

# Brown & Brown, LLC

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October 7, 2015

Sarpy County Clerk  
Debra J. Houghtaling  
Sarpy County Courthouse  
1210 Golden Gate Dr., #1118  
Papillion, NE 68046

In re: SID 34

Dear Ms. Houghtaling:

Enclosed please find the minutes of SID 34 Board of Trustees meeting of September 15, 2015 for filing with your office.

Sincerely,



Steven J. Olson

SJO/maw  
Enclosure

**MINUTES OF MEETING OF SANITARY AND  
IMPROVEMENT DISTRICT NO. 34 OF  
SARPY COUNTY, NEBRASKA**

A meeting of the Board of Trustees of Sanitary and Improvement District No. 34 of Sarpy County, Nebraska, was convened in open and public session at 7:00 p.m. on **September 15, 2015**, at 8803 South 204<sup>th</sup> Street (Hwy. 6), Gretna, Sarpy County, Nebraska, 68028. Present were: Trustees Rodney L. Oberle, Steven J. Bergman, Larry J. Cushing, and Mark Nelson. Absent: Clifton Rockwell. Also present was Steven J. Olson, attorney for the District.

Notice of the meeting was given in advance thereof by publication in the *Gretna Guide and News*, Gretna, Nebraska, on September 9, 2015, a copy of the Proof of Publication being attached to these Minutes. Notice of this meeting was sent to the Gretna City Clerk, 204 North McKenna Avenue, Gretna, Nebraska, and Sarpy County Clerk, Sarpy County Courthouse, 1210 Golden Gate Drive, Papillion, Nebraska, not less than seven (7) days prior to the date of this meeting. Notice of this meeting was simultaneously 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 published notice and 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 Board reviewed the minutes of September 12, 2014. After full and careful discussion, the following resolution was then duly moved and seconded, to wit:

BE IT RESOLVED that the minutes of the Board of Trustees meeting on September 12, 2014 are hereby approved.

On roll call on the foregoing motion, the following Trustees voted aye: Trustees Oberle, Bergman, Cushing, and Nelson. Voting nay thereon were the following Trustees: None. The Chairman then declared said resolution to be duly carried and adopted.

The Chairman then presented for the Board's consideration the proof of publication of the "Notice of Budget Hearing and Budget Summary" and "Notice of Special Hearing to Set Final Tax Request" as published in the *Gretna Guide and News* on September 9, 2015. No owners of property in the District appeared at this public hearing to oppose the budget. After full and careful discussion, the following resolution was then duly moved and seconded, to wit:

WHEREAS, Nebraska Revised Statute §77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Board of Trustees of SID No. 34 of Sarpy County passes by a majority vote a resolution setting the tax request at a different amount; and

WHEREAS, it is in the best interests of SID No. 34 that the property tax request for the current year be for a different amount than the property tax request for the

prior year.

BE IT RESOLVED that the attached Budget is hereby adopted: that the 2.5% Base Limitation Percent Increase in the Total Restricted Funds Authority from the Total Restricted Funds Authority in the budget for the last fiscal year is hereby approved; that the 2015/2016 dollar requirement totaling \$100,249.00 is hereby established based upon a rate of \$.660004 per \$100.00 of taxable valuation; \$42,530.00 to be credited to the District's general fund based upon a rate of \$.280003 per \$100.00 of taxable valuation; and, \$57,719.00 to be credited to the District's construction or bond sinking fund based upon a rate of \$.380001 per \$100.00 of taxable valuation.

BE IT FURTHER RESOLVED that the Board of Trustees for the District hereby adopts a property tax for a different amount than the tax request for the prior year.

BE IT FURTHER RESOLVED that Steven J. Olson, Attorney for the District, be and hereby is directed on behalf of the Board of Trustees to forward a certified copy of this resolution to the County Clerk of this County on or prior to October 13, 2015.

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 34 of Sarpy County, Nebraska that it hereby approves a request to waive the audit requirement for the year ended June 30, 2015 rather than having an audit performed and the Chairman is hereby authorized to execute and file such request with the State Auditor of Public Accounts.

BE IT FURTHER RESOLVED that Steven J. Olson, attorney for the District, be and hereby is directed on behalf of the Board of Trustees to certify said budget and dollar requirement to the County Board and County Clerk of this County and is further directed to file or cause the same to be filed with the State Auditor of Public Accounts on or before September 20, 2015.

On roll call on the foregoing motion, the following Trustees voted aye: Trustees Oberle, Bergman, Cushing, and Nelson. Voting nay thereon were the following Trustees: None. The Chairman then declared said resolution to be duly carried and adopted.

The Board then discussed recent correspondence from the One-Call Center requesting the District's participation. It was noted the District owns the water system and the water mains are located within street right-of-way and the individual homeowners own the service lines from the water mains to their homes. It was also noted the District does not own any sanitary sewer lines as each residential lot has a septic system. It was also noted there will be an expense if the District joins the One-Call service as the District's engineers have to review every request. Mr. Olson advised since the water mains owned and operated by the District are located within street right-of-ways or real property owned by the District, no construction work could be done in such areas without the District's consent. Mr. Olson advised that all operators of underground

facilities are required to join the system and if the District did not join it ran the risk of a civil penalty of \$500 per day up to a maximum of \$5,000. The Board took no action on the request from the One-Call Center.

The Board then reviewed the supplemental information regarding receipts and expenditures by the District for the fiscal year 2014/2015 prepared by the District's auditor, Infinity Group CPA, LLC. The Clerk also presented a list of warrants issued and drawn on the general fund of the District between July 1, 2014 and June 30, 2015. The Chairman directed that the supplemental information prepared by Infinity Group CPA, LLC and list of warrants issued and prepared by the Clerk of the District be attached to these minutes for identification purposes. After full and careful discussion, the following resolution was then duly moved and seconded, to wit:

BE IT RESOLVED that the issuance of the general fund warrants as set forth on the schedule attached hereto between July 1, 2014 through June 30, 2015 in payment of the actual operating expenditures to the providers of the goods and services as identified therein is hereby ratified and approved.

On roll call on the foregoing motion, the following Trustees voted aye: Trustees Oberle, Bergman, Cushing, and Nelson. Voting nay thereon were the following Trustees: None. The Chairman then declared said resolution to be duly carried and adopted.

The Chairman advised personnel from the Nebraska Department of Health and Human Services had recently conducted a day long inspection of the District's well and well house. The Chairman advised the department found two violations. First, the department ruled the trees and vegetation around the fence surrounding the District's well house constituted a failure to maintain security. The Chairman advised the violation had been remedied by hiring a contractor who removed the trees and vegetation to create a two foot clearance around the fence.

The Chairman advised that the second violation was for a lack of an inspection within the water storage tank. The Chairman advised that an inspection within the storage tank would be conducted by a outside contractor in October.

Thereupon the meeting was adjourned.

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Rodney L. Oberle, Chairman & Trustee

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Steven J. Bergman, Clerk and Trustee

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Larry Cushing, Trustee

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Mark Nelson, Trustee