Insurance Corp., Kansas City, MO*

*Kevin Moore, Senior Vice President, Supervision and Risk Management Division
Federal Reserve Bank of Kansas City, Omaha, NE*

*Kay Kowitt, Deputy Comptroller Western District
Office of the Comptroller of the Currency, Denver, CO*

*Kelly Lammers, Deputy Director, Financial Institutions
Nebraska Department of Banking and Finance, Lincoln, NE*

*Laura Fiene, Assistant Regional Director
Consumer Financial Protection Bureau, San Francisco, CA*

Panel Wrap-up with *James C. Ballentine*

Dialogue with the Regulators

"HEAR IT HERE"
From the Regulators

(agenda continued on next page)

12:00 p.m. Luncheon

1:00 p.m. "Up Close & Personal with the Regulators"

Ask direct questions and hear what those charged with overseeing your institution have on their agenda for the next year during breakout sessions with the regulators. Regulators will have a chance to hear directly from you regarding your concerns, problems, and recommendations.

2:30 p.m. Adjournment

Registration Information

Member Fee: \$45.00 per person* for the first registrant;
\$35.00 per person* for each additional registrant
Non-Member Fee: \$135.00 per person*

**If received by October 19, 2018*

This fee includes all program materials, luncheon, and break service. The deadline for registrations and refunds for cancelled registrations is **October 19, 2018**. Any registrations received after that date will be an additional \$10.00 per person and subject to space availability.

Hotel Information

Reservations can be made by calling the hotel directly.

Cornhusker Marriott Hotel
333 South 13th Street, Lincoln
(402) 474-7474

1-09/12/18u



2018
Summit on Regulatory Issues
Cornhusker Marriott Hotel, Lincoln
October 26, 2018

Financial Institution: _____
Bank / Branch Address: _____
City/Town: _____ Zip: _____
Phone# (_____) _____

Please register the following individual(s):			Last 4 Digits of Social Security #	October 26, 2018
FIRST NAME	MI	LAST NAME		Lincoln Cornhusker Marriott Hotel

Members: \$45.00 (per person) 1st registrant; \$35.00 (per person) for each add'l
Non-Members: \$135.00 (per person)
Registration after 10/19/18 will have a \$10 late fee charge in addition to the registration fee.

ONLINE YOU MUST LOGIN TO RECEIVE MEMBER DISCOUNTED PRICING!

Four Ways to Register:

- FAX: (402) 474-2148
- MAIL: NBA Education Center,
PO Box 80008, Lincoln, NE 68501
- PHONE: (402) 474-1555

- WEBSITE: www.nebankers.org
→Education→
Event Calendar

Payment Choice (check one):

- MasterCard VISA

Cardholder Name: _____

Card Number: _____ CVV: _____

Exp. Date: _____ Signature: _____

TOTAL DUE \$ _____

*Please feel free to dress casually.
To ensure your comfort, please bring a light jacket or sweater
to the program.*

Notice: If you have a disability that may affect your participation in this event, please forward a statement regarding any special needs to the Nebraska Bankers Association. We will contact you to discuss accommodations.

233 South 13th Street, Suite 700
Lincoln, Nebraska 68508
Phone: (402) 474-1555
Education Center Fax: (402) 474-2148
www.nebankers.org

NBA Nebraska Bankers Association

2018 INVESTMENT

BANK INVESTMENT, FUNDING,
AND ECONOMIC OUTLOOKS

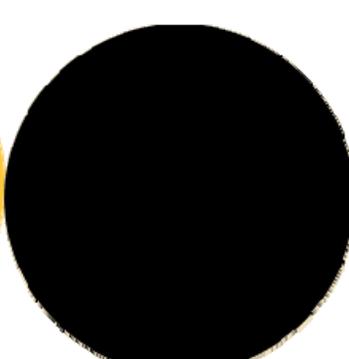
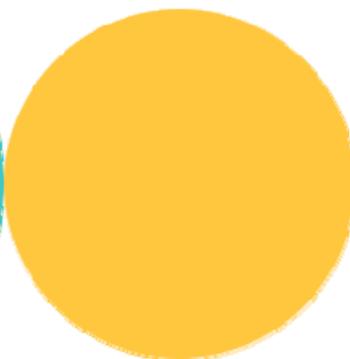
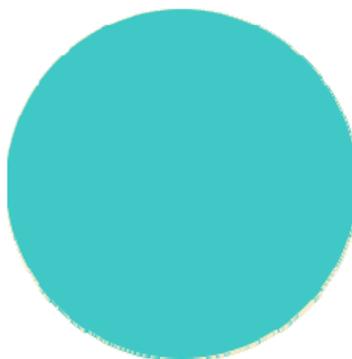


**ANNUAL
CONFERENCE
LINCOLN**

**NOV
1-2**

**OUTLOOK
INVESTMENTS
FUNDING**

Cornhusker Marriott, Lincoln



We'd like to thank our brochure sponsor,



Graduate School of Banking
at the University of Wisconsin - Madison

THURSDAY, NOVEMBER 1, 2018

8:30 a.m. **Registration / Continental Breakfast**

9:00 a.m. **Welcome & Opening Remarks**

9:15 – 10:15 a.m.

