

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 4:00 p.m. on 19th day of January, 2011 at 11605 Arbor Street, Suite 104, Omaha, Nebraska. Present were the following Trustees: Richard L. Hansen, Nancy Wackerhagen, Jay Graham, and Jim Nichols. Absent was the following Trustee: Wes Lyons. Present by invitation were Ronald W. Hunter, attorney for the District; Kristi Weispfenning, his assistant; and Dave Harnisch and Bill Glissman, both of HGM Associates, Inc. Notice was given in advance thereof by publication in the Papillion Times on January 13, 2011, 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 a discussion regarding property owner questions or concerns. Ms. Weispfenning stated that someone has been plowing the trail and causing damage to the grass. It was agreed the Trustees living near the trail would attempt to determine who is plowing the snow and report them to the Sarpy County Sheriff's Office.

The Chairman stated the next order of business was an update from the engineers. Mr. Harnisch presented various drawings of Mission Creek which showed the areas which need repaired in order of priority. After a full and complete discussion, the following Resolution was proposed by Trustee Nichols and seconded by Trustee Graham, to-wit:

RESOLVED, that HGM Associates, Inc. shall prepare the necessary documents to present to Papio NRD in an attempt to obtain approval for cost sharing regarding this matter.

On the foregoing Resolution, the following Trustees voted "aye": Trustees Wackerhagen, Hansen, Graham, and Nichols; voting "nay" thereon were the following:

none. The Chairman then declared said Resolution was duly carried and adopted.

The following are reporting items for the Trustees' information and required no action: Sarpy County Treasurer General Ledger Balances as of December, 2010.

The Trustees agreed that the next Board of Trustees meeting shall be held at 4:00 p.m. on February 24, 2011 at 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 Nichols, 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. 5496 through General Fund Warrant No. 5498 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 January 19, 2014, 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. 5496 in the amount of \$10.73 made payable to WORLD HERALD MEDIA GROUP, per Customer No. 154004, Order No. 0001327826-01, attached.

WARRANT NO. 5497 in the amount of \$3,916.73 made payable to O.P.P.D., per Account No. 4393100041, dated 12/29/10, attached.

WARRANT NO. 5498 in the amount of \$2,496.00 made payable to ROYAL LAWNS, INC., per Invoice No. 616, 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": Trustees Wackerhagen, Hansen, Graham, and Nichols; 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 J. Hansen  
RICHARD HANSEN, Chairman

Nancy Wackerhagen  
NANCY WACKERHAGEN, Clerk

ABSENT  
WES LYONS, Trustee

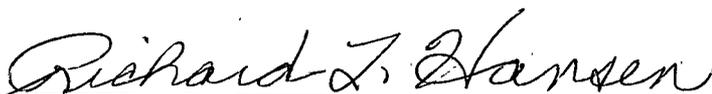
Jim Nichols  
JIM NICHOLS, Trustee

Jay Graham  
JAY GRAHAM, Trustee

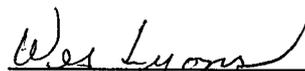
ACKNOWLEDGMENT OF RECEIPT  
OF  
NOTICE OF MEETING

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 January 19, 2011 at 11605 Arbor Street, Suite 104, Omaha, Nebraska.

DATED this 19th day of January, 2011.

  
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.

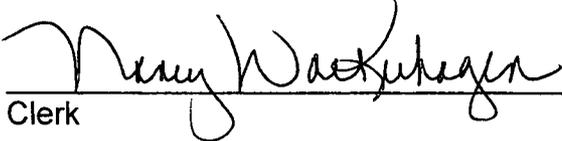
5. The minutes of the Meeting were in written form and available for public inspection within ten (10) working days after the Meeting or prior to the next convened meeting, whichever occurred earlier, at the office of the District; within thirty (30) days after the date of the Meeting, a copy of the 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 19th day of January, 2011.

  
Chairman

  
Clerk



## AGENDA

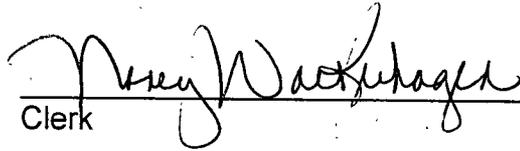
Meeting of the Board of Trustees of Sanitary and Improvement District No. 162 of Sarpy County, Nebraska:

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

Meeting held at 4:00 p.m. on January 19, 2011 at 11605 Arbor Street, Suite 104, Omaha, Nebraska.

