

162

MINUTES OF MEETING OF BOARD OF TRUSTEES OF  
SANITARY AND IMPROVEMENT DISTRICT NO. 162  
OF SARPY COUNTY, NEBRASKA

The meeting of the Board of Trustees of Sanitary and Improvement District No. 162 of Sarpy County, Nebraska was convened in public and open session at 12:00 p.m. on 20th day of May, 2010 at 12010 Giles Road, La Vista, Nebraska. Present were the following Trustees: Jim Nichols, Richard L. Hansen, Wes Lyons, Jay Graham, and Nancy Wackerhagen. Absent were the following Trustees: none. Present by invitation were Ronald W. Hunter, attorney for the District; Kristi Bland, his assistant; and Bill Glissman, and Dave Harnisch, both of HGM Associates, Inc. Also present was John Ritchey, a taxpayer living in the District. Notice was given in advance thereof by publication in the Papillion Times on May 6 and 13, 2010, the Proof of Publication being attached to these Minutes. Notice of the meeting was given to all of the Trustees, a copy of their Acknowledgment of Receipt of Notice being attached to these Minutes. Availability of the Agenda was communicated in the published Notice and in the Notice to the Trustees of the meeting. All proceedings of the Board were taken while the convened meeting was held open to the attendance of the public.

The Attorney for the District certifies that these Minutes were written and available for public inspection within ten (10) working days and prior to the next convened meeting of the Board of Trustees.

The Chairman called the meeting to order and called the roll.

The Chairman publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held.

The Chairman stated the first order of business was to consider adopting a Resolution of Necessity for Paving Repairs 2010 at a total estimated project cost of \$168,205.00. The Chairman presented for the Board's consideration a Proof of Publication of the proposed Resolution of Necessity. The Proof of Publication is attached to these minutes, together with certification of posting said Resolution in three (3) conspicuous places in the District, all as authorized by the Board at its meeting held on April 20, 2010. The Clerk certified to the Board that no petition signed by owners of property in the District was filed with the Clerk prior to the date of the meeting and no one at said meeting made any objections to said improvements. Further, the Clerk certified that no notice was given to nonresidents of Sarpy County, Nebraska, owning property within the District since said amount would be the general obligation of the District and none of it would be specially assessed. After a full and complete discussion, the following Resolution was moved by Trustee Ritchey and seconded by Trustee Nichols, to-wit:

RESOLVED, that the Resolution of Necessity for Paving  
Maintenance-2010 in Millard Park at an estimated total

projected cost of \$168,205.00 is hereby approved and adopted.

On the foregoing Resolution, the following Trustees voted "aye": Trustees , Lyons, Wackerhagen, Nichols, Graham, and Hansen; voting "nay" thereon were the following: none. The Chairman then declared said Resolution was duly carried and adopted.

The Chairman stated the next order of business was to consider awarding the contract for Paving Repair. The Trustees referred to the bid tabulation of the various bidders on this project. The bid tabulation indicated that the low bidder was Navarro Enterprise, with a low bid of \$88,677.44 and Swain Construction had a second low bid of \$99,534.74. After a full and complete discussion, the following Resolutions were moved by Trustee Nichols and seconded by Trustee Wackerhagen, to-wit:

BE IT RESOLVED, that the low bid submitted by Navarro Enterprise is hereby rejected because of the poor workmanship performed by the contractor in the past.

BE IT RESOLVED, that the second low bidder, Swain Construction, shall be awarded the contract for furnishing all labor, tools, materials and equipment required for Paving Maintenance-2010, and the District shall enter into a contract with said second low bidder in the foregoing amount for Paving Maintenance-2010, provided the contractor will furnish the contract and payment and maintenance bonds required by the specifications of the project, together with a certificate of insurance required by the specifications of the project.

BE IT FURTHER RESOLVED, that the Chairman is hereby authorized and directed to execute said contract between the District and Swain Construction for Paving Maintenance-2010.

On the foregoing Resolutions, the following Trustees voted "aye": Trustees , Lyons, Wackerhagen, Nichols, Graham, and Hansen; voting "nay" thereon were the following: none. The Chairman then declared said Resolutions were duly carried and adopted.

The Chairman stated the next order of business was a discussion regarding Snow Emergency Ordinance 3-1-01 from Sarpy County. The Ordinance was for the Trustees' information and no action was taken.

The Chairman stated the next order of business was a discussion regarding an estimate in the amount of \$340.00 from ChorePro for replacing sections of the split rail fence. After a full and complete discussion, the following Resolutions were proposed by Trustee Lyons and seconded by Trustee Wackerhagen, to-wit:

RESOLVED, that the estimate in the amount of \$340.00 from ChorePro for replacing sections of the split rail fence is hereby approved and accepted.

RESOLVED, that Ms. Bland shall contact ChorePro to authorize the work included in the estimate.

On the foregoing Resolutions, the following Trustees voted "aye": Trustees , Lyons, Wackerhagen, Nichols, Graham, and Hansen; voting "nay" thereon were the following: none. The Chairman then declared said Resolutions were duly carried and adopted.

The Chairman stated the next order of business was a discussion regarding vacant lots which are not being maintained. Mr. Hunter stated that the SID can send reminder letters for the owner of the lots to maintain them but can not maintain the lots. Mr. Hunter also suggested for concerned residents to contact the Department of Noxious Weeds in Sarpy County.

The Chairman stated the next order of business was a discussion regarding improving the railroad crossing at 156<sup>th</sup> Street. Trustee Graham stated that cars are driving in between the railroad crossing bars to avoid waiting at the railroad crossing. After a lengthy discussion, the Trustees agreed that Mr. Hunter shall write a letter to Warren Buffett and the railroad regarding this matter.

The Chairman stated the next order of business was a discussion regarding signs which have been installed for the Mission Creek reestablishment project. The Trustees approved the design and locations of the signs.

The Chairman stated the next order of business was a discussion regarding a tree hanging over a house located at 16448 Audrey Circle. The Trustees reviewed the pictures in detail. After a full and complete discussion, the following Resolutions were proposed by Trustee Nichols and seconded by Trustee Wackerhagen, to-wit:

RESOLVED, that Royal Lawns is hereby employed to trim the portion of tree which is hanging over the house located at 16448 Audrey Circle at an estimated cost of \$1,100.00.

RESOLVED FURTHER, that Royal Lawns is also employed to remove a dead pine tree which is located off of Harrison Street.

On the foregoing Resolutions, the following Trustees voted "aye": Trustees , Lyons, Wackerhagen, Nichols, Graham, and Hansen; voting "nay" thereon were the following: none. The Chairman then declared said Resolutions were duly carried and adopted.

The Chairman stated the next order of business was a discussion regarding

property owner questions or concerns. The Chairman handed out various pictures of items which ChorePro is employed to repair or remove from SID property.

The following are reporting items for the Trustees' information and required no action: Certificate To County Treasurer And Request For Funds Of The Sanitary And Improvement District No. 162 of Sarpy County, Nebraska General Obligation Bonds, Series 2004; Certificate To County Treasurer And Request For Funds Of The Sanitary And Improvement District No. 162 of Sarpy County, Nebraska General Obligation Bonds, Series 2009; and General Ledger reports for April, 2010 from the Sarpy County Treasurer.

The Trustees agreed that the next meeting of the Board of Trustees would be on June 24, 2010, 4:00 p.m. at 11605 Arbor Street, Suite 104, Omaha, Nebraska.

The Chairman stated the last item on the Agenda was to pay the following bills, statements and/or invoices attached. Upon motion made by Trustee Wackerhagen and seconded by Trustee Graham, the following Resolutions were proposed, to-wit:

BE IT RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 162 of Sarpy County, Nebraska, that the Chairman and Clerk be and they are hereby directed and authorized to execute and deliver General Fund Warrant Nos. 5446 through General Fund Warrant No. 5451 of the District, dated the day of this meeting, to the following payees and in the following amounts, said Warrants to be drawn on the General Fund of the District and to draw interest at the rate of seven percent (7%) per annum, to be redeemed no later than May 20, 2013, subject to extension of said maturity date by order of the District Court of Sarpy County, Nebraska, after notice is given as required by law, to wit:

WARRANT NO. 5446 in the amount of \$455.94 made payable to WORLD HERALD MEDIA GROUP, per Customer No. 154004, Order Nos. 0001224346-01 and 0001227787-01, attached.