“Will Economic Headwinds of Tariffs and Rising Interest Rates Derail the Mid-America Economy?”

Each month, Creighton University Professor of Economics Ernie Goss surveys bank CEOs in rural, agriculturally dependent areas of 10 mid-western and mountain-region states as well as supply managers in urban areas of nine mid-America states. In this report, Goss will provide a summary of his recent survey results that detail risks and opportunities for businesses, banks, and investors in the months ahead. In particular, Goss will devote attention to the impact of trade and rising interest rates on the regional economy.

Dr. Ernie Goss, Economist & Professor of Economics, Creighton University

10:15 a.m. **Break**

10:30 a.m. – 11:30 a.m.

“Crypto Currency, Fintech and Blockchain – What is it and why do I care?”

Since financial technology (fintech) was created eight years ago, it feels like there is a new financial disruption popping up every week; some of which are fads and some are here to stay. Crypto-currency and blockchain are among the largest financial disruptions. Learn what they are, why you should care, and debate if this is a fad or a lasting trend the industry should pay attention to.

Bryan Adler, Co-Founder & CEO, Vetter

11:30 a.m. – 12:00 p.m.

“CECL is Coming, Will You Be Ready? / Replacing LIBOR”

With early implementation as soon as December and SEC filers transitioning over the next year, community banks need to be ready. This brief overview will discuss what community banks should be doing now and how regulators are preparing.

Michelle Lindner, Accounting Examiner Specialist, Department of Banking

12:00 p.m. **Luncheon**

1:00 – 2:00 p.m.

“Using Flow of Funds Analysis to Understand Your Interest Rate Risk”

Ed Krei, First Bankers’ Banc Securities

2:00 p.m. **Break**

2:15 – 3:15 p.m.

“Ten Strategies for Remaining Independent in a Consolidating Industry”

This keynote address will explore 10 fundamental strategies for remaining an independent community bank in a consolidating environment. Learn about the necessity of being proactive, setting forth a strategy of independence, focusing on core profitability, ensuring your bank has the optimal organizational structure, appropriately dealing with management and board succession, and other issues. This fast-paced session will present the tools your bank needs to plan and prepare for independence in the future.

Greyson E. Tuck, Gerrish Smith Tuck, PC

3:15 p.m. **Break**

3:30 – 4:30 p.m.

“A Different Kind of Career: Under Cover in the CIA”

Imagine living a lie for 31 years. That’s what James Olson and his wife Meredith did while spying for the CIA. Spying for his country was the furthest thing from his mind when Olson, a farm boy from Iowa, received a mysterious phone call that changed his life forever. In his presentation, Olson takes you inside the real world of being a CIA spy. He describes the rigorous training they receive and the difficult dilemmas that they face in the field on a daily basis. Olson explains how the global war on terror affects everyone and that the country needs to know that the United States will be hit again within its borders. The United States needs spies to protect the country and its vital interests.

James Olson, Retired CIA

4:30 – 5:15 p.m.

Reception

Dinner is on your own.

8:00 a.m.

Continental Breakfast

8:30 – 9:30 a.m.

“Concentration Risk Management and Stress Testing”

As scrutiny on concentrations in lending portfolios continues to increase, it is important to illustrate proper monitoring and stress testing of high-risk areas. This presentation will focus on how to mitigate your institution’s potential concentration risk and give live examples of how banks break down their portfolios to monitor current and future risk.

Don Musso, President, FinPro

9:30 a.m.

Break

9:45 – 10:45 a.m.

“Community Banks’ Liquidity Profiles: Regulatory Concerns and Potential Strategies”

Timothy Koch, President, Graduate School of Banking at Colorado

10:45 a.m.

Break

11:00 a.m. – 12:00 p.m.

“Can the High Performance of the Trump Economy Continue?”

The recently revised GDP growth rate for the second quarter of 2018 is a robust 4.1 percent. The Trump economy is booming. But is this new level of economic performance sustainable? The average post-World War II expansion has a life span of approximately 60 months, with the longest expansion in U.S. history running for 120 months. September 2018 represents the 110th month of the current economic growth phase of the business cycle. That being said, are we nearing the end of this expanding economy? Is another recession in sight?

Dr. Edmond J. Seifried, Co-Chairman, Seifried & Brew

12:00 p.m.

