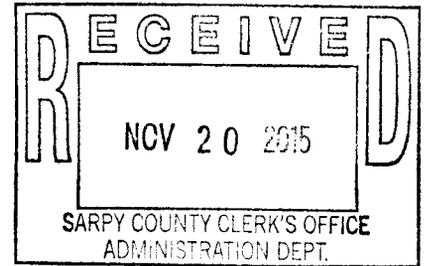


MINUTES OF MEETING
OF
SANITARY AND IMPROVEMENT DISTRICT NO. 216
OF SARPY COUNTY, NEBRASKA



A meeting of the Board of Trustees of Sanitary and Improvement District No. 216 of Sarpy County, Nebraska, was convened in open and public session at 4:30 p.m. on the 12th day of November, 2015, at 10250 Regency Circle, Suite 300, Omaha, Nebraska.

Present were: Daniel E. Norman, Kacie Hinze, Jon M. Wollenburg, Scott Marino and John Lesley.

Absent:

Notice of the meeting was given in advance thereof by publication in The Papillion Times, on November 4, 2015, a copy of the proof of publication being attached to these minutes. Notice of this meeting was simultaneously given to all members of the Board of Trustees, and a copy of their acknowledgment of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the published notice and in the notice to the Trustees of this meeting. All proceedings of the Board were taken while the convened meeting was open to the attendance of the public. The agenda was at all times available at the office for the District at 10250 Regency Circle, Suite 300, Omaha, Nebraska 68114.

The meeting was called to order.

It was first 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.

There was next a discussion regarding installation of a new stop sign within the neighborhood. Norris Franzen of Dazen, Inc. reported that he would conduct an investigation as required by the applicable traffic standards. He also indicated that he would be able to supplement his findings upon review by a qualified engineer. Daniel Norman, Trustee, indicated that he would be willing to review such a report and provide his opinion without expense to the District. Mr. Norman reported that the cost of the report would likely be less than \$1,000.00. The following resolution was duly made and seconded, and upon a roll call vote taken the following Trustees, Kacie Hinze, Jon M. Wollenburg, Scott Marino and John Lesley voted "Aye" with none voting "Nay" thereby adopting the following resolution:

RESOLVED, that Norris Franzen of Dazen, Inc. is hereby authorized to conduct a study to determine the qualification of current traffic and the need for an installation of one or more stop signs.

There was next a discussion regarding the missing stop sign on 192nd and Briar Street and missing "No Parking" signs on 162nd Avenue. Additionally, there was discussion regarding "No Parking" signs which more likely originated was authorized to be installed at a certain section of road between Birch and Rosewood. The Trustees generally considered that the missing signs should be replaced. There being no further discussion, and upon motion duly made and seconded, and upon a roll call vote taken the following Trustees, Daniel E. Norman, Kacie Hinze, Jon M. Wollenburg, Scott Marino and John Lesley voted "Aye" with none voting "Nay" thereby adopting the following resolution:

RESOLVED, that Norris Franzen of Dazen, Inc. is hereby authorized to determine the proper replacement and placement of missing "Stop" and "No Parking" signs and cause such signs to be replaced.

There was next a discussion regarding the water main break at 8122 S. 167th Street. Norris Franzen of Dazen, Inc. reported that he had reviewed the site of the break and provided photographs of the break and damage to nearby pavements. While certain sections of paving appear to have been damaged by the water main break and collapse of the ground below, other reported damage to private property appeared to pre-date the water main break. As none of the damaged pavements of the District's property, and the damages caused are not the responsibility of the District, no further action is required at this time.

There was next a discussion regarding resident concerns related to parking vehicles in driveways. The District has previously communicated with property owners within the District regarding such covenant violations. However, Mr. LaPuzza reported that an anonymous complaint had been received regarding certain lots in Millard Park. Such lots are neither within the boundaries of the District or governed by the covenants for Millard Park South.

There were next presented various statements and invoices for payment by the District.

There was next presented two (2) statements from Omaha Public Power District, for service at the location of 16500 S. Briar Street, regarding account number 9254119457; (i) Statement dated September 29, 2015, in the amount of Two Thousand Five Hundred Fourteen Dollars and 62/100 (\$2,514.62); and (ii) Statement dated October 29, 2015, in the amount of Two Thousand Five Hundred Fifteen Dollars and 47/100 (\$2,515.47); said statements being in the aggregate amount of Five Thousand Thirty Dollars and 09/100 (\$5,030.09).

