

**MINUTES OF THE MEETING OF THE BOARD OF  
TRUSTEES OF SANITARY & IMPROVEMENT DISTRICT NO. 269  
OF SARPY COUNTY, NEBRASKA**

A meeting of the Board of Trustees of Sanitary & Improvement District No. 269 of Sarpy County, Nebraska, was convened in open and public session at 6:00 p.m. on November 7, 2010, at 14706 Hummingbird Circle, Bellevue, Sarpy County, Nebraska. Present were the following Trustees: Trenton Kerger, Tracy Gies, Mark Johnson, and Brandon Miklas. Notice of the meeting was given in advance thereof by publication in the Bellevue Leader, Sarpy County, Nebraska, on October 27, 2010, 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 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 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 meeting was called to order. Upon a Motion with all those trustees present voting aye, the minutes of the meeting held on September 13, 2010 were approved.

The election results were then circulated indicating that Trenton Kerger, Tracy A. Gies, Mark Johnson, Brandon Miklas and Amanda Bonnett had been elected as Trustees of the District. Subsequent to the election, Amanda Bonnett moved from the District and will not be serving on the Board, making it necessary for the Board to fill the vacancy. Counsel had advised the Trustees that it was necessary for the Trustees to elect a member as Chairman and one as Clerk pursuant to statute and that it was also necessary that the Chairman and Clerk be bonded. Counsel had advised that he would get the bond documents or the continuation certificates for incumbents those Trustees who were elected to those offices. After discussion and upon a motion duly made by Brandon, seconded by Tracy and carried by all Trustees present, Mark Johnson was elected Chairman of the Board.

Upon a motion duly made by Brandon, seconded by Tracy and unanimously adopted, Trenton Kerger was elected Clerk of the District. Counsel for the District will obtain and forward to Mark and Trenton the necessary forms for continuation of the bonds and advised that the cost of the bonds was an authorized expense of the District.

The Trustees next discussed the need to appoint another resident to fill the vacancy on the Board created by the declination of Amanda Bonnet to serve. Upon a motion duly made by Trenton, seconded by Mark and carried by all Trustees present unanimously voted that William Entrekin shall be appointed to serve as a Trustee until the next election.

The clerk then presented the following items for consideration by the Board:

1. Statement from The Bellevue Leader in the amount of \$9.07 for publication costs.
2. Statement from Great Plains One-Call Services, Inc. in the amount of \$7.04 for location services.
3. Statements from Thompson, Dreessen & Dorner in the total amount of \$200.00 for engineering services.
4. Statement from MJ Mowing in the amount of \$4,200.00 for park mowing and upkeep.
5. Statement from Laughlin, Peterson, & Lang in the amount of \$612.17 for legal services.
6. Kuehl Capital Corporation in the amount of \$189.35 for placement of Warrant Nos. 227/232 issued at the May 10, 2010 meeting.
7. Kuehl Capital Corporation in the amount of \$251.42 for placement of warrants (\$5,028.28 x 5%).

After a full discussion and upon a motion being duly made and seconded, with everyone voting "aye" and no one voting "no", the following resolution was adopted:

RESOLVED, that the Board of Trustees of Sanitary and Improvement District No. 269 of Sarpy County, Nebraska, that the Chairman and Clerk be and they hereby are authorized and directed to execute and deliver the following warrants 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 7% per annum and to be redeemed no later than November 7, 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:

1. WARRANT NO. 243 payable to The Bellevue Leader in the amount of \$9.07.
2. WARRANT NO. 244 payable to Great Plains One-Call Services, Inc. in the amount of \$7.04.
3. WARRANT NO. 245 payable to Thompson, Dreessen & Dorner in the amount of \$200.00.
4. WARRANT NO. 246 payable to MJ's Mowing in the amount of \$4,200.00.

5. WARRANT NO. 247 payable to Laughlin, Peterson, & Lang in the amount of \$612.17.
6. WARRANT NO. 248 payable to Kuehl Capital Corporation in the amount of \$189.35.
7. WARRANT NO. 249 payable to Kuehl Capital Corporation in the amount of \$251.42.

FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 269 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.

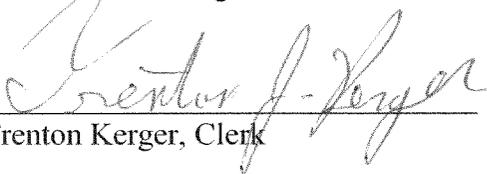
BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 269 of Sarpy County, Nebraska, that the District hereby covenants, warrants and agrees as follows: (a) to take all actions necessary under current federal law to maintain the tax exempt status (as to taxpayers generally) of interest on the above

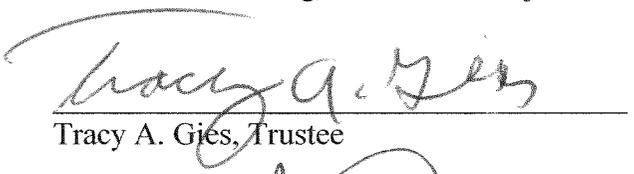
Warrants; and (b) to the extent that it may lawfully do so, the District hereby designates the above Warrants as its "qualified tax exempt obligations" under Section 265(b)(3)(B)(i)(III) of the Internal Revenue Code of 1986 as amended and covenants and warrants that the District does not reasonably expect to issue warrants or bonds or other obligations aggregating in the principal amount of more than \$5,000,000 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. 269 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) 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 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.

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

  
Trenton Kerger, Clerk

  
Tracy A. Gies, Trustee

  
Mark Johnson, Chairman

  
Brandon Miklas, Trustee

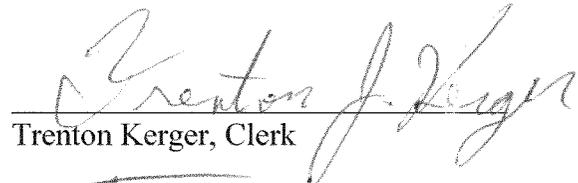
  
William Entrekin, Trustee

ACKNOWLEDGMENT OF RECEIPT OF NOTICE OF HEARING

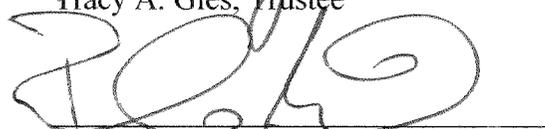
The undersigned Trustees of Sanitary and Improvement District No. 269 of Sarpy County, Nebraska, hereby acknowledge receipt of advance notice of a meeting of the Board of Trustees of said District and the agenda for such meeting held at 6:00 p.m. at 14706 Hummingbird Circle, Bellevue, Sarpy County, Nebraska.

Dated November 7, 2010.

  
Mark Johnson, Chairman

  
Trenton Kerger, Clerk

  
Tracy A. Gies, Trustee

  
Brandon Miklas, Trustee

  
William Entrekin, Trustee



**CERTIFICATE OF NOTICE**

STATE OF NEBRASKA    )  
  )  
COUNTY OF SARPY     )

I hereby certify that I am the duly qualified and acting Clerk of Sanitary and Improvement District No. 269 of Sarpy County, Nebraska, and that not less than seven (7) days prior to the date set for this meeting of the Board of Trustees of this District, a notice was sent to the Clerk of the City of Omaha, Nebraska, the municipality or county whose zoning jurisdiction this District is located, notifying said Clerk of this meeting.

Dated November 7, 2010.

  
\_\_\_\_\_  
Mark Johnson, Chairman

  
\_\_\_\_\_  
Trenton Kerger, Clerk

  
\_\_\_\_\_  
Tracy A. Gies, Trustee

  
\_\_\_\_\_  
Brandon Miklas, Trustee

  
\_\_\_\_\_  
William Entrekin

## CERTIFICATE

The undersigned hereby certify that they are the Chairperson and Clerk of Sanitary and Improvement District Number 269 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 mailed 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.