WARRANT NO. 5447 in the amount of \$3,916.73 made payable to O.P.P.D., per Account No. 4393100041, dated 04/29/10, attached.

WARRANT NO. 5448 in the amount of \$5,701.00 made payable to ROYAL LAWNS, INC., per Invoice No. 524, attached.

WARRANT NO. 5449 in the amount of \$195.18 made payable to SIGNATURE SIGNS, per Invoice No. 8025, attached.

WARRANT NO. 5450 in the amount of \$9,448.69 made payable to McC, CONSTRUCTION, per Final Pay Estimate for Mission Creek project, attached.

WARRANT NO. 5451 in the amount of \$1,635.00 made payable to RONALD W. HUNTER, per Statement dated 05/19/10, attached.

BE IT RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 162 of Sarpy County, Nebraska, that the Chairman and Clerk be and they hereby are authorized and directed to execute and deliver Construction Fund Warrant No. 5452 of the District, dated the date of this meeting, to the following payee and in the following amount, said warrant to be drawn on the Construction Fund of the District and to draw interest at the rate of seven percent (7%) per annum (interest to be payable on June 1 of each year) and to be redeemed no later than May 20, 2015, subject to extension of said maturity date by order of the District Court of Sarpy County, Nebraska, after notice is given as required by law, to-wit:

WARRANT NO. 5452 in the amount of \$500.00 made payable to GREAT WESTERN BANK, per Statement dated 04/30/10 and 05/13/10, attached.

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 162 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 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. 162 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)(i)(III) 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 \$5,000,000.00 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. 162 of Sarpy County, Nebraska that this and the preceding Resolutions are hereby adopted as the Certificate with Respect to Arbitrage 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:

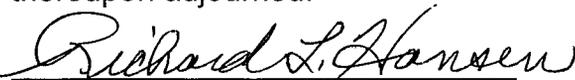
1. No separate reserve or replacement fund has been or will be established with respect to the above Warrants. The

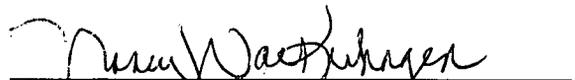
District reasonably anticipates that monies in its Bond Fund reasonably attributable to the above Warrants in excess of the lesser of: (a) 10% of the net principal proceeds of the above Warrants, (b) the maximum annual debt service due on the above Warrants, or (c) 125% of average annual debt service 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 of the above Warrants.

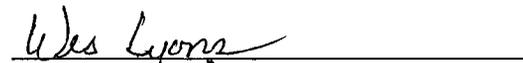
2. To the best of their knowledge, information and belief, the above expectations are reasonable.
3. The District has not been notified of any listing of it by the Internal Revenue Service as an issuer that may not certify its Bonds.
4. This Certificate is being passed, executed and delivered pursuant to Sections 1.148-2 (b)(2) of the Income Tax Regulations under the Internal Revenue Code of 1986, as amended.

On the foregoing Resolutions, the following Trustees voted "aye": Hansen, Wackerhagen, Graham, Hansen, and Lyons; voting "nay" thereon were the following: None. The Chairman then declared said Resolutions were duly carried and adopted.

There being no further business to come before the meeting, the same was thereupon adjourned.

  
RICHARD HANSEN, Chairman

  
NANCY WACKERHAGEN, Clerk

  
WES LYONS, Trustee

  
JIM NICHOLS, Trustee

  
JAY GRAHAM, Trustee

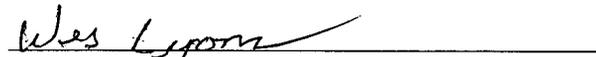
ACKNOWLEDGMENT OF RECEIPT  
OF  
NOTICE OF MEETING

THE UNDERSIGNED Trustees of Sanitary and Improvement District No. 162 of Sarpy County, Nebraska, 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 4:00 p.m. on May 20, 2010 at 12010 Giles Road, LaVista, Nebraska.

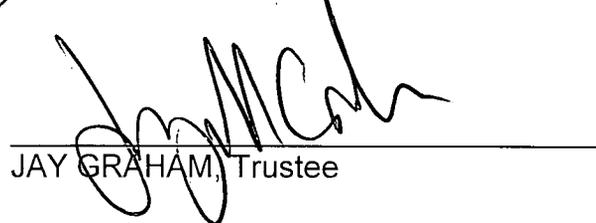
DATED this 20th day of May, 2010.

  
RICHARD L. HANSEN, Chairman

  
NANCY WACKERHAGEN, Clerk

  
WES LYONS, Trustee

  
JIM NICHOLS, Trustee

  
JAY GRAHAM, Trustee

## CERTIFICATE

The undersigned hereby certify that they are the Chairman and Clerk of Sanitary and Improvement District Number 162 of Sarpy County, Nebraska, (the "District") and hereby further certify as follows:

1. Annexed to this certificate is a true and correct transcript of the proceedings of the Board of Trustees of the District relating to a meeting of said District held on the date and at the time reflected in the meeting minutes contained in said foregoing transcript (the "Meeting"). All of the proceedings of the District and of the Board of Trustees thereof which are set out in the annexed and foregoing transcript have been fully recorded in the journal of proceedings of the District and the undersigned District Clerk has carefully compared the annexed and foregoing transcript with said journal and with the records and files of the District which are in such Clerk's official custody and said transcript is a full, true and complete copy of said journal, records and files which are set out therein.

2. Advance notice for the Meeting was given by publication as set forth in the affidavit of publication contained in the foregoing transcript and was given to the Clerk of the municipality or county within whose zoning jurisdiction the District is located at least seven days prior to the date of the Meeting. Advance notice for the Meeting, including notice of agenda subjects, was given to all members of the Board of Trustees. All news media requesting notification of meetings of said body were provided with advance notice of the times and places of such meetings and the subjects to be discussed.

3. All of the subjects addressed at the Meeting were contained in the agenda for the Meeting, which agenda was kept continually current and readily available for public inspection at the address listed in the meeting notice for the Meeting and a copy of which is attached to this Certificate; such subjects were contained in said agenda for at least 24 hours prior to the Meeting and each agenda item was sufficiently descriptive to give the public reasonable notice of the matters to be considered at the Meeting.

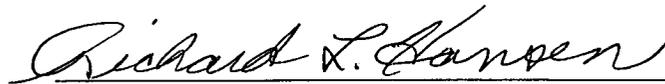
4. A current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during the Meeting in the room in which such Meeting was held and all in attendance at the Meeting were informed that such copy of the Nebraska Open Meetings Act was available for review and were informed of the location of such copy in the room in which such Meeting was being held. At least one copy of all resolutions and other reproducible written materials, for which actions are shown in said proceedings, was made available for examination and copying by members of the public at the Meeting.

5. The minutes of the Meeting were in written form and available for public inspection within ten (10) working days after the Meeting or prior to the next convened meeting, whichever occurred earlier, at the office of the District; within thirty (30) days after the date of the Meeting, a copy of the minutes of the Meeting was sent to the Clerk of the municipality or county within whose zoning jurisdiction the District is located.

6. No litigation is now pending or threatened to restrain or enjoin the District from

the issuance and delivery of any warrants or other obligations issued by the District or the levy and collection of tax or other revenues or relating to any of the improvements for which any such warrants or other obligations were or are issued nor in any manner questioning the proceedings and authority under which any such warrants or other obligations were or are issued or affecting the validity thereof; neither the corporate existence or boundaries of the District nor the title of its present officers to their respective offices is being contested; no authority or proceedings for the issuance of any warrants or other obligations by the District have been repealed, revoked or rescinded as of the date hereof. All actions taken by the Board of Trustees referred to in said transcript were taken at a public meeting while open to the attendance of the public.

IN WITNESS WHEREOF, we have hereunto affixed our official signatures this 20th day of May, 2010.

  
Chairman

  
Clerk

CERTIFICATE

I, THE UNDERSIGNED, attorney for the District, hereby certify that I posted, or caused to be posted, three (3) copies of the Resolution of Necessity for the District to construct Paving Repairs-2010 in Millard Park, a subdivision surveyed, platted and recorded in Sarpy County, Nebraska, in three (3) conspicuous places within the boundaries of the District.

DATED this 20th day of May, 2010.

A handwritten signature in black ink, appearing to read "Ronald W. Hunter", written in a cursive style.

