

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 17, 2015 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 17, 2015, at the Sarpy County Sheriff's Station, Papillion, Nebraska, 68046.

Present at the meeting were Trustees David Wennstedt, Aaron Raszler, Jeff Warinski, David Barry, and Ken Brison. Also present the District's attorney, Brian Doyle, and the District's Engineer Bob Czerwinski. Joy and Rene Nelson of Urban Utilities were also present.

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 11, 2015, 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 heard the monthly report of Urban Utilities ("UU"). No major update. No one has been out to look at the pump yet. Company representative is based out of Des Moines and will inspect when he is out there. Sewer jetting has been completed. A mistaken deposit was made into the SFF due to a processing error at Pinnacle Bank. UU refunded the money and has invoiced the mistaken deposit amount to the District. One ongoing issue with one water user billing. UU is working with homeowner to resolve issues.

Reports from Midwest Laboratories were presented.

One "Drive 25" sign is yet to be painted on 87th street, weather permitting.

Update on speed table painting – the contractor is getting a price for painting of the new speed tables.

Next, the Clerk presented the mowing bids. There were a total of five (5) bids, with Commercial Mowing being the lowest bidder. Bids are on a unit basis and estimated to be a total of 30 mows in a year. There are some thistles present; a fertilizer and weed control program could help improve that situation. Then, upon a motion made by Dave Barry, seconded by Ken Brison, then upon a roll call vote of "aye", the Trustees unanimously voted to select Commercial Mowing to do the 2015 mowing and lawn maintenance on behalf of the District.

There was then a discussion regarding fertilization and weed control program, particularly regarding weed control along 87th Street coming into the District and in/on/around the dike area. Then, upon a motion made by Dave Barry, seconded by Ken Brison, then upon a roll call vote of "aye", the Trustees unanimously voted to select items 1 through 6 of the bid for the fertilization maintenance.

The Clerk then stated that street sweeping bids have been received. Bid received for \$760.00 Navarro Lawn and Landscape. Discussion about adding 87th Street. E&A stated would be a minimal charge to add to the bid for street cleaning. The Board requested that the sweeping be done before Easter weekend.

E&A Consulting then presented its update on the dike path replacement. Sarpy County Board has it on the agenda for approval. Bids should be in and are due to the County for approval on April 10, 2015.

Letter on the use of Papillion water versus Hawaiian Village water is not yet completed, but will be completed prior to the next meeting and distributed to the Trustees for review prior to the meeting.

There was then a discussion about shallow water signs. Board reviewed sample shallow water signs. The Board will work with the HVLA Board regarding the potential of installing a sign on the dock. Board will talk to resident on the opposite side about placing the sign on their property and report back regarding the same at the next meeting.

Electricity at the volleyball court was then discussed; would a generator be a viable alternative? Estimated cost of running power is \$3,500.00 versus a generator that costs \$2,000.00-\$3,000.00. The Board agreed that it would ask that HVLA prepare several options for collaboratively pursuing this matter, the same to be presented before the Board at the April meeting.

The Chairman then presented the following statements for payment from the General Fund Account of the District:

a.)	Omaha Public Power District for power supply and street lighting (acct. no. 7333000080).	\$7,202.23
b.)	Urban Utilities, Inc. for WWTP March maintenance, Postal Service charges, emergency services, sampling, etc. (#7373).	\$3,753.74
c.)	Urban Utilities, Inc. for meter reading/invoicing, NE Dept. of Revenue form prep., etc. for March, and support services in re: meter reading equipment, etc. (#7374).	\$1,216.44
d.)	Midwest Laboratories, Inc. for water testing and preparation of (#754363).	\$ 100.78
e.)	E & A Consulting Group, Inc. for engineering services relating to general maintenance of the District (#127253, 127396, unpaid 2012 and 2013 invoices).	\$4,866.50
f.)	DHHS Nebraska for testing of water samples and supplying of kits in re: the same (No. 460645 + pay ahead).	\$ 120.00
g.)	Utilities Service Group for cleaning and televising of sanitary sewer as directed (#10695).	\$3,311.46
h.)	Cornerstone Insurance Group for umbrella, liability and Work-mens Comp. renewals, plus excess liability (No. 5196).	\$5,329.00
i.)	Tri-State Pumping, L.L.C. for sludge removal and hauling from WWTP (No.1045, 1057).	\$1,100.00

The Trustees unanimously agreed that the warrant payable to E&A be pulled and reprinted until further explanation relating to the outstanding fees from 2012 and 2013 could be provided. It was then requested that the attorney re-print the warrant for E&A in the amount

currently due to them (\$2,256.25) and deliver to the Chair and Clerk for signature.

Upon motion made by Trustee Barry and seconded by Trustee Wennstedt, the Board voted five (5) "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 Ken Brison, Dave Barry, Jeff Warinski, Aaron Raszler and David Wennstedt, 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. 4189 through 4197 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, said warrants to be payable from the General Fund Account of the District, to be redeemed no later than three (3) years of the date hereof, being March 17, 2018; to-wit:

- a.) Warrant No. 4189 for \$7,202.23 made payable to OPPD for electrical service and street lighting.
- b.) Warrant No. 4190 for \$3,753.74 made payable to Urban Utilities for March maintenance, etc.
- c.) Warrant No. 4191 for \$1,216.44 made payable to Urban Utilities for March meter reading services, etc.
- d.) Warrant No. 4192 for \$100.75 made payable to Midwest Laboratories, Inc. for water testing.
- e.) Warrant No. 4193 for \$2,256.25 made payable to E & A Consulting Group, Inc. for engineering services relating to general maintenance.
- f.) Warrant No. 4194 for \$120.00 made payable to DHHS Nebraska Environmental Lab for water testing and kits.
- g.) Warrant No. 4195 for \$3,311.46 made payable to Utilities Service Group for annual jetting and televising of sanitary sewer

lines.

h.) Warrant No. 4196 for \$5,329.00 made payable to Cornerstone Insurance Group for excess umbrella policy coverage.

i.) Warrant No. 4197 for \$1,100.00 made payable to Tri-State Pumping, LLC for sludge removal and hauling from 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.

There being no further business before the Board, the Chairman adjourned the meeting.

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**SIGNATURE PAGE FOR THE MINUTES OF SANITARY
AND IMPROVEMENT DISTRICT NO. 97 OF SARPY
COUNTY, NEBRASKA, MEETING HELD ON JANUARY
20, 2015**

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