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June 17, 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, May 13, 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\5-13-15\Letter-SarpyCoClerk.pmtg bjj.061715

RECEIVED
JUN 19 2015
DEBRA J. HOUGHTALING
SARPY COUNTY CLERK

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

Minutes of the Meeting of the Board of Trustees
May 13, 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 13th day of May, 2015, at the La Platte Community Church, 16412 Main Street, La Platte, Nebraska.

Present at the meeting were: Doug Hill, Don Story, Chip Frazier, Bill Nosek and Lou Riedmann, Trustees of the District; Jeff Farnham, the District's attorney; Jim Olmsted of Olmsted & Perry Consulting Engineers; Joy Nelson of Urban Utilities; Kevyn Sopinski, Tim Geiss, Barbara Story and Ken Weber, residents of the District.

Notice of the meeting was given in advance thereof by publication in *The Bellevue Leader* on May 6, 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 April 30, 2015. The balance in the District's General Fund was approximately $145,946.86; 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 $372,761.14; the balance in the District's Bond Fund Investment account was approximately $0.00; and the Service Fee Fund balance was approximately $27,906.01.

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

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:

Warrant No. 2885(C) – Nebraska Dept. of Environmental Quality Clean Water SRF Semi-Annual Principal & Interest Pmt. Invoice No. 21725	$34,304.8
Warrant No. 2886(C) – Olmsted & Perry Consulting Waste Water Treatment Plant Invoice No. 13-13025-01	$4,863.11

General Fund:

Warrant No. 2887 – Bankers Trust Company Annual Admin Fee Invoice No. 20135	$500.00
Warrant No. 2888 – Bankers Trust Company Disclosure Fee Invoice No. 20136	$250.00
Warrant No. 2889 – Omaha Public Power District Statement Dated 5/5/2015	$640.62
Warrant No. 2890 – Josh Tedder Construction Inc. Mow Dike; Haul Rock Invoice No. 1491	$400.00
Warrant No. 2891 – Josh Tedder Construction Inc. Snow Removal 2/1/15 Invoice No. 1447	$100.00
Warrant No. 2892 – Josh Tedder Construction Inc. Snow Removal 2/4/15 Invoice No. 1459	$100.00
Warrant No. 2893 – Farnham & Simpson, P.C., L.L.O. General Legal Services Statement No. 2963	$2,050.55

Service Fee Fund:

Warrant No. 338 – Urban Utilities, Inc. Invoice No. 7427	$6,838.04
Warrant No. 339 – Urban Utilities, Inc. Invoice No. 7428	$424.05
Warrant No. 340 – Urban Utilities, Inc. Invoice No. 7429	$2,387.70
Warrant No. 341 – Urban Utilities, Inc. Invoice No. 7430	$8,720.00

Warrant No. 342 – Midwest Laboratories, Inc. $91.29
Invoice No. 762520

Trustee Don Story made a motion to pay all the bills and Trustee Chip Frazier 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. 2885(C) through 2886(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 May 13, 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. 2887 through 2893 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 May 13, 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. 338 through 342 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 May 13, 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. 2885(C)* payable to Nebraska Department of Environmental Quality in the amount of $34,304.87

B. *Warrant No. 2886(C)* payable to Olmsted & Perry Consulting Engineers Inc. in the amount of $4,863.11

C. *Warrant No. 2887* payable to Bankers Trust Company in the amount of $500.00

D. *Warrant No. 2888* payable to Bankers Trust Company in the amount of $250.00

E. *Warrant No. 2889* payable to Omaha Public Power District in the amount of $640.62

F. *Warrant No. 2890* payable to Josh Tedder Construction Inc. in the amount of $400.00

G. *Warrant No. 2891* payable to Josh Tedder Construction Inc. in the amount of $100.00

H. *Warrant No. 2892* payable to Josh Tedder Construction Inc. in the amount of $100.00

I. *Warrant No. 2893* payable to Farnham & Simpson, P.C., L.L.O. in the amount of $2,050.55

J. *Warrant No. 338* payable to Urban Utilities, Inc. in the amount of $6,838.04

K. *Warrant No. 339* payable to Urban Utilities, Inc. in the amount of $424.05

L. *Warrant No. 340* payable to Urban Utilities, Inc. in the amount of $2,387.70

M. *Warrant No. 341* payable to Urban Utilities, Inc. in the amount of $8,720.00

N. *Warrant No. 342* payable to Midwest Laboratories, Inc. in the amount of $91.29

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.

Joy Nelson then gave the sewer report and advised the Board that most of the activity since the last report had been locates. Kern Construction repaired the gate at the wetlands. The majority of the level controllers have been replaced on Annabelle Street and since that has been accomplished there haven't been many air locks, probably because the levels are now above the pumps; Joy speculated that the faulty valves may have been causing the air locks.

Trustee Don Story then reported that the No Trespassing and No Outlet signs have been delivered and would be installed within the next 30 days. There was discussion about a street sign at the end of Yucca which was damaged by a Nebraska Furniture Mart truck. It was estimated that the sign and bracket would cost about $200.00 to replace. The Board determined to get it fixed and then make a claim against Nebraska Furniture Mart for the cost. It was decided that Josh Tedder would install the new sign.