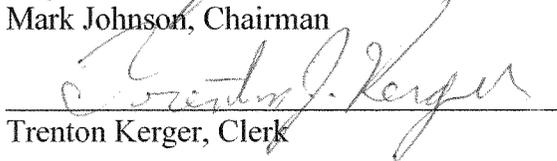
6. No litigation is now pending or threatened to restrain or enjoin the District from the issuance and delivery of any warrants or other obligations issued by the District or the levy and collection of tax or other revenues or relating to any of the improvements for which any such warrants or other obligations 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 7<sup>th</sup> day of November, 2010.



Mark Johnson, Chairman



Trenton Kerger, Clerk

SANITARY AND IMPROVEMENT DISTRICT NO. 269  
OF SARPY COUNTY, NEBRASKA  
**AGENDA**

November 7, 2010 - 6:00 p.m.

The following items are the matters which are to be brought before the Board of Trustees of the above District at the meeting:

1. Call to Order.
2. Approve minutes of September 13, 2010 meeting.
3. Review Proof of Publication of meeting.
4. Review election results and elect Chairman and Clerk.
5. Discussion of general matters.
6. Payment of Bills:

<b>GENERAL FUND</b>	
a. Statement from World Herald Media Group for publication of notice	\$9.07
b. Statement from Great Plains One-Call Services, Inc.	\$7.04
c. Statements from Thompson, Dreessen & Dornier	\$200.00
d. Statement from Laughlin, Peterson, & Lang	\$612.17
e. Kuehl Capital Corporation payment for placement of Warrant Nos. 227/232 issued May 10, 2010 - \$3,786.96 x 5%	\$189.35
f. Kuehl Capital Corporation for placement of warrants (\$828.28 x 5%)	\$41.42

*MJ Mousing 4,200*

Trenton Kerger, Clerk



CERTIFICATE OF RESULTS OF ELECTION

We, the undersigned, have been appointed by the Election Commissioner of Sarpy County, Nebraska, to count and record the results of the election for the purpose of electing Trustees of **Sanitary and Improvement District Number 269** of Sarpy County, Nebraska held September 14, 2010.

**Resident Property Owners: Ballot Number 1**

**Elect Two**

<u>Name and Address:</u>		<u>Votes Cast</u>
Mark D Johnson	14706 Hummingbird Cir Bellevue	5
Tracy A Geis	2607 Hummingbird Cir Bellevue	4

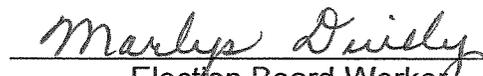
**All Owners of Real Estate: Ballot Number 2**

**Elect Three**

<u>Name and Address:</u>		<u>Votes Cast</u>
Brandon Miklas	2506 Raven Ridge Dr Bellevue	5
Trenton Kerger	2605 Hummingbird Cir Bellevue	5
Amanda Bonnett		2

Dated this 17th day of September, 2010.

  
\_\_\_\_\_  
Election Board Worker

  
\_\_\_\_\_  
Election Board Worker

I, Wayne Bena, Election Commissioner of Sarpy County, Nebraska certify that the above votes were cast for the Office of Trustee by the Legal Property Owners within the Sanitary and Improvement District.

  
\_\_\_\_\_  
Wayne Bena, Election Commissioner

Ballots mailed: **37**  
Ballots voted: **5**

Return address (NOT remittance address):  
**Great Plains One-Call Services Inc.**  
 4141 N 156 St  
 Omaha, NE 68116



www.ne-diggers.com Nationwide Dial 811

**BILL TO:**

**SID 269 SARPY COUNTY**  
  
**ROBERT PETERSON, ATTORNEY**  
**11718 NICHOLAS ST**  
**SUITE 101**  
**OMAHA NE 68154**

**INVOICE DATE:** 11/1/2010  
**FOR MONTH BEGINNING:** 10/1/2010  
**INVOICE#:** 1010SD269  
**PO#:**

(Fold line)

<i>SID269</i>	Ticket Type	Quantity	Amount	Total
	Locate Request	2	\$1.72	\$3.44
	<b>Terminal Total</b>	2		\$3.44
<b>Member Billing Subtotal:</b>		2		\$3.44
Nebraska One Call Board Surcharge (.04 per ticket):				\$0.08
<b>Total Current Invoice Amount:</b>				<b>\$3.52</b>
Previous Balance:				\$3.52
<b>TOTAL BALANCE DUE:</b>				<b>\$7.04</b>

Any balance due less than \$25.00 may be paid quarterly. Quarter ends last day of March, June, September, and December.

