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April 23, 2015

County Clerk
SARPY COUNTY, NEBRASKA
1210 Golden Gate Drive, Suite 1118
Papillion, NE 68046

RE: SID No. 101 of Sarpy County, Nebraska

Dear Ms. Houghtaling:

Enclosed please find a copy of the minutes from the meeting held on Wednesday, April 15, 2015 for the above-referenced District. The Affidavit of Publication, Acknowledgement of Receipt of Notice, and Clerk Certificate are attachments to the minutes.

If you have any questions do not hesitate to contact Mr. Farnham. Thank you.

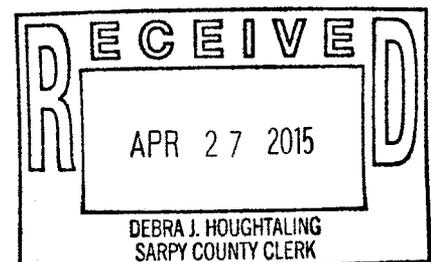
Sincerely,



Beverly J. Jones
Assistant to Jeffrey B. Farnham

Enclosure

Sid101\Meetings2015\4-15-15\Letter-SarpyCoClerk.pmtg.bjj.042315



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

Minutes of the Meeting of the Board of Trustees
April 15, 2015

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 15th day of April, 2015, at the La Platte Community Church, 16412 Main Street, La Platte, Nebraska.

Present at the meeting were: Doug Hill, Don Story and Lou Riedmann, Trustees of the District; Jeff Farnham, the District's attorney; Jim Olmsted of Olmsted & Perry Consulting Engineers; Rene Nelson of Urban Utilities; Kevyn Sopinski, Tim Geis and Barb Story, residents of the District.

Notice of the meeting was given in advance thereof by publication in *The Bellevue Leader* on April 8, 2015, 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 notices and in the notices to the Board of Trustees and the County Clerk.

The Clerk then certified that notices 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.

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.

The District's Clerk then presented the Treasurer's Report as of March 31, 2015. The balance in the District's General Fund was approximately \$192,411.17; the balance in the District's General Fund Investment account was approximately \$0.00; the cash balance in the District's Bond Fund account was approximately \$482,802.03; the balance in the District's Bond Fund Investment account was approximately \$0.00; and the Service Fee Fund balance was approximately \$39,563.43.

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

Mr. Olmsted presented actions regarding the 2013 Treatment Plant Improvements as follows:

1. Change Order No. 1, in the amount of an increase of \$934.50 which adjusts unit quantities to reflect final work in place: Trustee Lou Riedmann made a motion to approve, Trustee Don Story seconded the motion, and all Trustees voted in favor of the motion;
2. Application for Payment No. 2, from Kerns Excavating in the amount of \$44,806.73: Trustee Don Story made a motion to approve, Trustee Lou Riedmann seconded the motion, and all Trustees voted in favor of the motion;
3. Application for Payment No. 3, from Kerns Excavating in the amount of \$12,519.75 for retainage that has been held on the work: Trustee Don Story made a motion to approve, Trustee Lou Riedmann seconded the motion, and all Trustees voted in favor of the motion.

There was discussion about retainage on the project. Mr. Olmsted recommended that the warrant be issued but that it be held by Mr. Farnham for 30 days pending completion of final minor items on the project.

There was then discussion of acceptance and closeout regarding the project Mr. Olmsted indicated that his office had issued a Certificate of Substantial Completion, dated today and that would start the 2-year warranty period. After further discussion Trustee Lou Riedmann moved to accept and close out the 2013 Treatment Plant Improvements and Trustee Don Story seconded the motion. The motion was approved by unanimous vote by the Trustees.

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. 2882(C)</i> – Olmsted & Perry Consulting Waste Water Treatment Plant Invoice No. 12-13025-01	\$2,218.63
<i>Warrant No. 2883(C)</i> – Kerns Excavating Co., Inc. Waste Water Treatment Plant Application for Payment No. 2	\$44,806.73
<i>Warrant No. 2884(C)</i> – Kerns Excavating Co., Inc. Waste Water Treatment Plant Application for Payment No. 3	\$12,519.75

General Fund:

<i>Warrant No. 2873</i> – Omaha Public Power District (Issued 3/16/15) Statement Dated 3/5/2015	\$929.62
<i>Warrant No. 2874</i> – Quinn Insurance, Inc. (Issued 3/16/15) Renewal-Public Officials Errors & Omissions Invoice No. 44463	\$1,103.00

<i>Warrant No. 2876 – Miktom, Inc. (Issued 3/25/15)</i> Clean, Seal & Squeegee Pavement Cracks Invoice No. 14397	\$7,068.00
<i>Warrant No. 2877 – Olmsted & Perry Consulting</i> General Engineering Services, 2/1/15 to 3/15/15 Invoice No. 01-15025	\$166.95
<i>Warrant No. 2878 – O'Donnell, Ficenec, Wills & Ferdig, LLP</i> 2015 Budget, Audit Financials & Annual Reporting Invoice No. 78496	\$3,515.00
<i>Warrant No. 2879 – Omaha Public Power District</i> Statement Dated 4/6/2015	\$778.99
<i>Warrant No. 2880 – Urban Utilities, Inc.</i> Invoice No. 7379	\$31,975.74
<i>Warrant No. 2881 – Farnham & Simpson, P.C., L.L.O.</i> General Legal Services Statement Dated 04/15/2015	\$2,450.16
 <u>Service Fee Fund:</u>	
<i>Warrant No. 335 – Midwest Laboratories, Inc. (Issued 3/16/15)</i> Invoice No. 755345	\$177.79
<i>Warrant No. 336 – Urban Utilities, Inc.</i> Invoice No. 7398	\$4,256.86
 <i>Warrant No. 337 – Midwest Laboratories, Inc.</i> Invoice No. 758757	 \$100.85

