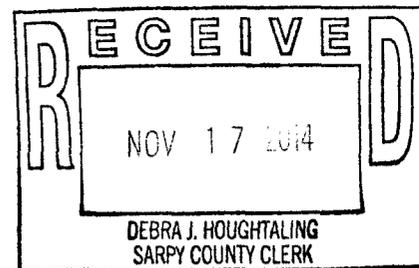


SANITARY AND IMPROVEMENT DISTRICT NO. 23
OF SARPY COUNTY, NEBRASKA

Minutes of Meeting of Board of Trustees
November 4, 2014



A meeting of the Board of Trustees of Sanitary and Improvement District No. 23 of Sarpy County, Nebraska was held on November 4, 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). Also present were Gerald Pesek of G.F. Pesek, Inc., Accounts Receivable Clerk June Jordening, Accounts Payable Clerk Linda Comstock, and Attorneys Cassidy V. Chapman and Mary Rose Donahue of Johnson, Pekny & Chapman, L.L.C.

Notice of the meeting was given in advance thereof by publication in The Papillion Times on October 22, 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 October 7, 2014 minutes. Trustee Quinn seconded. All voted in favor.
3. **Next Meeting Date:** The next meeting of the Board will be held on December 2, 2014 at 6:30 p.m. at Westmont Elementary School, 13210 Glenn Street, Omaha, Nebraska.
4. **New Board Member:** Resident Brett Campbell expressed an interest in being on the board. Trustee Quinn motioned to appoint Brett Campbell as Trustee. Trustee Burbee seconded. All voted in favor of appointing Brett Campbell (402.896.0509) to occupy the vacancy created by Mike Bendon's resignation.
5. **Report from G.F. Pesek:** Both wells are cycling properly. Winter preparations are underway. The routine monthly coliform test for October indicated, "total coliform present does not meet bacteriological standards" and "E.coli absent." Required additional repeat samples were submitted and all samples met standards. This meets NDHHS requirements. A required set of four additional samples were submitted and all met standards. The backup generator is checked and exercised to maintain proper operation. Kerstens Construction repaired a water main break on Mercury Street. The lift station is monitored and is cycling properly. Routine winter maintenance is underway.
6. **Engineering Issues:** Mr. Pesek will continue to work with the VA as plans develop. The attorney is still waiting to get together with Mr. Shepherd regarding pricing for the service agreement. The attorney reminded everyone in attendance that any time spent on the VA project should be kept separately so that it may be included as a cost in the water service agreement.
7. **Accounts Receivable:** June Jordening reported that \$14,435.41 was deposited for the month of October.
8. **Professional Accounting Service:** June Jordening reported that fund balances as of September 30, 2014 were as follows:

General Fund	\$124,344.40
Bond Fund	\$160,096.71
Bond Investment	\$0.00
Water Deposits	\$3,300.00
Bond Reserve Fund	\$0.00

Ms. Jordening distributed to the Trustees copies of the graphs of the general fund activities and a review of those graphs ensued. Total usage was 270,949. Average usage was 679 cubic feet. Minimum users were 353. Total users were 397. The average water bill was \$35.22. Sales tax in the amount of \$718.25 was paid in October for the month of September.

Ms. Jordening next distributed to the Trustees the accounts receivable analysis showing those accounts currently in a delinquent status. Account 1356 Brandy Irvin needs to have a water lien filed. The Billed, Collections, and Expense Summary was also distributed for review. Shut-off notices will be mailed with regard to the following accounts if balances are not received by November 15, 2014:

Account Number	Account Name
1008	Crystal Thomas
1016	Tim Staub
1019	Marcia Levering
1025	Craig Sullivan
1037	Nicholas Vincent
1063	Dawn Spurck

1088	Bob Christensen
1155	Jed Porter
1164	David Bohrer
1196	Jason McKewon
1197	Tonya Castillo
1221	Roger Sickman
1229	Ryan Mortenson
1241	David Bidrowsky
1274	Don Romans
1306	Janice Terry
1311	Richard A. Matthews
1320	Lisa Miller
1326	Lauren Cecil
1337	Marcia Bine
1345	Latoya Moses
1356	Brandy Irvin
1370	John Foral
1378	Jesse Short
1382	Scott Nebel
1399	Venel

9. Payment of Bills:

Trustee Burbee motioned to pay all of the bills except the Elkhorn Valley Contractors bill. The bid price quoted by Elkhorn Valley Contractors was approximately \$5,000.00 less than what the bill is. Warrants 9852, 9853, 9854, and 9855 are on hold pending a discussion with Elkhorn Valley Contractors and TD2. Trustee Merritt seconded. All bills submitted for payment were approved by unanimous vote except for the Elkhorn Valley Contractors bill. The detail of the warrants is as follows:

