

**MEETING MINUTES
SANITARY AND IMPROVEMENT DISTRICT NO. 97
OF SARPY COUNTY, NEBRASKA**

The meeting of the Board of Trustees of Sanitary and Improvement District No. 97 of Sarpy County, Nebraska was convened in open and public session at 12:00 p.m. on September 14, 2021, 11440 West Center Road, Suite C, Omaha, Nebraska.

Present at the meeting were Gary Sleddens, Dick Heideman, Shellie McGlade-Zeeb, and Andrew Barry. Absent was Kevin Coats. Shellie McGlade-Zeeb was appointed Acting Clerk for the purposes of this meeting. Also, present were Mark Johnson, attorney for the District, Bob Czerwinski of E & A Consulting Group, Inc., engineer for the District, Adam Flanagan of Kuehl Capital Corporation, the District's Financial Advisor, and a representative from People's Services.

Notice of the meeting was given in advance thereof by publication in the *Papillion Times* on September 1, 2021, 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 published 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 date set by the Board of Trustees for this meeting and filed his Certificate to that effect, said Certificate being attached to these minutes and made a part hereof by this reference.

The Chairman called the meeting to order and called the roll of Board members.

The Clerk 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.

The Budget Hearing of Sanitary and Improvement District No. 97 was held the 14th day of September 2021 at 12:00 p.m. Three copies of the proposed budget statement were available to the public. The Chairman then presented the proposed budget of the District outlining the key provisions of the proposed budget statement, including, but not limited to, a comparison with the prior year's budget and advised that the Budget Summary had been published in the *Papillion Times* (<https://omaha.com/community/papillion/>), a legal newspaper of Sarpy County, Nebraska on September 1, 2021, a copy of the Proof of Publication being attached to these minutes.

The floor was then opened for public comment on the proposed budget statement. All members of the public wishing to address the governing body were provided a reasonable amount of time to do so. It was then advised that no one owning property or having a vested interest in the property located within the boundaries of the District appeared at this hearing on the proposed Budget and Budget Summary to offer support, opposition, criticism, suggestions, or observations concerning the proposed Budget. The Chairman noted that the budget complies with the current provisions of the Nebraska Lid Law, and that the property taxes for the General Fund and Bond Fund are as follows:

General Fund	\$290,523.00	-	\$0.39000
Bond Fund	\$201,132.00	-	\$0.27000
Total	\$491,655.00		\$0.66000

Following discussion concerning the budget, a motion was duly made, seconded, and approved by unanimous vote of the Board of Trustees to adopt the budget as proposed for the 2021/22 fiscal year. The Clerk was then directed to attach a copy of the budget as adopted to these minutes.

The Chairman further stated that the Board is required to hold a separate Special Public Hearing in order to set the 2021/22 Property Tax Request at an amount which is different from the prior year's tax request, and that the District has until October 13 to file with the County Clerk a Resolution setting a tax request different from the prior year. The District must also publish notice of the Special Public Hearing reflecting the date and time for said Special Public Hearing, and the Chairman noted that such notice had been published as reflected in the Proof of Publication attached hereto.

The Chairman then advised that the meeting was now open for a Special Public Hearing on the issue of setting the Property Tax Request at an amount different from the prior year's request as required by Neb. Rev. Stat. §77-1601.02. The Chairman advised that no one appeared in opposition. Following discussion, the Chairman declared the public hearing on the Budget and the Special Public Hearing to be closed, whereupon, a motion was duly made, seconded, and the following resolutions passed:

NOW, THEREFORE BE IT RESOLVED BY SANITARY AND IMPROVEMENT DISTRICT NO. 97 OF SARPY COUNTY, NEBRASKA, AS FOLLOWS:

- 1) The 2021/22 Property Tax Request be set at \$491,655.00, (\$0.660000) broken down as follows:

General Fund	\$290,523.00	-	\$0.39000
Bond Fund	\$201,132.00	-	\$0.27000
Total	\$491,655.00		\$0.66000

- 2) The total assessed value of property differs from last year's total assessed value by 13%.
- 3) The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$.583699 per \$100 of assessed valuation.
- 4) The District proposes to adopt a Property Tax Request that will cause its tax rate to be \$.660000 per \$100 of assessed value, broken down as follows:

General Fund	\$290,523.00	-	\$0.39000
Bond Fund	\$201,132.00	-	\$0.27000
Total	\$491,655.00		\$0.66000
- 5) Based on the proposed Property Tax Request and changes in other revenue, the total operating budget of the District will **increase** last years by 48%.
- 6) A copy of this Resolution be certified and forwarded to the County Clerk on or before October 13, 2021.