Conference Adjournment

1-10/01/18



2018 Bank Investment, Funding, & Economic Outlook Conference

Cornhusker Marriott Hotel, Lincoln
November 1 – 2, 2018

Financial Institution: _____

Bank / Branch Address: _____

City/Town: _____ Zip: _____

Phone# (_____) _____

Please register the following individual(s):			Last 4 Digits of Social Security #	Member Fee: \$305 per person -- Non-Member Fee: \$915 per person
FIRST NAME	MI	LAST NAME		

Registration
NBA Members: \$305 (per person)

Registration
Non-NBA Members: \$915 (per person)

Registration after 10/25/2018 will have a \$25 late fee charge in addition to the registration fee.

ONLINE YOU MUST LOGIN TO RECEIVE MEMBER DISCOUNTED PRICING!

Four Ways to Register:

FAX: (402) 474-2148

MAIL: NBA Education Center,
PO Box 80008, Lincoln, NE 68501

PHONE: (402) 474-1555

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www.nebankers.org

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Event Calendar

Payment Choice (check one):

MasterCard VISA

Cardholder Name: _____

Card Number: _____ CVV: _____

Exp. Date: _____ Signature: _____

TOTAL DUE \$ _____

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Gothenburg

We would like to thank the following companies for being cosponsors of this year's conference.

NBISCO
American Bankers Association
Bankers' Bank of the West
Raymond James
Graduate School of Banking-Wisconsin

BOK Financial Securities
First National Capital Markets
FHLBank Topeka
Schools of Banking

Registration Information

Member: \$305 (per person)

Non-Member: \$915 (per person)

**If received by October 25, 2018*

Advance registration for this program includes all conference materials, continental breakfasts, luncheon, break service, and the reception. The deadline for registrations and refunds for cancelled registrations is **October 25, 2018**. Any registrations received after that date will be an additional \$25 per person and subject to space availability.

Location Information

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Cornhusker Marriott Hotel
333 South 13th Street, Lincoln, (402) 474-7474

***Please feel free to dress casually.
To ensure your comfort, please bring a light jacket or sweater
to the program.***

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Phone: (402) 474-1555
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www.nebankers.org

NBA Nebraska Bankers Association

2018 LOAN DOC

LOAN DOCUMENTATION WORKSHOPS

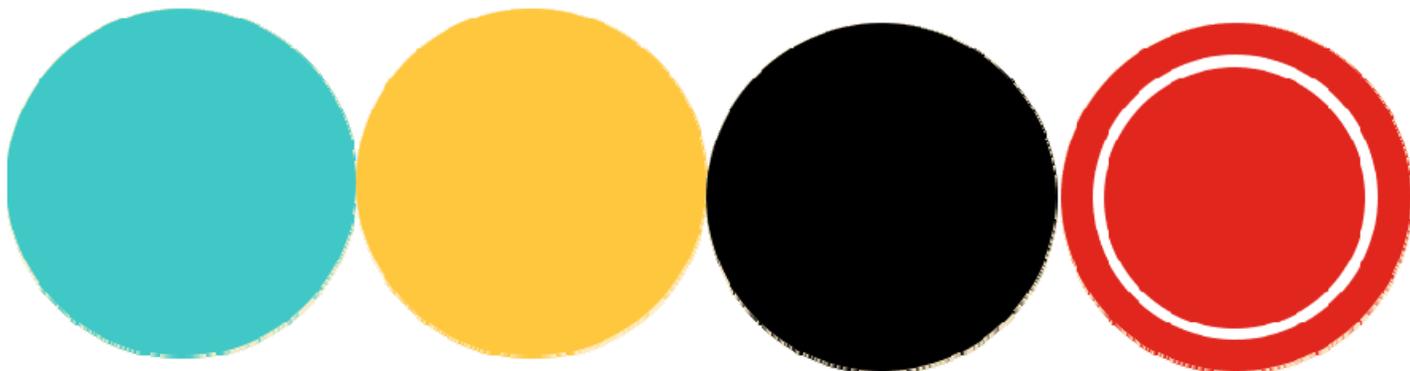


**ANNUAL
LOAN DOC
WORKSHOPS**

**NOV
13-15**

**PRINCIPLES
ADVANCED
AG-LENDER**

Holiday Inn, Kearney



Register online at www.nebankers.org

Loan Doc I Principles of Loan Documentation

The **Principles of Loan Documentation** workshop is designed to help those who make, manage or review loans become “proactive” in minimizing loan losses. Dubbed “Street Law for the Commercial Lender,” this one-day workshop focuses on the major legal concepts, specific requirements and common problems of commercial loan documentation, with a particular emphasis on avoiding loan losses due to faulty documentation that even cutting-edge documentation software cannot always effectively eliminate. Our philosophy is to develop “hands-on” instruction so that participants can return to their jobs and apply what they have learned.

