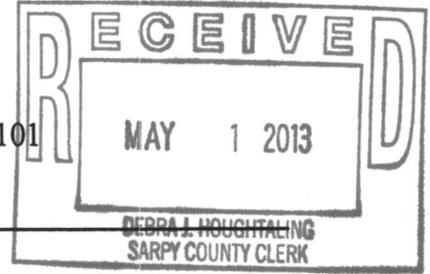


SANITARY AND IMPROVEMENT DISTRICT NO. 101  
OF SARPY COUNTY, NEBRASKA



Minutes of the Meeting of the Board of Trustees  
March 27, 2013

A meeting of the Board of Trustees of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska was convened in open public session at 7:00 p.m. on the 27<sup>th</sup> day of March, 2013, at the La Platte Community Church, 16412 Main Street, La Platte, Nebraska.

Present at the meeting were: Doug Hill, Chip Frazier, Lou Riedmann and Don Story, Trustees of the District; Jeffrey B. Farnham, the District's Attorney; Rene Nelson and Joy Nelson of Urban Utilities; and Ken Flegle, Brad Heath, and Tim & Peggy Parys, residents.

Notice of the meeting was given in advance thereof by publication in *The Bellevue Leader* on March 20, 2013, a copy of the Proof of Publication being attached to these Minutes. Advance notice was also given to the Board of Trustees and a copy of their acknowledgment of the receipt of such notice is attached to these minutes. Notice was also given to the County Clerk of Sarpy County, Nebraska per the attached certificate of the Clerk of the District. Availability of the agenda was communicated in the advance notice and in the notice to the Board of Trustees and the County Clerk.

The Clerk then certified that notice of this meeting had been given to the County Clerk of Sarpy County, Nebraska, at least seven days prior to the time set by the Board of Trustees for this meeting, said Certificate being attached to these minutes and made a part hereof by this reference. In the absence of Doug Hill, Chairman of the Board of Trustees, those Trustees present at the meeting unanimously elected Bill Nosek as the temporary chairman for the purpose of conducting this meeting.

All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

The Chairman then stated that one copy of the reproducible written material to be discussed at this meeting was available for examination or copying and that a current copy of the Open Meetings Act was posted in the meeting room.

Trustee Chip Frazier made a motion to approve the minutes of the last meeting and Trustee Don Story seconded the motion. Upon motion made and duly seconded and vote taken in open session convened, the motion carried.

The District's Clerk then presented the Treasurer's Report as of February 28, 2013. The balance in the District's General Fund was approximately \$105,420.73; the cash balance in the District's Bond Fund account was approximately \$613,504.32; the balance in the District's Bond Fund

Investment account was approximately \$0.00; and the Service Fee Fund balance was approximately \$60,596.17.

The Chairman stated that the next item of business was payment of existing bills.

The Chairman then presented the following statements for consideration:

**Construction Fund:**

<i>Warrant No. 2723(C)</i> – Farnham & Simpson, P.C., L.L.O. Special Assessment Collections (2/27/13 – 3/27/13) Statement No. 1765	\$1,451.25
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**General Fund:**

<i>Warrant No. 2724</i> – Omaha Public Power District Statement dated March 5, 2013	\$866.08
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<i>Warrant No. 2725</i> – Quinn Insurance, Inc. Invoice No. 40059	\$1,103.00
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<i>Warrant No. 2726</i> – Hanson’s Lake Association #2 Share of Flood Protection Costs to be Reimbursed From FEMA Proceeds	\$15,940.58
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<i>Warrant No. 2727</i> – Quick Mailing Service, Inc. Invoice No. 2226	\$208.47
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<i>Warrant No. 2728</i> – Olmsted & Perry Consulting Engineers Inc. Invoice No. 01-13025	\$314.00
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<i>Warrant No. 2729</i> – Farnham & Simpson, P.C., L.L.O. General legal services (2/27/13 – 3/27/13) Statement No. 1764	\$1,204.21
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<i>Warrant No. 2730</i> – Great Western Bank Series 2002, Account #6599 Final Fee Due to Full Call of Bond on 1/18/2012	\$62.00
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<i>Warrant No. 2731</i> – Great Western Bank Series 2005, Account #6698 Final Fee Due to Full Call of Bond on 1/18/2012	\$104.18
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**Service Fee Fund:**

