MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF SANITARY & IMPROVEMENT DISTRICT NO. 285 OF SARPY COUNTY,NE

The meeting of the Board of Trustees of Sanitary & Improvement District No. 285 of Sarpy County, Nebraska, was convened in open and public session at 4:00 o'clock P.M. on July 29, 2013 at 11718 Nicholas Street, Suite 101, Omaha, Nebraska. Present were the following Trustees: Rick Scheer, Craig Johnson, and Greg McNeese. Robert Fechtmeister was present via telephone. Absent was Shawn Nowling. Also present was Mark L. Laughlin, counsel for the District. Notice of the meeting was given in advance thereof by publication in the Gretna Breeze, Sarpy County, Nebraska, on July 24, 2013, 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.

Mark Laughlin 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 first item on the agenda was to approve the minutes of the December 19, 2012, District meeting.

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 minutes of the December 19, 2012, District meeting are hereby approved.

The Chairman stated that it had been brought to the Board's attention by District residents that the repair and re-grading of low spots and street drainage of the District's streets and supplementation of gravel should continue and that calcium chloride should be spread on the gravel surfaces to minimize dust. The Chairman solicited competitive private bids for the repair work as the anticipated repair costs would not exceed the sum of $20,000.00. The Board then discussed the bids received for grading, gravel and chemical treatment on the streets in the District from the various companies.

A bid from Ron Hurst Grading for grading the streets in the in the subdivision in the amount of $2,250.00 was accepted by the Board.

After full discussion upon motion being duly made and seconded with all Trustees present voting "aye" and with no Trustees voting "no", the following Resolution was adopted:

> **RESOLVED**, that the Board of Trustees of Sanitary and Improvement District No. 285 of Sarpy County, Nebraska, hereby accepts the bid of Ron Hurst Grading in the amount of $2,250.00 for grading the streets in the District.

The Board then discussed a bid from Martin Marietta Materials in the amount of $11,431.98 for the rock.

After full discussion upon motion being duly made and seconded with all Trustees present voting "aye" and with no Trustees voting "no", the following Resolution was adopted:

> **RESOLVED**, that the Board of Trustees of Sanitary and Improvement District No. 285 of Sarpy County, Nebraska, hereby accepts the bid of Martin Marietta Materials in the amount of $11,431.98.

The Board then discussed a bid from Husker Chem Sales in the amount of $5,670.63 for the chemical treatment to apply to the District's streets.

After full discussion upon motion being duly made and seconded with all Trustees present voting "aye" and with no Trustees voting "no", the following Resolution was adopted:

> **RESOLVED**, that the Board of Trustees of Sanitary and Improvement District No. 285 of Sarpy County, Nebraska, hereby accepts the bid of Husker Chem Sales in the amount of $5,670.63.

Counsel then submitted to the Board the following invoices for payment from the General Fund:

A) Statement from World Herald Media Group in the amount of $9.36 for ad number 1660374-01.

B) Statement from Dolleck & Frederes in the amount of $950.00 for invoice number 28507.

After full discussion upon motion being duly made and seconded with all Trustees present voting "aye" and with no Trustees voting "no", the following Resolutions were adopted:

RESOLVED, that the Board of Trustees of Sanitary and Improvement District No. 285 of Sarpy County, Nebraska hereby approves the above items for payment and that the Chairman and Clerk be and they hereby are authorized and directed to execute and deliver warrants to be payable from the General Fund Account of the District and to be redeemed no later than three (3) years from the date hereof, being July 29, 2016, and Warrant Nos. 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, said warrants to bear interest at the rate of 7% per annum after registration, to-wit:

A) General Fund Warrant No. 38 in the amount of $9.36, payable to World Herald Media Group for ad number 1660374-01.

B) General Fund Warrant No. 39 in the amount of $950.00 payable to Dolleck & Frederes P.C. for invoice number 28507.

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 285 of Sarpy County, Nebraska, that both they and the District hereby find and determine and covenant, and warrant and agree that (a) the facilities for which the

above Warrants are issued are designed to serve members of the general public on an equal basis; (b) there are no persons with rights to use said facilities other than as members of the general public; (c) ownership and operation of said facilities is with the District or another political subdivision; (d) none of the proceeds of the Warrants will be loaned to any person and to the extent that special assessments have been or are to be levied for any said facilities, 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 such facilities in the District; (e) the development of the land in the District for sale and occupation by the general public is proceeding with reasonable speed and (f) the District hereby authorizes and directs the Chairman or Clerk to file, when due, an information reporting form pursuant to section 149(e) of the Internal Revenue Code of 1986 pertaining to the above Warrants.

