

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

Minutes of Meeting of Board of Trustees
August 5, 2014

A meeting of the Board of Trustees of Sanitary and Improvement District No. 23 of Sarpy County, Nebraska was held on August 5, 2014 at 6:30 o'clock p.m. at Westmont Elementary School, 13210 Glenn Street, Omaha, Nebraska.

Present were Chairwoman Jeannine Glesmann (402.616.5581), Trustee Shirley Merritt (402.896.9047), Trustee Bob Burbee (402.896.1084), and Trustee Michael Quinn (402.699.1788). Trustee Mike Bendon (402.896.2250), was not present. 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, and Attorney Cassidy V. Chapman of Johnson, Pekny & Chapman, L.L.C.

Notice of the meeting was given in advance thereof by publication in The Papillion Times on July 23, 2014. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

1. **Compliance with Open Meetings Law:** In compliance with the Act, Chairwoman Glesmann provided a current copy of the Nebraska Open Meetings Act on the table.
2. **Approval of Minutes:** Trustee Burbee motioned to approve the July 1, 2014 minutes. Trustee Quinn seconded. All voted in favor. Warrant 9745 was made out to Michael Brandon and the minutes said Michael Bendon.
3. **Next Meeting Date:** The next meeting of the Board will be held on September 2, 2014 at 6:30 p.m. at Westmont Elementary School, 13210 Glenn Street, Omaha, Nebraska.

4. **Resident Concerns:** Ron Cook thanked the board for putting the minutes on the web. In the minutes, he has had an ongoing concern that the minutes do not reflect that what was said and that they are understandable to people that are not at the meeting. He noted specific concerns and asked that the minutes be proofread more carefully.

Lewis Felix said the minutes are short and not very precise. He talked to Trustee Quinn about using the field. He provided the board with the schedule and their insurance. He is very concerned about taxes being raised. He owns the four-plex and stated that he is a District resident. Mr. Felix stated that Trustee Bendon informed him that his taxes are going to increase. Trustee Quinn stated that taxes are not being increased. Mr. Felix stated that he believes that Trustee Quinn has some sort of conflict of interest because he has coached teams that use the field. Mr. Felix insisted that taxes are being raised and that all residents are going to have to pay to use the field. The attorney corrected him and stated that none of the assertions he made are true, as none of the issues have even been voted on. Trustee Quinn stated that Mr. Felix is in fact not a district resident, even though he claimed that he is. Discussion was had again about the Westmart running out of copies of the minutes.

Don Schuneman asked where it was published in the meeting minutes about the cost for the ballpark improvements and the meters. Trustee Glesmann stated that the costs haven't been reviewed by the board yet. Mr. Schuneman stated that he thinks the no-sign policy is inconsistent because the trustees aren't out picking up signs regularly.

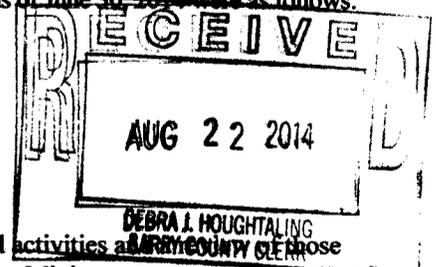
Mr. Schuneman would like to see more consistency in the meeting minutes.

Mr. Schuneman received a water notification from the Nebraska Department of Health and Human Services. He wants his name removed immediately. Mr. Schuneman stated that Mr. Pesek isn't doing his job because these changes are not being made. He also stated that Mr. Pesek isn't providing "Recording keeping Requirements" from the Nebraska Department of Health and Human Services, even though he is required to do so. He demanded that Mr. Pesek comply within 30 days or he will have to answer to the State of Nebraska. Mr. Schuneman stated that he was not on top of this as a previous trustee. Mr. Schuneman provided the Chairwoman with information about Nebraska Water Regulations. He wants to know where the certificates and all of the licenses are for the District. He doesn't want this board to go down in flames, so he is providing this information. Mr. Schuneman stated that Mr. Pesek's job should be put out for bid.

Mr. Schuneman did not appreciate Trustee Quinn previously bringing up the dispute between him and Trustee Bendon. Mr. Schuneman asked again why Trustee Bendon's fence hasn't been addressed yet. The Chairwoman stated that Trustee Bendon said that he is taking the fence down because it is rotting anyway. Dave Jasa stated that he thinks there needs to be a time limit on Trustee Bendon removing his fence. He believes that Trustee Bendon is taking advantage of the District and board.

