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July 1, 2015

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

In re: SID No. 92, Sarpy County, Nebraska

Dear Clerk:

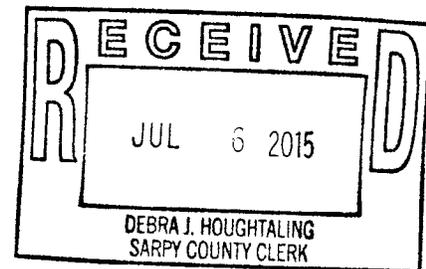
Enclosed please find the minutes of the meeting of the Board of Trustees of June 9, 2015 for filing.

Sincerely,



Steven J. Olson

SJO/maw
Enclosure



**MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES
OF SANITARY AND IMPROVEMENT DISTRICT NO. 92
OF SARPY COUNTY, NEBRASKA**

A meeting of the Board of Trustees of Sanitary and Improvement District No. 92 of Sarpy County, Nebraska, was convened at 6:30 p.m. on **June 9, 2015**, at 8901 South 154th Street, Omaha, Nebraska. Present were Trustees Ann Rasmussen, Linda Paesl, Stephanie Adams, Tim Albers and Aaron Thornton. Absent: None. Also present Steven J. Olson, Attorney for the District and Dean and Carol Miller.

Notice of the meeting was given in advance thereof by publication in The Papillion Times, Papillion, Nebraska, on May 27, 2015, a copy of the Proof of Publication being attached to these Minutes. Notice of this meeting was sent to the Sarpy County Clerk, Sarpy County Courthouse, Highway 370 and 84th Street, 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 undersigned Clerk hereby certifies that these Minutes were written and available for public inspection within ten (10) working days after the date of said meeting.

The Chairman recognized property owners, Dean and Carol Miller, of 15101 Irene Street. Mr. Miller stated the sanitary sewer in the vicinity of his home had backed up on January 31 resulting in property damage to the home. Mr. Miller advised that he had submitted a written damage claim to the Clerk on or about February 24, 2015 for \$535 for cleaning and \$998.58 for replacement of flooring materials. Mr. Olson advised that the claim had been tendered to the District's liability carrier and the carrier denied the claim on the grounds that there was no evidence suggesting negligence on behalf of the District. Mr. Miller advised that in his opinion the District had a duty to maintain the sewer so that it could flow freely at all times.

After full and careful discussion, the following resolution was then duly moved and seconded at 6:45 o'clock p.m., to wit:

BE IT RESOLVED, that the Board hereby elects to close the meeting to discuss the pending claim against the District by Dean and Carol Miller.

On roll call on the foregoing motion, the following Trustees voted aye: Stephanie Adams, Ann Rasmussen, Linda Paesl, and Tim Albers. Voting nay thereon were the following Trustees: Aaron Thornton. The Chairman then declared said resolution to be duly carried and adopted.

Dean and Carol Miller then left the meeting. At 6:55 o'clock p.m. the closed session was terminated and the meeting reopened to the public and the Millers rejoined the meeting.

After full and careful discussion, the following resolution was then duly moved and seconded, to wit:

BE IT RESOLVED, that the Board of Trustees hereby accepts and agrees to pay the written claim from Dean and Carol Miller of 15101 Irene Street in the amount of \$1,533.58 for cleaning and replacement of flooring materials due to the backup in the sanitary sewer in the vicinity on January 31, 2015 provided that the Millers execute a release and confidential settlement agreement in the form to be prepared by counsel for the Board of Trustees.

On roll call on the foregoing motion, the following Trustees voted aye: Stephanie Adams, Ann Rasmussen, Linda Paesl, Aaron Thornton and Tim Albers. Voting nay thereon were the following Trustees: None. The Chairman then declared said resolution to be duly carried and adopted. The Millers then left the meeting.

