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DEBRA J. HOUGHTALING
SARPY COUNTY CLERK

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

Minutes of Meeting of Board of Trustees
January 5, 2016

A meeting of the Board of Trustees of Sanitary and Improvement District No. 23 of Sarpy County, Nebraska was held on January 5, 2016, 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 Brett Campbell (402.896.0509), Trustee Bob Burbee (402.896.1084) and Trustee Michael Quinn (402.699.1788). Also present were Accounts Receivable Clerk June Jordening, Accounts Payable Clerk Linda Comstock, Accountant Gary Shepherd, John Fullenkamp and Mark Johnson of Fullenkamp, Doyle, & Jobeun, and Art Beccard of TD2, and several residents.

Notice of the meeting was given in advance thereof by on December 30, 2015. 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 Campbell motioned to approve the minutes. Trustee Quinn seconded. All voted in favor.

3. **Next Meeting Date: Campbell Merritt All** The next meeting of the Board will be held February 2, 2016 at 6:30 p.m. at Westmont Elementary School, 13210 Glenn Street, Omaha, Nebraska. If proper notice cannot be given for the Resolution of Necessity, the meeting will be held on February 9, 2016.

4. **Report from G.F. Pesek:**
   a. Water Supply System: Both wells cycling properly. The routine monthly coliform test for December indicated "total coliform absent, does meet bacteriological standards: and "E.coli absent". Kersten Construction repaired a water main break on Carpenter Street. Water samples were collected from 2 adjacent homes and delivered to Midwest Labs.
   b. Wastewater System: Ongoing monitoring.
   c. Miscellaneous: The diesel generator is test run monthly. The unit will be serviced by Interstate Power Company in the spring.

5. **Engineering Issues:** None.

6. **Accounts Receivable:** June Jordening reported that $14,985.78 was deposited for the month of December. This includes $2800.00 for a November deposit that did not make the cut off. It also includes $185.04 that was returned and will be subtracted from the total.

7. **Professional Accounting Service:** Gary Shepherd reported that fund balances as of 12/31/15, were as follows:

General Fund	$89,415.74
Bond Fund	$157,281.70
Bond Investment	$0.00
Water Deposits	$3000.00
Bond Reserve Fund	$0.00

Mr. Shepherd distributed to the Trustees copies of the graphs of the general fund activities and a review of those graphs ensued. Total usage was 238,286. Average usage was 605 cubic feet. Minimum users were 379. Total users were 399. The average water bill was $35.40. Sales tax in the amount of $ was paid in December for the month of November.

Mr. Shepherd next distributed to the Trustees the accounts receivable analysis showing those accounts currently in a delinquent status. The Billed, Collections, and Expense Summary were also distributed for review. Shut-off notices will be mailed with regard to the following accounts if balances are not received by January 15, 2015: 1022, 1025, 1028, 1037, 1038, 1048, 1070, 1076, 1086, 1095, 1123, 1136, 1143, 1155, 1156, 1161, 1177, 1196, 1199, 1201, 1215, 1225, 1229, 1232, 1251, 1296, 1302, 1311, 1312, 1356, 1357, 1358, 1376, 1378, 1381, 1382, 1387.

8. **Payment of Bills:**

Trustee Burbee motioned to pay all of the bills. Trustee Campbell seconded. All bills submitted for payment were approved by unanimous vote. The detail of the warrants is as follows:

Warrant	Date	Issued to	Amount	Purpose	Invoice #
10108	12/9/15	Midwest Labs	$40.00	Water testing	787865
10109	12/9/15	OPPD	$2,164.82	Electrical service	
10110	12/9/15	Omaha World Herald	$8.61	Publication	153698
10111	12/21/15	Century Link	$84.92	South well	
10112	12/21/15	Century Link	$84.92	North well	
10113	12/21/15	Century Link	$134.90	Water tower	

