

**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 16, 2017 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 16, 2017, at the Sarpy County Sheriff's Station, located at 8335 Platteview Road, Papillion, Nebraska, 68046.

Present at the meeting were Trustees David Barry, David Wennstedt, Jeff Warinski, Shellie Zeeb, and Dick Heideman. Also present was Brian Doyle of Fullenkamp, Doyle & Jobeun, LLP, attorneys on behalf of the District. No Trustee 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 10, 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 below matters were then discussed in the following order:

- i. Urban Utilities Report. No report.
- ii. The Board then discussed that bids were being obtained to have the siding on the wastewater treatment plant replaced. The only bid so far was for \$8,800.00. The Board

took no action to wait until the next meeting to discuss with the District's engineer.

- iii. The Board then discussed Papillion water rates. The City has not responded to the requests made.
- iv. The Board then discussed T intersections. The Board's attorney informed the Board based upon the Manual for Uniform Traffic Control Devices, State law, and case law, that at a low volume T intersection stop or yield signs are not required. The stem of the T has to yield right of way to the crossing traffic. Traffic control devices may be installed if desired, but are not required.
- v. The Board then further discussed the dead tree north of Molokai. The Board will get more exact measurements of location and determine if the property owner to the north needs to be notified.
- vi. The Board then discussed informing residents who hire contractors with heavy equipment to avoid using streets and/or to take protective measures to protect the streets.

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

- a) E & A Consulting Group, Inc. for engineering services relating \$1,656.15 to general maintenance (No. 136309, 136708).
- b) Midwest Laboratories, Inc. for water testing and preparation \$ 171.55 of samples (#847656).
- c) Tri-State Pumping, L.L.C. for sludge removal and hauling from \$ 880.00 WWTP (No. 2691, 1884).
- d) NL&L Concrete, Inc. for spring street cleaning (#17097S). \$ 816.00
- e) Commercial Mowing, Inc. for fertilizer and herbicide application \$ 641.00 as directed (#1391).
- f) Cornerstone Insurance Group for renewal of GLIA and CUMB \$10,495.70

policies, including surplus line for lake coverage (#1466).

- g) City of Omaha for quarterly sewer bill for wastewater disposal
\$1,377.21
services (No. 134587).
- h) Premier Waste Solutions for trash removal and hauling for April,
\$6,336.00
May and June, 2017.

Upon motion made by Trustee Barry and seconded by Trustee Heideman, 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 was duly introduced, seconded and upon a roll call vote of “aye” by the Trustees Dave Wennstedt, Shellie Zeeb, Jeff Warinski, Dick Heideman 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. 4404 through 4411 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 16, 2020 (the “**General Fund Warrants**”); to-wit:

- a) Warrant No. 4404 for \$1,656.15 made payable to E & A Consulting Group, Inc. for engineering services relating to general maintenance.
- b) Warrant No. 4405 for \$171.55 made payable to Midwest Laboratories, Inc. for water testing.
- c) Warrant No. 4406 for \$880.00 to Tri-State Pumping, LLC for

sludge removal and hauling from WWTP.

- d) Warrant No. 4407 for \$816.00 made payable to NL & L Concrete, Inc. for spring street sweeping.
- e) Warrant No. 4408 for \$641.00 made payable to Commercial Mowing, Inc. for mowing services.
- f) Warrant No. 4409 for \$10,495.70 made payable to Cornerstone Insurance Group for renewal of GLIA and CUMB Coverages of the District.
- g) Warrant No. 4410 for \$1,377.21 made payable to the City of Omaha for quarterly sewer bill for receiving waste from the WWTP.
- h) Warrant No. 4411 for \$6,336.00 made payable to Premier Waste solutions for consolidated trash service for April-June, 2017.

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 16, 2017**

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