

LAW OFFICE  
**FARNHAM & SIMPSON P.C., L.L.O.**  
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OMAHA, NEBRASKA 68114  
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jbf@farnhamandsimpsonlaw.com

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andy@farnhamandsimpsonlaw.com

ANDREA M. GRIFFIN†  
DIRECT (402) 934-5588  
andrea@farnhamandsimpsonlaw.com  
†ALSO ADMITTED IN IOWA

December 8, 2015

County Clerk  
SARPY COUNTY, NEBRASKA  
1210 Golden Gate Drive, Suite 1118  
Papillion, NE 68046

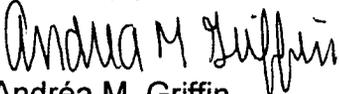
RE: SID No. 306 of Sarpy County, Nebraska

Dear Ms. Houghtaling:

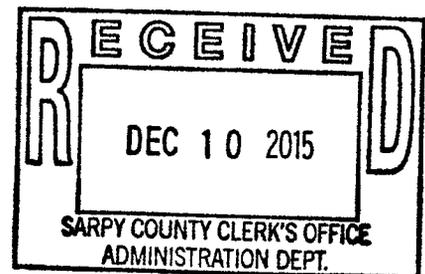
Enclosed please find a copy of the minutes from the meeting held on Wednesday, December 2, 2015 for the above-referenced District. The Affidavit of Publication, Acknowledgement of Receipt of Notice, and Clerk Certificate are attachments to the minutes.

If you have any questions do not hesitate to contact this office. Thank you.

Very truly yours,

  
Andréa M. Griffin

Enclosure



## CERTIFICATE

The undersigned hereby certify that they are they Chairman and the Clerk of Sanitary and Improvement District No. 306 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 capacity and said transcript is a full 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 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 continuously 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 2<sup>nd</sup> day of November, 2015

  
Jonathan M. Meyers, Chairman

  
James Meyers, Clerk

**MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF  
SANITARY AND IMPROVEMENT DISTRICT NO. 306 OF  
SARPY COUNTY, NEBRASKA HELD AT 11:00 A.M. ON DECEMBER 2, 2015 AT  
10064 SOUTH 134<sup>th</sup> STREET, OMAHA, NEBRASKA**

The meeting of the Board of Trustees of Sanitary and Improvement District No. 306 of Sarpy County, Nebraska was convened in open and public session at 11:00 a.m. on December 2, 2015 at 10064 South 134<sup>th</sup> Street, Omaha, Nebraska.

Present at the meeting were Trustees Jonathan M. Meyers, James Meyers, Tamara Meyers-Draeger, and Bruce Meyers. Also present were Jeff Farnham and Andrea Griffin, Attorneys for the District.

Notice of the meeting was given in advance thereof by publication in *The Papillion Times* on November 25, 2015, a copy of the Proof of Publication being attached to these minutes. Notice of the meeting was simultaneously given to all members of the Board of Trustees and a copy of their Acknowledgement 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 Clerk then certified that notice of this meeting had been given to the Sarpy County Clerk and the Papillion City Clerk at least seven days prior to the time set by the Board of Trustees for this meeting and filed his Certificate to that effect, said Certificate being attached to these minutes.

The Chairman then stated that a copy of the Nebraska Open Meetings Act was available for review and inspection and stated the location of said copy in the room in which such meeting was held.

The Chairman next presented Invoice No. 112564 from Thompson, Dreessen & Dorner, Inc. for engineering services in connection with Paving and Storm Sewer – Section 1 in the amount of Eight Thousand Five Hundred Three Dollars (\$8,503.00). The Clerk was directed to attach a copy of such Invoice to these minutes. The Chairman recommended the issuance of a warrant for such amount to Thompson, Dreessen & Dorner, Inc. The Chairman noted that the Resolution of Advisability and

Necessity for Paving and Storm Sewer – Section 1 was passed and approved by the Board on June 10, 2015.

There was next presented Invoice No. 112565 from Thompson, Dreessen & Dorner, Inc. for engineering services in connection with the Acquisition of Outlot A in the amount of Seventy Three and 47/100 (\$73.47). The Clerk was directed to attach a copy of such Invoice to these minutes. The Chairman recommended the issuance of a warrant for such amount to Thompson, Dreessen & Dorner, Inc. The Chairman noted that the Resolution of Advisability and Necessity for the Acquisition of Outlot A was passed and approved by the Board on October 28, 2015.

The Clerk next directed the attention of the Board of Trustees to the fact that D.A. Davidson & Co. will place Eight Thousand Five Hundred Seventy Six and 47/100 (\$8,576.47) in warrants at this time and that the contracted charge for such placement of warrants is five percent (5%) or Four Hundred Twenty Eight and 82/100 (\$428.82) in accordance with the financing agreement previously adopted by the Board. The Chairman recommended the issuance of warrants for such amount to D.A. Davidson & Co.