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Ronald W. Hunter,  
attorney for the District

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 Kirk Hoffman deposes and says that he is the Business Manager 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:

Thursday, May 6, 2010 Papillion Times
Thereafter, Thursday, May 13, 2010 Papillion Times

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

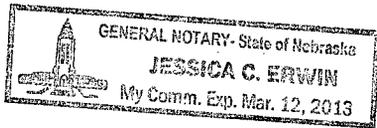
[Handwritten signature of Kirk Hoffman]

Shon Barenklau OR Kirk Hoffman
Publisher Business Manager

Today's Date 05-11-2010
Signed in my presence and sworn to before me:

[Handwritten signature of Jessica C. Erwin]

Notary Public



Printer's Fee \$ 73.92
Customer Number: 154004
Order Number: 0001227787

RONALD W. HUNTER
Attorney at Law
11605 Arbor Street, Suite 104
Omaha, NE 68144
NOTICE OF RESOLUTION OF NECESSITY
Sanitary and Improvement District
No. 162 of Sarpy County, Nebraska
NOTICE IS HEREBY GIVEN that the Board of Trustees of Sanitary and Improvement District No. 162 of Sarpy County, Nebraska will meet at 12:00 p.m. on the 20th day of May, 2010 at 12010 Giles Road, LaVista, Nebraska, which meeting will be open to the attendance of the public. The Agenda for such meeting, kept continually current, is available for public inspection at the office of the Chairman of the Board of the District at 11605 Arbor Street, Suite 104, Omaha, Nebraska, and includes the payment of bills and also includes the consideration and passing (or amending and passing) of the following Resolution, to-wit:
BE IT RESOLVED, that the Board of Trustees of Sanitary and Improvement District No. 162 of Sarpy County, Nebraska ("SID 162") find and determine that it is advisable and necessary for the District to construct Millard Park Paving Maintenance-2010 in Sanitary and Improvement District No. 162, a subdivision of Sarpy County, Nebraska.
BE IT FURTHER RESOLVED, that said construction of Millard Park Paving Maintenance-2010, and all other appurtenances and items of work incidental or necessary thereto, shall be located within dedicated streets, right-of-way and easements of Sanitary and Improvement District No. 162, all lots and streets referring to the final plats of Millard Park, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska.
The following is a general description of the work to be performed in Millard Park subdivision:
Remove and replace 1,849 SY of pavement panels with major cracking and damage.
Crack route and seal 1,680 LF of pavement panels with minor cracking.
The plans and specifications for said improvements have been prepared by HGM Associates, Inc., engineers employed by the District for this purpose, and filed with the Board of Trustees of the District prior to the first publication of this notice at which time said engineers also filed an estimate of the total cost of the proposed improvements, which total cost estimate is in the sum of \$168,205.00, including engineering fees, legal fees, fiscal fees, publication costs, interest and other miscellaneous costs.
Since the work contemplated by this Resolution of Necessity is a repair of public streets, its cost will be paid out of the general fund of the SID and none of it will be specially assessed. Any owner of property may appear and make objections to the proposed improvements. This proposed Resolution may be amended and passed or may be passed as proposed.
SANITARY AND IMPROVEMENT DISTRICT
NO. 162 OF SARPY COUNTY, NEBRASKA
BY: RICHARD L. HANSEN, Chairman
NANCY WACKERHAGEN, Clerk
1227787 5/6 & 5/13



## AGENDA

Meeting of the Board of Trustees of Sanitary and Improvement District No. 162 of Sarpy County, Nebraska:

Richard L. Hansen, Chairman  
Nancy Wackerhagen, Clerk  
Wes Lyons, Trustee  
Jim Nichols, Trustee  
Jay Graham, Trustee

Meeting held at 4:00 p.m. on May 20, 2010 at 12010 Giles Road, LaVista, Nebraska.

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1. Call meeting to order and roll call.
  2. The Chairman to state to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and indicate the location of such copy in the room where the meeting is being held.
  3. Consider adopting a Resolution of Necessity for Paving Repairs 2010 at a total estimated project cost of \$168,205.00.
  4. Award contract for Paving Repairs 2010.
  5. Discussion regarding Snow Emergency Ordinance 3-1-01 from Sarpy County.
  6. Discussion regarding an estimate from ChorePro for replacing sections of the split rail fence.
  7. Discussion regarding vacant lots which are not being maintained.
  8. Discussion regarding improving the railroad crossing at 156<sup>th</sup> Street.
  9. Discussion regarding signs installed for the Mission Creek reestablishment project.
  10. Discussion regarding a tree hanging over a house located at 16448 Audrey Circle.
  11. Discussion regarding property owner questions or concerns.
  12. The following are reporting items for the Trustees' information and required no action: Certificate To County Treasurer And Request For Funds Of The Sanitary And Improvement District No. 162 of Sarpy County, Nebraska General Obligation Bonds, Series 2004; Certificate To County Treasurer And Request For Funds Of The Sanitary And Improvement District No. 162 of Sarpy County, Nebraska General Obligation Bonds, Series 2009; and General Ledger reports for April, 2010 from the Sarpy County Treasurer.

and year to date budget balances.

13 Set the next meeting date.

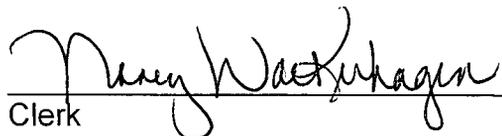
14. Pay the following bills (statements and/or invoices attached):

|    |  |               |          |
|----|--|---------------|----------|
| A. | World Herald Media Group<br>Customer No. 154004<br>Order No. 0001224346-01 | 382.02        |          |
|    | Order No. 000122787-013  | <u>73.92</u>  | 455.94   |
| B. | O.P.P.D.<br>Account No. 4393100041<br>Dated 04/29/10                       |               | 3,916.73 |
| C. | Royal Lawns, Inc.<br>Invoice No. 524                                       |               | 5,701.00 |
| D. | Signature Signs<br>Invoice No. 8025  |               | 195.18   |
| E. | McC, LLC<br>Final Pay Estimate Mission Creek Channel                       |               | 9,448.69 |
| F. | Ronald W. Hunter<br>Statement dated 05/19/10                               |               | 1,635.00 |
| G. | Great Western Bank<br>Statement dated 04/30/10                             | 250.00        |          |
|    | Statement dated 05/13/10   | <u>250.00</u> | * 500.00 |

\* There are funds available so there is no 5% fee paid to Ameritas Investment Corp.

15. Adjourned.

THE UNDERSIGNED, hereby certifies that the foregoing Agenda was prepared and available for public inspection at the address shown on the published notice of meeting at least 24 hours prior to the commencement of said meeting, and that no items were added to the Agenda after the commencement of the meeting.

  
Clerk



*Celebrating 50 Years of Service*

April 20, 2010

Chairman and Board of Trustees  
Sanitary and Improvement District 162  
of Sarpy County, Nebraska  
c/o Mr. Ronald W. Hunter, Attorney  
Hunter Law Office  
11605 Arbor Street, Suite 104  
Omaha, NE 68144

Reference: Millard Park Pavement Repair 2010  
Millard Park Subdivision  
HGM Project No. 702310

Dear Members of the Board:

The following is a general description of the work to be performed in Millard Park subdivision:

Remove and replace 1,849 SY of pavement panels with major cracking and damage.

Crack route and seal 1,680 LF of pavement panels with minor cracking.

