

SANITARY IMPROVEMENT DISTRICT NO. 29
OF
SARPY COUNTY, NEBRASKA
BOARD OF TRUSTEES MEETING
June 23, 2013

MINUTES

PRESENT: Barbara Schutte, Don Stungis, Steven Kurt Neff, John Wolken, Lee O'Neal

ABSENT: None

LOCATION: City Hall, Gretna, Nebraska

TIME: 7:00 p.m.

Notice was given in advance thereof by publication in the Gretna Guide & News, a designated method for giving notice on June 19, 2013, a copy of the Proof of Publication being attached to these minutes. Notice of this meeting was 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 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 agenda was at all times available at the office for the District at 1246 Golden Gate Drive, Suite 1, Papillion, Nebraska 68046.

The Clerk 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 Clerk then directed the Board's attention to Agenda Item No. 2, the proposal to proceed with a special election to allow the District to increase the District's levy to allow the District to contract for trash removal services for the District. The Clerk shared with the Board the information received from the District's attorney and accountant with regard to the same. After further discussion, Trustee Barbara Schutte moved for the adoption of the following resolution:

BE IT RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 29 of Sarpy County, Nebraska (the "District"), that said Board does find and determine that an increase in property taxes for the District's general fund greater than the increase permitted by Neb. Rev. Stat. §13-519, is required for the 2013-2014 fiscal year in order to enable the District to begin to provide trash collection services. By reason of such finding and determination said Board does herewith call for a special vote conducted by a special election of the property owners in the District called for the purpose of authorizing such increase. The increase shall be adopted if approved by a majority of legal voters voting on the issue at a special election called for such purpose. The election shall be conducted by the Sarpy County Election Commissioner

by mail-in ballots pursuant to the Nebraska Election Act. Voting at such special election shall be by those persons who are authorized to vote for members of the Board of Trustees of the District, and the number of votes shall be the same number authorized to vote for the board of trustee, *i.e.*, one vote per lot. The question shall be submitted to voters in the following form:

“SID 29 of Sarpy County, Nebraska proposes to request an increase in the total anticipated receipts from property taxes levied on its behalf for its General Fund (an increase of \$9,252.56 or 200%) over the maximum allowable tax permitted by Neb. Rev. Stat. §13-519 for its General Fund for the 2013-2014 fiscal year.

Shall SID 29 of Sarpy County, Nebraska be allowed to increase the total anticipated receipts from property taxes levied on behalf of its General Fund of \$9,252.56 or 200% which is over the maximum allowable tax permitted by Neb. Rev. Stat. §13-519 until fiscal year 2018-2019 for the purpose of general operations, including trash removal?

A vote FOR the proposal will allow SID 29 of Sarpy County, Nebraska to begin trash collection services for the residents of SID 29 of Sarpy County, Nebraska and allow an increase in the total anticipated receipts from property taxes levied for its general fund by \$9,252.56 (200%) over the maximum allowable tax for the general fund.

A vote AGAINST the proposal will limit SID 29 of Sarpy County, Nebraska to the increase permitted by Neb. Rev. Stat. §13-519(1), which would result in the inability to begin trash collection for the residents of SID 29.”

Motion seconded by Don Stungis. On roll call, the following voted for the passage and adoption of the foregoing Resolutions:

AYE: Steven Kurt Neff, John Wolken, Barbara Schutte, Lee O’Neal and Don Stungis
The following voted NAY: None

Thereupon the Chairperson declared said motion carried and said resolutions passed and adopted.

The Clerk then presented the following statements and recommended the issuance of warrants in payment thereof:

General Warrants

Gretna Guide & News

\$14.76

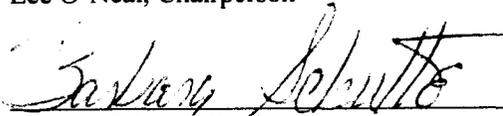
Trustee Barbara Schutte introduced the following resolutions and moved their adoption:

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 29 of Sarpy County, Nebraska that the Chairperson and Clerk be and they hereby are authorized and directed to execute and deliver Warrant No. **G-13-156** of the District, dated the date of this meeting to be drawn on the **General Fund**, said warrant to draw interest at the rate of Seven percent (7%) per annum (interest to be payable on February of each year) and to be redeemed no later than June 23, 2016, subject to extension of said maturity date by order of the

IN WITNESS WHEREOF, we have hereunto affixed our official signatures this 23rd day of June 2013.