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:

RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 306 of Sarpy County, Nebraska, that the Chairman and Clerk be and they hereby are authorized and directed to execute and deliver Warrant Nos. 206-208 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 Construction Fund of the District and to draw interest at the date of seven percent (7%) per annum (interest to be payable on February 10 of each year) and to be redeemed no later than December 2, 2020, 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. 206 for the amount of Eight Thousand Five Hundred Three Dollars (\$8,503.00) payable to Thompson, Dreessen & Dorner, Inc. in payment of Invoice No. 112564 for engineering services in connection with Paving and Storm Sewer – Section 1.

Warrant No. 207 for the amount of Seventy Three and 47/100 Dollars (\$73.47) payable to Thompson, Dreessen & Dorner, Inc. in payment of Invoice No. 112565 for engineering services in connection with the Acquisition of Outlot A.

Warrant No. 208 for the amount of Four Hundred Twenty Eight and 82/100 Dollars (\$428.82) payable to D.A. Davidson & Co. for the placement and/or sale of Construction Fund warrants issued at this meeting.

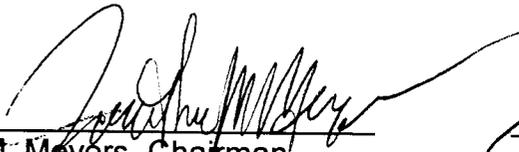
FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 306 of Sarpy County, Nebraska, that both they and the District hereby find and determine and covenant, and warrant and agree that (a) the facilities for which the above Warrants are issued are for essential government functions and 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 within 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 under Nebraska law as a matter of general application to all property specifically benefited by such facilities in the District; (e) the development of the land in the District is for residential or commercial use; (f) the development of the land in the District for sale and occupation by the general public is proceeding with reasonable speed; and (g) the District hereby authorized and directs the Chairman or Clerk to file, when due, an information reporting form pursuant to Section 149(e) of the Internal Revenue Code pertaining to the above Warrants.

FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 306 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 \$5,000,000.00 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. 306 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:

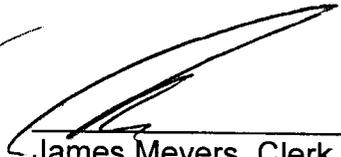
1. No separate reserve or replacement fund has been or will be established with respect to the above Warrants. The District reasonably anticipates that monies in its Bond Fund reasonably attributable to the above Warrants in excess of the lessor of: (a) ten percent (10%) of the net principal proceeds 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 on 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.

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



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Jonathan M. Meyers, Chairman



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James Meyers, Clerk



**ACKNOWLEDGEMENT OF RECEIPT  
OF  
NOTICE OF MEETING**

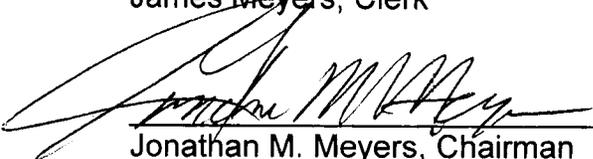
The undersigned Trustees of Sanitary and Improvement District No. 306 of Sarpy County, Nebraska, hereby acknowledge receipt of advance notice of a meeting of the Board of Trustees of said District and the agenda for such meeting held at 11:00 a.m. on December 2, 2015 at 10064 South 134<sup>th</sup> Street, Omaha, Nebraska.

DATED this 2<sup>nd</sup> day of December, 2015.



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James Meyers, Clerk



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Jonathan M. Meyers, Chairman



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Tamara Meyers Draeger, Trustee



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Bruce Meyers, Trustee



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Joseph Meyers, Trustee

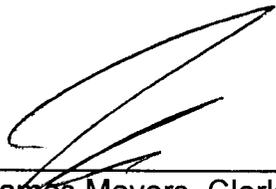
## CERTIFICATE

TO WHOM IT MAY CONCERN:

The undersigned, James Meyers, being the Clerk of Sanitary and Improvement District No. 306 of Sarpy County, Nebraska, does hereby certify that he did send a Notice of Meeting to the County Clerk of Sarpy County, Nebraska and the City Clerk of the City of Papillion, more than seven (7) days prior to the date of the meeting.

The undersigned further certifies that a copy of the Agenda for the meeting of the Board of Trustees of said District was prepared and available for public inspection at the address designated in the notice of meeting published in the *Papillion Times* on November 25, 2015 and that no items were added to the agenda after the commencement of the meeting; and further, that the minutes for the meeting were available for public inspection within ten (10) days of the date of said meeting and that a copy of the minutes of this meeting were sent to the County Clerk of Sarpy County, Nebraska and the City Clerk of the City of Papillion, Nebraska, within thirty days from the date of this meeting.

DATED this 2<sup>nd</sup> day of December, 2015.