Yours truly,  
**HGM ASSOCIATES INC.**

William J. Glismann, P.E.  
Project Manager



**Celebrating 50 Years of Service**

April 20, 2010

Chairman and Board of Trustees  
 Sanitary and Improvement District 162  
 of Sarpy County, Nebraska  
 c/o Mr. Ronald W. Hunter, Attorney  
 Hunter Law Office  
 11605 Arbor Street, Suite 104  
 Omaha, NE 68144

*4-29*  
*5-6*  
*5-13*  
*Award 10:00 20th*

Reference: Millard Park Pavement Repair 2010  
 Millard Park Subdivision  
 HGM Project No. 702310

Dear Members of the Board:

The following is our Engineer's estimate of the quantities and our opinion of probable total project cost for the above-referenced project.

| ITEM No. | DESCRIPTION               | ESTIMATED QUANTITY | UNITS | UNIT COST  | TOTAL COST  |
|----------|---------------------------|--------------------|-------|------------|-------------|
| 1        | Mobilization              | 1                  | LS    | \$3,500.00 | \$3,500.00  |
| 2        | Traffic Control           | 1                  | LS    | \$2,000.00 | \$2,000.00  |
| 3        | Remove 7" PCC Pavement    | 1,849              | SY    | \$12.00    | \$22,188.00 |
| 4        | Construct 9" PCC Pavement | 1,849              | SY    | \$50.00    | \$92,450.00 |
| 5        | Crushed Rock (6" Depth)   | 390                | TON   | \$20.00    | \$7,800.00  |
| 6        | Crack Routing and Sealing | 1,680              | LF    | \$2.50     | \$4,200.00  |
| 7        | Adjust Manhole to Grade   | 3                  | EA    | \$150.00   | \$450.00    |
| 8        | Inlet Return Patch Top    | 1                  | EA    | \$150.00   | \$150.00    |
| 9        | Bump Grind                | 1                  | EA    | \$50.00    | \$50.00     |
| 10       | Grind Pavement            | 6.5                | LF    | \$20.00    | \$130.00    |
| 11       | Sodding                   | 10                 | SY    | \$5.00     | \$50.00     |

SUBTOTAL \$132,968.00

ESTIMATED ENGINEERING, TESTING, LEGAL FINANCING, PUBLICATIONS AND  
 MISCELLANEOUS COSTS \$35,237.00

TOTAL ESTIMATED PROJECT  
 COST \$168,205.00

Yours truly,  
**HGM ASSOCIATES INC.**

*William J. Glismann*

William J. Glismann, P.E.  
 Project Manager

**TABULATION OF BIDS**

Project: SID 162 Millard Park

Pavement Repair 2010

Sarpy County

HGM Project No. 702310

**HGM Associates Inc**

5022 S. 114th Street

Suite 200

Omaha, NE 68137

| Item #        | Description               | Estimated Quantities | Engineers Opinion of Probable Constr. Cost |                   | Navarro Enterprise Omaha, NE |                  | Marsh Creek Concrete Omaha, NE |                   | Tab Construction Omaha, NE |                   | Swain Construction Omaha, NE |                  | AVERAGE UNIT PRICE | HIGH UNIT PRICE | LOW UNIT PRICE |
|---------------|---------------------------|----------------------|--|-------------------|------------------------------|------------------|--------------------------------|-------------------|----------------------------|-------------------|------------------------------|------------------|--------------------|-----------------|----------------|
|               |                           |                      | Unit Price                                 | Total Price       | Unit Price                   | Total Price      | Unit Price                     | Total Price       | Unit Price                 | Total Price       | Unit Price                   | Total Price      |                    |                 |                |
| 1.            | Mobilization              | 1.0 LS               | 3,500.00                                   | 3,500.00          | 2,000.00                     | 2,000.00         | 1,000.00                       | 1,000.00          | 2,010.00                   | 2,010.00          | 1,000.00                     | 1,000.00         | 1,502.50           | 2,010.00        | 1,000.00       |
| 2.            | Traffic Control           | 1.0 LS               | 2,000.00                                   | 2,000.00          | 2,282.90                     | 2,282.90         | 1,500.00                       | 1,500.00          | 820.00                     | 820.00            | 650.00                       | 650.00           | 1,313.23           | 2,282.90        | 650.00         |
| 3.            | Remove 7" PCC Pavement    | 1,849.0 SY           | 12.00                                      | 22,188.00         | 6.00                         | 11,094.00        | 13.50                          | 24,961.50         | 11.55                      | 21,355.95         | 3.64                         | 6,730.36         | 8.67               | 13.50           | 3.64           |
| 4.            | Construct 9" PCC Pavement | 1,849.0 SY           | 50.00                                      | 92,450.00         | 35.00                        | 64,715.00        | 40.00                          | 73,960.00         | 42.40                      | 78,397.60         | 44.12                        | 81,577.88        | 40.38              | 44.12           | 35.00          |
| 5.            | Crushed Rock (6" Depth)   | 390.0 TON            | 20.00                                      | 7,800.00          | 9.00                         | 3,510.00         | 15.00                          | 5,850.00          | 18.70                      | 7,293.00          | 16.00                        | 6,240.00         | 14.68              | 18.70           | 9.00           |
| 6.            | Crack Routing and Sealing | 1,680.0 LF           | 2.50                                       | 4,200.00          | 1.25                         | 2,100.00         | 1.50                           | 2,520.00          | 1.24                       | 2,083.20          | 1.20                         | 2,016.00         | 1.30               | 1.50            | 1.20           |
| 7.            | Adjust Manhole to Grade   | 3.0 EA               | 150.00                                     | 450.00            | 55.00                        | 165.00           | 125.00                         | 375.00            | 310.00                     | 930.00            | 185.00                       | 555.00           | 168.75             | 310.00          | 55.00          |
| 8.            | Inlet Return Patch Top    | 1.0 EA               | 150.00                                     | 150.00            | 400.00                       | 400.00           | 250.00                         | 250.00            | 950.00                     | 950.00            | 360.00                       | 360.00           | 490.00             | 950.00          | 250.00         |
| 9.            | Bump Grind                | 1.0 EA               | 50.00                                      | 50.00             | 500.00                       | 500.00           | 150.00                         | 150.00            | 210.00                     | 210.00            | 150.00                       | 150.00           | 252.50             | 500.00          | 150.00         |
| 10.           | Grind Pavement            | 6.5 LF               | 20.00                                      | 130.00            | 263.16                       | 1,710.54         | 20.00                          | 130.00            | 8.00                       | 52.00             | 25.00                        | 162.50           | 79.04              | 263.16          | 8.00           |
| 11.           | Sodding                   | 10.0 SY              | 5.00                                       | 50.00             | 20.00                        | 200.00           | 25.00                          | 250.00            | 8.00                       | 80.00             | 9.30                         | 93.00            | 15.58              | 25.00           | 8.00           |
| <b>Total:</b> |                           |                      |  | <b>132,968.00</b> |                              | <b>88,677.44</b> |                                | <b>110,946.50</b> |                            | <b>114,181.75</b> |                              | <b>99,534.74</b> |                    |                 |                |

Date of Letting: May 20, 2010

Time of Letting: 9:00 a.m.

Location: HGM Associates Inc

HGM Project No. 702310

**Kristi Bland**

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**From:** "Rick Hansen" <rickwood@cox.net>  
**To:** "Kristi Bland" <rwhre@hunterlaw.omhcoxmail.com>  
**Cc:** "Jay Graham" <Jaygraham1@vzw.blackberry.net>; "Jim Nichols" <jcnman@aol.com>; "John Ritchey" <jgritch@cox.net>; "Nancy Wackerhagen" <Nancyandfredw@cox.net>; "Wes Lyons" <wekelyons@cox.net>  
**Sent:** Tuesday, May 11, 2010 11:16 AM  
**Subject:** Meeting agenda

I received a notice from Sarpy County about a New Snow Emergency Ordinance No. 3-1-01. This ordinance covers on street parking during heavy snows. Please put in on the agenda for our upcoming meeting.

I have not received the minutes from the last meeting.

Rick Hansen  
SID 162 Chairman

**SARPY COUNTY BOARD OF COMMISSIONERS  
NOTICE OF PUBLIC HEARING  
SNOW EMERGENCY ORDINANCE**

On May 11, 2010 at 3:00 p.m. in the Sarpy County Courthouse, County Boardroom, the Sarpy County Board of Commissioners will hold a public hearing for the purpose of receiving input and suggestions from the general public concerning the adoption of the following Snow Emergency Ordinance:

ORDINANCE NO. 3-1-01

AN ORDINANCE TO ESTABLISH A SNOW EMERGENCY POLICY; TO ADOPT PARKING REGULATIONS DURING DECLARED SNOW EMERGENCIES; TO ESTABLISH A PENALTY AND PROVIDE FOR ENFORCEMENT OF REGULATIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Whereas, the Sarpy County Highway Department provides snow and ice removal for County road systems and roads within sanitary improvement districts during winter storm events; and,

Whereas, vehicles parked on such roads hinder the ability of Sarpy County to adequately remove snow and ice, impair the public's ability to access routes to seek emergency services, and in certain cases pose a hazard to the general public; and,

Whereas, the Sarpy County Board has held a public hearing on the matter, after giving due notice as required by law.

