

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 APRIL 18, 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 April 18, 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, Shellie Zeeb, and Dick Heideman. In addition to the Trustees, also present at the meeting were Rene and Joy Nelson of Urban Utilities, Inc.

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 April 12, 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 major issues reported. Some minor issues at the wastewater treatment plant were addressed and the plant is running well. State of Nebraska Health and Human Services conducted its three year inspection and found no deficiencies. The

annual water quality report has been posted to the HVLA website and notice of its availability will be on the next two monthly invoices. UU and the Board wanted to express their gratitude to Gerard Daly for posting the notice and for his assistance with this important regulatory matter.

- ii. The Board then discussed that bids were being obtained to have the siding on the wastewater treatment plant replaced.
- iii. The Board then discussed Papillion water rates. Some additional questions were raised on wholesale billing over who would pay if there were a water leak in the system but the end users weren't ultimately billed. The Board's attorney will follow up with the city engineer.
- iv. The Board addressed mowing and the spraying of weeds in the boat storage area.
- v. The Board then discussed dead cottonwoods along the north side of Molokai. The adjacent property owner will be contacted and the matter addressed further.
- vi. The Board then discussed the lack of stop sign from Maui Circle out to 78th Street. The Board asked their engineer for recommendations and whether the Uniform Manual on Traffic Control requires stop signs at a T-intersection.

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 April maintenance, Postal
\$3,671.35
Service charges, emergency services, sampling, etc. (#8017).
- b) Urban Utilities, Inc. for meter reading/invoicing, NE Dept. of
\$1,273.11
Revenue form prep., etc. for April, and permit preparation
(#8018).
- c) Midwest Laboratories, Inc. for water testing and preparation \$
102.05
of samples (#843734).
- d) Tri-State Pumping, L.L.C. for sludge removal and hauling from
\$1,320.00
WWTP (No. 1991, 1853).

- e) Kersten Construction, Inc. for grading, repairs to French drain, \$5,340.07
install of silt fence, crack filling, related labor (#32585).
- f) Commercial Mowing, Inc. for fertilizer and herbicide application \$ 330.00
as directed (#1377).
- g) Bankers Trust Company for annual administrative and disclosure \$1,250.00
fees on bonds and warrants (No. 38001, 37870, 37871).

Upon motion made by Trustee Barry and seconded by Trustee Heideman, the Board voted four (4) "ayes" and zero (0) "nays" 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, 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. 4397 through 4403 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 April 18, 2020 (the "**General Fund Warrants**"); to-wit:

- a) Warrant No. 4397 for \$3,671.35 made payable to Urban Utilities, Inc. for April maintenance, install of new blower and related materials, postal service charges, emergency service, sampling, etc.
- b) Warrant No. 4398 for \$1,273.11 made payable to Urban Utilities, Inc. for meter reading for April, NE Dept. of Health Forms, and related services.
- c) Warrant No. 4399 for \$102.05 made payable to Midwest

Laboratories, Inc. for water testing.

d) Warrant No. 4400 for \$1,320.00 made payable to Tri-State Pumping, LLC for sludge removal and hauling from WWTP.

e) Warrant No. 4401 for \$5,340.07 made payable to Kersten Construction, Inc. for grading, seeding, earth moving and repairs to French drain.

f) Warrant No. 4402 for \$330.00 made payable to Commercial Mowing, Inc. for mowing services.

g) Warrant No. 4403 for \$1,250.00 made payable to Bankers Trust Company for annual administrative and disclosure services on refunding bonds of the District.

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 APRIL 18,
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