Warrant	Date	Issued to	Amount	Purpose	Invoice #
9834	10/20/14	Century Link	126.17	Phone water tower	
9835	10/20/14	One Call Concepts	142.25	Digger hotline	4091027
9836	10/23/14	NDHHS	47.00	Water testing	456733
9837	11/4/14	TD2	725.90	Engineer fees	106880
9838	11/4/14	City of Omaha	5,000.00	Sewer fee – July	104088
9839	11/4/14	City of Omaha	685.30	Sewer fee – July	104088
9840	11/4/14	Robert Burbee	69.26	Meeting attendance	
9841	11/4/14	Mike Bendon	27.91	Meeting attendance	
9842	11/4/14	Shirley Merritt	69.26	Meeting attendance	
9843	11/4/14	Jeannine Glesmann	69.26	Meeting attendance	
9844	11/4/14	Linda Comstock	184.82	Accounts payable – October	
9845	11/4/14	Professional Accounting	1,363.05	Accounting services	
9846	11/4/14	June Jordening	544.28	Accounts receivable	
9847	11/4/14	Mike Quinn	121.24	Clerk fees	
9848	11/4/14	G.F. Pesek	3,700.00	October maintenance	
9849	11/4/14	Double T Lawn & Landscape	3,275.00	Mowing – Aug., Sept., Oct.	733,714, 698
9850	11/4/14	OPPD	2,164.84	Electric fee	
9851	11/4/14	Johnson, Pekny & Chapman	1,875.00	Legal fees	
9852	11/4/14	Elkhorn Valley Contractors	5,000.00	Street repairs	1030
9853	11/4/14	Elkhorn Valley Contractors	5,000.00	Street repairs	1030
9854	11/4/14	Elkhorn Valley Contractors	5,000.00	Street repairs	1030
9855	11/4/14	Elkhorn Valley Contractors	4,520.00	Street repairs	1030
9856	11/4/14	Jeannine Glesmann	165.85	Flag	

10. Resident Concerns: Terry Jones wanted to know if there was going to be a vote of the people for the park improvement project. The attorney said that only the Trustees vote.

Ron Cook asked if a public vote was required for the park improvement project. The attorney explained that not only was a public vote not required, but also it wouldn't carry any weight because the Trustees have the final vote. Trustee Quinn explained that it has been scaled down drastically.

Ron Cook wanted to know what it would cost to send notices of every meeting to every resident. The attorney reminded him that the law says that notice of the meeting does not have to be given to each specific resident or property owner. Notice is published in the Papillion Times and in the minutes that are available at the Westmart store. The meetings are virtually always held on the first Tuesday of the month.

Ron Cook also wanted to know what the Trustees think of the ultimate truck commercial property development. He is not happy about the banner that is hanging out front. He believes that the businesses that are going in have no business in a residential area.

There was a neighborhood watch meeting last night. Six people attended. There is going to be a one free neighborhood watch sign at Richland Drive and 132nd Street. Trustee Merritt asked if the District would pay for additional signs. Trustee Quinn suggested that Ms. Jordening be contacted so that she can put a notice of the next meeting in the school bulletin. Amber Vossler, the Chairwoman's cousin, volunteered to organize future meetings. June Jordening said that the siren by the park did not work last month. Chairwoman Glesmann said she also did not hear it. This has happened two months in a row.

11. **Attorney Issues:** Demand letters were sent to Trekk and Mike Bendon. Trekk has contacted the attorney, but she has not had an opportunity to talk to them.
The attorney noted that Sarpy County Sewer Agreement is being addressed again. It hasn't been discussed for several meetings because the attorney did not hear a response after her last suggested revisions over a year ago. Trustee Burbee asked about Masters contract. The attorney stated that she has not had an opportunity to revise it to date, but will work on getting that done before the end of the year.

12. **Old Business:**

- a. Bond items – Trustee Quinn is still working on a break down to present to the board for park improvements. He hopes to have something ready for the next meeting.
- b. Water deposits update – Linda Comstock did not have any water deposits clear in October. Ms. Comstock shows a total of three refunds that Mike Bendon got affidavits from that haven't been cashed.
The attorney stated that she provided information to Chairwoman Glesmann to deposit unclaimed refunds with the state. Chairwoman acknowledged receiving the information, but it is not as simple as the attorney had initially thought. The attorney offered the use of her office's law clerks or support staff to help with filing the appropriate information.
- c. Tree trimming – Trustee Quinn gave the letter to Chairwoman Glesmann. The Chairwoman will get the letter out so that trimming can be done before the weather gets bad.
- d. Street repair – The street repairs were done by Elkhorn Valley Contractors, as recommended by TD2. The bid was less than what their bill states, though.
Trustee Quinn noted that the concrete just out of the school parking lot is starting to pop. He also stated that part of Westmont Drive that is asphalt needs to be replaced with asphalt. Discussion was had about potential asphalt companies that would be able to do the repair. Asphalt Maintenance did work for the District in December of 2012. Trustee Burbee thinks it should be patched again. Trustee Quinn will call and get an estimate for both problem areas.
- e. Williams's sidewalk – Trustee Burbee called the county to see if sidewalks needed to be installed on the ultimate truck commercial property. The county said that sidewalks did need to be installed before they would sign off on the occupancy permit. It would appear that the property is already occupied, though.
- f. Hit tree update – Chairwoman Glesmann does not have any new updates.
- g. Meeting minutes – There were a lot of complaints because they have been so late the last several months. The attorney apologized and said that hopefully that won't be a continuing issue as she has more office support to help with the minutes.

13. **New Business:**

- a. Siren
- b. Sewer contract
- c. Neighborhood watch signs

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

CLERK _____

CHAIRWOMAN _____

Jannene Glesmann