<b>Terms: Net 30 days</b>	<b>Over 30 Day</b>	<b>Over 60 Day</b>	<b>Over 90 Day</b>	<b>Over 120 Day</b>
	\$3.52	\$0.00	\$0.00	\$0.00

\*\*Please note: WE HAVE MOVED! Our new address, effect April 15, 2010, is indicated in the return address above.

For billing questions please contact: JILL GEYER Email: jill.geyer@cusinc.com Phone: 402-738 2170

<b>Make checks payable to:</b>		<b>Great Plains One Call Services, Inc.</b>	
<b>**IMPORTANT** SEND ALL PAYMENTS TO:</b>		<b>P.O. Box 102721 Atlanta GA 30368-2721</b>	
<b>From:</b> SID 269 SARPY COUNTY	<b>Invoice Number</b>	<input type="text"/>	
<b>Invoice:</b> 1010SD269	<b>Amount due:</b>	\$7.04	<b>Amount Enclosed</b>
<b>Code:</b> SD269	<input type="text"/>		
<b>Please return this portion of the bill with your remittance to the address indicated in this box.. Thank You.</b>			

Return address (NOT remittance address):  
**Great Plains One-Call Services Inc.**  
 4141 N 156 St  
 Omaha, NE 68116



**BILL TO:**  
**SID 269 SARPY COUNTY**  
  
**ROBERT PETERSON, ATTORNEY**  
**11718 NICHOLAS ST**  
**SUITE 101**  
**OMAHA NE 68154**

**INVOICE DATE:** 10/1/2010  
**FOR MONTH BEGINNING:** 9/1/2010  
**INVOICE#:** 910SD269  
**PO#:**

(Fold line)

<i>SID269</i>	Ticket Type	Quantity	Amount	Total
	Locate Request	2	\$1.72	\$3.44
	<b>Terminal Total</b>	2		\$3.44
<b>Member Billing Subtotal:</b>		2		\$3.44
Nebraska One Call Board Surcharge (.04 per ticket):				\$0.08
<b>Total Current Invoice Amount:</b>				<b>\$3.52</b>
Previous Balance:				\$22.88
<b>TOTAL BALANCE DUE:</b>				<b>\$26.40</b>

Any balance due less than \$25.00 may be paid quarterly. Quarter ends last day of March, June, September, and December.

<b>Terms: Net 30 days</b>	<b>Over 30 Day</b>	<b>Over 60 Day</b>	<b>Over 90 Day</b>	<b>Over 120 Day</b>
	\$10.56	\$5.28	\$3.52	\$3.52

\*\*Please note: WE HAVE MOVED! Our new address, effect April 15, 2010, is indicated in the return address above.

For billing questions please contact: JILL GEYER Email: jill.geyer@cusinc.com Phone: 402-738 2170

<b>Make checks payable to:</b>		<b>Great Plains One Call Services, Inc.</b>	
<b>**IMPORTANT** SEND ALL PAYMENTS TO:</b>		<b>P.O. Box 102721 Atlanta GA 30368-2721</b>	
<b>From:</b> SID 269 SARPY COUNTY	<b>Invoice Number</b>	<input type="text"/>	
<b>Invoice:</b> 910SD269	<b>Amount due:</b> \$26.40	<b>Amount Enclosed</b>	<input type="text"/>
<b>Code:</b> SD269			
<b>Please return this portion of the bill with your remittance to the address indicated in this box.. Thank You.</b>			