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 285 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. 285 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 Douglas 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 Sections 1.103-13, 1.103-14 and 1.103-15 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.

Rick Scheer, Chairman

Craig Johnson, Clerk

Greg McNeese, Trustee

Robert Fechtmeister, Trustee

Shawn Nowling, Trustee

ACKNOWLEDGMENT OF RECEIPT OF NOTICE OF HEARING

The undersigned Trustees of Sanitary and Improvement District No. 285 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. at 11718 Nicholas Street, Suite 101, Omaha, Nebraska.

Dated this 29th day of July, 2013.

Rick Scheer, Chairman

Craig Johnson, Clerk

Greg McNeese, Trustee

Robert Fechtmeister, Trustee

Shawn Nowling, 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. 285 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 Gretna, Nebraska, the municipality or county whose zoning jurisdiction this District is located, notifying said Clerk of this meeting.

Dated this 29th day of July, 2013.

Craig Johnson, Clerk

CERTIFICATE

STATE OF NEBRASKA	)
	)
COUNTY OF SARPY	)
	)
SANITARY AND	)
IMPROVEMENT	)
DISTRICT NO. 285	)

I, the undersigned, Clerk for Sanitary and Improvement District No. 285 of Sarpy County, Nebraska, hereby certify that all of the subjects included in the attached proceedings were contained in the agenda for the meeting of July 29, 2013, kept continually current and available for public inspection at the office of the Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that the minutes of the Chairman and Board of Trustees of the District, from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of July, 2013.

Craig Johnson, Clerk

CERTIFICATE

The undersigned hereby certify that they are the Chairperson and Clerk of Sanitary and Improvement District Number 285 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 29th day of July, 2013.

Rick Scheer, Chairman

Craig Johnson, Clerk

FROM: Ron Hurst
21984 Bobwhite Ave
Gretna NE. 68028
690-8370

368194

ESTIMATE

ORDERING INFO

customer's order no.

phone

date July 29 13

name SOUTHGATE ESTATES

address

city, state, zip

sold by

cash ☐ charge ☐ check ☐
c.o.d. ☐ on acct. ☐ #_____

shipping information

	quantity	description	price	amount
1		SHOVEL HOLES, PATCH ROUGH		
2		SPOTS, OPEN DRAINAGE		
3		ON AREA ROADS	150	750.00
4	10hrs	BE ON SCENE FOR ROCK		
5		DELIVERY + LEVELING	150	1500.00
6			TOT.	2250.00
7				
8				
9				
10				
11				
12				
13				
14				

received by

admar

keep this slip for reference

DC5808UV/10-10

Martin Marietta Materials

QUOTATION AND CONTRACT

Date 7/26/2013

TO:
SID 285 - RICK SCHEER

PROJECT(S)/BO#:
22121 BURROAK DRIVE

AWARDING BODY:

PROJECT DESCRIPTION/LOCATION OF WORK:
GRETNA, NE

THE FOLLOWING QUOTATION IS SUBJECT TO TERMS AND CONDITIONS ON THE REVERSE SIDE HEREOF.

MATERIAL DESCRIPTION	SOURCE	APPROXIMATE TONS	MATERIAL PRICE PER TON (SEE NOTE BELOW)	TRANSPORTATION CHARGES SUBJECT TO PARAGRAPH 14	
				MILEAGE	CHARGES PER TON *
#0796 - 3/4" CRUSHER RUN	SPRINGFIELD	700	$10.25		$5.23
DELIVERED STRAIGHT TRUCKS					

QUOTE MUST BE SIGNED AND RETURNED TO GUARANTEE PRICE & AVAILABILITY.

NOTES: *Haul rates, when offered, are subject to a surcharge if fuel prices exceed $4.25/gal. In that event, the quoted rate will increase by 2.5% for every $.10 increase in fuel price above $4.25/gal. Effective 6-28-10.