PROBLEM METHOD

Throughout the program the problem method will be used to challenge the participants in important areas of loan documentation. The instructor will demonstrate the difficulty and challenges often times hidden in every day/routine lending transactions by posing problems to the participants based on “real world” situations faced by actual lenders who, unfortunately, documented the loan incorrectly resulting in costly legal challenges. The use of the problem method will involve the participants and challenge their ability to identify documentation errors and deficiencies common in commercial lending transactions.

The workshop will illustrate how to:

- ❖ Perfect security interests under Article 9 of the UCC
- ❖ Identify the borrower and document the authority to borrow
- ❖ Understand contract basics, notes, security agreements, mortgages, pledges and other essential loan contracts
- ❖ Use commitment letters
- ❖ Understand the implications of loan default(s)
- ❖ Protect against tax liens and other conflicting encumbrances
- ❖ Understand bankruptcy implications
- ❖ Recognize and prevent violations of ECOA

Participants will learn a step-by-step process to recognize problems and take action to prevent loan loss exposure from faulty documentation.

ESSENTIALS OF ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE

Article 9 of the Uniform Commercial Code, adopted in all states, dictates how lenders perfect security interests in all collateral except real estate. Participants will learn how to interpret and apply the principles of this important body of law that governs all transactions intended to create a security interest in personal property and/or fixtures.

This section will examine the most common problems encountered with UCC Article 9 and provide practical guidance in critical areas, including:

- ❖ Basic scope of Revised Article 9
- ❖ Collateral classification & description under Article 9
- ❖ Perfecting security interests in deposit accounts
- ❖ The “where to file” rules are examined
- ❖ Creating enforceable security interests in various types of collateral
- ❖ Different perfection methods under the UCC
- ❖ Lien priorities and lien searches
- ❖ Enforcing unperfected security interests
- ❖ Gaining priority through purchase money transactions

REAL ESTATE MORTGAGES / DEEDS OF TRUST

Participants will learn the basic requirements of securing loans with real estate examining such problems as perfection, future advance clauses and loan renewals. Participants will be exposed to proper “due diligence” procedures when a loan is secured by real estate including the use of title insurance, surveys and environmental audits.

WORKSHOP MATERIAL

Each participant will receive a workshop manual consisting of over 250 pages of reference material, including a user’s guide to loan documentation, a sample forms file, comprehensive loan closing checklist, and key excerpts from Nebraska’s version of Article 9 of the Uniform Commercial Code. During the session, participants will learn to use this comprehensive manual as a desk reference for dealing with the questions and problems that will be encountered on-the-job.

About the Speaker:

Lewis C. Laderer, Jr. is a partner in the law firm of Laderer & Fischer, P.C. in South Bend, Indiana. Laderer & Fischer focus their practice almost exclusively on the representation of commercial banks and other commercial lenders in the areas of banking law, commercial litigation, and bankruptcy.

Program Outline:

(all three days)

- 8:30 a.m. Registration/Continental Breakfast
- 9:00 a.m. General Session
- 12:00 p.m. Luncheon
- 1:00 p.m. General Session
- 4:00 p.m. Adjournment

Loan Doc II **Advanced Loan Documentation**

Prevention of loan losses through implementation of proper loan structuring and documentation techniques is the objective of this workshop. This follow-up workshop to Principles of Loan Documentation will focus on more complex and problematic lending transactions, including securing loans with real estate with special emphasis on title insurance and surveys, and understanding the special problems of floor-plan and construction financing. In addition, this workshop will address the provisions of revised Article 9 of the Uniform Commercial Code that deal with security interests in securities and other investment property, such as brokerage and trust accounts.

FLOOR-PLAN FINANCING

Part I of this workshop will address key issues related to floor-plan financing, including: the floating lien concept under Article 9; perfection of a purchase money security interest; understanding the interests and rights of the parties involved; key components and provisions of the floor plan loan agreement; cooperative efforts between and among competing floor-plan lenders; successful monitoring of the floor plan agreement to prevent sales out of trust; and the special problems associated with a floor-plan borrower in default.

SECURING LOANS WITH INVESTMENT PROPERTY UNDER REVISED ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE

This session of the workshop will review the scope and requirements of the revised Uniform Commercial Code dealing with perfecting security interests in stocks, bonds, mutual funds, investment accounts, and other investment property. Participants will learn the scope, provisions and definitions under Article 9 as well as key provisions from Article 8 of the UCC; the interaction of the revised Articles 8 and 9 of the Uniform Commercial Code and how to perfect and terminate security interests in certificated and un-certificated securities as well as investment accounts.

CONSTRUCTION FINANCING

Section III of the workshop addresses potential problem areas unique to construction financing and how to avoid them. Participants will learn how to collateralize and document a construction loan (including preparation of the construction loan agreement and commitment letter). In addition, this segment will examine the all-important subject of disbursement controls and limiting the risks posed by mechanic's liens. This section will also explore how the lender might increase its protection and reduce the administrative burdens of a construction loan by using a title insurance agent to handle disbursement of loan proceeds.