Lee O'Neal, Chairperson



Barbara Schutte, Clerk

CERTIFICATE

The undersigned hereby certify that they are the Chairperson and Clerk of Sanitary and Improvement District Number 29 of Sarpy County, Nebraska, (the "District") and hereby further certify as follows:

1. Annexed to this certificate is a true and correct transcript of the proceedings of the Board of Trustees of the District relating to a meeting of said District held on the date and at the time reflected in the meeting minutes contained in said foregoing transcript (the "Meeting"). All of the proceedings of the District and of the Board of Trustees thereof which are set out in the annexed and foregoing transcript have been fully recorded in the journal of proceedings of the District and the undersigned District Clerk has carefully compared the annexed and foregoing transcript with said journal and with the records and files of the District which are in such Clerk's official custody and said transcript is a full, true and complete copy of said journal, records and files which are set out therein.

2. Advance notice for the Meeting was given by publication as set forth in the affidavit of publication contained in the foregoing transcript and was mailed to the Clerk of the municipality or county within whose zoning jurisdiction the District is located at least seven days prior to the date of the Meeting. Advance notice for the Meeting, including notice of agenda subjects, was given to all members of the Board of Trustees. All news media requesting notification of meetings of said body were provided with advance notice of the times and places of such meetings and the subjects to be discussed.

3. All of the subjects addressed at the Meeting were contained in the agenda for the Meeting, which agenda was kept continually current and readily available for public inspection at the address listed in the meeting notice for the Meeting and a copy of which is attached to this Certificate; such subjects were contained in said agenda for at least 24 hours prior to the Meeting and each agenda item was sufficiently descriptive to give the public reasonable notice of the matters to be considered at the Meeting.

4. A current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during the Meeting in the room in which such Meeting was held and all in attendance at the Meeting were informed that such copy of the Nebraska Open Meetings Act was available for review and were informed of the location of such copy in the room in which such Meeting was being held. At least one copy of all resolutions and other reproducible written materials, for which actions are shown in said proceedings, was made available for examination and copying by members of the public at the Meeting.

5. The minutes of the Meeting were in written form and available for public inspection within ten (10) working days after the Meeting or prior to the next convened meeting, whichever occurred earlier, at the office of the District; within thirty (30) days after the date of the Meeting, a copy of the minutes of the Meeting was sent to the Clerk of the municipality or county within whose zoning jurisdiction the District is located.

6. No litigation is now pending or threatened to restrain or enjoin the District from the issuance and delivery of any warrants or other obligations issued by the District or the levy and collection of tax or other revenues or relating to any of the improvements for which any such warrants or other obligations were or are issued nor in any manner questioning the proceedings and authority under which any such warrants or other obligations were or are issued or affecting the validity thereof; neither the corporate existence or boundaries of the District nor the title of its present officers to their respective offices is being contested; no authority or proceedings for the issuance of any warrants or other obligations by the District have been repealed, revoked or rescinded as of the date hereof. All actions taken by the Board of Trustees referred to in said transcript were taken at a public meeting while open to the attendance of the public.

CERTIFICATE

I, BARBARA SCHUTTE, the undersigned, hereby certify that I am the duly qualified and acting Clerk of Sanitary and Improvement District No. 29 of Sarpy County, Nebraska; that at a duly called and held meeting of the Board of Trustees on June 23, 2013, a quorum being present, the following resolution was duly moved, seconded and unanimously adopted, to-wit:

BE IT RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 29 of Sarpy County, Nebraska (the "District"), that said Board does find and determine that an increase in property taxes for the District's general fund greater than the increase permitted by Neb. Rev. Stat. §13-519, is required for the 2013-2014 fiscal year in order to enable the District to begin to provide trash collection services. By reason of such finding and determination said Board does herewith call for a special vote conducted by a special election of the property owners in the District called for the purpose of authorizing such increase. The increase shall be adopted if approved by a majority of legal voters voting on the issue at a special election called for such purpose. The election shall be conducted by the Sarpy County Election Commissioner by mail-in ballots pursuant to the Nebraska Election Act. Voting at such special election shall be by those persons who are authorized to vote for members of the Board of Trustees of the District, and the number of votes shall be the same number authorized to vote for the board of trustee, *i.e.*, one vote per lot. The question shall be submitted to voters in the following form:

"SID 29 of Sarpy County, Nebraska proposes to request an increase in the total anticipated receipts from property taxes levied on its behalf for its General Fund (an increase of \$9,252.56 or 200%) over the maximum allowable tax permitted by Neb. Rev. Stat. §13-519 for its General Fund for the 2013-2014 fiscal year.

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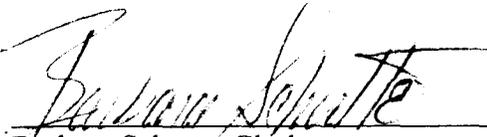
A vote FOR the proposal will allow SID 29 of Sarpy County, Nebraska to begin trash collection services for the residents of SID 29 of Sarpy County, Nebraska and allow an increase in the total anticipated receipts from property taxes levied for its general fund by \$9,252.56 (200%) over the maximum allowable tax for the general fund.