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF SARPY, NEBRASKA:

SECTION 1. Snow Emergency: There is hereby established a Snow Emergency Ordinance to require that any vehicles parked along public roadways, including but not limited to streets, highways, avenues, boulevards, or other public ways within the county roads system or any sanitary improvement district, shall be removed in a declared snow or ice event so that roads can be adequately cleared to provide a safe driving surface.

SECTION 2. Declaration: The Highway Superintendent and County Administrator, or their designees, after consultation with the County Board Chairperson are hereby authorized and empowered to declare a public snow emergency, to remain in effect for 48 hours or until it is declared completed by the Highway Superintendent and County Administrator, or their designees, and order the removal of all automobiles from all public roadways for the purpose of allowing the removal of snow, ice or any other accumulated precipitation. Notice of a snow emergency declaration shall be posted on the Sarpy County website and given to at least two media outlets, including but not limited to radio, television stations or any other communications medium whose normal operating range covers the county and can disseminate the declaration within one hour after it is made.

SECTION 3. Parking Restricted: Upon the declaration of such an emergency, it shall be unlawful for any person to park, or suffer to be parked, any vehicle of any kind or description at any time on either side of any public roadway within Sarpy County until the emergency is declared completed. Any vehicles in violation of any of the provisions of this ordinance may be ticketed and/or towed at the discretion of the Sheriff or his deputy.

SECTION 4. Fees and Fines: The following represents the fee and fine schedule for violations of the Snow Emergency Ordinance:

|                           |   |
|---------------------------|---|
| Ticket Fee                | \$20.00 per declared snow emergency   |
| Tow Fees:                 |   |
| Basic Hook-up Fee, Towing | \$75.00   |
| Mileage                   | \$2.00, hook-up location to Sarpy County Tow Lot                                  |
| Inside Storage            | \$25.00/calendar day  |
| Outside Storage           | \$20.00/calendar day  |
| Winching/Labor Fee        | \$100/hour, prorated per quarter hour, with a maximum charge of \$100 per vehicle |
| Tarping                   | \$25.00 per calendar day  |
| Administrative Fee        | \$30.00   |

SECTION 5. Emergency vehicles operated for emergency purposes are exempt from the provisions of this ordinance.

SECTION 6. A map of all public roadways located within Sarpy County shall be kept current and displayed for the public on the Sarpy County website, and in the offices of the County Clerk, the County Administrator and the Highway and Surveyor Department.

SECTION 6. This Ordinance shall take effect and be in force from and after its passage, approval, and publication, as provided by law.

Citizen participation is strongly encouraged.

Copies of the Snow Emergency Ordinance are available at the Office of the Sarpy County Clerk, 1210 Golden Gate Drive, Papillion, NE 68046 for public review.

Written comments will be received at the Office of the County Clerk at 1210 Golden Gate Drive, Papillion, NE 68046 until 12:00 p.m. on May 11, 2010.

Joni M. Jones, Chairman  
Sarpy County Board of Commissioners

**Kristi Bland**

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**From:** "Rick Hansen" <rickwood@cox.net>  
**To:** "Randy Knight" <rsknight@cox.net>; "Kristi Bland" <rwhre@hunterlaw.omhcoxmail.com>  
**Sent:** Tuesday, May 18, 2010 9:41 AM  
**Subject:** Re: Estimate from ChorePro

Kristi, please put this on the agenda for Thursday's meeting. We need to get this done and I want the boards approval.

Thanks

Rick Hansen

SID 162 Chairman

-----  
**From:** "Randy Knight" <rsknight@cox.net>  
**Sent:** Monday, May 17, 2010 11:15 AM  
**To:** <dharnisch@hgmonline.com>  
**Cc:** <rwhre@hunterlaw.com>; <rickwood@cox.net>  
**Subject:** Estimate from ChorePro

>  
> Everyone:  
>  
> The attached estimate below was requested by HGM for the addition of the  
> sections of split rail fence. Feel free to contact me to schedule or if  
> you  
> have any questions.  
>  
>  
> Sincerely,  
> Randy Knight  
> ChorePro  
> 402-680-1943  
>

**ChorePro**  
 312 N. 162nd Street  
 Omaha, NE 68118

**Estimate**

402-680-1943  
 www.chorepro.biz  
 randy@chorepro.biz

|           |            |
|-----------|------------|
| Date      | Estimate # |
| 5/17/2010 | 1186       |

For:

Ronald Hunter  
 SID 162  
 11605 Arbor Street #104  
 Omaha NE 68144

|                |
|----------------|
| Terms          |
| Due on receipt |

| Description  | Qty | Cost   | Total   |
|--|-----|--------|---------|
| Install Three Sections of Split Rail Fence along Linear Trail.     | 4   | 55.00  | 220.00  |
| Inclusive of all materials for estimate,Rails. Posts and Fasteners |     | 120.00 | 120.00T |

|                         |          |
|-------------------------|----------|
| <b>Subtotal</b>         | \$340.00 |
| <b>Sales Tax (0.0%)</b> | \$0.00   |
| <b>Total</b>            | \$340.00 |

( ) Additional Pages Attached

Prepared by: Randy Knight

Any additions, alterations, or deviations for the above specifications involving additional cost by the owner shall be performed following the execution of a signed change order.

All disputes will be handled by the parties as quickly and fairly as possible.  
 All information regarding the dispute will be held confidential until the matter is resolved and every effort will be made to keep the matter out of court.

To accept this quotation sign here: \_\_\_\_\_

**Kristi Bland**

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**From:** <jaygraham1@vzw.blackberry.net>  
**To:** "Rick Hansen" <rickwood@cox.net>; "Kristi Bland" <rwhre@hunterlaw.omhcoxmail.com>  
**Cc:** "Jim Nichols" <jcnman@aol.com>; "John Ritchey" <jgritch@cox.net>; "Nancy Wackerhagen" <Nancyandfredw@cox.net>; "Wes Lyons" <wekelyons@cox.net>  
**Sent:** Monday, May 17, 2010 10:27 AM  
**Subject:** Re: Signs

Hi Kristi -

Just to confirm I will be at the meeting (per your letter of the 4th).

Also have two topics.

1) Wanted to ensure I understood process to get unattended lawns mowed. 15601 Timberlane was 18" in length last week (vacant) and I called the Realtor. They mowed Saturday, but not sure of next steps if owner was to not deal with it.

2) Want to understand what the process would look like to get the RR crossing improved on 156th. I understand it will be convoluted and involve multiple state, local and perhaps federal agencies but it is the single thing I am asked about by everyone in the SID. Car and rail traffic is escalating steadily and a double track which was designed as primarily a return line for empty rail cars is increasingly burdened with heavy rail loads of ethanol, ammonia, industry solvents and acids and natural gas. That intersection may not need to be upgraded this year, or the next, but I would like to know what the steps are if we want to start the process. A double wide crossing gate not only is inherently safer, but with the rework and all the Homeland Security changes might qualify as a monitored crossing. Right now trains stop across the track for 5-10 minutes all the time, anyone could walk right up to a stopped rail car and tamper with it with ease. That and watching the folks who go around the gates precipitate that we at least discuss the subject.

Thanks,

Jay

Sent from my Verizon Wireless BlackBerry

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**From:** "Rick Hansen" <rickwood@cox.net>  
**Date:** Fri, 14 May 2010 15:18:45 -0500  
**To:** Kristi Bland <rwhre@hunterlaw.omhcoxmail.com>  
**Cc:** Jay Graham <jaygraham1@vzw.blackberry.net>; Jim Nichols <jcnman@aol.com>; John Ritchey <jgritch@cox.net>; Nancy Wackerhagen <Nancyandfredw@cox.net>; Wes Lyons <wekelyons@cox.net>  
**Subject:** Signs

Pictures 126 & 130 show the new installed signs. Picture 125 shows the repaired slide. Picture 129 shows a tree on SID out lot over hanging the home of Vince Costanzo, 16448 Audrey Circle (894-0729 or cell 669-4962). Has Randy been out to look at this tree and make a recommendation ? These are thing we might want to discuss at our next meeting.