REAL ESTATE SECURED LOANS

The final portion of the program will deal with some of the unusual challenges related to loans secured by real estate. Participants will learn how to create and perfect a security interest in real estate using a mortgage or deed of trust. The program dissects a typical mortgage explaining its key provisions and their benefit to the mortgage lender. The primary emphasis in this section of the program is on title insurance and surveys, how to understand them and use them effectively to enhance the protection of the lender's security interest in real estate. Included will be a detailed discussion about the lender's title insurance policy, available endorsements which provide greater protection to the lender, understanding and obtaining deletion of the standard exceptions to coverage in title commitment letters, and the importance of real estate surveys and environmental due diligence to the lender taking real estate as collateral.

WORKSHOP MATERIAL

Each registrant will receive a comprehensive manual designed to be used as a daily reference tool for those involved in the lending process. The workshop manual will include detailed checklists, reference material, a course outline and important and useful contractual documents and provisions.

Registration Information:

Advance registration fee for these workshops includes all workshop materials, continental breakfast, break service & luncheon.

The registration breakdown is as follows:

	<u>Member</u>	<u>Non-Member</u>
Loan Documentation I: Principles of Loan Documentation Workshop.....	\$215.00.....	\$645.00
Loan Documentation II: Advanced Loan Documentation Workshop	\$215.00.....	\$645.00
Loan Documentation III: Loan Documentation for the Ag-Lender Workshop	\$215.00.....	\$645.00

The deadline for registration and receiving refunds for cancelled registrations is **November 8, 2018**. Registrations received after that date will be an additional \$25 per workshop/per banker and subject to space availability.

Continued on reverse.

Loan Doc III Loan Documentation for the Ag-Lender

This program should be attended by people involved in the agricultural lending process in lieu of the Principles of Loan Documentation Workshop.

Poor loan documentation can cost your financial institution thousands of dollars each year. Unfortunately, the importance of effective loan documentation is most apparent when it is already too late. Dubbed "Street Law for the Agricultural Lender," this workshop focuses on the major legal concepts, specific requirements and common problems in the specialized field of agricultural loan documentation with particular emphasis on avoiding loan losses due to faulty documentation. Our "hands-on" approach allows you to return to work and apply what you have learned. This workshop should be taken by people involved in the agricultural lending process in lieu of the Principles of Loan Documentation Workshop.

PROBLEM METHOD

Throughout the program the problem method will be used to challenge the participants in important areas of agricultural loan documentation. The instructor will demonstrate the difficulty and challenges often times hidden in every day/routine agricultural lending transactions by posing problems to the participants based on "real world" situations faced by actual lenders who, unfortunately, documented the loan incorrectly resulting in costly legal challenges. The use of the problem method will involve the participants and challenge their ability to identify documentation errors and deficiencies common in agricultural lending transactions.

IDENTIFYING THE BORROWER

Lending to family farming operations has unusual challenges. The program deals with ways to "flush out" the interests that spouses and children might have in the family farming operation. It examines who should be the borrower and who should sign security agreements.

REAL ESTATE MORTGAGES/DEEDS OF TRUST

Participants will learn the basic requirements of securing loans with real estate examining such problems as perfection, future advance clauses and loan renewals. Participants will be exposed to proper "due diligence" procedures when a loan is secured by real estate including the use of title insurance, surveys and environmental audits.

ESSENTIALS OF ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE

Article 9 of the Uniform Commercial Code, enacted into law in all states, dictates how lenders perfect security interests in all collateral except real estate. Over the years, major changes have occurred in the area of agricultural security interests. This workshop examines the current version of Article 9 in effect in Nebraska, including the 2010 Amendments that became effective on July 1, 2013. Emphasis will be placed on collateral description and perfection, where to file for all types of collateral, dealing with non-Article 9 agricultural liens adopted in Nebraska (and neighboring states) and how they impact the Article 9 agricultural lender. Those attending will also learn to identify when purchase money security interests are important, and how to use them to gain a first position over a prior UCC filer for equipment, inventory, livestock, and fixture collateral. Participants will learn how to interpret and apply the principles of this most important body of law which governs all transactions intended to create a security interest in personal property (including crops and livestock) and/or fixtures. Special emphasis will be placed on perfecting security interests in both tangible (e.g., crops and livestock) as well as intangible (e.g., USDA entitlement payments) agricultural.

SAMPLE LOAN DOCUMENTS

Each registrant will receive a comprehensive Ag-Lending Loan Documentation Manual including key statutory references, a comprehensive workshop outline, sample ag-lending loan documents as well as other information important to the ag-lender.

