

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 FEBRUARY 21, 2017 AT 8335 PLATTEVIEW ROAD, PAPIILLION, 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 February 21, 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, Ken Brison, and Jeff Warinski. In addition to the Trustees, also present at the meeting were Brian Doyle, attorney for the District; Joy Nelson of Urban Utilities ("UU"); and Robert Wood of Kuehl Capital Corporation ("KCC"), municipal financial advisor to the District. Trustee Zeeb 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 February 15, 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:

UU presented their monthly report. An additional water main break has been repaired. The French drain repair on Makaha has not been completed but the Engineer was working with the contractor to get the repair scheduled. All water and wastewater service billing was normal.

The Board then discussed with UU issues regarding getting billing payments correctly

processed with Pinnacle Bank. The Board, UU, and its attorney will work to resolve the issue.

KCC provided and updated the financial report of the District. They noted that final tax valuations were not yet available for the entire district but that a sampling of houses saw increases between three and seven percent. They also noted that the 2012 bond issue is refundable at this time but interest rates and costs associated do not make refunding generate savings at this time. KCC will continue to monitor bond rates and advise if it does become advantageous to refund the 2012 Bonds.

The Board then discussed Papillion water. The Board's attorney will get an update from the City.

The Board then reviewed the bid for street sweeping for \$760.00. Upon motion made by Trustee Barry and seconded by Trustee Brison, the Board voted four (4) "ayes" and zero (0) "nay" to approve the street sweeping bid.

The Board then discussed that it had not received the signed Lake Lease Agreement from the HVLA.

The Board then discussed the agreed upon time frames for producing the meeting minutes from the attorney's office.

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

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| a.) | Urban Utilities, Inc. for WWTP February maintenance, Postal Service charges, emergency services, sampling, etc. (#7981). | \$3,767.53 |
| b.) | Urban Utilities, Inc. for meter reading/invoicing, NE Dept. of Revenue form prep., etc. for February, and permit preparation (#7982). | \$1,273.32 |
| c.) | Midwest Laboratories, Inc. for water testing and preparation of samples (#837135). | \$ 102.05 |
| d.) | Tri-State Pumping, L.L.C. for sludge removal and hauling from WWTP (No. 2696, 1829, 1769, 2057). | \$2,640.00 |
| e.) | Nebraska Department of Health and Human Services lab for water testing and kits, pay forward (#485601, 484744). | \$ 419.00 |
| f.) | E & A Consulting Group, Inc. for engineering services relating To general maintenance of the District (No. 135559). | \$ 273.70 |

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| g.) | Kersten Construction, Inc. for repairs and related construction Service relating to the water main breaks at 8502 Makaha Cir. (#32556). | \$4,106.02 |
| h.) | Awerkamp, Goodnight, Schwaller & Nelson for accounting Services relating to the preparation of the IRS forms. | \$ 140.00 |
| i.) | Cornerstone Insurance Group for renewal of Chair and Clerk Bonds (#858). | \$340.00 |

Upon motion made by Trustee Barry and seconded by Trustee Brison, 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 Dave Wennstedt, 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. 4381 through 4389 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 February 21, 2020 (the “**General Fund Warrants**”); to-wit:

- a.) Warrant No. 4381 for \$3,767.53 made payable to Urban Utilities, Inc. for February maintenance, install of new blower and related materials, postal service charges, emergency service, sampling, etc.
- b.) Warrant No. 4382 for \$1,273.32 made payable to Urban Utilities, Inc. for meter reading for February, NE Dept. of Health Forms, and related services.
- c.) Warrant No. 4383 for \$102.05 made payable to Midwest Laboratories, Inc. for water testing.
- d.) Warrant No. 4384 for \$2,640.00 made payable to Tri-State Pumping, LLC for sludge removal and hauling from WWTP.

e.) Warrant No. 4385 for \$419.00 made payable to the NE Dept. of Health and HS Laboratory for water testing kits and testing.

f.) Warrant No. 4386 for \$273.70 made payable to E & A Consulting, Inc. for engineering services relating to general maintenance.

g.) Warrant No. 4387 for \$4,106.02 made payable to Kersten Construction for repairs and service relating to water main break on Makaha Circle.

h.) Warrant No. 4388 for \$140.00 made payable to Awerkamp et al. for accounting services relating to preparation of IRS forms.

i.) Warrant No. 4389 for \$340.00 made payable to Cornerstone Insurance Group for renewal of Chairman and Clerk bonds.

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 FEBRUARY
21, 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