- 
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. Property owner questions or concerns.
  4. Update from engineers.
  5. The following are reporting items for the Trustees' information and required no action: Sarpy County Treasurer General Ledger Balances as of December, 2010.
  6. Set the next meeting date.
  7. Pay the following bills (statements and/or invoices attached):
    - A. World Herald Media Group  
Customer No. 154004  
Order No. 0001327826-01 10.73
    - B. O.P.P.D.  
Account No. 4393100041  
Dated 12/29/10 3,916.73
    - C. Royal Lawns, Inc.  
Invoice No. 616 2,496.00
  8. Adjourned.
- \* There are funds available so there is no 5% fee paid to Ameritas Investment Corp.**

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

01/06/2011  
09:16:26

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

PAGE: 1

FUND: 8062	SID #162 GENERAL	M-T-D	Y-T-D
10100	- BEGINNING CASH ON HAND	67,673.49	184,609.37
15100	- BEGINNING INVESTMENT ON HAND	0.00	0.00
BEGINNING BALANCE:		67,673.49	184,609.37
TAX RECEIPT COLLECTIONS:			
30135	- 2009 PERS PROP TAX	0.00	789.32
30136	- 2010 PERSONAL PROPERTY TAX	328.49	328.49
30334	- 2008 REAL ESTATE TAX	0.00	-22.77
30335	- 2009 REAL ESTATE TAX	944.07	130,929.88
30336	- 2010 REAL ESTATE TAXES	4,323.86	4,323.86
TAX RECEIPT TOTALS:		5,596.42	136,348.78
34401	- HOMESTEAD EXEMP ALLOCATION	0.00	968.93
34601	- MOTOR VEHICLE PRO RATE	0.00	79.00
OTHER RECEIPT TOTALS:		0.00	1,047.93
60000	- DISBURSEMENTS	-14,056.21	-260,177.33
60001	- PROPERTY TAX COMMISSION	-111.93	-2,726.98
10000	ENDING CASH ON HAND	59,101.77	59,101.77
15100	ENDING INVESTMENT ON HAND	0.00	0.00
GRAND TOTALS		59,101.77	59,101.77

01/06/2011  
09:16:41

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

PAGE: 1

FUND: 8362	SID #162 BOND	M-T-D	Y-T-D
10100	- BEGINNING CASH ON HAND	189,953.13	204,536.46
15100	- BEGINNING INVESTMENT ON HAND	739,555.78	429,710.36
BEGINNING BALANCE:		929,508.91	634,246.82
TAX RECEIPT COLLECTIONS:			
30135	- 2009 PERS PROP TAX	0.00	2,080.94
30136	- 2010 PERSONAL PROPERTY TAX	866.01	866.01
30334	- 2008 REAL ESTATE TAX	0.00	-56.94
30335	- 2009 REAL ESTATE TAX	2,488.95	345,178.92
30336	- 2010 REAL ESTATE TAXES	11,399.31	11,399.31
TAX RECEIPT TOTALS:		14,754.27	359,468.24
34401	- HOMESTEAD EXEMP ALLOCATION	0.00	2,554.46
34601	- MOTOR VEHICLE PRO RATE	0.00	208.29
51001	- INTEREST ON INVESTMENTS	97.33	386.97
OTHER RECEIPT TOTALS:		97.33	3,149.72
60000	- DISBURSEMENTS	-123,516.25	-169,126.25
60001	- PROPERTY TAX COMMISSION	-295.09	-7,189.36
15100	- INVESTMENTS	-199,902.67	109,942.75
10000	ENDING CASH ON HAND	280,896.06	280,896.06
15100	ENDING INVESTMENT ON HAND	539,653.11	539,653.11
GRAND TOTALS		820,549.17	820,549.17

# The Omaha World-Herald Ad Order Confirmation

## Ad Content

RONALD W. HUNTER  
 Attorney at Law  
 11605 Arbor Street, Suite 104  
 Omaha, NE 68144

NOTICE OF MEETING  
 Sanitary and Improvement District  
 No. 162 of Sarpy County, Nebraska

NOTICE IS HEREBY GIVEN that a meeting of the Board of Trustees of Sanitary and Improvement District No. 162 of Sarpy County, Nebraska, will be held at 4:00 p.m. on Wednesday, January 19, 2011, at 11605 Arbor Street, Suite 104, Omaha, Nebraska, which meeting will be open to the public. An Agenda for such meeting, kept continuously current, is available for public inspection at the office of the Chairman of the Board of the District at 11605 Arbor St., Suite 104, Omaha, Nebraska, and includes payment of bills of the District.

