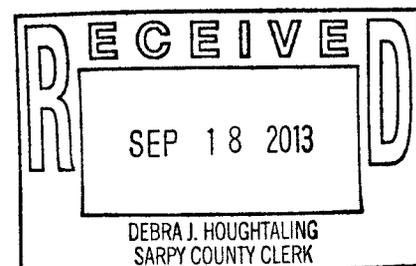


SANITARY AND IMPROVEMENT DISTRICT NO. 23
OF SARPY COUNTY, NEBRASKA

Minutes of Meeting of Board of Trustees
September 3, 2013



A meeting of the Board of Trustees of Sanitary and Improvement District No. 23 of Sarpy County, Nebraska was held on September 3, 2013 at 6:30 o'clock p.m. at Westmont Elementary School, 13210 Glenn Street, Omaha, Nebraska.

Present were Chairman Don Schuneman (402.681.3780), Trustee Terry Knief (402.681.3780), Trustee Shirley Merritt (402.896.9047), Trustee Michael Quinn (402.699.1788), and Trustee David Jasa (402.895.0175). Also present were Gerald Pesek of G.F. Pesek, Inc., Gary Shepherd of Professional Accounting Service, Accounts Receivable Clerk June Jordening, Accounts Payable Clerk Linda Comstock, Andrea M. Smith of Cassidy Chapman Law Office, Patrick Lavelle, CPA from Dutton and Associates PC, Tim Procksel from Black Hills Energy, and 6 Westmont residents

Notice of the meeting was given in advance thereof by publication in The Papillion Times on August 21, 2013. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

1. **Compliance with Open Meetings Law:** It was announced that in compliance with the Act, the Chairman provided a current copy of the Nebraska Open Meetings Act on the table.
2. **Approval of Minutes:** Chairman Schuneman stated the next item of business on the agenda was approval of the meeting minutes from August 6, 2013. Trustee Jasa motioned to approve the minutes. Trustee Quinn seconded the motion. The vote was unanimous.
3. **Resident Concerns:** A resident stated that he recently moved into a home in Westmont, he has received only one water bill since that time and that it was a shut-off notice. The resident contacted Gary Shepherd regarding the bill and paid the amount owed. He requested the Board waive his late fee. The Board looked into that account, Gary Shepherd and June Jordening confirmed the resident's account of events. Chairman Schuneman made a motion for the Board to subtract the \$20 late fee, Trustee Knief seconded, all voted in favor. Resident Linda Comstock state her concern regarding cars by the bar parked on SID property illegally. The Board told Ms. Comstock to contact law enforcement if she observes cars illegally parked.
4. **Next Meeting Date:** The next meeting of the Board will be held on October 1, 2013 at 6:30 p.m. at Westmont Elementary School, 13210 Glenn Street, Omaha, Nebraska.
5. **Professional Accounting Service:** Gary Shepherd reported that fund balances as of June 30, 2013, were as follows:

General Fund	\$	166,539.10
Bond Fund	\$	164,212.63
Bond Investment	\$	0.00
Water Deposits	\$	9,150.00
Bond Reserve Fund	\$	6,478.08

Mr. Shepherd distributed to the Trustees copies of his graphs of general fund activities and a review of those graphs ensued. Total usage was 659,594. Average usage was 1662 cubic feet. Minimum users were 202. Total users were 397. The average water bill was \$35.06. Mr. Shepherd reported that \$612.46 was paid in sales tax.

Mr. Shepherd next distributed to the Trustees his accounts receivable analysis showing those accounts currently in a delinquent status. Shut-off notices will be mailed with regard to the following accounts if balances are not received by September 15, 2013: Account 1095 Gregory Middleton, Account 1101 Thomas J Poisel, Account 1208 Ernest Henry, and Account 1260 Jonathan Floerke.

6. **Accounts Receivable:** June Jordening reported that \$12,610.77 including \$300 for wireless lease from Springfield/Platteview schools was deposited into the general fund for the month of August.
7. **Engineer Reports:** No new engineering reports at this time.
8. **Attorney Issues:** Trustee Knief stated he has an issue with resident Michael Bendon emailing the SID attorney, Cassidy V. Chapman. He stated that it was brought to the board's attention that resident Bendon emails the SID attorney and that each time he emails the attorney it costs the SID money. Attorney Chapman on her own is compiling a list of emails and time spent on the emails and what it has cost the SID.
9. **Report from G.F. Pesek:** Both wells are cycling properly. The routine monthly coliform test was negative.

The 3 year Routine Sanitary Survey, Sarpy Co. SID #23 – Westmont NE31-15312 was conducted by NHHS representative Tim Thares to determine the systems compliance with Title 179 NAC *Regulations Governing Public Water Supply Systems*. A letter was mailed to the SID Chairman and a copy to the operator listing the findings and a written response must be sent to DHHS DPH within 30 days from the date of the letter (August 13, 2013). Identified deficiencies are as follows:

- Failure to keep PWS wells and pumping facilities secure. Need trees and vines removed from fence for better visibility from road.
- Well sanitary seal not maintained at South well. Insure the well is sealed against contamination. Remove old sealant and reseal.
- Cracks and crevices not properly sealed at South well. Clean joints at concrete base and reseal.
- PWS facilities not maintained in a clean, orderly, and accessible manner. Remove trees from around building foundation, tower leg footings, and move the facilities. Repair door on PTO shaft opening. Repair or replace roof on south well house and fix ceiling insulation inside.
- Overflow temporary termination causing or contributing to erosion around storage facility. Fill hole and take step to stop erosion around storage facility support structure. Can pour a concrete slab for erosion control.