For information concerning this quotation contact:

Becky Grauerholz Office - (402) 267-2455, Toll Free - (866) 747-9177, Fax - (402) 267-3455 or becky.grauerholz@martinmarietta.com

NOTE: Prices are net and are quoted on basis of 2,000 lbs. per ton F.O.B. source. Shipments will be via customer truck and shall begin approximately on 30 days notice and be completed on or about 12/31/2011.
Seller shall not be obligated to ship in excess of 1,000 tons of aggregate on any one day.
Invoices are due and payable on or before the 15th of the month following month issued. **Past due invoices are subject to 1.5% late payment charge.**
ACCEPTANCE: This quote, and addendum if any, is for your acceptance in writing below on or before the 15th day after the date of this quotation, after which time this quotation shall be null and void. Upon your written acceptance below and when signed by Martin Marietta Materials, Inc., below, this quotation becomes the Contract between us and SPECIFICALLY INCLUDES ALL THE TERMS AND CONDITIONS APPEARING BELOW.
If project is tax exempt, sales tax exemption documentation must be on file prior to shipment. Sales tax will be billed on all orders not having the necessary exemption certificate.

ACCEPTED:

Date_____

_____
Company (Purchaser)

By _____

Title_____

MARTIN MARIETTA MATERIALS, INC. (Seller)

By: _____
Authorized Representative/Martin Marietta Materials, Inc.

Date: _____

HUSKER

HUSKER CHEM SALES
36712 Fletcher Avenue, P O Box 405
Weeping Water, NE 68463
PHONE: (402)267-2985 WATS: (800)422-4820
FAX: (402)267-2985

Date of Quote: 7-26-13

Company: SOUTHGATE ESTATES
Address: GRETNA, NE.

Attn: RICK SCHEER
Phone:
Cell: 598-6206
Fax:

rickscheer@scheerfamily.com

Items quoted:	Qty	Price	Total $
TREAT ALL ROADS W/ CHLORIDE - APPLIED -	5000 GALS.	$1.05	$5,100
SPREAD 1 OR 2 LOADS WATER			275.00
			$5375.00
	+5½%	TAX	$295.63
			$5,670.63

Thanks for the opportunity to quote your business. If you have any further questions, please contact me.

7-26-13

Gary M. Thimgan, Husker Sales Manager

Gary M. Thimgan

CELL: 402-521-1200

SANITARY AND IMPROVEMENT DISTRICT NO. 285
OF SARPY COUNTY, NEBRASKA

AGENDA

July 29, 2013
4:00 P.M.

The following items are the matters which are to be brought before the Board of Trustees of the above District at 11718 Nicholas Street, Suite 101, Omaha, Nebraska.

1. Approve minutes of meeting of December 26, 2012.

2. Discuss upcoming District election.

3. Discuss road repairs.

4. General District Business.

5. Payment of bills:

a)	World Herald Media Group (G)	$	9.36
b)	Dolleck & Frederes (G)	$	950.00

6. Additional matters brought before the Board of Trustees.

Craig Johnson, Clerk

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 Anne Lee 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:

Wednesday, July 24, 2013 Gretna Breeze

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 Anne Lee
Publisher Business Manager

Today's Date 07-24-2013
Signed in my presence and sworn to before me:

Notary Public

GENERAL NOTARY - State of Nebraska
LAURA ESTEP BRONK
My Comm. Exp. Oct. 21, 2013

Printer's Fee $ 9.36
Customer Number: 20908
Order Number: 0001660374

LAUGHLIN, PETERSON & LANG
Attorneys
11718 Nicholas Street, Suite 101
Omaha, NE 68154

NOTICE OF MEETING OF SANITARY AND IMPROVEMENT DISTRICT NO. 285

NOTICE IS HEREBY GIVEN that a meeting of the Board of Trustees of Sanitary and Improvement District No. 285 of Sarpy County, Nebraska will be held at 4:00 p.m. on July 29, 2013, at 11718 Nicholas Street, Suite 101, 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 the meeting place specified above, and includes payment of bills of the District.
Craig Johnson
Clerk of the District
1660374; 7/24

DOLLECK & FREDERES P.C.
Certified Public Accountants
Office Two
10730 PACIFIC STREET
SUITE 242
OMAHA, NE 68114-4761

SID #285
c/o Laughlin, Peterson & Lang
11718 Nicholas Street, Suite 101
Omaha, NE 68154

Client # : 2850 Invoice Number : 28507 Invoice date 5/11/2012 *

Preperation of 2011-2012 Budget and 1099's for 2012	950.00
Billed Progress Amount	950.00
Total Invoice Amount	$950.00

Beginning Balance	$0.00
Billing date	950.00
Amount Due	$950.00

Current	Apr	Mar	Feb	Before Feb	$950.00
950.00	0.00	0.00	0.00	0.00	Total Due

Amount due is payable within 15 days upon receipt of the bill.