There was then a general discussion of the status of the roads within the District. Trustee Chip Frazier reported that the patch at Buttons and Annabelle is settling and needs to be monitored. There was a discussion about sealing the road cracks with tar. Mr. Olmsted indicated that it probably made sense for the District to have a 5-year road plan, perhaps culminating in an overlay on the roads. It was determined that Mr. Olmsted would contact Miktom to do the crack sealing this fall.

There was then a discussion concerning the installation of "No Overnight Parking" signs on the streets. The Chairman stated that there had been several complaints from residents living on Annabelle about cars being parked on the street for long periods of time. Mr. Olmsted explained the procedure to request "No Overnight Parking" signs from the County. The Board expressed

concerns about streets that looped, unusually narrow streets and the access for emergency vehicles. After further discussion Trustee Chip Frazier offered the following resolution and moved for its adoption:

> RESOLVED that the District's engineer is authorized to determine what locations within the District would be appropriate for "No Overnight Parking" signs and to make the necessary request to Sarpy County, Nebraska for approval of signs at such locations.

There was then a discussion concerning the subdivision and sale of certain SID property. Residents Kevyn Sopinski, Tim Geiss and Ken Weber all had questions concerning this process. After further discussion Trustee Don Story made a motion to authorize the Chairman to come up with several sketches of Outlots 62A and 63, showing how the lots could be subdivided and to present the sketches to the Board at its next meeting. Trustee chip Frazier seconded the motion. The motion was approved by unanimous vote of the Trustees.

There was then discussion concerning the amount of the 2015 Service Fee Fund payment. Trustee Lou Riedmann made a motion to establish the fee at $300.00 plus the sales tax; the motion died for lack of a second. Trustee Chip Frazier then made a motion to continue the Service Fee Fund fee at $300.00, to include sales tax. The motion was seconded by Don Story and was approved by all Trustees with the exception of Lou Riedmann who voted against it.

There was then a discussion concerning the tree stumps in the ditch on the east side of Platte River Road. There was also a discussion of the existing ornamental trees located in the road ditch and the possibility of putting in more ornamental trees. Bill Nosek obtained an estimate from Dave Peters to take out the stumps for up to $2,400.00. After discussion Trustee Don Story made a motion to retain Dave Peters to take out the stumps and grade and seed the area for an amount not to exceed $2,400.00; Trustee Chip Frazier seconded the motion. The motion was approved by unanimous vote of the Trustees.

Trustee Chip Frazier then made a motion to obtain a bid and authorize the work to proceed for planting additional ornamental trees in the road ditch, not to exceed a cost of $2,500.00. The trees would be planted from the existing ornamental crab trees on the north end of Platte River Road ditch up to Hanson Drive. Trustee Bill Nosek seconded the motion and the motion was approved by unanimous vote of the Trustees.

There were no future agenda items.

It was determined that the next Board meeting would be at 7:00 PM on June 17, 2015.

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

Doug Hill, Chairman

William R. Nosek, Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEBRASKA }
} SS.
County of Sarpy }

Being duly sworn, upon oath, Shon Barenklau deposes and says that he is the Publisher or Ron Petak deposes and says that he is the Executive Editor of the **Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor,** legal newspapers of general circulation in Sarpy County, Nebraska, and published therein; that said newspaper has been established for more than one year last past; that it has a bona-fide paid subscription list of more than three hundred; that to this personal knowledge, the advertisement, a copy of which is hereto attached, was printed in the said newspaper once each week, the first insertion having been on:

Wednesday, May 6, 2015 Bellevue Leader

And that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge.

Shon Barenklau OR Ron Petak
Publisher Executive Editor

Today's Date 5-6-2015
Signed in my presence and sworn to before me:

Notary Public

GENERAL NOTARY - State of Nebraska
ELIZABETH M WHITE
My Comm. Exp. December 22, 2018

Printer's Fee $ 13.12
Customer Number: 206179
Order Number: 0001857107

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

Notice is hereby given that a general meeting of the Board of Trustees of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska, will be held at 7:00 p.m. on Wednesday, May 13, 2015, at La Platte Community Church, 16412 Main Street, La Platte, Nebraska, which will be open to the public. An agenda for such meeting, kept continuously current, is available for public inspection at the principal office of the Board at 220 North 89th Street, Suite 201, Omaha, Nebraska, and includes payment of bills of the District. Immediately prior to the scheduled meeting at 7:00 p.m., members of the Board of Trustees will gather informally at 6:00 p.m. at The Lodge, 16609 Clay Street, Bellevue, Nebraska and may discuss items which are on the agenda for the scheduled meeting, however, no action will be taken on any such items until the scheduled meeting. The meeting at The Lodge is open to the public.

William R. Nosek
Clerk of the District

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 May 13, 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 May 6, 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, May 13, 2015, at La Platte Community Church, 16412 Main Street, Sarpy County, La Platte, Nebraska.

DATED this 13th day of May, 2015.

Doug Hill

William R. Nosek

Edwin "Chip" Frazier

Lou Riedmann

Donald R. Story