Thanks

Rick Hansen  
 SID 162 Chairman

**Kristi Bland**

---

**From:** "Rick Hansen" <rickwood@cox.net>  
**To:** "Kristi Bland" <nmhrc@hunterlaw.onthcoxnmail.com>  
**Cc:** "Jay Graham" <jaygraham1@zvr.blackberry.net>; "Jim Nichols" <jamnan@aol.com>; "John Ritchey" <jritch@cox.net>; "Nancy Wackenhagen" <Nancyandredw@cox.net>; "Wes Lyons" <welyons@cox.net>  
**Sent:** Friday, May 14, 2010 3:18 PM  
**Attach:** DSC00126.JPG; DSC00130.JPG; DSC00125.JPG; DSC00129.JPG  
**Subject:** Signs

Pictures 126 & 130 show the new installed signs. Picture 125 shows the repaired slide. Picture 129 shows a tree on SID out lot over hanging the home of Vince Costanzo, 16448 Audrey Circle (894-4729 or cell 669-4962). Has Randy been out to look at this tree and make a recommendation? These are things we might want to discuss at our next meeting.

Thanks

Rick Hansen

SID 162 Chairman







**Kristi Bland**

---

**From:** "Ryan T. Costanzo" <rcostanzo25@gmail.com>  
**To:** "Kristi" <rwhre@hunterlaw.omhcoxmail.com>  
**Cc:** "Rick Hansen" <rickwood@cox.net>  
**Sent:** Thursday, May 20, 2010 9:38 AM  
**Subject:** Tree over house

To remove that tree over the house will be \$1100.00 If you have any questions please call

-- Sent from my Palm Pre  
Ryan T. Costanzo



CERTIFICATE TO COUNTY TREASURER AND REQUEST FOR  
FUNDS OF THE SANITARY AND IMPROVEMENT DISTRICT NO. 162  
OF SARPY COUNTY, NEBRASKA  
GENERAL OBLIGATION REFUNDING BONDS, SERIES 2004

TO: County Treasurer of Sarpy County, Nebraska

**COPY**

The undersigned Paying Agent for bonds of the above stated General Obligation Refunding Bonds, SID #162, hereby certifies that funds of said District are needed for payment of interest and principal on bonds of said District as follows: Issued 4/1/2004

|                |                     |
|----------------|---------------------|
| PRINCIPAL DUE: | \$265,000.00        |
| INTEREST DUE:  | <u>\$127,572.50</u> |
| TOTAL DUE:     | \$392,572.50        |

**DUE DATE OF THE ABOVE IS: JUNE 1, 2010**

Please remit your payment via wire or ACH to Great Western Bank as follows:

Great Western Bank  
ATTN: Trust Department  
Watertown, SD  
ABA #091408734  
Credit Account #63-6704 for the Trust Department

GREAT WESTERN BANK  
Paying Agent

DATE: May 13, 2010

BY: \_\_\_\_\_  
Beth Riege  
Vice President  
and Trust Operations Officer

CERTIFICATE TO COUNTY TREASURER AND REQUEST FOR  
FUNDS OF THE SANITARY AND IMPROVEMENT DISTRICT NO. 162  
OF SARPY COUNTY, NEBRASKA  
GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009

TO: County Treasurer of Sarpy County, Nebraska

**COPY**

The undersigned Paying Agent for bonds of the above stated General Obligation Refunding Bonds, SID #162, hereby certifies that funds of said District are needed for payment of interest and principal on bonds of said District as follows: Issued 5/15/2009

|                |                    |
|----------------|--------------------|
| PRINCIPAL DUE: | \$180,000.00       |
| INTEREST DUE:  | <u>\$47,160.00</u> |
| TOTAL DUE:     | \$227,160.00       |

**DUE DATE OF THE ABOVE IS: MAY 17, 2010**

Please remit your payment via wire or ACH to Great Western Bank as follows:

Great Western Bank  
ATTN: Trust Department  
Watertown, SD  
ABA #091408734  
Credit Account #63-6704 for the Trust Department

GREAT WESTERN BANK  
Paying Agent

DATE: May 3, 2010

BY: \_\_\_\_\_  
Beth Riege  
Vice President  
and Trust Operations Officer

05/05/2010  
09:35:44

\*\*\*\* COUNTY TREASURER GENERAL LEDGER \*\*\*\*  
DETAIL REVENUE LISTING PER FUND  
FOR: APRIL 2010

PAGE: 1

| FUND: 8062                           | SID #162 GENERAL | M-T-D       | Y-T-D       |
|--------------------------------------|------------------|-------------|-------------|
| 10100 - BEGINNING CASH ON HAND       |                  | 302,213.46  | 255,344.35  |
| 15100 - BEGINNING INVESTMENT ON HAND |                  | 0.00        | 0.00        |
| BEGINNING BALANCE:                   |                  | 302,213.46  | 255,344.35  |
| TAX RECEIPT COLLECTIONS:             |                  |             |             |
| 30134 - 2008 PERSONAL PROP TAX       |                  | 0.00        | 1,384.60    |
| 30135 - 2009 PERS PROP TAX           |                  | 10.86       | 1,500.63    |
| 30333 - 2007 REAL ESTATE TAX         |                  | 0.00        | 324.56      |
| 30334 - 2008 REAL ESTATE TAX         |                  | 0.00        | 124,328.88  |
| 30335 - 2009 REAL ESTATE TAX         |                  | 7,498.69    | 145,497.32  |
| TAX RECEIPT TOTALS:                  |                  | 7,509.55    | 273,035.99  |
| 34401 - HOMESTEAD EXEMP ALLOCATION   |                  | 679.18      | 3,312.11    |
| 34403 - REAL ESTATE TAX CREDIT       |                  | 4,709.02    | 9,418.04    |
| 34601 - MOTOR VEHICLE PRO RATE       |                  | 379.41      | 794.83      |
| 54001 - MISCELLANEOUS REVENUE        |                  | 0.00        | 154,874.01  |
| OTHER RECEIPT TOTALS:                |                  | 5,767.61    | 168,398.99  |
| 60000 - DISBURSEMENTS                |                  | -129,989.50 | -505,967.67 |
| 60001 - PROPERTY TAX COMMISSION      |                  | -150.19     | -5,460.73   |
| 10000 - ENDING CASH ON HAND          |                  | 185,350.93  | 185,350.93  |
| 15100 - ENDING INVESTMENT ON HAND    |                  | 0.00        | 0.00        |
| GRAND TOTALS                         |                  | 185,350.93  | 185,350.93  |

05/05/2010  
09:36:00

\*\*\*\* COUNTY TREASURER GENERAL LEDGER \*\*\*\*  
DETAIL REVENUE LISTING PER FUND  
FOR: APRIL 2010

PAGE: 1

| FUND: 8362               | SID #162 BOND                  | M-T-D        | Y-T-D        |
|--------------------------|--------------------------------|--------------|--------------|
| 10100                    | - BEGINNING CASH ON HAND       | 818,397.10   | 3,903.11     |
| 15100                    | - BEGINNING INVESTMENT ON HAND | 374,872.47   | 674,112.13   |
| BEGINNING BALANCE:       |                                | 1,193,269.57 | 678,015.24   |
| TAX RECEIPT COLLECTIONS: |                                |              |              |
| 30134                    | - 2008 PERSONAL PROP TAX       | 0.00         | 3,461.48     |
| 30135                    | - 2009 PERS PROP TAX           | 28.64        | 3,956.21     |
| 30333                    | - 2007 REAL ESTATE TAX         | 0.00         | 584.20       |
| 30334                    | - 2008 REAL ESTATE TAX         | 0.00         | 310,822.19   |
| 30335                    | - 2009 REAL ESTATE TAX         | 19,769.32    | 383,584.03   |
| TAX RECEIPT TOTALS:      |                                | 19,797.96    | 702,408.11   |
| 34401                    | - HOMESTEAD EXEMP ALLOCATION   | 1,830.08     | 8,676.68     |
| 34403                    | - REAL ESTATE TAX CREDIT       | 12,414.68    | 24,829.36    |
| 34601                    | - MOTOR VEHICLE PRO RATE       | 1,000.25     | 2,038.78     |
| 51001                    | - INTEREST ON INVESTMENTS      | 0.00         | 1,229.07     |
| OTHER RECEIPT TOTALS:    |                                | 15,245.01    | 36,773.89    |
| 60000                    | - DISBURSEMENTS                | 0.00         | -175,232.50  |
| 60001                    | - PROPERTY TAX COMMISSION      | -395.96      | -14,048.16   |
| 15100                    | - INVESTMENTS                  | 184,836.28   | -114,403.38  |
| 10000                    | ENDING CASH ON HAND            | 668,207.83   | 668,207.83   |
| 15100                    | ENDING INVESTMENT ON HAND      | 559,708.75   | 559,708.75   |
| GRAND TOTALS             |                                | 1,227,916.58 | 1,227,916.58 |