<i>Warrant No. 275</i> – Midwest Laboratories, Inc. Invoice No. 678160	\$82.85
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<i>Warrant No. 276</i> – Urban Utilities, Inc. Invoice No. 6856	\$4,012.50
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Trustee Chip Frazier made a motion to pay all the bills and Trustee Don Story seconded the Motion. Upon motion made and duly seconded and vote taken in open session convened, and vote being in favor, none opposed. The following resolution was adopted:

RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska, that the Chairman and Clerk be and they hereby are authorized and directed to execute and deliver Warrant No. 2723(C) of the District, drawn on the Construction Fund of the District and to draw interest at the rate of 7% per annum to be redeemed no later than March 27, 2018, subject to extension of said maturity date by order of the District Court of Sarpy County, Nebraska, after said notice is given as required by law; Warrant Nos. 2724 through 2731, drawn on the General Fund of the District and to draw interest at the rate of 7% per annum to be redeemed no later than March 27, 2016, subject to extension of said maturity date by order of the District Court of Sarpy County, Nebraska, after said notice is given as required by law; and Warrant Nos. 275 through 276 of the District, drawn on the Service Fee Fund of the District and to draw interest at the rate of 7% per annum to be redeemed no later than March 27, 2016, subject to extension of said maturity date by order of the District Court of Sarpy County, Nebraska, after said notice is given as required by law, to-wit:

- A. *Warrant No. 2712* payable to Omaha Public Power District in the amount of \$
- B. *Warrant No. 275* payable to Midwest Laboratories, Inc. in the amount of \$82.85

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 101 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 benefitted 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. 101 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 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 obligations" under Section 265(b)(3)(B)(ii) of the Internal Revenue Code of 1986 as amended and covenant 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 \$5,000,000.00 during a calendar year in which the Warrants are issued.

1. No separate reserves or replacement fund has been or will be established with respect to the above Warrants. The District reasonably anticipates that the monies in its bond fund reasonably attributable to the above Warrants in excess of the lesser of: (a) 10% of the net principle proceeds of the above Warrants, or (b) the maximum annual debar service due on the above Warrants, or (c) 125% of the average annual debt service due on the above Warrants will be expended for payment and principle of and interest on the above amount arrived at pursuant to invested in any securities or any other of 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 Services as an issuer that may not certify its bonds.
4. This Certificate is being passed, executed and delivered pursuant to Section 1.102-13, 1.103-14 and 103-15 of the Income Tax Regulations under the Internal Revenue Code of 1954, as amended, and under the Internal Revenue Code of 1986.

Mr. Nelson presented a list of the supplies he felt needed to be purchased to replenish the parts inventory for the upcoming year. There was a discussion about the number of pumps in stock and Mr. Nelson indicated that at the present time there were six pumps in stock, he is asking for an additional seven pumps, and there are three or four rebuilds available. Chip Frazier asked Mr. Nelson to itemize any other costs such as removal of sludge from the pre-treatment tanks, that might be incurred this year, for purposes of budgeting and setting the Service Fee Fund fee. Mr. Farnham indicated that he would summarize the Service Fee Fund expenses for 2012. After further discussion Trustee Lou Riedmann offered the following resolution and moved for its adoption:

BE IT FURTHER RESOLVED that the parts and pumps purchase request submitted by Urban Utilities, Inc., a copy of which is attached to these minutes, is

hereby approved and Urban Utilities, Inc. is authorized to purchase the parts and pumps listed on the attachment.

Mr. Farnham then gave the Board a brief report on the status of the special assessment collections and pending litigation.

Brad Heath then addressed the Board concerning various issues related to flood protection. Mr. Heath suggested to the Board that he felt it made sense to address the District's policies and procedures regarding what actions may or may not be taken and the timing of such actions in the event of imminent flooding and to develop a written policy. Doug Hill summarized the actions the District is prepared to take in the event of a flood, including the operation of the new floodgate, installation of jersey barriers, sandbagging, and the system of planks set in iron channels. Mr. Hill indicated that each Board member has been assigned a responsibility in the event of flooding and that there are contractors standing by to move the jersey barriers and supply sand and sandbags. Mr. Hill feels that the District has been doing what it could within its legal requirements. There was discussion of the fact that the lakes are private property and therefore the District could take no direct action in connection with rising lake water that may damage private residences; the District can take action to protect the public roads and sanitary sewer system. Chip Frazier suggested that it would be useful if the lake associations had information regarding which lots were the first ones to flood.