A vote AGAINST the proposal will limit SID 29 of Sarpy County, Nebraska to the increase permitted by Neb. Rev. Stat. §13-519(1), which would result in the inability to begin trash collection for the residents of SID 29."

FURTHER RESOLVED, that said special election shall be conducted by the Sarpy County Election Commission on or about the 13th day of August 2013.

I further certify that the above and foregoing resolution has been spread upon the minutes of the District and that the same has not been amended, altered or revoked.

EXECUTED this 23rd day of June 2013.


Barbara Schutte, Clerk

warrants or (c) 125% of annual debt service due on the above warrants will be expanded for payment of principal of an interest on the above warrants within thirteen months after receipt of such monies. That amount which is currently held in the District's Bond Fund which exceeds the amount which is to be expended for payment of principal and interest on the above warrants within thirteen months after receipt of such monies, plus that amount arrived at pursuant to the immediately preceding sentence, will not be invested in any securities or any other investment obligations which bear a yield, as computed in accordance with the actuarial method, in excess of the yield on the above warrants.

2. To the best of their knowledge, information and belief, the above expectations are reasonable.

3. The District has not been notified of any listing of it by the Internal Revenue Service as an issuer that may not certify its bonds.

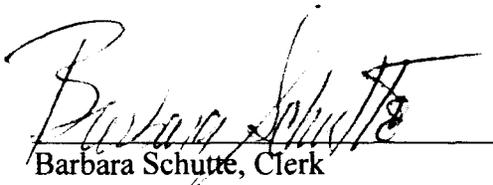
4. The Certificate is being passed, executed and delivered pursuant to Sections 1.148-2(b)(2) of the Income Tax Regulations under the Internal Revenue Code of 1986, as amended.

Motion seconded by Don Stungis. On roll call, the following voted for the passage and adoption of the foregoing Resolutions:

AYE: Steven Kurt Neff, John Wolken, Barb Schutte, Lee O'Neal and Don Stungis

The following voted NAY: None

Thereupon the Chairperson declared said motion carried and said resolutions passed and adopted.


Barbara Schutte, Clerk


Lee O'Neal, Chairperson

District Court of Sarpy County, Nebraska, after notice is given as required by law, to-wit:

Warrant No. G-13-156 for \$14.76 payable to Greta Guide & News

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 29 of Sarpy County, Nebraska, that both they and the district hereby find and determine and covenant, warrant and agree as follows: the improvements and/or facilities being financed or refinanced by the above Warrants are for essential governmental functions and are designed to serve members of the general public on an equal basis; all said improvements have from the time of their first acquisition and construction been owned, are owned and are to be owned by the District or another political subdivision; to the extent special assessments have been or are to be levied for any of said improvements, such special assessments have been or are to be levied under Nebraska law as a matter of general application to all property specially benefited by said improvements in the District; the development of the land in the District is for residential or commercial use and the development of the land in the District for sale and occupation by the general public has proceeded and is proceeding with reasonable speed; other than any incidental use of said improvements by a developer during the initial period of development of said improvements, there have been, are and will be no persons with rights to use such improvements other than as members of the general public; none of the proceeds of said Bonds or any refinanced indebtedness have been or will be loaned to any private person or entity; the District hereby authorizes and directs the Chairperson 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, pertaining to the above Warrants; and the District does not reasonably expect to sell or otherwise dispose of said improvements and/or facilities, in whole or in part, prior to the last maturity of the above Warrants.

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 29 of Sarpy County, Nebraska, that the District hereby covenants, warrants and agrees as follows: (a) to take all actions necessary under current federal law to maintain the tax-exempt status (as to taxpayers generally) of interest in the above warrants; and (b) to the extent that it may lawfully do so, the District hereby designates the above warrants as its "qualified tax-exempt obligations" under Section 265 (b) (3) (B) (i) (III) of the Internal Revenue Code of 1986 as amended and covenants and warrants that the District does not reasonably expect to issue warrants or bonds or other obligations aggregating in the principal amount of more than \$5,000,000 during the calendar year in which the above warrants are to be issued.

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 29 of Sarpy County, Nebraska, that this and the preceding resolutions are hereby adopted as the Certificate With Respect to Arbitrage of the District pertaining to the above warrants and the District and the Chairman and Clerk of the District hereby further certify, as of the date of the registration of the above warrants with the County Treasurer of Sarpy County, Nebraska, as follows:

1. No separate reserve or replacement fund has been or will be established with respect to the above warrants. The District reasonably anticipates that monies in its Bond Fund reasonably attributable to the above warrants in excess of the lessor of: (a) 10% of the net principal proceeds of the above warrants, (b) the maximum annual debt service due on the above