WHO SHOULD ATTEND

This workshop is appropriate for anyone involved in the agricultural lending process including CEOs, loan officers, credit analysts, bank counsel, branch managers with lending authority, loan review personnel, internal auditors and documentation support staff. It is structured similarly to the Principles of Loan Documentation program with special emphasis on the challenges facing the ag-lender. This program should be attended by people involved in the agricultural lending process in lieu of the Principles of Loan Documentation Program.

Please feel free to dress casually.

To ensure your comfort, please bring a light jacket or sweater to the program.

Notice: If you have a disability that may affect your participation in this event, please forward a statement regarding any special needs to the Nebraska Bankers Association. We will contact you to discuss accommodations.

Event Location:

Holiday Inn - Kearney

110 S 2nd Ave, Kearney, NE (308) 237-5971

P.O. Box 80008

233 South 13th Street, Suite 700

Lincoln, Nebraska 68501-0008

Phone: (402) 474-1555

Education Center Fax: (402) 474-2148

NBA Nebraska Bankers Association



2018 Loan Documentation Workshops

Holiday Inn - Kearney
November 13, 14, 15, 2018

Financial Institution: _____
Bank / Branch Address: _____
City/Town: _____ Zip: _____
Phone# (_____) _____

Please register the following individual(s):			Last 4 Digits of Social Security #	Holiday Inn - Kearney		
FIRST NAME	MI	LAST NAME		Nov 13 Loan Doc I	Nov 14 Loan Doc II	Nov 15 Loan Doc III

Please indicate which of the following workshop(s) you plan on attending under the appropriate date(s) and workshop number(s):

	Member	Non-Member
Loan Documentation I: Principles of Loan Documentation Workshop	\$215.00	\$645.00
Loan Documentation II: Advanced Loan Documentation Workshop	\$215.00	\$645.00
Loan Documentation III: Loan Documentation for the Ag-Lender Workshop	\$215.00	\$645.00

Registrations after 11/08/18 will receive an additional late fee charge of \$25.00 per workshop.

ONLINE YOU MUST LOGIN TO RECEIVE MEMBER DISCOUNTED PRICING!

Four Ways to Register:

- FAX: (402) 474-2148
- MAIL: NBA Education Center,
PO Box 80008, Lincoln, NE 68501
- PHONE: (402) 474-1555

- WEBSITE: www.nebankers.org
→Education→
Event Calendar

Payment Choice (check one):

- MasterCard
- VISA

Cardholder Name: _____
Card Number: _____ CVV: _____
Exp. Date: _____ Signature: _____

TOTAL DUE \$ _____



2018 Loan Documentation Workshops

Holiday Inn - Kearney
November 13, 14, 15, 2018

Financial Institution: _____
Bank / Branch Address: _____
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- MasterCard
- VISA

Cardholder Name: _____
Card Number: _____ CVV: _____
Exp. Date: _____ Signature: _____

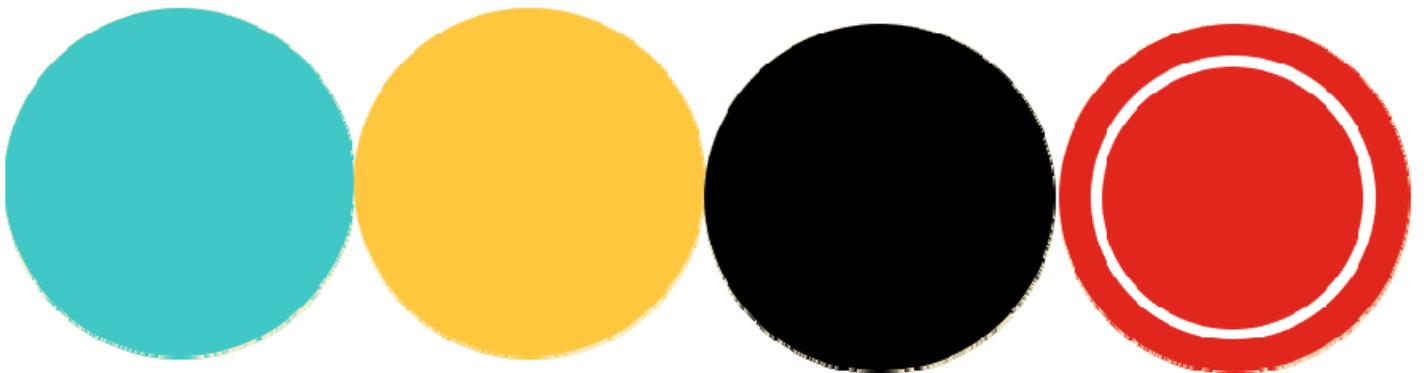
TOTAL DUE \$ _____

2018 AG & BEYOND

PRESENTED BY
DR. DAVID M. KOHL, Ph.D.



