

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

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Minutes of the Meeting of the Board of Trustees  
July 22, 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 22<sup>nd</sup> day of July, 2015, at the La Platte Community Church, 16412 Main Street, La Platte, Nebraska.

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

Notice of the meeting was given in advance thereof by publication in *The Bellevue Leader* on July 15, 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 June 30, 2015. The balance in the District's General Fund was approximately \$146,147.40; 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 \$340,967.75; the balance in the District's Bond Fund Investment account was approximately \$0.00; and the Service Fee Fund balance was approximately \$12,158.23.

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.

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. 2894(C) – Olmsted &amp; Perry Consulting (Issued 6/17/15)</i>	\$587.61
Waste Water Treatment Plant	
Invoice No. 14-13025-01	
<i>Warrant No. 2907(C) – Olmsted &amp; Perry Consulting Engineers Inc.</i>	\$105.00
Waste Water Treatment Plant	
Invoice No. 15-13025-01	

**General Fund:**

<i>Warrant No. 2895 – Olmsted &amp; Perry Consulting Engineers (Issued 6/17/15)</i>	\$237.96
General Engineering Services	
Invoice No. 02-15025	
<i>Warrant No. 2896 – Omaha Public Power District (Issued 6/17/15)</i>	\$599.05
Statement Dated 6/4/2015	
<i>Warrant No. 2897 – Urban Utilities, Inc. (Issued 6/17/15)</i>	\$7,840.00
Invoice No. 7472	
<i>Warrant No. 2898 – Farnham &amp; Simpson, P.C., L.L.O. (Issued 6/17/15)</i>	\$975.00
General Legal Services	
Statement No. 3020	
<i>Warrant No. 2899 – Olmsted &amp; Perry Consulting Engineers Inc.</i>	\$346.63
General Engineering Services	
Invoice No. 03-15025	
<i>Warrant No. 2900 – Josh Tedder Construction Inc.</i>	\$200.00
Mow Dike 6/25/15	
Invoice No. 1521	
<i>Warrant No. 2901 – Omaha Public Power District</i>	\$632.94
Statement Dated 7/7/2015	
<i>Warrant No. 2902 – Quality Signs, Inc.</i>	\$860.28
Dead End & Private Property Signs	
Invoice No. 14151	
<i>Warrant No. 2903 – Platteview Turf Inc.</i>	\$532.50
Weed Control – 5/17/15	
Invoice No. 275	
<i>Warrant No. 2904 – Platteview Turf Inc.</i>	\$332.50
Weed Control – 6/8/15	
Invoice No. 278	
<i>Warrant No. 2905 – Olmsted &amp; Perry Consulting Engineers Inc.</i>	\$539.72
General Engineering Services	
Invoice No. 04-15025	

<i>Warrant No. 2906</i> – Farnham & Simpson, P.C., L.L.O. General Legal Services Statement Dated 7/22/2015	\$1,058.50
<i>Warrant No. 2908</i> – Geis Inc. Installation of Signs Invoice No. 15248	\$625.00
<i>Warrant No. 2909</i> – Midwest Laboratories, Inc. Invoice No. 769276	\$4.79
<i>Warrant No. 2910</i> – Urban Utilities, Inc. Invoice No. 7498	\$2,074.24
<i>Warrant No. 2911</i> – Urban Utilities, Inc. Invoice No. 7499	\$5,998.32
 <b><u>Service Fee Fund:</u></b>	
<i>Warrant No. 343</i> – Midwest Laboratories, Inc. ( <b>Issued 6/17/15</b> ) Invoice No. 765802	\$1,303.85
<i>Warrant No. 344</i> – Urban Utilities, Inc. ( <b>Issued 6/17/15</b> ) Invoice No. 7471	\$7,102.73