NANCY WACKERHAGEN,  
 Clerk of the District  
 1327826; 1/13

Ad Number 0001327826-01

Sales Rep. jerwin

Order Taker jerwin

Ad Type SNI Legals

Ad Size  
 : 1.0 X 26 Li

PO Number SID 162

Color B&W

Promo Type

Customer  
 RONALD HUNTER LAW OFFIC

Customer Account

154004

Customer Address

11605 ARBOR ST, #104  
 OMAHA NE 68144 USA

Customer Phone

(402)397-6965

Ordered By

Special Pricing

None

Invoice Text

SID 162

Materials

Ad Order Notes

<u>Tear Sheets</u>	<u>Proofs</u>	<u>Blind Box</u>
0	0	

<u>Net Amount</u>	<u>Total Amount</u>
\$10.73	\$10.73

Payment Method

<u>Payment Amount</u>	<u>Amount Due</u>
\$0.00	\$10.73

<u>Product Information</u>	<u>Placement/Classification</u>	<u>Run Dates</u>	<u># Inserts</u>	<u>Cost</u>
SNI Classified::	Papillion Legals SNI Legal Papillion-Appears	1/13/2011	1	\$10.73



Account Number	Due Date	Total Amount Due
4393100041	Jan 20, 2011	\$9,907.31

Customer Name: SID 162 SARPY  
Statement Date December 29, 2010

For bill inquiries call the Omaha Office  
(402) 536-4131. See back for toll-free number.

Billing Information for service address: 15600 HARRISON ST, STL2, OMAHA NE

Billing Period From 11-29-2010 To 12-29-2010 @ 30 Days

Rate	Summary Usage		
	Current Amount	Fuel and Purchased Power Adjustment	Subtotal Amount per Rate
SL61	\$3,712.54	0.00	3,916.73

Rate	Summary Usage		
	Current Amount	Fuel and Purchased Power Adjustment	Subtotal Amount per Rate

Sales Tax	204.19
Total Charges	\$3,916.73
Previous Balance	9,907.31
Payments Received: 12/10/10	3,916.73CR
<b>Total Amount Due</b>	<b>\$9,907.31</b>

Please return this portion with payment

Nonprofit groups that wish to apply for a tree-planting grant can get more info at:  
oppd.com > Aim Green > Tree Promotion Program.

Statement Date December 29, 2010

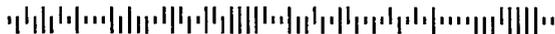
Account Number	Due Date	Total Amount Due
4393100041	Jan 20, 2011	\$9,907.31

Amount Paid

Energy Assistance Fund \$1  \$2  \$5  Other \$ \_\_\_\_\_

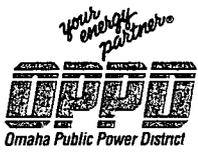
A current phone number on our record simplifies outage reporting. Your service address is identified by the phone number: (402) 397-6965

Check Here to indicate name, address or phone changes on back of this statement

  
 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





Account Number	Due Date	Total Amount Due
4393100041	Jan 20, 2011	\$9,907.31

Customer Name: SID 162 SARPY  
Statement Date December 29, 2010

Billing Information for service address: 15600 HARRISON ST, STL2, OMAHA NE

Billing Period From 11-29-2010 To 12-29-2010 @ 30 Days

Rate	Method No.	Number of Lamps	Price per Lamp	Usage			
				Current Amount	Fuel and Purchased Power Adjustment	Total Usage Amount	Sub-Total Amount per Rate
SL61	61211	218	\$17.03	3,712.54			
SL61					0.00	3,712.54	\$3,916.73

Royal Lawns Inc.

20920 Corral Rd.  
Elkhorn, NE 68022

# Invoice

Date	Invoice #
1/6/2011	616

Bill To

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

P.O. No.	Terms	Due Date	Account #	Project
Millard Park	Due on receipt	1/6/2011	sid162	
Description	Rate	Serviced	Amount	
Snow Removal 1 to 12"	500.00	12/12/2010	500.00	
Snow Removal 1 to 12"	500.00	12/16/2010	500.00	
Snow Removal 1 to 12"	500.00	12/24/2010	500.00	
Snow Removal 1 to 12"	500.00	12/31/2010	500.00	
Labor Put down 3 bags of ice melt	110.00	12/17/2010	110.00	
Labor put down 3 bags of ice melt	110.00	1/3/2011	110.00	
pick up trash	46.00	12/3/2010	46.00	
pick up trash	46.00	12/10/2010	46.00	
pick up trash	46.00	12/17/2010	46.00	
pick up trash	46.00	12/22/2010	46.00	
pick up trash	46.00	12/27/2010	46.00	
pick up trash	46.00	1/3/2011	46.00	
<b>Total</b>			<b>\$2,496.00</b>	