

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 MAY 17, 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 May 17, 2016, at the Sarpy County Sheriff's Station, Papillion, Nebraska, 68046.

Present at the meeting were Trustees David Barry, Ken Brison, Shellie Zeeb, and Jeff Warinski. In addition to the Trustees, also present at the meeting were Joy and Rene Nelson of Urban Utilities; and Adam Flanagan of Kuehl Capital Corporation, municipal financial advisor to the District. Trustee David 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 May 11, 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.

The below matters were then discussed in the following order:

- i) Monthly reports – Urban Utilities (“UU”);
 - a. The Board reviewed and discussed the report; it was noted that the (i) guide rails at the lift station had not yet been discussed with the engineer, (ii) hydrant flushing had taken place between April and this meeting, and (iii) the waste water operating

permit would expire next March and the renewal process would need to begin now; UU would check to see if they could resubmit the application paperwork or if the engineer would need to be involved in the process;

- ii) Monthly report(s) – Midwest Laboratories, Inc.;
 - a. All results acceptable; nothing more to report;
- iii) Monthly statement(s) – Pinnacle Bank; none.
- iv) Kuehl Capital – Presentation of monthly snapshot report;
 - a. May report presented and discussed; mention of a possible levy reduction was then discussed, but it was stated that verification on this would not occur until more analysis could be made; further discussions would be had at future meetings;
- v) Speed table painting – report that the same has been completed and is acceptable, as observed by several Board members;
- vi) Benches for levee trail – the benches have been ordered, but no installation date has been set yet;
- vii) Status of weedcove at boat storage area and Roundup at the sewer lift stations –
 - a. The Clerk recommended that the Roundup method be used instead of the weedcove company plan; Roundup is more economical at this time and may only need to be applied once more for the season;
 - b. The Trustees made a motion, second and roll call vote of “aye” to unanimously approve the Roundup method, as proposed by the Clerk; the matter would be revisited in the fall to review the effectiveness of this method
- viii) Contractor seeding at spillway/French drain on Molokai – no update discussed at these proceedings;
- ix) Gate Structure operation;
 - a. The manual crank makes gate operation very difficult;
 - b. The Clerk suggested to the Board that he investigate options in re: installation of power to the lift; the Board suggested that the District’s engineer at E&A investigate options; UU also stated they would contact the engineer to discuss further;

- x) Volleyball courts and removal of dead trees – the two trees in question have been removed;
- xi) Miscellaneous matters;
 - a. Trustee Zeeb asked about beach maintenance; HVLA responsible for this;
 - b. Trustee Zeeb asked about the creek maintenance and who is responsible for cleaning the same; it was then stated that the County is responsible and they have not addressed the matter, to date;
 - c. Homeowner Ted DeTurk was in attendance; he stated he planted some trees on the south side of Kauai, purely for the intent of beautifying the neighborhood.

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 May maintenance, Postal Service charges, emergency services, sampling, etc. (#7750).	\$3,611.51
b.)	Urban Utilities, Inc. for meter reading/invoicing, NE Dept. of Revenue form prep., etc. for May (#7751).	\$1,247.20
c.)	Midwest Laboratories, Inc. for water testing and preparation of samples (#803710).	\$ 102.05
d.)	E & A Consulting Group, Inc. for engineering services relating to general maintenance of the District (#132057).	\$ 780.80
e.)	Tri-State Pumping, L.L.C. for sludge removal and hauling from WWTP (No.2607, 2620, 2001).	\$2,200.00
f.)	City of Omaha for quarterly sewer bill with tax (No. 120602).	\$1,174.54
g.)	Geis, Inc. for extending the rock road to the boat ramp and install Of rock south of the well house (#16116).	\$4,950.00
h.)	NL & L Concrete, Inc. for spring street cleaning as directed (#16-097).	\$ 760.00
i.)	Commercial Mowing, Inc. for mowing, trash pick-up and applying of fertilizer (#1155).	\$ 990.00
j.)	B & W Company, Inc. for striping of chevrons on five speed-bumps (#19292).	\$1,375.00

- k.) Bankers Trust Company for paying agent, administrative and Disclosure fees on bonds and warrants (No.26267, 26123, 26-124). \$1,250.00

Upon motion made by Trustee Zeeb and seconded by Trustee Barry, 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 Shellie Zeeb, Jeff Warinski, 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. 4297 through 4307 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 May 17, 2019 (the “**General Fund Warrants**”); to-wit:

- a.) Warrant No. 4297 for \$3,611.51 made payable to Urban Utilities, Inc. for May maintenance, Postal Service charges, emergency services, sampling, etc.
- b.) Warrant No. 4298 for \$1,247.20 made payable to Urban Utilities, Inc. for meter reading for May and related services.
- c.) Warrant No. 4299 for \$102.05 made payable to Midwest Laboratories, Inc. for water testing.
- d.) Warrant No. 4300 for \$780.80 made payable to E & A Consulting Group, Inc. for engineering services relating to general maintenance.
- e.) Warrant No. 4301 for \$2,200.00 made payable to Tri-State Pumping, LLC for sludge removal and hauling from WWTP.
- f.) Warrant No. 4302 for \$1,174.54 made payable to City of Omaha for quarterly sewer bill with tax.
- g.) Warrant No. 4303 for \$4,950.00 made payable to Geis, Inc. for

extension of rock road to boat ramp and install of rock.

h.) Warrant No. 4304 for \$760.00 made payable to NL&L Concrete, Inc. for spring street cleaning.

i.) Warrant No. 4305 for \$990.00 made payable to Commercial Mowing, Inc. for mowing of designated areas.

j.) Warrant No. 4306 for \$1,375.00 made payable to B & W Company, Inc. for painting the striping on chevron on five speed bumps.

k.) Warrant No. 4307 for \$1,250.00 made payable to Bankers Trust Company for administrative and disclosure fees on bond fund warrants.

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 MAY 17,
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