

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 MARCH 15, 2016 AT 8335 PLATTEVIEW ROAD, PAPILLION, 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 March 15, 2016, at the Sarpy County Sheriff's Station, Papillion, Nebraska, 68046.

Present at the meeting were Trustees David Barry, Ken Brison, Shellie Zeeb, and David Wennstedt. In addition to the Trustees, also present at the meeting was Brian Doyle of Fullenkamp, Doyle & Jobeun, attorney's on behalf of the District. Trustee Jeff Warinski was absent.

The Chairman 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 March 9, 2016, 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.

Discussions were then had in re: the below matters, as outlined in the agenda:

- a) The Board then heard the monthly report from Urban Utilities ("UU"). No issues to report or follow up matters to discuss;
- b) The Board then reviewed the monthly reports of Midwest Laboratories, Inc. in re: the monthly water testing and results relating thereto; the Clerk was then directed to

attach a copy of the report(s) to these minutes and by this reference is hereby incorporated;

- c) Pinnacle Bank – no monthly statement at this time;
- d) No report from Kuehl Capital Corporation.
- e) The board discussed electrical issues at the shed and that repair arrangements had been made and the invoice will be forwarded to the District.
- f) The Board discussed painting of speed table warning. The liability of the District was discussed. It was noted that the signs were up. The Board discussed having its engineer review the striping on the speed tables and make recommendations based on accepted standards.
- g) The Board then discussed installation of benches along the levy trail. Motion was made by trustee Wennstedt and seconded by Trustee Zeeb and a vote of four (4) “aye” and zero “nay” to authorize the engineer to prepare and install trail benches at locations to be determined.
- h) The Board then discussed adding additional rock at the boat ramp to improve the ability of boats and vehicles to turn around. Total bid of \$4,900.00 to install new rock. Motion was made by Trustee Brison and Seconded by Trustee Zeeb and a vote of four (4) “aye” and zero “nay” to approve the new rock.
- i) The Board discussed that the weed sterilization in the boat area has been arranged and will be completed by the mowing company.

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

- a.) Midwest Laboratories, Inc. for water testing and preparation of samples (#796200). \$ 97.05
- b.) E & A Consulting Group, Inc. for engineering services relating to general maintenance and the trail improvements of the District (#131288). \$ 774.20
- c.) Tri-State Pumping, L.L.C. for sludge removal and hauling from WWTP (No. 2551, 2596). \$1,320.00
- d.) Layne Christensen Company for repairs and replacement of \$4,342.34

various parts and labor at WWTP (#89081006, 89080670).

Upon motion made by Trustee Barry and seconded by Trustee Wennstedt, 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 herein was duly introduced, seconded and upon a roll call vote of “aye” by the Trustees Shellie Zeeb, Dave Wennstedt, Ken Brison and David Barry, was adopted; the following resolutions were then passed:

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. 4285 through 4288 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 March 15, 2019 (the “**General Fund Warrants**”); to-wit:

- a.) Warrant No. 4285 for \$97.05 made payable to Midwest Laboratories, Inc. for water testing.
- b.) Warrant No. 4286 for \$774.20 made payable to E & A Consulting Group, Inc. for engineering services relating to general maintenance.
- c.) Warrant No. 4287 for \$1,320.00 made payable to Tri-State Pumping, LLC for sludge removal and hauling from WWTP.
- d.) Warrant No. 4288 for \$4,342.34 made payable to Layne Christensen Company for replacement parts and related repairs to the WWTP.

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 MARCH 15,
2016**

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

David Wennstedt, Chairman

David Barry, Clerk