

**MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF SANITARY AND IMPROVEMENT DISTRICT NO. 97 OF SARPY COUNTY, NEBRASKA HELD AT 5:00 P.M. ON JANUARY 17, 2017 AT 8335 PLATTEVIEW ROAD, PAPIILLION, NEBRASKA**

The meeting of the Board of Trustees of Sanitary and Improvement District No. 97 of Sarpy County, Nebraska was convened in an open and public session at 5:00 p.m. on January 17, 2017, at the Sarpy County Sheriff's Station, located at 8335 Platteview Road, Papillion, Nebraska, 68046.

Present at the meeting were Trustees David Barry, Shellie Zeeb, Jeff Warinski, and Ken Brison. In addition to the Trustees, also present at the meeting were Brian Doyle, attorney for the District; Joy Nelson of Urban Utilities; and Adam Flanagan of Kuehl Capital Corporation, municipal financial advisor to the District. Trustee Wennstedt was absent.

The Clerk then publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held.

Notice of the meeting was given in advance thereof by publication in The Papillion Times on January 11, 2017, a copy of the Proof of Publication being attached to these minutes. Notice of the meeting was simultaneously given to all members of the Board of Trustees and a copy of their Acknowledgment of Receipt of Notice is attached to these minutes. Availability of the agenda was communicated in the publicized notice and in the notice to the Trustees of this meeting. All proceedings of the Board were taken while the convened meeting was open to the attendance of the public.

The Clerk then certified that notice of this meeting had been given to the Sarpy County Clerk at least seven days prior to the time set by the Board of Trustees for this meeting and filed the Certificate to that effect, said Certificate being attached to these minutes and made a part hereof by this reference.

The Board then noted that the Chairman, David Wennstedt, was absent at these proceedings and it would be necessary to appoint an acting Chairperson in his absence for the purposes of this meeting. Then, upon a motion duly entered, seconded and upon a vote of three (3) "ayes", with Trustee Warinski abstaining, Trustee Warinski was appointed as Acting Chairman for the purposes of this meeting and was further authorized to sign any documents at these proceedings requiring

the Chairman's acknowledgment.

The below matters were then discussed in the following order:

The Board discussed the flood gate repairs. The repairs were more expensive due to having to weld a new base onto the structure. However, the contractor stated the future maintenance would be much easier.

Upon motion made by Trustee Zeeb and seconded by Trustee Barry, the Board voted four (4) "ayes" and zero (0) "nays" to appoint Jeff Warinski as acting Chairman for the meeting.

Urban Utilities next presented their monthly report. There were two water main breaks in December and one in January. UU reported that all water and wastewater billing was normal.

The Board noted that the sewer fee increase is a per-household fee and that it is based upon the expenses the SID incurs related to the wastewater system.

The Board then discussed that the French drain system at Makaha Street was damaged at the time of the water main break. The District's engineer will work with the contractor to repair.

The Board then discussed the large number of water main breaks. UU stated that this was happening all over the Omaha area and was likely because of wet soil and wide swings in temperature.

The Board next received the financial report from KCC. They reported that it didn't look like the 2012 Bond issue would make sense to refund but that they will follow rates and advise if that changes.

The Board then discussed tree limb removal and the proposal from All Trees.

Upon motion made by Trustee Zeeb and seconded by Trustee Brison, the Board voted four (4) "ayes" and zero (0) "nays" to approve the tree removal proposal.

The Board discussed that the 25 MPH signs were faded. Cost to replace is \$1570. No motion was made and the Board stated they would revisit the issue in the spring.

The Board then discussed the mowing contractor and that they were generally satisfied and therefore would not rebid for the current year.

The Board then discussed doing one weed control treatment for the boat storage area this year.

The Board discussed that the Engineer will get bids for street sweeping for the next meeting.

The Board discussed that the Lake Lease Agreement has not been received from HVLA.

The Chairman next presented the following invoices and statements to be paid out of the General Fund Account of the District:

a.)	Urban Utilities, Inc. for WWTP December and January maintenance, Postal Service charges, emergency services, sampling, etc. (#7953, 7955).	\$7,546.32
b.)	Urban Utilities, Inc. for meter reading/invoicing, NE Dept. of Revenue form prep., etc. for December and January, and permit preparation (#7954, 7956).	\$2,500.57
c.)	Midwest Laboratories, Inc. for water testing and preparation of samples (#833851, 829743).	\$ 204.10
d.)	Tri-State Pumping, L.L.C. for sludge removal and hauling from WWTP (No. 2178, 11/11, 1790, 1801, 2057).	\$3,080.00
e.)	Nebraska Department of Health and Human Services lab for water testing and kits, pay forward (#482756).	\$ 500.00
f.)	AllTrees for removal of damaged Cottonwood on Kauai, hauling and related services (11/28/16 invoice).	\$ 725.00
g.)	E & A Consulting Group, Inc. for engineering services relating to General maintenance of the District (No. 135258).	\$ 194.90
h.)	Commercial Mowing, Inc. for mowing and trimming of designated areas, trash pickup (#1326).	\$1,014.00
i.)	Omaha Public Power District for power supply and street lighting (acct. no. 7333000080).	\$6,092.28
j.)	Kersten Construction, Inc. for repairs and related construction service Relating to the water main breaks at 8416 Kauai Dr. and 8318 Kauai Dr. (#32530, 32529).	\$12,928.25
k.)	Premier Waste Solutions for solid waste and recyclable pick up for January through March, 2017.	\$6,458.88
l.)	Awerkamp, Goodnight, Schwaller & Nelson for accounting services relating to the preparation of the financial statements.	\$2,475.00
m.)	Jochim Precast Concrete, Inc. for servicing flood gate and welding of new brace (#011057).	\$1,250.00

Upon motion made by Trustee Zeeb and seconded by Trustee Brison, the Board voted four (4) “ayes” and zero (0) “nay” to approve the payments from the General Fund Account of the

District. The Clerk was then directed to attach copies of the invoices to these minutes.

After discussion the Resolution contained herein below and by this reference incorporated was duly introduced, seconded and upon a roll call vote of “aye” by the Trustees Dave Wennstedt, Ken Brison and David Barry, was unanimously adopted:

BE IT RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 97 of Sarpy County, Nebraska that the Chairman and Clerk be and hereby are authorized and directed to execute and deliver Warrants No. 4368 through 4380 of the District, dated the date of this meeting, to the payees, for the following services and in the following amounts, said warrants to draw interest at the rate of 7% per annum, and to be payable from the General Fund Account of the District and to be redeemed no later than three (3) years of the date hereof, being January 17, 2020 (the “**General Fund Warrants**”); to-wit:

a.) Warrant No. 4368 for \$7,546.32 made payable to Urban Utilities, Inc. for January maintenance, install of new blower and related materials, postal service charges, emergency service, sampling, etc.

b.) Warrant No. 4369 for \$2,500.57 made payable to Urban Utilities, Inc. for meter reading for January, NE Dept. of Health Forms, and related services.

c.) Warrant No. 4370 for \$204.10 made payable to Midwest Laboratories, Inc. for water testing.

d.) Warrant No. 4371 for \$3,080.00 made payable to Tri-State Pumping, LLC for sludge removal and hauling from WWTP.

e.) Warrant No. 4372 for \$500.00 made payable to the NE Dept. of Health and HS Laboratory for water testing kits and testing.

f.) Warrant No. 4373 for \$725.00 made payable to AllTrees for removal of downed Cottonwood and related services.

g.) Warrant No. 4374 for \$194.90 made payable to E & A Consulting, Inc. for engineering services relating to general maintenance.

h.) Warrant No. 4375 for \$1,014.00 made payable to Commercial Mowing, Inc. for mowing of green space.

i.) Warrant No. 4376 for \$6,092.28 made payable to Omaha Public Power District for power supply and street lighting.

j.) Warrant No. 4377 for \$12,928.25 made payable to Kerstens Construction, Inc. for repairs relating to emergency water main breaks Kauai Drive.

k.) Warrant No. 4378 for \$6,458.88 made payable to Premier Waste Solutions for consolidated trash removal January-March, 2017.

l.) Warrant No. 4379 for \$2,475.00 made payable to Averkamp et. al. for accounting services relating to preparation of the audited financial statements.

m.) Warrant No. 4380 for \$1,250.00 made payable to Jochim Precast Concrete for servicing and repairs to flood gate at lake.

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 97 of Sarpy County, Nebraska the District hereby authorizes and directs the Chair or Clerk to file or cause to be filed, when due, an information reporting form pursuant to Section 149(e) of the Internal Revenue Code of 1986, as amended (the “**Code**”), pertaining to the General Fund Warrants;

No opinion of nationally recognized counsel in the area of municipal finance has been delivered with respect to the treatment of interest on the General Fund Warrants. Purchasers of the General Fund Warrants are advised to consult their tax advisors as to the tax consequences of purchasing or holding the General Fund Warrants.

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**SIGNATURE PAGE FOR THE MINUTES OF SANITARY  
AND IMPROVEMENT DISTRICT NO. 97 OF SARPY  
COUNTY, NEBRASKA, MEETING HELD ON JANUARY 17,  
2017**

There being no further business to come before the meeting, a motion was duly made,  
seconded and unanimously adopted to adjourn the meeting.

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David Wennstedt, Chairman

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David Barry, Clerk