10114	12/21/15	NE Department of Health	$90.00	Water testing	47115
10115	12/26/15	Abe's Trash Service	$47.25	Trash service-shed	
10116	1/5/16	Double T	$960.00	Tree trimming	928
10117	1/5/16	Abe's Trash Service	$31.00	Trash service-park	1245090
10118	1/5/16	City of Omaha	$5,000.00	Sewer fees-Oct. '15	116300
10119	1/5/16	City of Omaha	$1,771.31	Sewer fees-Oct. '15	116300
10120	1/5/16	Linda Comstock	$274.39	Accts. Payable-Dec. '15	
10121	1/5/16	G.F. Pesek	$3,425.00	Maintenance-Dec. '15	
10122	1/5/16	OPPD	$2,392.54	Electrical service	
10123	1/5/16	June Jordening	$563.48	Accts. Receivable-Dec. '15	
10124	1/5/16	Professional Accounting	$1,325.70	Prof. accounting service	152016
10125	1/5/16	Ralston Insurance Agency	$170.00	Renew surety bond	93971, 94076, 94077
10126	1/5/16	Mike Quinn	$144.27	Clerk fees	

9. **Resident Concerns**: A few of the owners at the villas want to know why there is not a drop box for water bills. This is due to a liability issue of having checks that are sitting out but not secured. The current system is a locked box that the post office is responsible for.

10. **Attorney Issues**:
    a. Water Service Agreement- Trustee Campbell motioned to amend the agenda to include a Resolution of Necessity for the VA Cemetery project. Trustee Burbee seconded. All voted to amend the agenda.
    b. Resolution of Necessity- Trustee Campbell motioned to propose a Resolution of Necessity for the VA Cemetery project. Trustee Merritt seconded. All voted in favor. Trustee Quinn will work with TD2 and Mark Johnson to get the notice published. The notice is attached at the end of the minutes.
    c. Sewer Contract- No update.

11. **Old Business:**
    a. Bond Items-On Hold Until Further Notice
    b. General Maintenance Person- Gerald would like to retire and needs a replacement in order to do so. There has only been one applicant for the position. The Board would like at least one more in order to make an informed decision.
    c. Water Deposits Update- No update.
    d. Sidewalk Repair by Pumping Station- No update from TREKK.
    e. Street Repairs- No update.
    f. Water Meter- As there is still not an update, Gary Shepherd will seek other companies who will consider this project as more of a priority.
    g. Trimming Island Trees- Completed.
    h. Snow Emergency Rules- Vehicles need to be removed from the street in the event of a snow emergency. Snowplows need to clear the streets and need the streets free of vehicles in order to do it quickly, safely, and efficiently. Please remember to clear the snow off of driveways and sidewalks within 24 hours. Also, if you have a fire hydrant in your yard, please clear a path to the hydrant. Keeping the path cleared will save the firefighters valuable time in the event of a fire.
    i. No Parking/Curb Painting at the School- Sarpy County has given permission for the curb to be painted. Springfield Platteview Schools will paint the curb in the spring.
    j. Mowing Contract- Double T has offered a five-year contract at the current rate. This will be discussed at the next meeting.

12. **New Business:**
    a. Bond Refunding/Refinancing

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

CLERK_____ CHAIRWOMAN_____

FULLENKAMP, DOYLE & JOBEUN
11440 WEST CENTER ROAD
OMAHA, NEBRASKA 68144

NOTICE OF MEETING

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

NOTICE IS HEREBY GIVEN that a meeting of the Board of Trustees of Sanitary and Improvement District No.23 of Sarpy County, Nebraska ("SID 23") will be held at Westmont Elementary School 13210 Glenn Street, Omaha, Nebraska 68138, on **February 2, 2016** at 6:30 p.m., which meeting will be open to the public. An Agenda for such meeting, kept continuously current, is available for public inspection at JEANNINE GLESMANN board chairwoman home, 11712 Richland Drive and includes the payment of bills of the District and the consideration and passing or amending and passing the following Resolution, to-wit:

RESOLUTION OF NECESSITY

BE IT RESOLVED that the Board of Trustees of SID 23 find and determine that it is advisable and necessary in connection with providing water service to The United States of America, as represented by the U.S. Department of Veterans Affairs ("VA") to construct the Water Main Extension to VA Cemetery in accordance with the Water Service Agreement dated September 29, 2015 ("Agreement"), which improvements shall be constructed as follows:

WATER MAIN EXTENSION TO VA CEMETERY

The work to be performed in this improvement shall consist of the installation of 290± LF of 12" diameter water main and appurtenances starting at a point at the northwest corner of the intersection of Westmont Drive and Slayton Street and extending west and south to a point on the SID boundary 105 ± LF west of the southeast corner of Lot 1 Block 18, Westmont 2nd Platting. All of the improvements are to be located in dedicated public right-of-way or within Lot 1, Block 19 Westmont 2nd Platting that is owned by SID 23.

