

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

January 25, 2017

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 25, 2017, at 7:30 p.m. at D.C. West Public School Library 7th & 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	
Jeff Spilker	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 Clerk 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, 2017. The “Proof of Publication” is attached to these Minutes as Exhibit “A” and is incorporated herein.

Advance notice of this meeting was given to all Board members. The Acknowledgement of Receipt of Notice of Meeting is attached to these Minutes as Exhibit “B” and incorporated herein. The Certificate of the Clerk is attached hereto as Exhibit “C” and incorporated herein certifying the availability of the Agenda was communicated in the published Notice and in the Notices to the City and Trustees. The Certificate of the Clerk is attached hereto as Exhibit “D” and incorporated herein certifying that Notice of Meeting was sent to the City of Omaha, Nebraska more than seven (7) days prior to the meeting.

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.

All proceedings of the Board of Trustees were taken while the convened Meeting was open to the attendance of the public. The Chairman held up a copy of the **Nebraska Open Meetings Act** and informed the public that it was available for the public and the copy was placed at the front table for review.

Approve Minutes of Meeting held on December 14, 2016: Following discussion of the Minutes previously circulated, Trustee Staup moved that the Minutes of the December 14, 2016, 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 December 14, 2016, as completed and filed with the Omaha City Clerk.

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

People Service Report: Robert McLaughlin of People Service Report was in attendance to present and discuss the People Service Report that is attached hereto as Exhibit "E." He reported that there had been a water main break this past month and that the repairs had been undertaken.

Hearing on Resolution of Necessity for 2017 Waste Water Construction Project: The Clerk certified that notice of this meeting concerning the project entitled Waste Treatment Plant Improvements 2017 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 and January 16, 2017. The "Proof of Publication" is attached to these Minutes as Exhibit "F" and incorporated herein. The Certificate of the Clerk is attached hereto as Exhibit "G" and incorporated herein certifying that notice of this meeting and Resolution had been posted in three (3) conspicuous places within the District.

The Clerk next stated that no petition opposing the proposed Resolution of Advisability and Necessity had been filed by the property owners within the District or by any other person or entity and that no person appeared at the meeting or made any objections to the proposed Resolution of Advisability and Necessity with such being the same resolution adopted in form at the meeting of the Board of Trustees held on December 14, 2016, which resolution is set forth in its entirety in the proof of publication (i.e. Exhibit "F") attached hereto and by this reference incorporated herein. After discussion of the Board, the following resolution was duly moved by Trustee Staup and seconded by Trustee Lynne; and upon a roll call vote the following Trustees voted yes: unanimous; voting no: none, and adopting the following resolution:

BE IT RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 177 of Douglas County, Nebraska, that the Resolution of Necessity and Advisability for the construction of the project entitled 2017 Waste Water Construction Project be ratified and approved as proposed.

FURTHER RESOLVED, that the Chairman and Clerk be, and hereby are, authorized and directed to take such steps as are necessary to implement this resolution, including the execution of such agreements, notices, publication of Notice to Contractors and other documentation as may be necessary and appropriate for and on behalf of the District.

Hearing on Resolution of Necessity for 2017 Water Treatment Plant Construction. The Clerk certified that notice of this meeting concerning the project entitled 2017 Water Treatment Plant Construction 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 and January 16, 2017. The "Proof of Publication" is attached to these Minutes as Exhibit "H" and

incorporated herein. The Certificate of the Clerk is attached hereto as Exhibit "I" and incorporated herein certifying that notice of this meeting and Resolution had been posted in three (3) conspicuous places within the District.

The Clerk next stated that no petition opposing the proposed Resolution of Advisability and Necessity had been filed by the property owners within the District or by any other person or entity and that no person appeared at the meeting or made any objections to the proposed Resolution of Advisability and Necessity with such being the same resolution adopted in form at the meeting of the Board of Trustees held on December 14, 2016, which resolution is set forth in its entirety in the proof of publication attached hereto and by this reference incorporated herein. After discussion of the Board, the following resolution was duly moved by Trustee Staup and seconded by Trustee Lynn and upon a roll call vote the following Trustees voted yes: unanimous; voting no: none, and adopting the following resolution:

BE IT RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 177 of Douglas County, Nebraska, that the Resolution of Necessity and Advisability for the construction of the project entitled 2017 Water Treatment Plant Construction be ratified and approved as proposed.

FURTHER RESOLVED, that the Chairman and Clerk be, and hereby are, authorized and directed to take such steps as are necessary to implement this resolution, including the execution of such agreements, notices, publication of Notice to Contractors and other documentation as may be necessary and appropriate for and on behalf of the District.

Grounds Management: Trustee Staup reported that he is working on repairs and upgrades to the tennis courts. All of the other grounds matters are on track.

Lake Management: Trustee Perchal reported that additional water and soil samples had been taken to facilitate the alum treatments and the dredging project.

Payment of Bills and Ratification of Warrants: 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 "J" 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 Staup 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. 6828 through 6870**, of the District, to the payees and in the amounts listed on the attached Exhibit "J", 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 or the District Court of Douglas County, Nebraska, after notice is given as required by law.

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.

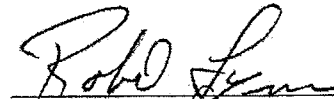
BE IT FURTHER RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 177 of Douglas County, Nebraska hereby adopts the Warrant Resolutions, Tax Exemption Resolutions and the Policy & Procedure for Federal Tax Law and Disclosure Requirements for Outstanding Bonds and Warrants all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

Next Regular Meeting Date, Location and Time: The next regular meeting will be conducted on Wednesday, March 29, 2017, at 7:30 p.m., at the DC West Public School Library, 7th & Washington Streets, Waterloo, Nebraska.

Other Matters: The Board had received an inquiry from homeowner, Rob Hartung, regarding drainage from the street to his driveway and lot. The Board requested that Trustee Staup inform Mr. Hartung that this issue has been addressed many times historically and that the Covenants confirm that the streets are to drain onto the individual lots. It is the responsibility of the lot owners to have the runoff directed down their side yards to the lake.

Adjourn Meeting: There being no further business to come before the Board, following a motion made by Trustee Staup 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"	Certificate of Clerk and Agenda for Meeting
Exhibit "D"	Certificate of Clerk – Notice of Meeting sent to City
Exhibit "E"	People Service Report
Exhibit "F"	Proof of Publication- Hearing on Resolution of Necessity for 2017 Waste Water Construction Project
Exhibit "G"	Certificate of Clerk – Notice of Hearing on Resolution of Necessity for 2017 Waste Water Construction Project
Exhibit "H"	Proof of Publication- Hearing on Resolution of Necessity for 2017 Water Treatment Plant Construction
Exhibit "I"	Certificate of Clerk – Notice of Hearing on Resolution of Necessity for 2017 Water Treatment Plant Construction
Exhibit "J"	General Fund Warrants
Exhibit "K"	Warrant Resolutions and Tax Exemption Resolutions