# 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 Kirk Hoffman deposes and says that he is the Business Manager 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:

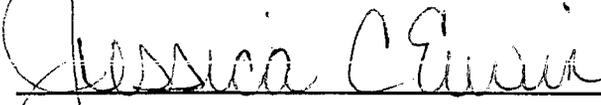
|                                    |                 |
|------------------------------------|-----------------|
| Thursday, April 29, 2010           | Papillion Times |
| Thereafter, Thursday, May 6, 2010  | Papillion Times |
| Thereafter, Thursday, May 13, 2010 | Papillion Times |

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

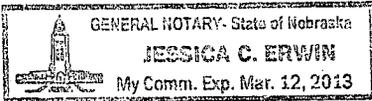


Shon Barenklau OR Kirk Hoffman  
 Publisher Business Manager

Today's Date 05-11-2010  
 Signed in my presence and sworn to before me:



Notary Public



Printer's Fee \$ 382.02  
 Customer Number: 154004  
 Order Number: 0001224346

**RONALD W. HUNTER**  
 Attorney at Law  
 11805 Arbor Street, Suite 104  
 Omaha, NE 68144

**NOTICE TO CONTRACTORS**  
 Sanitary and Improvement District  
 No. 162 of Sarpy County, Nebraska

Sealed proposals will be received by the Clerk of the Board of Trustees of Sanitary and Improvement District No. 162 of Sarpy County at the office of HGM Associates, Inc., engineers for the District, at 5022 South 114<sup>th</sup> Street, Suite 200, Omaha, NE 68137 until 9:00 a.m. on the 20th day of May, 2010 for furnishing all labor, tools, materials, and equipment required to construct Millard Park Paving Maintenance-2010, as per the plans and specifications for construction now on file with the Clerk at the office of said engineers, which proposal will be at that time publicly opened, read aloud and tabulated. The extent of the work involves construction of the following approximate quantities:

| DESCRIPTION               | ESTIMATED QUANTITY | UNITS |
|---------------------------|--------------------|-------|
| Mobilization              | 1                  | LS    |
| Traffic Control           | 1                  | LS    |
| Remove 7" PCC Pavement    | 1,849              | SY    |
| Construct 9" PCC Pavement | 1,849              | SY    |

A hearing will be had on said petition before the Honorable Zastera, in Court Room No. 5, Papillion, Name Change (the 14th day of June, 2010 at 1:30 p.m., as soon thereafter as will be convenient for the Court and that unless sufficient cause is shown to contrary, the minor child(ren)'s name(s) from that of Ava Br O'Connor to Ava Brynn Carroll, 1229152, 5/13, 5/20  
**LEGAL NOTICE**  
 IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA  
 Case Number CI 10-880  
 IN RE NAME CHANGE OF Ashley Nicole O'Connor  
 Notice is hereby given that on the day of May, 2010, a petition was filed in the District Court of Sarpy County, Nebraska, the object and prayer of which for the change of the petitioner's name from Ashley Nicole O'Connor to Ashley Nicole Carroll.  
 The Corporation shall engage in any lawful business for which a corporation may be formed under the Nebraska Business Corporation Act. Authorized capital stock is \$10,000 to be fully paid and non-assessable on issue. Perpetual existence commenced April 21, 2010, when articles were filed with the Secretary of State. Affairs are to be conducted by the Board of Directors and Officers authorized by the Bylaws and the Board.  
 Incorporator  
**Thomas C. Green II**  
 1224010, 4/29, 5/6, 5/13  
**HEIMES LAW, P.C., L.L.O.**  
 1905 Harney Street, Suite 219  
 Omaha, NE 68102  
 (402) 614-1432  
**LEGAL NOTICE**  
 In the District Court of Sarpy County, Nebraska  
 from Ashley Nicole O'Connor to Ashley Nicole Carroll





ACCOUNT NUMBER: 4393100041  
0013944 6 0429

STATEMENT DATE April 29, 2010

Amount Paid \_\_\_\_\_

Net Amount Due Upon Receipt **\$9,907.31**

Total Amount Due After May 19, 2010 **\$9,907.31**



SID 162 SARPY  
SMITH BARNEY INC.  
% RON W HUNTER  
11605 ARBOR ST STE 104  
OMAHA NE 68144-2982

PO BOX 3995  
OMAHA NE 68103-0995

01439310004160000099073100000990731201005198

Please return this portion with payment - Bring entire bill when making payment in the office

Customer Name: SID 162 SARPY  
Service Location: 15600 HARRISON ST,STL2  
Account Number: 4393100041

For Bill Inquiries Call The  
Omaha Office (402) 346-4636

| Billing Period |           |
|----------------|-----------|
| From           | To        |
| 3-30-2010      | 4-29-2010 |

| Method No. Count of Lamps @ Price per Lamp          | Amount            |
|---|-------------------|
| Method 61211 218 Lamps @ \$17.03 per Lamp @ 30 Days | 3,712.54          |
| Fuel And Purchased Power Adjustment                 | .00               |
| Sales Tax   | 204.19            |
| <b>Total Current Bill</b>                           | <b>3,916.73</b>   |
| Account Status from Prior Bill                      | 13,819.98         |
| Payments Received                                   | 7,829.40 CR       |
| <b>Amount Due Upon Receipt</b>                      | <b>\$9,907.31</b> |
| <b>Total Amount Due After 05/19/10</b>              | <b>\$9,907.31</b> |



Royal Lawns Inc.

20920 Corral Rd.  
Elkhorn, NE 68022

# Invoice

| Date      | Invoice # |
|-----------|-----------|
| 4/26/2010 | 524       |

Bill To

Rick Hansen  
(S.I.D. Chairman)  
15831 Josephine St.  
Omaha Ne. 68136

| P.O. No.  | Terms  | Due Date  | Account #    | Project           |
|---|--------|-----------|--------------|-------------------|
|   | Net 30 | 5/26/2010 | sid162       |                   |
| Description   |        | Rate      | Serviced     | Amount            |
| Mowing & Trimming   |        | 1,467.00  | 4/5/2010     | 1,467.00          |
| Mowing & Trimming   |        | 1,467.00  | 4/15/2010    | 1,467.00          |
| Mowing & Trimming   |        | 1,467.00  | 4/24/2010    | 1,467.00          |
| Seeding & Fertilizing   |        | 760.00    | 4/17/2010    | 760.00            |
| Labor Rock removal from mowing area, dirt from drains, and painting + supplies 12 hr. |        | 540.00    | 4/11/2010    | 540.00            |
|   |        |           | <b>Total</b> | <b>\$5,701.00</b> |

Signature Signs

4619 South 88th Street  
 Omaha, NE 68127  
 402-331-4258  
 stom@sadci.omhcoxmail.com

# Invoice

|          |           |
|----------|-----------|
| DATE     | INVOICE # |
| 5/7/2010 | 8025      |

|  |
|--|
| <b>BILL TO</b>   |
| Ronald W. Hunter, Attorney<br>Ronald W Hunter<br>11605 Arbor St.<br>Omaha, Ne 68144<br>Sid 162 |

| DESCRIPTION   | QTY | P.O. NO. | TERMS            | PROJECT  |
|---|-----|----------|------------------|----------|
|   |     |          | Due Upon Receipt |          |
|   |     |          | RATE             | AMOUNT   |
| Channel Restoration Funded Papio-Missouri River Natural Resources District and SID 162 with Poles Installed | 1   |          | 185.00           | 185.00T  |
| SUBTOTAL  |     |          |                  | 185.00   |
| SALES TAX   |     |          | 5.50%            | 10.18    |
|   |     |          | <b>Total</b>     | \$195.18 |

PERIODIC COST ESTIMATE  
HGM ASSOCIATES INC.