BE IT FURTHER RESOLVED that a general description of the terms of the said Agreement for the above-described improvement is as follows:

1. SID 23 has hereto contracted with the VA with respect to SID 23 providing a Point of Connection and 12" Water Main extension from the SID 23 water supply system to serve the Property. The Point of Connection will include a temporary 12" cap with backing beam/block and be located on the south property line of Lot 1, Block 18 Westmont 2nd Platting, at a point that is 50 feet west of the west side of the SID 23 storage facility at the southerly end of Westmont Drive.

b.

2. SID 23 is to be reimbursed for the costs and expenses associated with the design and construction of the Connection Point and 12" Water Main extension from the intersection of Westmont Drive and Slayton Street to the Point of Connection. SID 23 shall issue invoices to the VA for the costs and expenses associated with the design and construction of the improvements at the following milestones:
   - 2.1 Upon approval of this agreement: For all expenses incurred by SID 23 prior to the date of the agreement.
   - 2.2 Upon commencement of design by the SID 23 Engineer: For the estimated design fees submitted by the SID 23 Engineer.
   - 2.3 Upon commencement of construction: For 75% of the estimated cost of construction submitted by the SID 23 Engineer.
   - 2.4 Upon completion of construction: For the remaining balance of construction costs and any other associated costs incurred by SID 23.

c.

3. Upon the completion of the Water Main and Point of Connection at the above-described location, SID 23 will provide water service to the Property for the purposes of drinking water, bathroom facility usage, and fire hydrant water supply within the Property.

d.

4. The Agreement has been reviewed by Thompson, Dreessen & Dorner, engineers for the District and said engineers have filed with the Clerk of SID 23, prior to the first publication of this Resolution, an estimate of the total costs of said improvement,

including engineering fees, legal fees, fiscal fees, interest and other miscellaneous costs, which estimate is in the sum of $57,850.65.

The outer boundaries of the area which may become subject to special assessments for said improvements are proposed to be the same as the outer boundaries of SID 23.

It is anticipated that SID 23 will issue invoices to the VA for each milestone of the project, which invoices are payable by the VA within 14 business days of receipt by the VA per the terms of the Agreement. However, in the event that such payments are not made to SID 23 by the VA in a timely manner, to pay the cost of said improvement the Board of Trustees shall have the power to issue negotiable bonds of SID 23 after such improvements have been completed and accepted; said bonds to be called "Sanitary and Improvement District Bonds" and shall be payable and bear interest as provided by the Statutes of the State of Nebraska.

The Board of Trustees shall assess to the extent of special benefits, the cost of such improvements upon properties specially benefited thereby. All special assessments which may be levied upon the properties specially benefited by such improvements shall, when collected, be set aside and constitute a sinking fund for the payment of interest and principal of said bonds. SID 23 shall also cause to be levied annually a tax upon the assessed value of all of the taxable property in SID 23 except intangible property, which together with said sinking fund derived from special assessments shall be sufficient to meet payment of the interest and principal of said bonds as the same become due; said tax shall be known as the Sanitary and Improvement District Tax and shall be payable annually in money.

If a petition opposing this Resolution, signed by property owners representing a majority of the front footage which may become subject to assessment for the cost of the improvements as set forth herein, is filed with the Clerk of SID 23 within three (3) days before the date of the hearing on this Resolution, this Resolution shall not be passed.

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

By: Jeannine Glesmann, Chairwoman
Mike Quinn, Clerk

Publication Dates:
January 20th
January 27th