There was next presented two (2) statements from One Call Concepts, Inc., regarding Account No. 04-SID216: (i) Invoice No. 5090564, dated September 30, 2015, in the amount of Twenty-Two Dollars and 30/100 (\$22.30); and (ii) Invoice No. 5100563, dated October 31, 2015, in the amount of Thirteen Dollars and 80/100 (\$13.80); said statements being in the aggregate amount of Thirty-Six Dollars and 10/100 (\$36.10).

There was next presented a statement from NP Dodge Insurance Agency, Inc., Invoice No. 30656 dated September 29, 2015, in the amount of One Hundred Dollars and no/100 (\$100.00).

There was next presented a statement from Dazen, Inc., Invoice No. MPS2015006 dated November 5, 2015, in the amount of Four Thousand Eight Hundred Twenty-Three Dollars and 75/100 (\$4,823.75).

There was next presented a statement from Greenlife Gardens, Invoice No. 33564, dated November 5, 2015, in the amount of Eight Thousand Two Hundred Ninety Dollars and 95/100 (\$8,290.95).

There was next presented a statement from Seim Johnson, LLP dated September 16, 2015, for preparation of the state budget document for the fiscal year and audit of financial statements, in the amount of Six Thousand Dollars and no/100 (\$6,000.00).

There was next presented a statement from Pansing Hogan Ernst & Bachman LLP, attorneys for the District, for legal services performed in miscellaneous District matters, dated November 4, 2015, in the amount of Two Thousand Four Hundred Thirty-Six Dollars and no/100 (\$2,436.00), and costs advanced in the amount of Two Hundred Forty Dollars and 94/100 (\$240.94); said statement being in the aggregate amount of Two Thousand Six Hundred Seventy-Six Dollars and 94/100 (\$2,676.94).

The previously described bills, invoices, recommendations and statements having been presented for the Board's consideration and after review and discussion of such items, the following resolution was duly moved and passed:

FURTHER RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 216 of Sarpy County, Nebraska, that the

Chairman and Clerk be and they hereby authorized and directed to execute and deliver Warrant Nos. 2843 through 2849 of the District, dated the date 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 and to be redeemed no later than November 12, 2018, 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. 2843, for the amount of Five Thousand Thirty Dollars and 09/100 (\$5,030.09), payable to Omaha Public Power District for Account Number 9254119457.

Warrant No. 2844, for the amount of Thirty-Six Dollars and 10/100 (\$36.10), payable to One Call Concepts, Inc. for Account Number 04-SID216.

Warrant No. 2845, for the amount of One Hundred Dollars and no/100 (\$100.00), payable to N.P. Dodge Insurance Agency, Inc.

Warrant No. 2846, for the amount of Four Thousand Eight Hundred Twenty-Three Dollars and 75/100 (\$4,823.75), payable to Dazen, Inc.

Warrant No. 2847, for the amount of Eight Thousand Two Hundred Ninety Dollars and 95/100 (\$8,290.95), payable to Greenlife Gardens for Invoice No. 33564.

Warrant No. 2848, for the amount of Six Thousand Dollars and no/100 (\$6,000.00), payable to Seim Johnson, LLP.

Warrant No. 2849, for the amount of Two Thousand Six Hundred Seventy-Six Dollars and 94/100 (\$2,676.94), payable to Pansing Hogan Ernst & Bachman, LLP.

FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 216 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.

FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 216 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 \$10,000,000 during the calendar year in which the above Warrants are to be issued.

FURTHER RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 216 of Sarpy County, Nebraska, that this and the preceding Resolutions are hereby adopted as the Certificate With Respect to Arbitrage of the District pertaining to the above Warrants and the District and the Chairman and Clerk 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) ten percent (10%) of the net principal proceeds of the above Warrants, (b) the maximum annual debt service due on the above Warrants, or (c) one hundred twenty-five percent (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 thirteen (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 thirteen (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 on the above Warrants.

2. To the best of their knowledge, information and belief, the above expectations are reasonable.

3. The District has not been notified of any listing of it by the Internal Revenue Service as an issuer that may not certify its bonds.

4. This Certificate is being passed, executed and delivered pursuant to Section 1.148-2(b)(2) of the Income Tax Regulations under the Internal Revenue Code of 1986, as amended.

**[THE BALANCE OF THIS PAGE LEFT INTENTIONALLY BLANK –
SIGNATURES APPEAR ON THE FOLLOWING PAGE]**