

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 15, 2015, 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 15, 2015, at 8335 Platteview Road, Papillion, Nebraska 68046.

Present at the meeting were Trustees Dave Barry, David Wennstedt, Ken Brison and Jeff Warinski. Also present was Brian C. Doyle, attorney for the District; Bob Czerwinski of E & A Consulting Group, engineers for the District; Rene and Joy Nelson of Urban Utilities, Inc.; J.P. Platisha 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 10, 2015, 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 heard the monthly report of Urban Utilities ("UU"). UU reported that operations of the water system and wastewater system were normal except for the ongoing issue with the blowers on the digesters. UU continues to investigate and is working on a proposal. The wastewater treatment plant is continuing to operate. The Board and UU discussed the location of sewer and water hookups for the property being constructed south of Kauai Street.

The Board discussed that the SID has the obligation based upon a contract to provide sewer and water service. However, determining the location of service is up to the property owner and they can hire their own locating service to determine where to tie into the system.

The Board then reviewed its financial information and projections with J.P. Platisha of Kuehl Capital Corporation. A cash flow projection and recommendation for both the general and bond fund was presented. The overall valuation of the District was up approximately \$800,000.00. The Board noted that it was on a cash basis in the general fund and that the bond fund was adequately funded to meet its bond obligations.

The Chairman then presented the proposed budget of the District and advised that the Budget Summary had been published in The Papillion Times on September 10, 2015, a copy of the Proof of Publication being attached to these minutes. The Chairman next called to the Board's attention the proposed Budget and advised that the proposed Property Tax Request is as follows:

Bond Fund	\$241,874.00	0.410000
General Fund	\$147,484.00	0.250000
Total	\$389,358.00	0.660000

The Chairman further advised that the budget, as proposed, provides for a total Property Tax Request of \$0.660000 (\$389,358.0), that being different from the Property Tax Request for the prior year and that in order to set the Property Tax Request at a different amount than the prior year it will be necessary for the Board to conduct a Special Public Hearing.

The Chairman then advised that Notice of a Special Public Hearing had been published for such purpose. The following resolutions were then presented and passed:

BE IT RESOLVED that:

WHEREAS, a Nebraska Revised Statute 77-1601.02 provides that the Property Tax Request for the prior year shall be the Property Tax Request for the current year for the purposes of the levy set by the County Board of Equalization unless the Governing Body of the District passes by majority vote a resolution or ordinance setting the Tax Request at a different amount; and

WHEREAS, a Special Public Hearing was held as required by law to hear and consider comments concerning the Property Tax Request;

WHEREAS the District conducted a special election through the Sarpy County Election Commissioner and such election approved the levy limit override; and

WHEREAS, it is in the best interests of the District that the Property Tax Request for the current year be a different amount than the Property Tax Request for the prior year.

NOW, THEREFORE, the Governing Body of Sanitary and Improvement District No. 97 of Sarpy County, Nebraska by a majority vote resolves that:

1. The 2015/2016 Property Tax Request be set as follows:

Bond Fund	\$241,874.00	0.410000
General Fund	\$147,484.00	0.250000
Total	\$389,358.00	0.660000

2. A copy of this Resolution shall be certified and forwarded to the County Clerk on or before September 20, 2015.

The Clerk was then directed to attach a copy of the proposed budget to these minutes.

Upon motion made by Trustee Brison and seconded by Trustee Wennstedt, the Board voted four (4) "aye" and zero (0) "nay" to approve the foregoing budget and resolution.

The board then discussed the spraying of trees on the levee. The Board's engineer reported that All Trees had been retained to spray trees for \$500.00 and that they would also evaluate trees within the spillway and other trees to make a recommendation on any removals.

The Board then discussed the painting of the chevrons on the speed tables and noted that they were not visible at night. The Board's engineer reported that the contractor used the City of Omaha standard specification for road marking paint. The Board noted that the markings would likely be repainted every one to two years. The Board's engineer stated that they could look into paint with an increased content of glass beads for increased reflectivity.

The Board then discussed the weeds within the boat storage area. The Board stated that HVLA manages the boat storage area. The Board expressed that HVLA should take the lead on spraying the weeds and that the SID is open to sharing in the costs.

The Board then heard from the owner of Lot 20 regarding drainage issues with Lot 21.

The owner noted that the situation was discussed at the HVLA meeting. The SID Board noted that the issue was between homeowners and did not appear to be an SID issue at this time.

The Board then discussed the contract with Premier for trash service within the SID. The Board's attorney and engineer stated that they are working with Premier to revise the contract for trash service into a final form. The Board noted that going to a single trash hauler should reduce wear and tear on roads, improve safety, save money and have an overall benefit to the entire community. The Board also noted that any homeowner could continue with their current trash hauler at their option. The Board finally noted that there would be no increase in the tax levy required to pay for trash service.

Upon motion made by trustee Brison and seconded by Trustee Barry the Board voted four (4) "aye" and zero (0) "nay" to approve the contract with Premier for trash service subject to the District's engineer and legal counsel approval of the contract.

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 (2015).	\$16,783.88
b) Urban Utilities, Inc. for WWTP September services including well house repairs, etc. (#7566).	\$3,596.87
c) Urban Utilities, Inc. for meter reading/invoicing, U.S. postal service fees, etc. for September (#7567).	\$1,325.92
d) Midwest Laboratories, Inc. for sampling and water testing (No. 775051).	\$ 131.22
e) Awerkamp, Goodnight, Schwaller & Nelson, P.C. for accounting services through August 24, 2015.	\$2,500.00
f) Tri-State Pumping, LLC for sludge removal and hauling (No. 2382).	\$ 660.00
g) City of Omaha for quarterly sewer invoice with tax (No. 112837).	\$1,264.08

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, Jeff Warinski, and Ken Brison, 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. 4238 thru 4244 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 15, 2018; to-wit:

- a.) Warrants No. 4238 for \$16,783.88 made payable to Fullenkamp, Doyle, & Jobeun for legal services and expenses of the District (2015).
- b.) Warrant No. 4239 for \$3,596.87 made payable to Urban Utilities, Inc. for WWTP September services including well house repairs, etc.
- c.) Warrant No. 4240 for \$1,325.92 made payable to Urban Utilities, Inc. for meter reading/invoicing, U.S. postal service fees, etc. for September.
- d.) Warrant No. 4241 for \$131.22 made payable to Midwest Laboratories, Inc. for water testing.
- e.) Warrant No. 4242 for \$2,500.00 made payable to Awerkamp, Goodnight, Schwaller & Nelson for accounting services and preparation of the budget/financials through August 2015.
- f.) Warrant No. 4243 for \$660.00 made payable to Tri-State Pumping, LLC for sludge removal and hauling.
- g.) Warrant No. 4244 for \$1,264.08 made payable to City of Omaha for quarterly sewer invoice with tax.

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
SEPTEMBER 15, 2015 – 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.

David Wennstedt, Chairman

David Barry, Clerk