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 No. 2894(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 June 17, 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 No. 2907(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 July 22, 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. 2895 through 2898 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 June 17, 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. 2899 through 2906 and 2908 through 2911 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 July 22, 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. 343 through 344 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 June 17, 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. 2894(C)* payable to Olmsted & Perry Consulting Engineers Inc. in the amount of \$587.61
- B. *Warrant No. 2907(C)* payable to Olmsted & Perry Consulting Engineers Inc. in the amount of \$105.00
- C. *Warrant No. 2895* payable to Olmsted & Perry Consulting Engineers Inc. in the amount of \$237.96
- D. *Warrant No. 2896* payable to Omaha Public Power District in the amount of \$599.05
- E. *Warrant No. 2897* payable to Urban Utilities, Inc. in the amount of \$7,840.00
- F. *Warrant No. 2898* payable to Farnham & Simpson, P.C., L.L.O. in the amount of \$975.00
- G. *Warrant No. 2899* payable to Olmsted & Perry Consulting Engineers Inc. in the amount of \$346.63
- H. *Warrant No. 2900* payable to Josh Tedder Construction Inc. in the amount of \$200.00
- I. *Warrant No. 2901* payable to Omaha Public Power District in the amount of \$632.94
- J. *Warrant No. 2902* payable to Quality Signs, Inc. in the amount of \$860.28
- K. *Warrant No. 2903* payable to Platteview Turf Inc. in the amount of \$532.50
- L. *Warrant No. 2904* payable to Platteview Turf Inc. in the amount of \$332.50
- M. *Warrant No. 2905* payable to Olmsted & Perry Consulting Engineers Inc. in the amount of \$539.72
- N. *Warrant No. 2906* payable to Farnham & Simpson, P.C., L.L.O. in the amount of \$1,058.50
- O. *Warrant No. 2908* payable to Geis Inc. in the amount of \$625.00
- P. *Warrant No. 2909* payable to Midwest Laboratories, Inc. in the amount of \$4.79
- Q. *Warrant No. 2910* payable to Urban Utilities, Inc. in the amount of \$2,074.24
- R. *Warrant No. 2911* payable to Urban Utilities, Inc. in the amount of \$5,998.32
- S. *Warrant No. 343* payable to Midwest Laboratories, Inc. in the amount of \$1,303.85

T. *Warrant No. 344* payable to Urban Utilities, Inc. in the amount of \$7,102.73

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.

The sewer report was reviewed and it was noted that there was nothing abnormal and no evidence of abuse of the District's system.

Lou Riedmann indicated that the "No Trespassing" signs had been installed and that he had two extra signs. It was determined that one of the signs should be installed on the east side of Platte River Drive north of Annabelle.

Mr. Olmsted then advised the Board that his firm had submitted a request to Sarpy County concerning no overnight parking signs on the streets within the District and the County Engineer responded that he does not agree with the District's proposal. There was a discussion about reducing the areas within the District for which a no overnight parking ban would be requested and it was determined that Chip Frazier and Doug Hill would work with Mr. Olmsted to resubmit the application.

Mr. Olmsted then advised the Board that earlier in the year his office had spoken with Miktom Construction regarding crack sealing and minor road repairs and that they were in line to perform this work in mid-September or early October.

Doug Hill then presented a proposed layout for the subdivision of Outlots 62A, 63 and 70. There was considerable discussion about the configuration and size of the outlots. Chip Frazier indicated that he believed that the four lots which would be a subdivision of Lots 62A and 63 should be approximately the same size. Residents Kevyn Sopinski and Tim Geiss also had several questions about the size and configuration of the lots. The Trustees determined that they would not subdivide Outlot 70 at this time. There was also discussion about the possible sale of Outlot 71. After further discussion Trustee Don Story offered the following resolution and moved for its adoption:

**BE IT RESOLVED** by the Board of Trustees of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska, that the District is authorized to proceed with an application to subdivide Outlots 62A and 63 within the District near Bojanski Drive as shown on the drawing submitted by Doug Hill.

Trustee Lou Riedmann seconded the motion. Three Trustees voted in favor of the motion: Doug Hill, Don Story and Lou Riedmann. One Trustee, Chip Frazier, voted against the motion. Doug Hill then generally went through the process that would be involved in subdividing the lots and advised the Board that this matter would probably be in front of the Sarpy County Planning Commission in October of 2015 and in front of the Sarpy County Board in November of 2015. Mr. Hill stated that he would contact someone to move this forward.