Then, upon a motion duly made, seconded, and unanimously adopted, the Chairman declared the above resolutions duly carried and adopted.

The Chairman then presented the Notice of Termination / Assignment, which will constitute notice effective August 1, 2021, the Dissemination Agreement by and between Sanitary and Improvement District No. 97 and UMB Bank, N.A. will be assigned to SID Services LLC, which assignment will transfer all of UMB's rights, responsibilities, and obligations under the Agreement to SID Services LLC, following review, the Chairman was directed to execute said agreement. The Clerk was directed to attach a copy to these minutes.

A discussion was then held regarding insurance policy renewal items, dated October 25, 2021, from Philadelphia Insurance Company.

The Chairman then presented for the Board's consideration a proposal from League Association of Risk Management (LARM) regarding insurance policy coverage. Discussion was then had regarding the issues concerning the District's current insurance provider, Philadelphia Insurance Company and hiring LARM to handle the District's insurance policy. Whereupon discussion, the board will table until the November meeting.

The Chairman then presented a receipt(s) from the Sarpy County Treasurer reflecting that \$10,646.29 had been deposited into the General Fund Account of the District in connection with the sewer billing reimbursables collected from the residents from the City of Papillion and that

\$21,095.68 had been deposited into the District's General Fund Account from the District's Service Fee Fund Account which was closed effective August 17, 2021, and the Clerk was then directed to attach a copy of said receipt to these minutes.

The Chairman then presented a letter from Papillion Sanitation regarding increase in trash services / waste fees. After discussion, the Board agreed to the increase as proposed by Papillion Sanitation. The Clerk was then directed to attach copy to these minutes. After further discussion, the Board asked Mark Johnson to contact Papillion Sanitation regarding amendment to the trash contract to extend the terms.

The below matters were then discussed in the following order:

- a) Monthly Report(s) – People Service, Inc – See attached report.
- b) Monthly Report(s) – Midwest Laboratories, Inc.
- c) Snapshot monthly report from Kuehl Capital.
- d) Insurance Policy Renewal – Consider change in SID insurance company – Mark J.
- e) Present statements, vote on and approve payment from the General Fund Account of the District for the following:

j.	Omaha Public Power District for street lighting (Account No. 7333000080).	\$1,838.00
ii.	Tri-State Pumping LLC for pumping and hauling of sludge from WWTP (#6450, #6196, #6312, #6328, & dated 8/24/21).	4,540.00
iii.	PeopleService Inc., for monthly wastewater service for August and September 2021. #38237 - \$3,680.00 #68447 - \$3,680.00	7,360.00
iv.	E & A Consulting Group, Inc., for engineering services. #157240 - \$520.00 #157590 - \$1,784.46	2,304.46
v.	Commercial Mowing, Inc., for trimming and mowing (#3172).	780.00
vi.	City of Omaha for quarterly sewer billing. #206241 - \$2,594.20 #203682 - \$2,078.29	4,672.49
vii.	City of Papillion for water charges (#103565.01).	2,507.84

viii.	AGSN Accountants and Advisors for accounting services (#1809).	2,800.00
ix.	Fullenkamp, Jobeun, Johnson & Beller LLP for legal service and expenses.	23,135.04
x.	UMB Bank, N.A. for administrative fees (#866389).	250.00
xi.	B & T Concrete, LLC for boat ramp repairs.	6,550.00
xii.	Kelly R Burns, CPA, P.C. for bookkeeping in connection with audit (#9676).	115.00
xiii.	Kuehl Capital Corporation for Financial Advisor / Fiscal Agent Services for Fiscal Year 2021-2022 (#2573).	10,500.00

Then, upon a motion duly made, seconded and upon a roll call vote of "aye" by the Trustees, the following resolutions were unanimously adopted:

RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 97 of Sarpy County, Nebraska that the Chairman and Clerk be and they hereby are authorized and directed to execute and deliver Warrant Nos. 4793 through 4805, inclusive, of the District, dated the date of the meeting, to the following payees, for the following services and in the following amounts, said warrants to draw interest at the rate of 7% per annum, to be payable from the General Fund Account of the District and to be redeemed no later than three years from the date hereof being July 20, 2024, to-wit:

GENERAL FUND WARRANTS:

- a) Warrant No. 4793 for \$1,838.00 payable to Omaha Public Power District for street lighting.
- b) Warrant No. 4794 for \$4,540.00 payable to Tri-State Pumping LLC for pumping and hauling of sludge.
- c) Warrant No. 4795 for \$7,360.00 payable to PeopleService Inc., for monthly wastewater service for August and September 2021.
- d) Warrant No. 4796 for \$2,304.46 payable to E & A Consulting Group, Inc., for engineering services.
- e) Warrant No. 4797 for \$780.00 payable to Commercial Mowing, Inc., for trimming and mowing.
- f) Warrant No. 4798 for \$4,672.49 payable to City of Omaha for quarterly sewer billing.
- g) Warrant No. 4799 for \$2,507.84 payable to City of Papillion for water charges.

- h) Warrant No. 4800 for \$2,800.00 payable to AGSN Accountants & Advisors for accounting services.
- i) Warrant No. 23,135.04 payable to Fullenkamp, Jobeun, Johnson & Beller LLP for legal services and expenses.
- j) Warrant No. 4802 for \$250.00 payable to UMB Bank, N.A. for administrative fees.
- k) Warrant No. 4803 for \$6,550.00 payable to B & T Concrete, LLC for boat ramp repairs.
- l) Warrant No. 4804 for \$115.00 payable to Kelly R Burns, CPA, P.C. for bookkeeping services in connection with audit.
- m) Warrant No. 4805 for \$10,500.00 payable to Kuehl Capital Corporation for Financial Advisor / Fiscal Agent Services for Fiscal Year 2021-2022.

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.

- f) Accomplishments since last meeting:
 - i. Replace degraded asphalt near the boat ramp dock with approximately 20' of new concrete;
 - ii. Initial phase street and boat storage area asphalt seam and pothole repair (remainder of project pending – white paint marked joints and cracks);
 - iii. Commercial Mowing (Mike White) applied herbicide at lake spillway to eliminate phragmites;
 - iv. Replaced phone landline-based emergency auto-notification system with cell-based system (location at Kauai and Hilo Circle lift station may not be functional yet);
 - v. SID involvement Kautsch trailer parked on SID Commons issue – D. Heideman.

g) Pending Task / Projects:

- i. People Service – replace failed pump and WWTP and proposal from West E Con for electronic WWTP system control upgrades;
- ii. Status FEMA Mitigation project application for sewage system power generators (by September meeting expect two generator bids available for consideration by SID and for inclusion in proposal to FEMA) - Bob C;
- iii. Repair/replace water valve access casing/cover on driveway leading to boat ramp – Bob C;
- iv. Finish 2021 street maintenance project - Bob C;
- v. Develop plan to address lake water level gate issue – gate has become difficult to raise and lower/shut manually (Bill Allen currently investigating options to provide input to SID) – if electricity needed to power, may consider electricity need for shelter as requested HVLA; Board to move ahead with project as long as the project remains under 5k.
- vi. Identify need for tree removal/trimming project 2021;
- vii. Consider lake spillway dredge project for fall 2021 (possibly combine with storm related beach erosion repair;
- viii. Consider need for final weed spraying by Commercial Mowing for boat storage area.

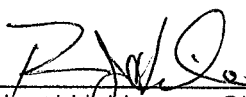
h) Miscellaneous matters:

- i. Discuss/approve HVLA plan for replacing pine trees to be removed at boat storage area (reference discussion at HVLA Meeting – 9/7/21);
- ii. HVLA question electric bill for storage shed near tennis court (reference discussion at HVLA Meeting – 9/7/21);
- iii. Current parking (vehicles and trailers displaced from recent boat storage cleanup) issues on SID Commons – again, discuss possible strategies;
- iv. Proposal for letter from SID to County requesting resurfacing of 87th Street versus periodic trouble-spot repair.

The Chairman then advised the last item of business on the agenda was setting of the date and time for the next meeting of the Board. The next meeting of the Board will be held on November 18, 2021, at 5:00 p.m., at the Sherriff's office in Papillion, Nebraska.

{Signature page follows:}

There being no further business to come before the meeting, the meeting was adjourned.


Richard Heideman, Chairman


Kevin Coats, Clerk