**ANNUAL
PRODUCER
UPDATE** **DEC
4 & 5** **AGRICULTURE
STRATEGIES
ECONOMY**



Register online at www.nebankers.org

2018 Ag & Beyond

Presented by Dr. David M. Kohl, Ph.D.

December 4 – Norfolk, Northeast Community College

December 5 – North Platte, Quality Inn & Suites

Who Should Attend

This program is designed for ag lenders and their ag customers (*including spouses*) along with High School and College Students interested in careers in agriculture.

Please see special pricing for your ag customers/spouses/students below!

“Agriculture Today: It Is What It Is... What Should We Do About It?”

The agricultural economic down turn is in the sixth year and counting. Razor thin margins combined with increased volatility is the economic environment that most in the industry are facing. The result is massive changes in the structure of agriculture and rural communities.

- What is the state of the trade agreements and the short and long-term implications to the bottom line?
- Where are interest rates, land values, and food trends leading the industry?
- How can one adjust strategies and tactics to cope and survive in this environment?

Program Outline

9:30 a.m.
Registration / Continental Breakfast

10:00 a.m.
General Session

12:00 p.m.
Luncheon

12:45 p.m.
General Session...continued

2:30 p.m.
Adjourn

Registration Information

NBA Member: \$175 per person

Ag Customer & Spouse: \$100 per couple

Ag Customer or Student Guest(s): \$75 per person
(*\$65 per person for 5 or more Customer/Student Guests*)

Non-NBA Member: \$525 per person

The fee includes all program materials, break service, and luncheon. The deadline for registration and receiving refunds for cancelled registrations is November 28, 2017.

Registrations received after that date will be an additional \$25.00 per person and subject to space availability.

About Dr. David M. Kohl, Ph.D.



David Kohl received his M.S. and Ph.D. degrees in Agricultural Economics from Cornell University. For 25 years, Kohl was Professor of Agricultural Finance and Small Business Management and Entrepreneurship in the Department of Agricultural and Applied Economics at Virginia Tech, Blacksburg, Virginia. He was on special leave with the Royal Bank of Canada working on advanced initiatives for two years and assisted in the launch of the successful entrepreneurship program at Cornell University. Kohl is Professor Emeritus in the AAEC Department at Virginia Tech.

Dr. Kohl has traveled over nine million miles throughout his professional career! He has conducted more than 6,000 workshops and seminars for a variety of agricultural audiences. In 2017, Kohl was inducted into the Virginia Tech College of Agriculture and Life Sciences Hall of Fame. He is also a business coach and part owner of Homestead Creamery, a value-added dairy business in the Blue Ridge Mountains. Dr. Kohl's personal involvement with agriculture and interaction with key industry players provide a unique perspective into the future trends of the agricultural industry and economy.

Location Information

**North Platte –
Quality Inn & Suites**
2102 S Jeffers St, 308-532-9090

**Norfolk - Northeast Community College,
Lifelong Learning Center**
801 E Benjamin Ave, 402-371-2020

1-10/12/18u



**Agriculture 2018
and Beyond**
December 4 – Norfolk
December 5 – North Platte

Financial Institution: _____
Bank / Branch Address: _____
City/Town: _____ Zip: _____
Phone# (_____) _____

Please register the following individual(s):			Last 4 of SSN	Choose a location:		Banker \$175	Producer \$75	Spouse (Accompanying a producer) \$25	Student \$75	Teacher \$75
FIRST NAME	MI	LAST NAME		Norfolk	North Platte					

Registration NBA Members: \$175 (per person) Ag Producer/Students: \$75 (per person) Registration Non-NBA Members: \$525 (per person) Registration after 11/28/2018 will be an additional \$25 per person.

ONLINE YOU MUST LOGIN TO RECEIVE MEMBER DISCOUNTED PRICING!

Four Ways to Register:

- ☎ FAX: (402) 474-2148
- ✉ MAIL: NBA Education Center, PO Box 80008, Lincoln, NE 68501
- ☎ PHONE: (402) 474-1555

- 🌐 WEBSITE: www.nebankers.org
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- Event Calendar

Payment Choice (check one):

- MasterCard VISA

Cardholder Name: _____
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TOTAL DUE \$ _____

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233 South 13th Street, Suite 700
Lincoln, Nebraska 68508
Phone: (402) 474-1555
Education Center Fax: (402) 474-2148
www.nebankers.org