Chairman Schuneman asked why Mr. Pesek has not brought the deficiencies to the Board's attention. Mr. Pesek responded by first addressing the crack deficiency. Mr. Pesek stated that another company services the well. He stated that the company reads meters, checks flows, and completes the required tests. Chairman Schuneman stated he believes the next Board should hire someone who specializes in water maintenance to avoid these problems in the future. Chairman Schuneman further stated that he thinks Mr. Pesek should have known about cracks and roof leaks.

Chairman Schuneman stated that he has additional concerns with Mr. Pesek's job performance, specifically discussing the Trustee Merritt incident. Mr. Pesek stated that it would be helpful for the Board to provide him with a specific job description. Chairman Schuneman agreed, stating that he is not saying that Mr. Pesek isn't doing a good job, but that he believes there needs to be guidelines and that the SID is not an open checkbook.

10. **Payment of Bills:** All bills submitted for payment were approved by unanimous vote. Chairman Schuneman motioned. Trustee Merritt seconded. The detail of the approved warrants as follows:

Warrant	Date	Issued to	Amount	Purpose	Invoice #
9313	8.18.13	Century Link	125.68	Water tower	
9314	8.18.13	Century Link	84.92	South Well	
9315	8.18.13	Century Link	84.92	North Well	
9316	8.18.13	Omaha World Herald	7.38	Publication	153698-130731
9317	9.3.13	City of Omaha	5,000.00	Sewer fee - May	93257
9318	9.3.13	City of Omaha	259.00	Sewer fee - May	93257
9319	9.3.13	Cutters Law Service	575.00	Mowing Service - Aug	1445, 1463, 1484
9320	9.3.13	Linda Comstock	330.52	Accts Payable	
9321	9.3.13	City of Omaha	5,000.00	Sewer fee - June	93675

9322	9.3.13	City of Omaha	146.35	Sewer fee - June	93675
9323	9.3.13	OPPD	2,511.71	Electrical Service	
9324	9.3.13	Abe's Trash Service	31.00	Trash Service	858738
9325	9.3.13	Nebraska Dept. of Public Health	509.00	Water testing	442477
9326	9.3.13	June Jordening	545.42	Accounts Receivable	
9327	9.3.13	GF Pesek	3,005.00	Maintenance - Aug	
9328	9.3.13	Professional Accounting	1,089.83	Professional Accounting	
9329	9.3.13	Terry Knief	131.95	Clerk fee	
9330	9.3.13	Cassidy Chapman	1,487.50	Legal fees	3209

11. Old Business:

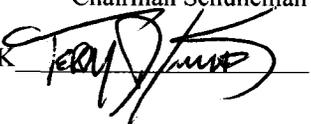
- a. "No parking" signs: Chairman Schuneman stated the no parking sign will go 132nd. Chairman Schuneman motioned to obtain pricing on parking signs. The signs have been approved by Sarpy County, Trustee Quinn seconds motion, all vote in favor.
- b. Outdoor and park improvements: Board will hold off on this at this time.
- c. Publication for additional sidewalks: The Board will need to do the publication this month, solicit bids for additional sidewalks. Engineer will do the publication; Trustee Knief will contact the engineer.
- d. Tax/Budget planning: Pat Lavelle spoke to the Board about the budget. The Budget meeting will be held on September 17, 2013 at 6:30 pm at Westmont Elementary School. Mr. Lavelle went over the expenses and revenues if tax rate would remain the same, reviewed the general budget form worksheet. Mr. Lavelle explained that the Board cannot exceed \$.40 general fund tax, right now the current tax rate is \$.17. Mr. Lavelle recommends not having tax rate at \$.17 because there are too many expenses, and the SID will not be able to sustain it's expenditures. Chairman Schuneman thinks the Board should send a letter to residents to explain the tax increase.
- e. Black Hills Energy remote meter reader location: Tim Procksel spoke will the Board regarding the remote meter reader location. Mr. Procksel met with Trustee Quinn previously to view possible locations and presented the board with the possible locations. Discussion was had, Chairman Schuneman motion to approve location 2 by the pool, Trustee Knief seconded, all voted in favor.

12. New Business:

- a. Chairman Schuneman stated he would like Red flashers on 132nd and that the engineer is going to look into flashers by the school.
- b. Maintenance contract: discussed above
- c. Budget: Meeting scheduled for Sept 17, 2013 at 6:30 pm at Westmont Elementary School.
- d. Tree Trimming: Trustee Knief stated that from now until November residents will have the opportunity to have their trees trimmed at their leisure, Trustee Quinn will also travel around the SID trimming trees.

Chairman Schuneman motioned to adjourn. Trustee Quinn seconded. All in favor.

CLERK



CHAIRMAN