The Board then reviewed the bid proposal for 2015 park mowing and other services from Great Plains Tree Care. A representative from Great Plains Tree Care was present. General discussion then occurred regarding the number of applications needed for the rest of the year for fertilizer and insect control. The representative from Great Plains advised that four applications for pre-emergent, grub control with fertilizer, fall fertilizer and winter fertilizer would be necessary. Trustee Thornton advised that he opposed to any fertilizer applications by Great Plains Tree Care at \$730.00 per application, as the per application cost was substantially higher compared to the proposals from Midland Turf Management and J-O Lawn Service. Trustee Stephanie Adams voiced similar concerns. The Great Plains representative advised that mowing and fertilizing was part of a single, unitary bid and the district could not pick the mowing bid and reject the fertilization part of the bid. After full and careful discussion, the following resolution was then duly moved and seconded, to wit:

BE IT RESOLVED that Great Plains Tree Care is hereby authorized to mow the District's park in 2015 and to provide four (4) fertilizer applications for the District's park in 2015 for pre-emergent, fertilizer/grub control, fall fertilization and winter fertilization.

On roll call on the foregoing motion, the following Trustees voted aye: Ann Rasmussen, Linda Paesl, and Tim Albers. Voting nay thereon were the following Trustees: Stephanie Adams and Aaron Thornton. The Chairman then declared said resolution to be duly carried and adopted.

The Chairman presented the hereinafter described bills, statements and invoices. After full and careful discussion, the following resolutions were then duly moved and seconded, to wit:

BE IT RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 92 of Sarpy County, Nebraska, that the Chairman and Clerk be, and hereby are authorized and directed to execute and deliver warrant nos. 2308 through 2314 dated the date of this meeting to following payees and in the following amounts, said warrants to be drawn on the General Fund account of the

District and to draw interest at the rate of 7% per annum and to be redeemed no later than the date noted below, to wit:

GENERAL FUND ACCOUNT
(Due June 9, 2018)

- (a) Warrant No. 2308 in the sum of \$2,375.00, payable to Midland Turf Management, in payment of 2013 mowing & fertilizer;
- (b) Warrant No. 2309 in the sum of \$4,501.79, payable to Steven J. Olson, in payment of legal services rendered, invoice nos. 45765, 45735 and 45825;
- (c) Warrant No. 2310 in the sum of \$230.03, payable to Olmsted & Perry Consulting Engineers Inc., in payment of engineering services invoice no. 02-15023;
- (d) Warrant No. 2311 in the sum of \$550.00, payable to Clean Sweep Commercial Inc Parking Lot Services, in payment of street sweeping inv no 3872;
- (e) Warrant No. 2312 in the sum of \$106.00, payable to Gretna Sanitation, in payment of sanitation services May and June 2015;
- (f) Warrant No. 2313 in the sum of \$1,250.00, payable to Bankers Trust, in payment of admin fee annual invs 20195, 20154, 20155;
- (g) Warrant No. 2314 in the sum of \$2,971.09 payable to Omaha Public Power District in payment of 4504100020, April – June, 2015;

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 92 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 upon 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. 92 of Sarpy County, Nebraska, that the District hereby covenants, warrants and agrees as follows: (a) to take all actions necessary under current law to maintain the tax exempt status (as to taxpayers generally) of interest on 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 obligation" under Section 265(b)(3)(B)(ii) 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. 92 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 less of: (a) 10% of the net principal proceeds of the above Warrants, (b) the maximum annual debt service due on the above Warrants, or (c) 125% of average annual debt service due on the above Warrants will be expended for payment of principal of and interest on the above Warrants within 13 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 13 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. This Certificate is being passed, executed and delivered pursuant to Section 1.148(b)(2) of the Income Tax Regulations of the Internal Revenue Code of 1986, as amended.

On roll call on the foregoing motion, the following Trustees voted aye: Stephanie Adams, Ann Rasmussen, Linda Paesl, Aaron Thornton and Tim Albers. Voting nay thereon were the following Trustees: None. The Chairman then declared said resolution to be duly carried and adopted.

The Board authorized the engineer for the District to hire a contractor to fix the street damage at 15209 Green Avenue and 154th Street.

Thereupon the meeting adjourned.

Ann Rasmussen, Chairman & Trustee

Linda Paesl, Clerk & Trustee

Stephanie Adams, Trustee

Tim Albers, Trustee

Aaron Thornton, Trustee