Consulting Engineers

Estimate No. 4 Final

Project No. 70299

Page 1 of 1

Project Description:  
Channel Reestablishment

Period Ending: 5/5/2010

Owner:  
SID 162 Millard Park  
Sarpy County, Nebraska

Contractor:  
McC. L.L.C.  
6615 South 136th Street  
Omaha, NE 68135

Date of Estimate: 5/5/2010

Percent Completion: 108%

Current Contract Amt: \$174,810.75

Estimated Completion: 9/15/2009

| Item No. | Description                                 | Unit | Unit Price (\$) | Contract | Quantities |      | Amount (\$) |
|----------|---|------|-----------------|----------|------------|------|-------------|
|          |   |      |                 |          | Actual     | %    |             |
|          |   |      |                 |          | To Date    |      |             |
| 1.       | Mobilization                                | LS   | 16,000.00       | 1.00     | 1.00       | 100% | 16,000.00   |
| 2.       | General Clearing and Grubbing               | LS   | 18,000.00       | 1.00     | 1.00       | 100% | 18,000.00   |
| 3.       | 18" Area Inlet                              | EA   | 2,600.00        | 1.00     | 1.00       | 100% | 2,600.00    |
| 4.       | 15" HDPE Pipe                               | LF   | 47.00           | 50.00    | 50.00      | 100% | 2,350.00    |
| 5.       | 22.5" HDPE Elbow Joint                      | EA   | 70.00           | 1.00     | 1.00       | 100% | 70.00       |
| 6.       | 6" Perforated HDPE Pipe                     | LF   | 25.00           | 138.00   | 138.00     | 100% | 3,450.00    |
| 7.       | 6" HDPE Tee and Risar                       | EA   | 175.00          | 1.00     | 1.00       | 100% | 175.00      |
| 8.       | Construct Concrete Pipe Collar at Wall Face | EA   | 225.00          | 1.00     | 1.00       | 100% | 225.00      |
| 9.       | Remove and Replace 6" PCC Trail             | SF   | 7.00            | 750.00   | 1,960.00   | 261% | 13,720.00   |
| 10.      | Erosion Control Blanket                     | SY   | 2.80            | 350.00   | 1,700.00   | 486% | 4,760.00    |
| 11.      | Split Rail Cedar Fence                      | LF   | 12.00           | 100.00   | 100.00     | 100% | 1,200.00    |
| 12.      | Earthwork (Embankment)                      | CY   | 29.00           | 350.00   | 350.00     | 100% | 10,150.00   |
| 13.      | Seeding                                     | SY   | 1.60            | 370.00   | 1,700.00   | 459% | 2,720.00    |
| 14.      | Steel Sheet Pile (P222)                     | SF   | 18.55           | 4,125.00 | 4,125.00   | 100% | 76,518.75   |
| 15.      | Tie Rods (1 1/4" dia.)                      | LB   | 1.50            | 2,610.00 | 2,610.00   | 100% | 3,915.00    |
| 16.      | Deadman Installation Obstruction Labor Time | HR   | 215.00          | 1.00     | 0.00       | 0%   | 0.00        |
| 17.      | Structural Steel                            | LB   | 1.60            | 6,470.00 | 6,470.00   | 100% | 10,352.00   |
| 18.      | Concrete Coping                             | LF   | 90.00           | 140.00   | 140.00     | 100% | 12,600.00   |
| 19.      | Concrete Deadman                            | CY   | 275.00          | 24.40    | 24.40      | 100% | 6,710.00    |
| 20.      | Reinforcing Steel                           | LB   | 1.00            | 3,458.00 | 3,458.00   | 100% | 3,458.00    |

I hereby certify that the work performed and the materials supplied to date, as shown above represent the actual value of completed work under the terms of this contract in conformity with the plans and specifications and are true and correct.  
*Robert C. Olson* 5-10-2010  
Date  
[Contractor]

|                                       |              |
|---------------------------------------|--------------|
| Total Amount Completed Work to Date:  | \$188,973.75 |
| Less Amount Retained (5%):            |              |
| Less Previous Payments to Contractor: | \$179,525.06 |

I hereby represent that the work has progressed to the point indicated on this application for payment and that to the best of my knowledge the quality of work is in accordance with the Contract Documents based upon on-site observations of the work in progress.  
*William J. Glanville* 5/10/10  
Date  
HGM Associates Inc.

|                                   |            |
|-----------------------------------|------------|
| Total Amount Now Due Contractor:  | \$9,448.69 |
| Breakdown of Materials Delivered: |            |

**RONALD W. HUNTER**

Attorney at Law

11605 Arbor Street, Suite 104

Omaha, NE 68144

e-mail: [rwhe@hunterlaw.omhcoxmail.com](mailto:rwhe@hunterlaw.omhcoxmail.com)

Telephone: (402) 397-6965

Fax: (402) 397-0607

May 19, 2010

Sanitary and Improvement District No. 162  
c/o 11605 Arbor Street, Suite 104  
Omaha, NE 68144

Re: Sanitary and Improvement District No. 162

=====

For legal services performed re: general services from 04-20-10  
through 05-19-10.

(See Attached Schedule of Services)

10.90 hours x \$150.00 per hour = \$1,635.00

TOTAL AMOUNT DUE= \$1,635.00

**SCHEDULE OF SERVICES FOR SID 162**

|          |  |                     |
|----------|--|---------------------|
| 04/20/10 | Prepared for and attended Board of Trustees meeting.   | <b>1.10</b>         |
| 04/23/10 | Prepared Notice to Contractors for Paving Repair 2010.   | <b>1.40</b>         |
| 04/26/10 | Prepared minutes, supporting documents and warrants of last meeting.<br>Spread warrants.   | <b>1.80</b>         |
| 04/28/10 | Prepared Resolution of Necessity for Paving Repairs 2010.  | <b>1.60</b>         |
| 04/29/10 | Final review of minutes, supporting documents and warrants of last meeting.<br>Mailed minutes to accountants and Chairman.                       | <b>0.80</b>         |
| 05/04/10 | Preparation of notice to the County Clerk, the Papillion Times, all of the<br>Trustees, and others of the next meeting of the Board of Trustees. | <b>1.50</b>         |
| 05/10/10 | Posted notices of the Resolution of Necessity in three places within the<br>District's boundaries.   | <b>1.10</b>         |
| 05/12/10 | Call from McC, LLC, regarding payment of retainage. Call from Dave<br>Harnisch regarding additional amounts owed to McC, LLC.                    | <b>0.50</b>         |
| 05/19/10 | Prepared Agenda for next meeting of the Board of Trustees.   | <b><u>1.10</u></b>  |
|          | Total  | <b><u>10.90</u></b> |



**Great Western Bank**<sup>SM</sup>

Making Life Great

Member FDIC

April 30, 2010

Hunter Law Office  
ATTN: Ronald W. Hunter  
11605 Arbor St., Suite 104  
Omaha, NE 68144

RE: Sanitary and Improvement District #162, Series 2009  
Account #6821

Dear Mr. Hunter:

Fee billing for services rendered as Registrar and Paying Agent:  
FOR PERIOD OF: NOVEMBER 16, 2009 THROUGH MAY 15, 2010

MINIMUM BOND FEE:

\$250.00

EXTRAORDINARY FEE:

TOTAL FEE DUE:

\$250.00

Please remit your check payable to Great Western Bank, ATTN: Trust Department, P.O. Box 4070, Omaha, NE 68104-0070. If you have any questions feel free to call us at (402) 557-4142.

Sincerely,

Beth Riege  
Vice President  
and Trust Operations Officer



# Great Western Bank<sup>SM</sup>

Making Life Great

Member FDIC

May 13, 2010

Hunter Law Office  
ATTN: Ronald W. Hunter  
11605 Arbor St., Suite 104  
Omaha, NE 68144

RE: Sanitary and Improvement District #162, Series 2004  
Account #6626

Dear Mr. Hunter:

Fee billing for services rendered as Registrar and Paying Agent:  
FOR PERIOD OF: DECEMBER 2, 2009 THROUGH JUNE 1, 2010

MINIMUM BOND FEE:

\$250.00

EXTRAORDINARY FEE:

TOTAL FEE DUE:

\$250.00

Please remit your check payable to Great Western Bank, ATTN: Trust Department, 9290 W. Dodge Rd, Ste 202, Omaha, NE 68114. If you have any questions feel free to call us at (402) 557-4142.

Sincerely,

Beth Riege  
Vice President  
and Trust Operations Officer