

**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 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 July 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, Jeff Warinski, and Dick Heideman. Also present was Adam Flanagan of Kuehl Capital Corporation, municipal advisors on behalf of the District; and Brian Doyle of Fullenkamp, Doyle & Jobeun, LLP, attorney on behalf of 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 14, 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:

- 1) UU provided an update to the Board on the wastewater treatment plant and the water system following the storm. All tests have come back normal. The WWTP is still experiencing

some issues with storm debris entering the system. The water system was switched to City of Papillion water on an emergency basis for four days. The Board expressed their gratitude towards Urban Utilities and their owners Joy and Rene Nelson for the great efforts in keeping the WWTP running and the water system functional. The Board also discussed pursuing any storm related grants from the Nebraska Emergency Management Authority.

- 2) The Board then discussed discussions with the insurance company regarding storm damage claims. The Board is providing the insurance company with all the documentation regarding costs, expenses and damages.
- 3) The Board then heard the update from its municipal financial advisor. They have reviewed the 2012 bond issue which would be eligible for refunding, however with current interest rates and costs associated with refunding, it would not be financially beneficial to the District at this time.
- 4) The Board then discussed the sewer rate increase that was previously put into effect and requested that UU update the City of Papillion of the rate increase for the sewer service they are provided.
- 5) The Board then discussed the previously discussed dead tree on Molokai. The Board reported that the tree had come down in the storm and was no longer an issue.
- 6) The Board then discussed the repair of the dike slide gate. Jochim has inspected and discussed with the District's engineer. The shaft was bent and is on order. The total repair cost is estimated to be approximately \$1,200.00.
- 7) The Board then discussed replacement of the siding on the pump house. The engineer from the District received a second bid for \$10,500.00. The first bid was \$8,800.00. The engineer will get a third bid and the matter will be discussed at a future meeting.
- 8) The Board then discussed the striping of the speed tables and the pavement markings noting "Speed Bump". The Board discussed the use of tape markers versus painting. The tape is in poor condition. The Board asked its engineer to check on regulations regarding what signage and pavement markings are required. The Board asked that the City of Omaha standards be reviewed and upon review, any changes submitted to Sarpy County for their review.

- 9) The Board then heard from Martin Apprich, Hawaiian Village Lake Association's designated liaison to the SID Board. He noted that water level and boating conditions are currently under review. He also stated the website and the boat storage area are also being evaluated for changes.
- 10) The Board then heard from resident Bruce Carpenter. He presented to the Board information about small community solar energy arrays. He stated that OPPD is looking into doing some small solar arrays. The Board thanked him for the information and asked to be updated in the future on any new developments.
- 11) The Board then discussed self-insurance or other insurance information. The Board's municipal financial advisor stated that he had a contact with a risk management professional who might have information helpful. He will get that person in contact with the Board to discuss options.

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 maintenance for June, July,  
\$7,292.06  
Postal Service charges, emergency services, sampling, etc.  
(#8089, 8069, 8067).
- b) Urban Utilities, Inc. for June and July meter reading/invoicing,  
\$5,143.27  
NE Dept. of Revenue form prep., etc. for, and permit preparation  
(#8090, 8070, 8068).
- c) Urban Utilities, Inc. for expenses (reimbursable) and services  
\$9,506.47  
rendered during power outage/storm event (#8087, 8088, 8091).
- d) Midwest Laboratories, Inc. for water testing and preparation \$  
122.05  
of samples (#854714).
- e) Tri-State Pumping, L.L.C. for sludge removal and hauling from \$  
520.00  
WWTP (No. 2833).

- f) E & A Consulting group, Inc. for engineering services relating to \$ 853.46 general maintenance of the District (no. 137543, 137189).
- g) Commercial Mowing, Inc. for mowing of designated areas and \$1,999.00 related services (#1418, 1449).
- h) Utilities Service Group for televising and jetting of sanitary sewer \$3,150.00 line as directed (#11787).
- i) City of Papillion for water service for three days due to power out- \$ 329.90 age and related service. (#2009551).
- j) Premier Waste Solutions for consolidated trash collection for the \$6,336.00 months of July, August and September – 2017.
- k) City of Papillion for water connection service through October of \$4,000.00 2017 (No. 2009553).

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, 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. 4417 through 4427 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 18, 2020

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

a) Warrant No. 4417 for \$7,292.06 made payable to Urban Utilities Inc. for partial payment on WWTP services rendered in June and July.

b) Warrant No. 4418 for \$5,143.27 made payable to Urban Utilities, Inc. for a partial payment on meter reading and mailer services for the month of June (partial) and July.

c) Warrant No. 4419 for \$9,506.47 made payable to Urban Utilities, Inc. for expenses and emergency response services during power outage/storm events.

d) Warrant No. 4420 for \$122.05 made payable to Midwest Laboratories, Inc. for water testing.

e) Warrant No. 4421 for \$520.00 made payable to Tri-State Pumping, LLC for sludge removal and hauling from WWTP.

f) Warrant No. 4422 for \$853.46 made payable to E & A Consulting Group, Inc. for engineering services relating to general maintenance.

g) Warrant No. 4423 for \$1,999.00 made payable to Commercial Mowing, Inc. for mowing services.

h) Warrant No. 4424 for \$3,150.00 made payable to Utilities Service Group for jetting and televising of sanitary sewer main, as directed.

i) Warrant No. 4425 for \$329.90 made payable to the City of Papillion for emergency water service to District during power outage.

j) Warrant No. 4426 for \$6,336.00 made payable to Premier Waste Solutions for consolidated trash removal service for July, August and September – 2017.

k) Warrant No. 4427 for \$4,000.00 made payable to the City of Papillion for water connection service to the District through October – 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 JULY 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.

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David Wennstedt, Chairman

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David Barry, Clerk