**Invoice**

Thompson, Dreessen & Dorner, Inc.  
Consulting Engineers & Land Surveyors  
10836 Old Mill Road  
Omaha, NE 68154  
Office:(402)330-8860 Fax:(402)330-5866  
www.td2co.com



September 20, 2010  
Project No: 1409-900  
Invoice No: 89253

Mr. Robert Peterson  
SID #269 (Orchard Valley)  
of Sarpy County Nebraska  
11718 Nicholas Street #101  
OMAHA, NE 68144

Project 1409-900 ONE CALL MEMBER AGREEMENT

**Professional Services from August 1, 2010 to August 31, 2010**

**Professional Personnel**

6 – One Call Responses for August, 2010

**Total this Invoice \$150.00**

**Invoice**

Thompson, Dreesen & Dorner, Inc.  
Consulting Engineers & Land Surveyors  
10836 Old Mill Road  
Omaha, NE 68154  
Office:(402)330-8860 Fax:(402)330-5866  
www.td2co.com



October 26, 2010

Project No: 1409-900

Invoice No: 89553

Mr. Robert Peterson  
SID #269 (Orchard Valley)  
of Sarpy County Nebraska  
11718 Nicholas Street #101  
OMAHA, NE 68144

Project 1409-900 ONE CALL MEMBER AGREEMENT

**Professional Services from September 1, 2010 to September 30, 2010**

**Professional Personnel**

2 – One Call Responses for September, 2010

**Total this Invoice**

**\$50.00**

**Jan Meyer**

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**From:** mark johnson [mdjohnson22@gmail.com]

**Sent:** Wednesday, November 10, 2010 6:55 AM

**To:** Jan Meyer

**Subject:** Bill for park mowing

Mr. Peterson,

Here is a copy of the billing for mowing and upkeep of the park for SID 269. Please let me know if I need to mail a copy of this to your office as well. This billing was discussed and approved at our last meeting on Sunday, November 7th. If there is anything else we need to do to make sure this payment is included with the other bills, please email me or Trenton or call me at 402-740-0035.

Dates service was provided

5/15/10

5/22/10

5/28/10

6/02/10

6/07/10

6/13/10

6/21/10

6/30/10

7/10/10

7/17/10

7/23/10

7/31/10

8/06/10

8/12/10

8/21/10

8/26/10

9/01/10

9/16/10

9/29/10

10/12/10

10/27/10

A total of 21 service dates at \$200.00 per mowing for a total of \$4200.00. Please make the warrant payable to MJ's Mowing.

Thanks,

Mark Johnson

11/10/2010

**LAUGHLIN, PETERSON & LANG  
ATTORNEYS AT LAW  
11718 NICHOLAS STREET, SUITE 101  
OMAHA, NE 68154  
(402) 330-1900**

SANITARY & IMPROVEMENT DISTRICT 269

October 19, 2010

Invoice #26729

In Reference To: GENERAL  
1219

	<u>Hours</u>	<u>Amount</u>
9/9/2010 Minutes and warrants;	1.65	\$41.25
9/10/2010 Conference with chairman to review documents; budget and summary and draft of minutes;	1.50	\$300.00
9/23/2010 Receipt and review of election results; send with cover to trustees;	0.30	\$60.00
9/24/2010 Minutes to Kuehl and City;	0.20	\$5.00
10/12/2010 Meeting notices;	0.20	\$5.00
10/19/2010 Review file for agenda preparation;	0.50	\$100.00
Agenda;	0.40	\$10.00
For professional services rendered	<u>4.75</u>	<u>\$521.25</u>
Additional Charges :		
9/29/2010 Sarpy County Election Comm		70.72
9/30/2010 Photocopies		<u>20.20</u>
Total additional charges		\$90.92
Total amount of this bill		<u>\$612.17</u>

SANITARY & IMPROVEMENT DISTRICT 269  
GENERAL  
1219

10/19/2010

2

	<u>Amount</u>
Previous balance	\$1,880.49
10/12/2010 Payment - thank you	<u>(\$1,880.49)</u>
Total payments and adjustments	(\$1,880.49)
Balance due	<u><u>\$612.17</u></u>