

MINUTES OF THE MEETING OF  
 THE BOARD OF TRUSTEES OF  
 SANITARY AND IMPROVEMENT DISTRICT NO. 177  
 DOUGLAS COUNTY NEBRASKA  
 January 21, 2015

The duly scheduled and noticed Meeting of the Board of Trustees of Sanitary & Improvement District No. 177 of Douglas County, Nebraska, was convened in open and public session on January 21, 2015, at 7:30 p.m. at D.C. West Public School Library 7<sup>th</sup> & Washington Streets, Waterloo, Nebraska.

	<u>Present</u>	<u>Absent</u>
Keith Heinrich . . . . . Chairman	X	
Robert W. Lynn . . . . . Clerk	X	
Chris Perchal . . . . . Trustee	X	
Tony Staup . . . . . Trustee		X
Larry Rasmussen . . . . . Trustee	X	

Also in attendance was Darren R. Carlson of the law firm of Carlson & Burnett, LLP, who serves as the legal counsel for the Board of Trustees.

The Chairman, Keith Heinrich, called the meeting to order at 7:30 p.m. The Chairman reported and confirmed that Notice of the meeting was given in advance by publication in *The Daily Record*, a legal newspaper published and in general circulation in Douglas County, Nebraska on January 9, 2015. The "Proof of Publication" is attached to these Minutes as Exhibit "A" and incorporated herein. Advance notice of this meeting was given to all Board members. The Acknowledgement of Notice of Meeting furnished to the Board of Trustees is attached to these Minutes as Exhibit "B" and incorporated herein.

Notice of this meeting was given to the Clerk of the City of Omaha, Nebraska; the municipality having zoning jurisdiction over the District, at least seven days prior to the meeting, and Notice of the Meeting and Agenda were posted in the District. Availability of the Agenda was communicated in the published Notice and in the Notices to the City and Trustees. The signed Agenda is attached to these Minutes as Exhibit "C".

All proceedings of the Board of Trustees were taken while the convened Meeting was open to the attendance of the public. The Chairman reported that the Nebraska Open Meetings Act was posted and available for public use and inspection.

**Approve Minutes of Meeting held on November 19, 2014:** Following discussion of the Minutes previously circulated, Trustee Perchal moved that the Minutes of the November 19, 2014 meeting be approved and Trustee Lynn seconded the motion in the following form:

**BE IT RESOLVED**, that Sanitary and Improvement District No. 177 Board of Trustees hereby approves the Minutes of the on November 19, 2014, as completed and filed with the Omaha City Clerk.

On roll call vote thereon, the Resolution was unanimously passed and adopted.

**People Service Report:** The next matter discussed was the written People Service Report which was presented by Bob McLaughlin. The People Service Report is attached to these Minutes as Exhibit "D". Bob discussed that Layne Western had been out to inspect the pumps and recommended that the District pull the #3 pump and have it cleaned. It will cost approximately \$7,000 to do the work. The #3 pump has not been cleaned for approximately eight years. The #2 pump was also suggested for cleaning but only after the priority of #3 was completed.

**Grounds:** It was reported that Chuck Higgins is pruning the trees around the District. Chuck is still monitoring the lakes and taking samples to test for phosphorous levels. The pumps are off currently. Larry stated that there may be an opportunity to turn the pumps back on when we get closer to spring to do some additional studies. Chris and Larry are meeting with Fyre Engineering to discuss the levels of sediment and muck that are in the fishing and boating lake. This is a very preliminary step to address future dredging needs.

**Payment of Bills:** Trustee Lynn presented the current bills for review and discussion. A listing of all of the vendors, amount of payment, description of transaction and warrant numbers is attached to these Minutes as Exhibit "E" and incorporated herein. The Board also discussed the need to pay ongoing expenditures of the District between meetings. To facilitate the payment of standard and recurring expenses for the District, the Trustees concurred that the adoption of an ongoing resolution authorizing these payments is and would be appropriate. After reviewing the bills, a motion was made by Trustee Lynn and seconded by Trustee Rasmussen in the following form:

**BE IT RESOLVED**, by the Board of Trustees of Sanitary and Improvement District No. 177 of Douglas County, Nebraska, that the Board hereby ratifies, adopts and approves that the Chairman and Clerk to execute and deliver **GENERAL FUND Warrant Nos. 6485 through 6513**, of the District, to the payees and in the amounts listed on the attached Exhibit "E", said Warrants to be drawn on the General Fund of the District and to draw interest at the rate of six (6.0%) per annum and to be redeemed no later than three years after issuance, subject to the extension of the said maturity date by order of the District Court of Douglas County, Nebraska, after notice is given as required by law.

**BE IT RESOLVED**, by the Board of Trustees of Sanitary and Improvement District No. 177 of Douglas County, Nebraska, that the Board hereby ratifies, adopts and approves that the Chairman and Clerk to cancel warrant #6383 and issue new warrant #6383R as a replacement warrant for Miracle Recreation.

**BE IT FURTHER RESOLVED**, by the Board of Trustees of Sanitary and Improvement District No. 177 of Douglas County, Nebraska, that the Board hereby authorizes and approves that the Chairman and Clerk to pay the bills between meetings, to execute and sign warrants on behalf of the District, to pay the regular and recurring bills that may come due between meetings. That authorization is to continue from and after the date of this meeting through the fiscal year end.

**BE IT FURTHER RESOLVED**, by the Board of Trustees of Sanitary and Improvement District No. 177 of Douglas County, Nebraska hereby adopts the Warrant Resolutions, Tax Exemption Resolutions and the Policy & Procedure for Federal Tax Law and Disclosure Requirements for Outstanding Bonds and Warrants all set forth in detail on Exhibit "F" attached hereto and incorporated herein.

Upon roll call thereon, the following Trustees voted yes: unanimous; voting no: none. The Chairman declared said Resolution duly passed and adopted.

**New Business:** Trustee Perchal reported that he had two inquiries about speed bumps. Chairman Heinrich suggested that it can be addressed when we evaluate street updates and repairs this year. Both street repairs and possible milling and overlay will be evaluated this year by the District's Engineers.

The Trustees discussed continuing to monitor any trees or brush that are in the water and pose a hidden obstacle. At this time, no obstacles like hidden trees are within a shallow enough depth to be hit by or cause problems to any motors.

**Next meeting Date, Location and Time:** The next Regular Meeting will be conducted on Wednesday, March 4, 2015, at 7:30 p.m., at the DC West Public School Library, 7<sup>th</sup> & Washington Streets, Waterloo, Nebraska.

**Adjourn Meeting:** There being no further business to come before the Board, following a motion made by Trustee Rasmussen and seconded by Trustee Perchal, the Meeting was unanimously adjourned.

  
Robert Lynn, Clerk

## EXHIBITS TO MEETING

The attached Exhibits are a part of the transcript of meeting and are fully and expressly incorporated into the minutes of meeting of Sanitary & Improvement District #177 of Douglas County, Nebraska as though these Exhibits were set forth in their entirety in said Minutes.

Exhibit "A"	Affidavit of Publication—Daily Record
Exhibit "B"	Acknowledgment of Notice of Meeting
Exhibit "C"	Agenda for Meeting
Exhibit "D"	People Service Report
Exhibit "E"	General Fund Warrants
Exhibit "F"	Warrant Resolutions and Tax Exemption Resolutions