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James Meyers, Clerk



Thompson, Dreessen & Dörner, Inc.  
 Consulting Engineers & Land Surveyors

**INVOICE**

Please remit to:  
 TD2 Nebraska Office  
 10836 Old Mill Road; Omaha, NE 68154  
 Office: 402/330-8860 Fax: 402/330-5866

TD2 South Dakota Office  
 5000 S. Minnesota Ave., Ste. 300; Sioux Falls, SD 57108  
 Office: 605/951-0886

SID #306 (KRAMBECK INDUSTRIAL PARK)  
 JEFFREY FARNHAM  
 FARNHAM & SIMPSON, P.C. LLC  
 220 N 89TH STREET SUITE 201  
 OMAHA, NE 68114

Invoice number 112564  
 Date 11/12/2015

Project 1978-102 SID #306 (KRAMBECK  
 INDUSTRIAL PARK) PAVING & STORM  
 SEWER SECTION 1

Professional Services from September 21, 2015 through October 25, 2015

Description		Current Billed
<b>Construction Staking</b>		2,262.90
<b>Engineering Services</b>		0.00
<b>Construction Materials Testing and Special Inspections</b>		6,240.10
<i>Construction Observation and Materials Testing</i>	\$5,423.10	
<i>Backfill Testing - see attached for detail</i>	817.00	
	<b>Total</b>	<b>8,503.00</b>

Invoice total 8,503.00

**Aging Summary**

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
112033	10/13/2015	1,815.05		1,815.05			
112564	11/12/2015	8,503.00	8,503.00				
	<b>Total</b>	<b>10,318.05</b>	<b>8,503.00</b>	<b>1,815.05</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

*Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees.*

SID# 306  
 1978-101  
 Krambeck Industrial Park , Storm Sewer Section 1  
 156th and Gold Coast Road  
 Omaha, Nebraska  
 Backfill, Fill, Subgrades  
 Anchor  
 MFT Construction

			RETEST		
Date	Test	Drill	Date	Test	Drill
9/28/2015		2			2
9/30/2015		4			4
10/2/2015		6			6
10/5/2015		1	10/5/2015		1
10/10/2015		5			5
	5	18		1	3
		18		3	3
\$ 50.00	\$ 25.00	\$ 6.50	\$ 50.00	\$ 25.00	\$ 6.50
\$ 250.00	\$ 450.00	\$ 117.00	\$ 50.00	\$ 75.00	\$ 19.50
		\$ 817.00			\$ 144.50

to Jan 11/9/15 - klr



Thompson, Dreesen & Dorner, Inc.  
 Consulting Engineers & Land Surveyors

**INVOICE**

Please remit to:  
 TD2 Nebraska Office  
 10836 Old Mill Road; Omaha, NE 68154  
 Office: 402/330-8860 Fax: 402/330-5866

TD2 South Dakota Office  
 5000 S. Minnesota Ave., Ste. 300; Sioux Falls, SD 57108  
 Office: 605/951-0886

SID #306 (KRAMBECK INDUSTRIAL PARK)  
 JEFFREY FARNHAM  
 FARNHAM & SIMPSON, P.C. LLC  
 220 N 89TH STREET SUITE 201  
 OMAHA, NE 68114

Invoice number 112565  
 Date 11/12/2015

Project 1978-106 SID #306 (KRAMBECK  
 INDUSTRIAL PARK) MISCELLANEOUS  
 SERVICES

Professional Services from September 21, 2015 through October 25, 2015

Description	Current Billed
<b>Engineering Services</b>	73.47
<i>Contract Administration - Outlot "A" Acquisition</i>	
<b>Erosion Control Monitoring and Reporting Services</b>	0.00
<b>Total</b>	<b>73.47</b>

Invoice total 73.47

**Aging Summary**

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
112565	11/12/2015	73.47	73.47				
	<b>Total</b>	<b>73.47</b>	<b>73.47</b>	0.00	0.00	0.00	0.00

*Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees.*

**AGENDA FOR SID #306  
BOARD OF TRUSTEES MEETING  
11:00 A.M., WEDNESDAY DECEMBER 2, 2015  
10064 SOUTH 134<sup>th</sup> STREET  
OMAHA, NEBRASKA**

I. Call to Order - Opening of the Meeting by the Chairman.

Advise members of the public that:

- A. One copy of all reproducible written material to be discussed at this meeting is available for examination or copying.
- B. One current copy of the Open Meetings Act is posted in the meeting room.

II. Roll Call.

III. Public Comments on Agenda Items.

IV. New Business

A. Present Statements, vote on and approve payment from the Construction Fund Account of the District for the following:

- |    |   |            |
|----|---|------------|
| 1. | TD2<br>Invoice No. 112564<br>Paving and Storm Sewer – Section 1 | \$8,503.00 |
| 2. | TD2<br>Invoice No. 112565<br>Acquisition of Outlot A            | \$73.47    |
| 3. | D.A. Davidson<br>Placement of Construction Fund Warrants (5%)   | \$428.82   |

B. Ratification and Approval of Construction Fund Warrants

- |    |  |            |
|----|--|------------|
| 1. | <i>Warrant No. 206</i> – TD2<br>Invoice No. 112564<br>Paving and Storm Sewer – Section 1 | \$8,503.00 |
| 2. | <i>Warrant No. 207</i> – TD2<br>Invoice No. 112565<br>Acquisition of Outlot A            | \$73.47    |
| 3. | <i>Warrant No. 208</i> - D.A. Davidson & Co.<br>Placement of Construction Fund Warrants  | \$428.82   |

VII. Future Agenda Items/Board Calendar

VIII. Public Comments on Non-Agenda Items

IX. Adjournment