

**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 SEPTEMBER 19, 2017, AT THE SARPY COUNTY SHERIFF'S OFFICE, PAPILLION, 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 5:00 p.m. on September 19, 2017, at 8335 Platteview Road, Papillion, Nebraska 68046.

Present at the meeting were Trustees Dave Barry, David Wennstedt (arrived approximately 5:20 p.m.), Shellie Zeeb, Dick Heideman and Jeff Warinski. Also present was Brian Doyle of Fullenkamp Doyle & Jobeun, attorneys for the District; Joy Nelson of Urban Utilities, Inc.; and Adam Flanagan with Kuehl Capital Corporation, municipal advisor; no Trustee was absent.

Notice of the meeting was given in advance thereof by publication in The Papillion Times on September 13, 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 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 presented 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 his Certificate to that effect, said Certificate being attached to these minutes and made a part hereof by this reference.

The Chairman 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.

The Board then discussed moving the budget discussion to the end of the agenda so that all Trustees could be present for the discussion.

The Board then discussed the following:

- a.) A request was made from a citizen to a Board member to post cash balances of the general fund and the service fee fund in the minutes. As of August 31, 2017 the current general fund balance was \$146,550.64 and service fee fund balance was \$59,895.68.
- b.) The Board then discussed generators for the wastewater treatment plant and lift stations. The District's engineer is gathering information and proposals.
- c.) The Board then discussed the seeding of the spillway and that it had been completed. The Board discussed with Martin Apprich, HVLA liaison to the Board that the seeding and work needed to be approved by the SID prior to the work. HVLA will consider the seeding bill at its meeting Thursday September 20, 2017. Mr. Apprich noted that the meeting was an open meeting to the public.
- d.) The Board then heard the report of Urban Utilities. All operations were normal. Flushing of hydrants was completed early this month due to receipt of complaints of discolored water. Following flushing, no additional complaints had been received. UU noted that despite being publicized, some residents did not follow requests to restrict water use during hydrant flushing. The Board also discussed insurance coverage and completed insurance survey as requested.
- e.) The Board continued its discussion regarding Papillion Water rates vs. the current water source for the District. The Board and its attorney will continue to create the presentation for the public regarding options to connect to Papillion's water system.
- f.) The Board noted that it had not received the results of the speed study conducted by Sarpy County on 87<sup>th</sup> Street.
- g.) The Board then heard an additional report from Mr. Apprich regarding the HVLA. HVLA is updating boat storage procedures. Discussion was had regarding whether trailers should be required to be licensed in order to be parked in the storage lot. It was noted that no final decision had been made and that the issue was to be discussed at the September 21, 2017 meeting. HVLA also reported that it is considering making a proposal to create additional parking and storage for smaller watercraft such as jet skis. No final proposal has been made and the process is in the early stages. HVLA is

also looking into whether there is insurance coverage for infestations such as zebra mussels.

h.) The Board then discussed that some of the storm drains from the street to the lake were getting plugged due to the wire mesh installed. Board will discuss with its engineer options that are available.

The Chairman then presented the proposed budget of the District and advised that the Budget Summary had been published in The Papillion Times, a legal newspaper of Sarpy County, Nebraska, on September 13, 2017, a copy of the Proof of Publication being attached to these minutes.

The Chairman then advised that no property owners in 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 Bond Fund and General Fund are as follows:

Bond Fund	\$233,770.00	0.380001
General Fund	\$172,250.00	0.279999
Total	\$406,020.00	0.660000

The Chairman further stated that the Board is required to hold a separate Special Public Hearing in order to set the 2017/18 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 then 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:

BE IT RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 97 of Sarpy County, Nebraska that the budget be and hereby is adopted as proposed; and

BE IT FURTHER RESOLVED that the 2017/18 Property Tax Request for the Bond Fund and General Fund be set as follows:

Bond Fund	\$233,770.00	0.380001
General Fund	\$172,250.00	0.279999
Total	\$406,020.00	0.660000

BE IT FURTHER RESOLVED that the Clerk be and hereby is authorized and directed on behalf of the District to file or cause to be filed a copy of the Budget and Property Tax Request as adopted by the Board of Trustees with the County Clerk and Auditor of Public Accounts on or before September 20, 2017.

Then, upon, a motion duly made, seconded and unanimously approved, the Chairman declared the above resolutions duly carried and adopted. The Chairman then instructed the Clerk to attach a copy of the accepted budget to these minutes.

The Chairman next presented the following statements for payment from the General Fund Account of the District:

- a) Fullenkamp Doyle & Jobeun for legal services and expenses of the District (2017). \$17,199.68
- b) Urban Utilities, Inc. for WWTP September services including well house repairs, pumper truck rental, NE Dept. of revenue forms, etc. (#8149). \$3,862.66
- c) Urban Utilities, Inc. for meter reading/invoicing, U.S. postal service fees, etc. for September (#8150). \$1,451.83
- d) Midwest Laboratories, Inc. for sampling and water testing (No. 862020). \$ 122.05
- e) Tri-State Pumping, LLC for sludge removal and hauling (No. 2932, 2145, 2967). \$1,320.00
- f) E & A Consulting Group, Inc. for engineering services relating to general maintenance (No. 138160). \$ 129.00
- g) DHHS Nebraska for water testing and supplying of testing kits to UU and prepayment on future services (No. 492-

816, 491791, 490737).

- h) Commercial Mowing, Inc. for mowing of designated areas as directed (#1498, 1506). \$3,673.00

After discussion the Resolution contained herein below and by this reference incorporated herein was duly introduced, seconded and upon a roll call vote of “aye” by the Trustees David Barry, David Wennstedt, Shellie Zeeb, Jeff Warinski, and Dick Heideman, 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. 4436 thru 4443 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, said warrants to be payable from the General Fund Account of the and to be redeemed no later than three (3) years of the date hereof, being September 19, 2020 (the “**General Fund Warrants**”); to-wit:

- a. Warrant No. 4436 for \$17,199.68 made payable to Fullenkamp, Doyle, & Jobeun for legal services and expenses of the District (2017).
- b. Warrant No. 4437 for \$3,862.66 made payable to Urban Utilities, Inc. for WWTP September services including well house repairs, pumper truck rental, etc.
- c. Warrant No. 4438 for \$1,451.83 made payable to Urban Utilities, Inc. for meter reading/invoicing, U.S. postal service fees, etc. for September.
- d. Warrant No. 4439 for \$122.05 made payable to Midwest Laboratories, Inc. for water testing.
- e. Warrant No. 4440 for \$1,320.00 made payable to Tri-State Pumping, LLC for sludge removal and hauling.
- f. Warrant No. 4441 for \$129.00 made payable to E & A Consulting Group, Inc. for engineering services relating to general maintenance.

- g. Warrant No. 4442 for \$500.00 made payable to the DHHS NE Public Health lab for water testing and water test kits.
- h. Warrant No. 4443 for \$3,673.00 made payable to Commercial Mowing, Inc. for mowing of designated areas.

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.

*{Remainder of page intentionally left blank; signatures on following pages}*

**SIGNATURE PAGE FOR THE MINUTES OF SANITARY  
AND IMPROVEMENT DISTRICT NO. 97 OF SARPY  
COUNTY, NEBRASKA, MEETING HELD ON  
SEPTEMBER 19, 2017 – BUDGET MEETING**

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