



MINUTES OF MEETING
OF
SANITARY AND IMPROVEMENT DISTRICT NO. 216
OF SARP 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 14th day of January, 2016, at 10250 Regency Circle, Suite 300, Omaha, Nebraska.

Present were: Daniel E. Norman, Jon M. Wollenburg and John Lesley.

Absent: Kacie Hinze and Scott Marino.

Notice of the meeting was given in advance thereof by publication in The Papillion Times, on January 6, 2016, 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 stop sign at 162nd Avenue and Briar Streets. The Trustees had reviewed the engineer's report and street superintendent report in advance of the meeting, analyzing the need for the stop sign. There being no further discussion, the following resolution was duly made and seconded, and upon a roll call vote taken the following Trustees, Daniel E. Norman, Jon M. Wollenburg and John Lesley voted "Aye" with none voting "Nay" thereby adopting the following resolution:

RESOLVED, that a stop sign shall be installed at the intersection of 162nd Avenue and Briar Street, as contemplated by the Engineer's Report.

RESOLVED FURTHER, that Norris Franzen of Dazen, Inc. is hereby authorized and directed to obtain and install the stop sign.

There was next a discussion regarding the fence extension requested at the property on 16302 Heather Street. The Trustees discussed the information in advance of the meeting and directed Mark LaPuzza to prepare a memorandum identifying the appropriate set of covenants for the lot and to provide a reporting of the requirements for the location and installation of fences and external HVAC equipment.

There was next a discussion regarding the trash pick-up in the park. Residents have reported that trash cans are full. The Trustees requested that Mark LaPuzza contact Greenlife Gardens to determine whether trash pick-up is being made during the winter and to increase the frequency of trash pick-up if necessary to allow continued use of the trash cans.

There was next a discussion regarding a resident's concern about trash which had been allowed to accumulate on the front porch and yard of a particular property. The Trustees discussed that Mark LaPuzza

should send correspondence to the property about which complaints have been received and, further, should identify the proper county office for lodging a complaint about such conditions. The contact information should be provided to any individual resident having inquired about the situation.

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 November 25, 2015, in the amount of Two Thousand Five Hundred Fifteen Dollars and 17/100 (\$2,515.17); and (ii) Statement dated December 30, 2015, in the amount of Two Thousand Five Hundred Twenty Dollars and 58/100 (\$2,520.58); said statements being in the aggregate amount of Five Thousand Thirty-Five Dollars and 75/100 (\$5,035.75).

There was next presented two (2) statements from One Call Concepts, Inc., regarding Account No. 04-SID216: (i) Invoice No. 5110563, dated November 30, 2015, in the amount of Eleven Dollars and 60/100 (\$11.60); and (ii) Invoice No. 5120565, dated December 31, 2015, in the amount of Eighteen Dollars and no/100 (\$18.00); said statements being in the aggregate amount of Twenty-Nine Dollars and 60/100 (\$29.60).

There was next presented two (2) statements from Signature Advertising & Display, Inc.: (i) Invoice No. 10421 dated October 26, 2015, in the amount of One Hundred Fifty-Two Dollars and 98/100 (\$152.98); and (ii) Invoice No. 10451 dated December 15, 2015, in the amount of One Hundred Dollars and 23/100 (\$100.23); said statements being in the aggregate amount of Two Hundred Fifty-Three Dollars and 21/100 (\$253.21).

There was next presented a statement from Dazen, Inc., Invoice No. MPS2016001 dated January 6, 2016, in the amount of Three Thousand Three Hundred Fifty-Seven Dollars and 50/100 (\$3,357.50).

There was next presented a statement from Greenlife Gardens, Invoice No. 33844, dated January 5, 2016, in the amount of Two Thousand Four Hundred Forty-Four Dollars and 91/100 (\$2,444.91).

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 January 8, 2016, in the amount of One Thousand Three Hundred Seventy-Four Dollars and no/100 (\$1,374.00), and costs advanced in the amount of One Hundred Thirty-Two Dollars and 40/100 (\$132.40); said statement being in the aggregate amount of One Thousand Five Hundred Six Dollars and 40/100 (\$1,506.40).

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. 2850 through 2855 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 January 14, 2019, 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. 2850, for the amount of Five Thousand Thirty-Five Dollars and 75/100 (\$5,035.75), payable to Omaha Public Power District for Account Number 9254119457.

Warrant No. 2851, for the amount of Twenty-Nine Dollars and 60/100 (\$29.60), payable to One Call Concepts, Inc. for Account Number 04-SID216.

Warrant No. 2852, for the amount of Two Hundred Fifty-Three Dollars and 21/100 (\$253.21), payable to Signature Advertising & Display, Inc.

Warrant No. 2853, for the amount of Three Thousand Three Hundred Fifty-Seven Dollars and 50/100 (\$3,357.50), payable to Dazen, Inc.

Warrant No. 2854, for the amount of Two Thousand Four Hundred Forty-Four Dollars and 91/100 (\$2,444.91), payable to Greenlife Gardens for Invoice No. 33844.

Warrant No. 2855, for the amount of One Thousand Five Hundred Six Dollars and 40/100 (\$1,506.40), 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.

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