Mr. Heath then suggested to the Board that the funds recently received by the District from OPPD for easement acquisition might be used to replace some of the trees that were removed from the easement area. Mr. Heath indicated that the lakes have a rough landscaping plan for the area and that it would make sense for everyone to work together over a period of time to accomplish the plan. The District's attorney discussed the limitations on the SID's ability to spend money for any improvements on private property and the fact that SID expenditures had to be for a public purpose authorized under Nebraska statutes.

Mr. Heath then raised the issue of possibly resurfacing or constructing a bike path on the dike. The Trustees indicated that this issue had been looked at in the past and that the Corps of Engineers, which regulates the dike, had not been in favor of such a project. After further discussion, the Board directed the District's attorney to make a preliminary investigation of whether or not anything had changed and if a bike path may be a possibility at this time.

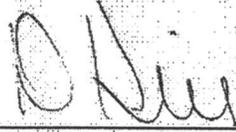
It was noted that the recent inclement weather had postponed the inspection of the roads by the District's engineer and that the inspection would take place prior to the Board's next meeting.

Ken Flegle, a resident of the District, then asked the Board if the roads would be striped. Trustee Lou Riedmann indicated that in the past the only roads that have been striped were Dyson Hollow and Platte River Drive. Mr. Flegle then discussed a Corps of Engineers report regarding elevation inaccuracies and several other matters discussed by the Board.

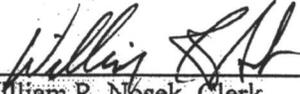
There were no future agenda items.

It was determined that the next Board meeting would be at 7:00 PM on May 22, 2013.

There being no further business appearing, and upon motion duly made by Don Story, seconded by Lou Riedmann and unanimously carried, the meeting was adjourned.



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Doug Hill, Chairman



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William R. Nosek, Clerk

Sid101Meetings-201703-27-13Minutes

Order	Stock	Part #		Description	Price ea.	Total
				<b>Pumps</b>		
7	6	WGL20-21	Hutcheson	Myers (New) 2.0 H.P. Grinder Pump	\$1,941.00	\$13,587.00
	4		Industrial	Myers (rebuilt) Grinder Pumps		
	0		Industrial	Pumps in for rebuild		
			Hutcheson	Keen-2.0 H.P. Grinder Pump	\$1,705.00	
				Lift out - assembly		
	26	74654	?	3/16" Clevis with pin s.s.		
	500	34901	?	1/8" Lifting Chain s.s.		
	31		?	Lifting eye s.s.		
	4		Hutchesson	Pump Guide plate		
	4		Hutchesson	Guide Plate lock nut		
4	4	23076C002	Hutchesson	Check valve-complete	\$328.00	\$1,312.00
	5	23070B000	Hutcheson	Check valve flapper only		
	4			1 1/4" x 9.75" S.S. Pipe nipples		
	4			1 1/4" x 4.5" S.S. Pipe nipples		
	4			1 1/4" x 2" Pipe Nipples		
	4			1 1/4" S.S. Unions		
	8	05876A036	Swan	Quick Conn.-o-rings		
3	4	22422C002	Hutcheson	Quick connect seal unit	\$41.18	\$123.54
				<b>Hold Down Brackets</b>		
	3	05057A030		S.S. bolt 3/8-16x1		
	3	19109A021		Brass nut 3/8-16		
				<b>Liquid Level Controls</b>		
	0			6' Unit		
	1			8' Unit		
	1			10' Unit		
	0			12' Unit		
	0					
12	6	BBA-green		Breather Bags w/fitting	\$18.82	\$225.84
	28	MS-5amp		Micro Switches		
2	5	LLC-RACK		Switch cages (VPAC)	\$56.47	\$112.94
	6	LLC O-ring		O-ring		
12	12			Diaphragms	\$14.11	\$169.32
	28			Hold off csrews s.s.		
	4			New Switch Caps comp. with cords		
	4			Used Switch Caps comp. with cords		
				<b>J-Box</b>		
	3			Box with cover and cap screws		
	94	2-4395A		Cap screws		
	42	05876A8		Cap screw, o-rings		
	12			Cover gasket		
	0			Cord seal - power		
	4	18696A015		Cable conn-air line		
	4	05876A70		O-ring		
	4	08715A003		Lock nut		
	0			Cord seal - LLC		
				<b>Control Panels / Parts</b>		
	7			New - Units complete		
	0			Padalocks		
	10			Spare Keys		
	5	21985A001		Circuit Breaker, 30 amp		
6	3	LC1D18G7		Motor Contactor	\$55.48	\$332.88
6	18	130-156 MFD		Start Capacitor 130-156 MFD	\$17.64	\$105.84

