

**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 JULY 19, 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 July 19, 2016, at the Sarpy County Sheriff's Station, 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 Joy and Rene Nelson of Urban Utilities; and Adam Flanagan of Kuehl Capital Corporation, municipal financial advisor to the District. Trustee Shellie 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 July 13, 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; then, the (i) bids were presented by Air Delivery Systems in re: replacement and repair of the new aspirator pumps at the WWTP; upon a motion made by Trustee Barry, seconded by Trustee Brison,

and upon a roll call vote of “aye”, the Trustees unanimously approved the bid from Air Delivery Systems and the replacement and/or repairs to the aspirator pumps at the WWTP (ii) bids were presented for replacement of the guiderails and bases at the lift station; upon a motion made by Trustee Brison, seconded by Trustee Wennstedt, and upon a roll call vote of “aye”, the Trustees unanimously approved the replacement of the guiderails pursuant to the lowest bid received by Neuvirth’s Construction (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. July report presented and discussed; further discussions in re: budget forecasting would be had at the August meeting;
- v) Crack in concrete at the drain approach at 78<sup>th</sup> & Maui Circle; Dave Barry to examine with Bob from E & A;
- vi) Erosion at public beach and alternatives for how to mitigate for the same; Dave Barry and Bob to review with contractor;
- vii) Items g) through i) on Agenda to be discussed with Brian Doyle and status in re: same to be conveyed to the Board at earliest convenience;
- viii) Gate Structure operation; no discussion;
- ix) Mulberry trees along walking path on west property line; Dave Wennstedt to approach homeowner to request trimming of the same; and
- x) Miscellaneous matters.

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 July maintenance, Postal Service charges, emergency services, sampling, etc. (#7801). \$3,606.54

b.)	Urban Utilities, Inc. for meter reading/invoicing, NE Dept. of Revenue form prep., etc. for July (#7802).	\$1,426.90
c.)	Midwest Laboratories, Inc. for water testing and preparation of samples (#810953).	\$122.05
d.)	E & A Consulting Group, Inc. for engineering services relating to general maintenance of the District (#132906).	\$ 595.10
e.)	Tri-State Pumping, L.L.C. for sludge removal and hauling from WWTP (No. 2046, 2638, 2639).	\$1,100.00
f.)	Commercial Mowing, Inc. for mowing, trash pick-up and applying of fertilizer (#1214).	\$ 700.00
g.)	Geis, Inc. for construction of the French drain, berm and related minor grading and other work (#16198).	\$2,000.00
h.)	Royal Lawns, Inc. for installation of three new park benches and concrete slabs (#3910).	\$4,500.00
i.)	AllTrees for removal of blockages at creek and extraction at utility shed (7/6/16 invoice).	\$2,600.00

Upon motion made by Trustee Wennstedt 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 Dave Wennstedt, 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. 4319 through 4327 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 July 19, 2019

(the “**General Fund Warrants**”); to-wit:

- a.) Warrant No. 4319 for \$3,606.54 made payable to Urban Utilities, Inc. for May maintenance, Postal Service charges, emergency services, sampling, etc.
- b.) Warrant No. 4320 for \$1,426.90 made payable to Urban Utilities, Inc. for meter reading for May and related services.
- c.) Warrant No. 4321 for \$122.05 made payable to Midwest Laboratories, Inc. for water testing.
- d.) Warrant No. 4322 for \$595.10 made payable to E & A Consulting Group, Inc. for engineering services relating to general maintenance.
- e.) Warrant No. 4323 for \$1,100.00 made payable to Tri-State Pumping, LLC for sludge removal and hauling from WWTP.
- f.) Warrant No. 4324 for \$700.00 made payable to Commercial Mowing, Inc. for mowing of designated areas.
- g.) Warrant No. 4325 for \$2,000.00 made payable to Geis, Inc. for construction of French drain and related appurtenances.
- h.) Warrant No. 4326 for \$4,500.00 made payable to Royal Lawns, Inc. for installation of three new park benches.
- i.) Warrant No. 4327 for \$2,600.00 made payable to AllTrees for removal of blockage at creek and extraction at utility shed.

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.

**SIGNATURE PAGE FOR THE MINUTES OF SANITARY  
AND IMPROVEMENT DISTRICT NO. 97 OF SARPY  
COUNTY, NEBRASKA, MEETING HELD ON JULY 19,  
2016**

There being no further business to come before the meeting, a motion was duly made,  
seconded and unanimously adopted to adjourn the meeting.

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David Wennstedt, Chairman

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David Barry, Clerk