5. **Professional Accounting Service:** Gary Shepherd reported that fund balances as of June 30, 2014 were as follows:

General Fund	\$121,638.30
Bond Fund	\$145,389.96
Bond Investment	\$0.00
Water Deposits	\$4,050.00
Bond Reserve Fund	\$6,507.31



Mr. Shepherd distributed to the Trustees copies of his graphs of general fund activities and water use. Graphs ensued. Total usage was 316,908. Average usage was 809 cubic feet. Minimum users were 316. Total users were 397. The average water bill was \$35.52.

The bills were sent out with the wrong District number on them this month. Mr. Shepherd reran and resent the bills with the correct District number. He did not bill the District for this because it was his error. Some

payments have been made to the wrong District number, but Mr. Shepherd is going to sign those over to SID No. 23. Discussion was had about whether adjustments needed to be made for late fees because of the error. Trustee Quinn suggested that late fees for the month be waived in their entirety. Trustee Burbee motioned that all late fees be waived for the month. Trustee Quinn seconded the motion. All voted in favor.

Resident Jackie Hastings is asking that her late fee be waived because she was a day late. Ms. Jordening said that when someone pays with a bank draft through bill pay, she dates the payments as of the date of the bank draft. Discussion was had and it was agreed that no exceptions would be made because it has always been the policy to not waive fees.

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 August 15, 2014:

Account Number	Account Name
1068	Iris Belt
1080	Derek Clark
1081	Linda Kumpula-Birkey
1101	Jordan Sims
1123	William Matson
1126	Dr. Kelvin Jones
1188	Bernard Melia
1212	Stacey Trecek
1241	David Bidrowsky
1277	Leslie K Aleck
1311	Richard A Matthews
1321	Colin Carlson
1337	Sarah Hentschel
1383	Ryan Jeffery
1399	Venel

Account 1282 Steven Pope is already turned off. He is in Texas, so the property will be liened. Account 1337 Sarah Hentschel is a foreclosure. The company managing the foreclosure is asking for a rate schedule. They owe over \$900.

6. **Accounts Receivable:** June Jordening reported that \$15,888.75 was deposited into the general fund for the month of July.
7. **Report from G.F. Pesek:** Both wells are cycling properly. The routine monthly coliform test for July indicated "total coliform present, does not meet bacteriological standards" and "E. coli absent." Four initial repeat samples were submitted and one sample did not meet standards. This is a non-acute total coliform violation and a public notice of information about your drinking water is required. Notification by mail was timely completed, which meets NDHHS requirements.
 A temporary disinfection process for a short duration of time was put in place.
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 The 2013 Annual Water Quality Report was published, submitted to the NDHHS, and is available from the Clerk.
 The lift station was monitored and is cycling properly.
 The NRD and Veterans projects are under review by TD2.
 Discussion was had regarding scanning Mr. Pesek's records. Mr. Pesek is going to contact the individual he deals with at the NDHHS and make sure that the State of Nebraska doesn't have an issue with the records being scanned.
 The roof on the south well house still has to be fixed. The company with the accepted bid is still waiting on whether the District wants an extended warranty on the roof. The extended warranty adds another ten years. The Chairwoman reviewed meeting minutes from the spring because several of the Trustees believed that this issue had already been addressed and the warranty approved. Trustee Burbee motioned for approval of the bid with the warranty. Trustee Merritt seconded. All voted in favor.
8. **Engineering Issues:** No new issues.
9. **Attorney Issues:** No new issues.
10. **Payment of Bills:**

All bills submitted for payment were approved by unanimous vote. The detail of the approved warrants is as follows:

Warrant	Date	Issued to	Amount	Purpose	Invoice #
9767	7/2/14	Deborah Rankin	150.00	Water deposit refund	Acct 1376
9768	7/2/14	Laque Kasal	150.00	Water deposit refund	Acct 1125
9769	7/15/14	Century Link	84.92	No Well	
9770	7/24/14	One Call Concepts	68.95	Digger hotline locate	4061017
9771	7/24/14	Century Link	124.65	Phone-water tower	
9772	7/24/14	NE Dept Public Health	15.00	Water testing	453487