NBA Nebraska Bankers Association

2018 NBA BankPAC Contributions

	District	Candidate
State	District 2	Sen. Rob Clements
	District 4	Sen. Bob Hilkemann
	District 6	Sen. Theresa Thibodeau
	District 10	Matt Deaver
	District 12	Sen. Merv Riepe
	District 14	John Arch
	District 16	Ben Hansen
	District 18	Sen. Brett Lindstrom
	District 20	Sen. John McCollister
	District 22	Mike Moser
	District 24	Sen. Mark Kolterman
	District 26	Sen. Matt Hansen
	District 28	Sen. Patty Pansing-Brooks
	District 30	Myron Dorn
	District 32	Sen. Laura Ebke
	District 34	Sen. Curt Friesen
	District 36	Sen. Matt Williams
	District 38	Dave Murman
	District 44	Sen. Dan Hughes
	District 46	Sen. Adam Morfeld
District 48	Sen. John Stinner	
Constitutional	Attorney General	AG Doug Peterson
	Secretary of State	Bob Evnen
	State Treasurer	Sen. John Murante
	State Auditor	Auditor Charlie Janssen
	Governor	Gov. Pete Ricketts
Federal	Senate	Sen. Deb Fischer
	Congressional District 1	Rep. Jeff Fortenberry
	Congressional District 2	Rep. Don Bacon
	Congressional District 3	Rep. Adrian Smith

Bankers in the News

Fred Bruning, Bruning State Bank (Bruning), will be honored with the American Bankers Association Bruning Award at their National Agricultural Bankers Conference, scheduled for Nov. 11-14, in Omaha. Bruning is being recognized for dedicating the past 27 years of his career to agricultural lending in rural areas. Bruning also played an integral role in creating the UNL Ag Banking & Finance major and the UNL Ag Banking & Finance/NBA internship program.



Bruning



Graham (middle)

Isaiah Graham, Homestead Bank (Saint Paul/Wolbach), was inducted in to the Northeast Community College Alumni Hall of Success.

Morgan Olson, Great Western Bank (Broken Bow), has been elected to be on the Broken Bow Chamber of Commerce Board of Directors.

Banks in the News

ACCESSBank and **Security National Bank of Omaha** (both of Omaha) received awards from United Way of the Midlands; ACCESSBank received the Corporate Partner of the Year Award - 100-199 employees; Security National Bank of Omaha received the Corporate Partner of the Year Award - 200-800 employees.

Boone County Bank, a Division of **Madison County Bank**, **Cornerstone Bank** and **Homestead Bank** (all of Albion), are sponsors for an upcoming women's self-defense class put on by Boone County Health Center and Boone Central Schools.

Cornerstone Bank (York) has gifted new carpeting, paint, and furniture to York College's historic "Levitt House." The building will now house the E.A. Levitt School of Business and the York College Phi Beta Lambda student business organization.

First Central Bank (Cambridge) participated in the annual Cambridge college and career fair.

First National Bank (Alliance), along with the Alliance Arts Council, will present the council's 2018-19 season opener, Farewell Angela, an all-female vocal group Oct. 27.

Five Points Bank (Grand Island) sponsored the Glow 4 Gabby annual 5K run/walk. Glow 4 Gabby is a nonprofit organization that raises awareness about suicide and its prevention.

Banks & Bankers



(October 17-23)

Henderson State Bank (Henderson, Giltner, Greeley and York) has finished its scavenger hunt campaign in celebration of its 75th anniversary. Wallets were hidden throughout each branch community containing various amounts of prize money. Wallet retrievers had the option to treat themselves with their findings or donate the money to a charity of their choice.

Midwest Bank (Plainview) provided funding for each family to go home with a new book from the Fall Family Fun Night at the Plainview Library. The initiative is part of the 1,000 Books Before Kindergarten campaign.

Union Bank & Trust Co. (Lincoln) sponsored the Mothers Against Drunk Driving (MADD) annual Walk Like MADD/MADD Dash 5K fundraiser.

Wells Fargo Bank, N.A. (McCook) along with the Nebraska Public Power District, presented Mid-Plains Community College and North Platte Community College with a \$16,000 donation (split between the two colleges) to be used toward scholarships for students pursuing careers in the electrical and engineering fields.

Western States Bank (Scottsbluff) was a sponsor for the Regional West Foundation's annual gala that raised more than \$180,000 for 3D tomography equipment for the Regional West Breast Health Center.

Promotions & Appointments



LINCOLN:
Mark Krings, vice president
of customer service,
Union Bank & Trust Co.



LINDSAY:
Julie Beller,
loan officer,
Bank of Lindsay.



YORK:
Ashley Seaberg,
employee benefits officer,
Cornerstone Bank.

(October 17-23)

Share your news with the Nebraska Bankers Association!

Whenever your financial institution has a newsworthy event, we want to hear from you. Email your news, press releases, newspaper clippings and or photos to news@nebankers.org to be published in an upcoming Banks & Bankers and/or featured on social media.

Facebook: [@NebraskaBankersAssociation](https://www.facebook.com/NebraskaBankersAssociation) // Twitter: [@nebankers](https://twitter.com/nebankers)