Mr. Farnham then advised the Board that there had been an error in the original Notice of Election sent out to all residents of the District and that his firm had revised the Notice and sent a corrected version to everyone.

There was then discussion concerning the fact that the flood gate had been padlocked by one of the residents of the District. Trustee Chip Frazier stated that the flood gate should, at all times, be under the control of the SID Board.

There was then a general discussion of the mowing of the Chris Lake dike. It was noted that the dike is not owned by the SID but the SID had been mowing it. Trustees Chip Frazier and Doug Hill raised the question of why the SID was mowing an area which is owned by Chris Lake. Doug Hill indicated that he would review this situation and report to the Board at the next meeting.

There was then discussion concerning the mailbox area at Dyson Hollow and Annabelle. Doug Hill indicated that the sign has deteriorated and that several residents of the District had come up with a plan to build a cupola-type structure and renovate the area. The residents had obtained two estimates and those estimates were submitted to the Board. After discussion it was determined that the mailbox area should be renovated but the general consensus of the Board was that the renovation should be patterned after the mailboxes at the east end of Annabelle. There was also discussion of redoing the landscape island and the possibility of installing irrigation. Trustee Lou Riedmann then indicated that he would get estimates to accomplish this and present them to the Board at its next meeting.

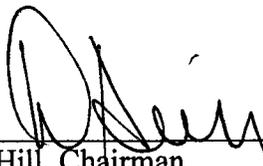
There was then discussion regarding the next meeting date. The District's attorney indicated he would check with Larry Wolfe, the District's CPA, as to the next meeting date since the Board would be discussing the budget for the 2015-2016 fiscal year at that time.

There were no future agenda items.

It was determined that the next Board meeting would be at 7:00 PM on September 9, 2015.

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

Signatures to SID 101 \ 7-22-15 Meeting Minutes:



\_\_\_\_\_  
Doug Hill, Chairman



\_\_\_\_\_  
William R. Nosek, Clerk

SID101\Meetings-2015\7-22-15\Minutes

**AFFIDAVIT OF PUBLICATION**

STATE OF NEBRASKA }

County of Sarpy }

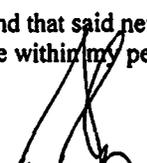
}SS.  
}

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, a legal newspaper 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, July 15, 2015

Bellevue Leader

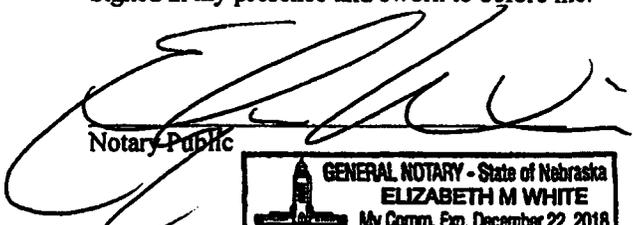
And that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge.

  
\_\_\_\_\_  
Shon Barenklau  
Publisher

OR Ron Petak  
Executive Editor

Today's Date 8/5/2015

Signed in my presence and sworn to before me:

  
\_\_\_\_\_  
Notary Public



Printer's Fee \$13.12  
Customer Number 206179  
Order Number: 0001875223

**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, July 22, 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

1875223; 7/15

## 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 July 22, 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 July 15, 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

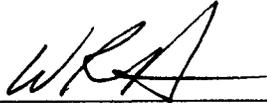
**ACKNOWLEDGMENT OF RECEIPT OF NOTICE OF MEETING**

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, July 22, 2015, at La Platte Community Church, 16412 Main Street, Sarpy County, La Platte, Nebraska.

DATED this 22<sup>nd</sup> day of July, 2015.



Doug Hill



William R. Nosek



Edwin "Chip" Frazier



Lou Riedmann



Donald R. Story