9773	7/24/14	Omaha World Herald	130.74	Publication	153698-140630
9774	7/27/14	Safe Guard	665.82	Card Stock replace warrant 9725	029772629
9775	8/5/14	Michael Bendon	42.07	Expense reimbursement	
9776	8/5/14	Double T Lawn & Landscape	1000.00	Mowing-June	670
9777	8/5/14	Double T Lawn & Landscape	900.00	Mowing-July	671
9778	8/5/14	Linda Comstock	300.19	Accts Payable-July	
9779	8/5/14	June Jordening	548.60	Accts Received-July	
9780	8/5/14	Providence Group	216.00	Monitor disinfect	140188
9781	8/5/14	OPPD	2343.74	Electrical Service	
9782	8/5/14	G.F. Pesek	3993.02	Maintenance July	
9783	8/5/14	Mike Quinn	132.10	Clerk Fee	107
9784	8/5/14	Thompson, Dreesen, & Dorner	1521.29	Engineering fees	104816 105325
9785	8/5/14	Professional Accounting Service	1276.16	Accounting professional	
9786	8/5/14	Ed Hunt	100.00	No parking sign labor	
9787	8/5/14	Melvin Sudbeck	2300.00	Sewer Cleaning	2787ms

11. Old Business:

- a. The Melvin Sudbeck Homes bill has not been paid. He was hired by Don Schuneman when he was on the board to clean the sewer. TD2 was present at the time and said that it was an emergency and needed to be done. TD2 recommended that the bill be paid because it was a necessary service. Trustee Glesmann motioned to pay the bill. Trustee Burbee seconded. All voted in favor.
- b. Bond items:
 - i. Outdoor and Park Improvements: Trustee Quinn reported that TD2 provided estimates for building the park shelter and other improvements for the park. Trustee Burbee said that people have complained about putting gravel in. Discussion was had about using asphalt chips instead of gravel so there isn't dust. Asphalt chips would have to be put down every year and require monthly maintenance. Trustee Quinn said that he doesn't want to use gravel because he wants to keep the homeowners happy. The attorney suggested charging for parking to assist in maintenance. The bathrooms will have drains. Discussion was had regarding what teams should be allowed to play on the field. Trustee Quinn suggested having TD2 seek bids on the improvements to at least see what it would cost and then proceed from there. Trustee Quinn motioned to have the proposal put out for bid in its entirety. Trustee Glesmann seconded the motion. All voted in favor. After bids are received, the board will discuss how, and if, to proceed.
 - ii. Water Meters: Mr. Shepherd reported that Black Hills is not happy about the water meters. Mr. Pesek reported that there are 11 meters that do not work that need to be replaced. Trustee Burbee reported that contractors working on the new building that is being constructed were tapping into the fire hydrant. Trustee Quinn stated that they should be billed for this in addition to the typical hookup fee. Mr. Pesek agreed that they should be charged because they were not authorized to use the hydrants.
 - iii. Bond reserve fund: The attorney will discuss the details of this with Mr. Shepherd.
- c. Street repairs: Trustee Quinn reported that TD2 reviewed the previous report for plans in 2012 and does not see that much has changed since then. They still suggest making the same repairs. Trustee Burbee motioned to seek bids for repairs up to \$75,000.00. Trustee Quinn seconded. All voted in favor.
- d. Water deposits update: Trustee Bendon was not present, so there was no update. Linda Comstock reported that she did issue two warrants last month for water deposits, though.
- e. Sidewalk repair by pumping station: Mr. Pesek said that the sidewalk just needs to be fixed and TREKK will pay for it. Trustee Quinn will contact Moore Brothers for a bid.
- f. Street signs: The no parking signs are up. Trustee Burbee reported that the signs seem to be working.
- g. Tree trimming: Trustee Burbee used someone for his trees and that that company will do the trimming. The company is First Class Arborist Services, Inc. Seth Croft is the owner and is insured. Discussion was had regarding how to charge the residents for these services. The letter that goes out in the fall to homeowners will state that those that fail to comply will be charged. The Chairwoman nominated Trustee Bendon to do the tree trimming survey. She will notify him via email prior so that it can be done prior to the next meeting.
- h. Water payments: The Chairwoman stated that June Jordening, Trustee Quinn and her are the only ones that are allowed to accept payments. Payments cannot be taken to the daycare or the school and phone calls there are inappropriate. Payments that are left on someone's door may not necessarily be accounted for because it is not a secure way to leave payment.
- i. Audit: Trustee Burbee asked how much the audit by Dutton & Associates was going to cost this year. It will not cost more than \$6,000.00. The Chairwoman made a motion to approve hiring Dutton & Associates to do the audit. Trustee Quinn seconded the motion. All voted in favor.

12. New Business:

- a. A resident reported to Trustee Merritt that the siren by the park isn't working.

Trustee Merritt motioned to adjourn. Trustee Quinn seconded. All trustees voted in favor.

CLERK _____

CHAIRWOMAN _____

Jannine Glesmann