12	6	20 MFD	Run Capacitor 20MFD	\$22.35	\$1,251.60
6	14	3ARR3J3G3	Start Relay 3ARR3J3G3	\$45.88	\$275.28
			P-up 327-345, drop out 135		
6	3	20704A008	Kelxon overload	\$36.47	218.82
	7		Fuse, 3 amp		
	1	2200A060	Alarm Strobe-complete		
	3		Alarm,audible		
6	0		Light bulbs	\$1.50	\$9.00
	3		Flasher		
	0		Alarm relay		
	0		Seal leak relay		
	0		Alarm Silence relay		
	1		Alarm silence switch		
	1	7202C	H-O-A switch, Pump		
	1	7202C	H-O-A switch, Alarm		
	0		Seal leak light		
	0		Run Light		
			<b>Pump Repair Parts</b>		
	5	21576A010	Mechanical Seal		
	5	21584A000	Grinder Ring (Shredding ring)		
	5	21582A000	Impeller,Grinder		
	5		Impeller,Pump		
	5	21583A000	Retainer, impeller		
	5	25218A004	Motor and Seal repair kit		
	5	22581A001	Gasket,?		
	5	07597A018	Screw, Imp.		
			<b>Basin Repair Parts</b>		
	0		Basin Cover		
	0	2315007400	Basin Cover, gasket 5/16x5/8		
	0		Basin Cover, S.S. Bolts		
	0		Basin Cover, Washers		
	1	23968A001	Anti-syphon Valves		
	2	23909A009	Shut-Off-Valves		
	0	22428B001	1/1/4x11/2 slip joint disc. flg		
	0	22251A002	Gasket for disc flg		
	0		Nuts & bolts for disc flg		
	2	22415B004	Top Hold Down w/bolts and nuts		
	2	22415B005	Bottom Hold Down		
	0		1" Guide rail-Pultruded F.G.		
	0		Invert Gasket - 4"		
	1	22426B001	Guide rail support -to Basin		
	1	22416C003	Guide rail retainer bracket		

\$17,505.24

## CERTIFICATE

The undersigned being Clerk of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska, hereby certifies that notice of a meeting of the Board of Trustees of said District held on March 27, 2013, was mailed to the County Clerk of Sarpy County, Nebraska at least seven days prior to the date of said meeting.

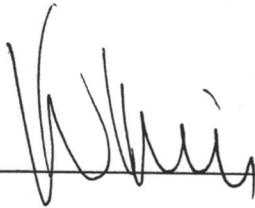
The undersigned further certifies that the agenda for the meeting of the Board of Trustees of said District was prepared and available for public inspection at the address designated in the notice of meeting published in *The Bellevue Leader* on March 20, 2013, and that no items were added to the agenda after the commencement of the meeting; and further, that the minutes for the meeting were available for public inspection within ten (10) days of the date of said meeting and that a copy of the minutes of this meeting were sent to the County Clerk of Sarpy County, Nebraska within thirty days from the date of this meeting.

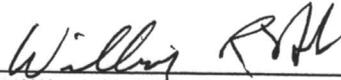
  
\_\_\_\_\_  
Clerk

**ACKNOWLEDGMENT OF RECEIPT OF NOTICE OF MEETING**

The undersigned Trustees of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska, do hereby acknowledge receipt of advance notice of a meeting of the Board of Trustees of said District and the agenda for such meeting held at 7:00 p.m. on Wednesday, March 27, 2013, at La Platte Community Church, 16412 Main Street, Sarpy County, La Platte, Nebraska.

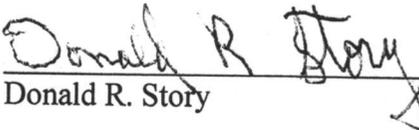
DATED this 27<sup>th</sup> day of March, 2013.

  
\_\_\_\_\_  
Doug Hill

  
\_\_\_\_\_  
William R. Nosek

  
\_\_\_\_\_  
Edwin "Chip" Frazier

  
\_\_\_\_\_  
Lou Riedmann

  
\_\_\_\_\_  
Donald R. Story