Trustee Don Story made a motion to pay all the bills and Trustee Lou Riedmann 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:

BE IT 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 Nos. 2882(C) through 2884(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 April 15, 2020, 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. 2873 through 2874 of the District, 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 16, 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 No. 2876 of the District, 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 25, 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. 2877 through 2881 of the District, 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 April 15, 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 No. 335 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 16, 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; and Warrant Nos. 336 through 337 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 April 15, 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; to-wit:

- A. *Warrant No. 2882(C)* payable to Olmsted & Perry Consulting Engineers Inc. in the amount of \$2,218.63
- B. *Warrant No. 2883(C)* payable to Kerns Excavating Co., Inc. in the amount of \$44,806.73
- C. *Warrant No. 2884(C)* payable to Kerns Excavating Co., Inc. in the amount of \$12,519.75
- D. *Warrant No. 2873* payable to Omaha Public Power District in the amount of \$929.62
- E. *Warrant No. 2874* payable to Quinn Insurance, Inc. in the amount of \$1,103.00
- F. *Warrant No. 2876* payable to Miktom, Inc. in the amount of \$7,068.00
- G. *Warrant No. 2877* payable to Olmsted & Perry Consulting Engineers, Inc. in the amount of \$166.95
- H. *Warrant No. 2878* payable to O'Donnell, Ficene, Wills & Ferdig, LLP in the amount of \$8,515.00
- I. *Warrant No. 2879* payable to Omaha Public Power District in the amount of \$778.99
- J. *Warrant No. 2880* payable to Urban Utilities, Inc. in the amount of \$31,975.74
- K. *Warrant No. 2881* payable to Farnham & Simpson, P.C., L.L.O. in the amount of \$2,450.16
- L. *Warrant No. 335* payable to Midwest Laboratories, Inc. in the amount of \$177.79
- M. *Warrant No. 336* payable to Urban Utilities, Inc. in the amount of \$4,256.86
- N. *Warrant No. 337* payable to Midwest Laboratories, Inc. in the amount of \$100.85

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 lessor 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.

Rene Nelson presented the sewer report and indicated that there was not any abuse to report since the last meeting and that things had been fairly quiet. Mr. Nelson also advised the Board that approximately 40 floats had been done.

The District's attorney then advised the Board that Scott Reichstadt had paid his road assessment in full and was making arrangements to pay off the outstanding Service Fund Fees over a period of time. Mr. Farnham discussed dismissing the pending foreclosure litigation against Mr. Reichstadt and after consideration the Board unanimously authorized Mr. Farnham to do so.

Don Story indicated that he was getting a quote regarding the manufacture and installation of No Trespassing signs and No Outlet signs from Quality Signs in Plattsmouth and would present it at the next meeting.

There was then a discussion concerning overnight parking on the streets. The Board determined to lay this over until the entire Board is present.

There was then discussion concerning whether or not there is a bathroom in the garage at 1809 Hanson Drive that would be serviced by the grinder pump for the residence at that location. Rene Nelson indicated that he would pull the lid on the grinder pump and see if the basin had an additional penetration. No action was taken at this time.

There was then a general discussion concerning road maintenance within the District. Mr. Olmsted indicated that he had gone out and examined additional work that had been missed by Miktom and that it appeared to be acceptable. There was discussion of the patch on Lakewood Circle and Mr. Olmsted indicated that he had examined it and thought that it was alright, but will monitor it in the future.

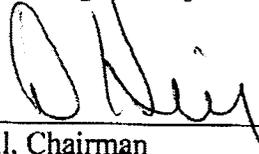
There was a discussion concerning trees leaning into the road at 3110 Annabelle. It was determined that Josh Tedder would be retained to trim the trees so that they did not interfere with road traffic.

Kevyn Sopinski and Tim Geis then addressed the Board concerning the subdivision of certain outlots adjacent to their properties. They had done some research with the Sarpy County Planning Department and determined that any outlots that were created would be subject to a 25-foot front yard setback and that the County Planning Department was in favor of such action being taken, feeling that it would improve the area. After further discussion the District's attorney was advised to discuss this matter with the Sarpy County Planning Department and report back to the Board. Those Trustees present were generally in favor of the subdivision, however it was determined that this matter should be addressed at the next meeting when all Trustees could be present.

There were no future agenda items.

It was determined that the next Board meeting would be at 7:00 PM on May 13, 2015.

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



Doug Hill, Chairman



William R. Nosek, Clerk

Sid101\Meetings-2015\04-15-15\Minutes

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 April 15, 2015, 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 April 8, 2015 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.

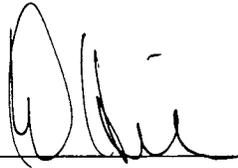


Clerk

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, April 15, 2015, at La Platte Community Church, 16412 Main Street, Sarpy County, La Platte, Nebraska.

DATED this 15th day of April, 2015.

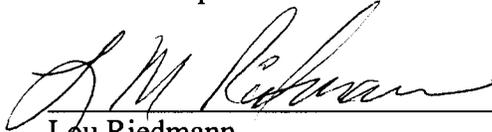


Doug Hill



William R. Nosek

Edwin "Chip" Frazier



Lou Riedmann



Donald R. Story