

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

December 14, 2016

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 December 14, 2016, 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 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 December 5, 2016. 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 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 15, 2016: Following discussion of the Minutes previously circulated, Trustee Staup moved that the Minutes of the November 15, 2016, meeting be approved and Trustee Perchal 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 November 15, 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 "D."

Waste Water Treatment Improvements: The Clerk introduced Jeff from Olmsted & Perry Consulting Engineers to present for consideration of the Trustees the plans and specifications for Phase I of the Waste Treatment Plant Improvements 2017 prepared by Olmsted & Perry Consulting Engineers who were retained by the Board of Trustees for this project. The Engineers Estimate of Cost for Phase I of such improvement in the total amount of sixty-three thousand five hundred dollars (\$63,500.00). The Clerk was directed to attach a copy of the Estimate of Costs to the minutes of these proceedings attached to these minutes as Exhibit "E".

After discussion, the resolution attached and by this reference made a part hereof was duly introduced and upon a motion properly made and seconded, a roll call vote was had upon such motion during which 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 a hearing be had on the proposed Resolution of Advisability and Necessity, attached hereto as Exhibit "F," for the construction and improvement to Phase I of the Waste Water Treatment System, at Riverside Lakes of Waterloo, Nebraska, at 7:30 p.m. on January 25, 2017, at which time owners of the property within the District who might become subject to assessment for the improvement contemplated by the proposed Resolution of Advisability and Necessity may appear and make objections to the proposed improvement, and if a petition opposing the proposed resolution is signed by property owners representing the majority of the owners of the property within the District which may be subject to assessment for the costs of improvements set out in the resolution is filed with the Clerk of the District within three days before the date set for hearing on such resolution, such resolution shall and will not be passed.

BE IT FURTHER RESOLVED, that notice of such hearing be given by publication in *The Daily Record* of Omaha, Douglas County, Nebraska for two (2) consecutive weeks beginning on the 11th day of January, 2017, and ending on the 18th day of January, 2017, which publication shall contain the entire wording of the proposed Resolution of Advisability and Necessity, and that notice shall be posted in three (3) conspicuous places within the District as required by Section 31-745, Reissue Rev. Stat. of Neb. 1943.

The Clerk introduced Joe Dethlefs from the engineering firm of Thompson, Dreesen & Dornier. Mr. Dethlefs presented the Engineer's Estimate of Costs for the improvements and upgrades to the potable water treatment plant in the amount of four hundred fifty-seven thousand dollars (\$457,000.00). The improvements are the replacement of four new vertical pressure filters with media and associated piping and valves. Mr. Dethlefs discussed the cost and steps to replace the four vertical pressure filters to rebuild the water treatment facility. The Board

discussed the cost, timing and risk mitigation to the potential down time for the water system. The Board discussed the 8- to 12-week scenario necessary to complete the construction. The Clerk was directed to attach a copy of the Engineer's Estimates of the Costs to the minutes of these proceedings attached to these minutes as Exhibit "G".

After discussion, the resolution attached and by this reference made a part hereof was duly introduced and upon a motion properly made and seconded, a roll call vote was had upon such motion during which 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 a hearing be had on the proposed Resolution of Advisability and Necessity, attached hereto as Exhibit "H," for the construction and improvement to the Potable Water Treatment System, at Riverside Lakes of Waterloo, Nebraska, at 7:30 p.m. on January 25, 2017, at which time owners of the property within the District who might become subject to assessment for the improvement contemplated by the proposed Resolution of Advisability and Necessity may appear and make objections to the proposed improvement, and if a petition opposing the proposed resolution is signed by property owners representing the majority of the owners of the property within the District which may be subject to assessment for the costs of improvements set out in the resolution is filed with the Clerk of the District within three days before the date set for hearing on such resolution, such resolution shall and will not be passed.

BE IT FURTHER RESOLVED, that notice of such hearing be given by publication in *The Daily Record* of Omaha, Douglas county, Nebraska for two (2) consecutive weeks beginning on the 11th day of January, 2017, and ending on the 18th day of January, 2017, which publication shall contain the entire wording of the proposed Resolution of Advisability and Necessity, and that notice shall be posted in three (3) conspicuous places within the District as required by Section 31-745, Reissue Rev. Stat. of Neb. 1943.

Grounds Management: Trustee Staup reported that burn is ongoing over the next couple weeks. The District has been working to remove most stumps throughout the District. Trustee Staup reminded all the residents that they NOT undertake maintenance, repairs or changes to the SID property, trees and landscaping without first clearing the proposed work with Chuck Higgins, the District's grounds maintenance vendor.

Tony presented a proposal to have the cottonwood trees around the Treatment Plant removed. After discussion, Trustee Staup moved and Trustee Perchal seconded the motion in the following form:

BE IT RESOLVED, that Sanitary and Improvement District No. 177 Board of Trustees hereby authorizes and approves the removal of the cottonwood trees around the Water Treatment Plant at cost not to exceed four thousand five hundred dollars (\$4,500.00).

On roll call vote thereon, the Resolution was voted for by all the trustees. The Chairman declared the Resolution passed and adopted.

Lake Management: Trustees Staup and Spilker reported they had recently met with FYRA Engineering to discuss the spring alum application and the dredging project. From this meeting, Trustees Staup and Spilker were recommending that a “core study and sampling” be undertaken to determine how much bad stuff (muck, silt, debris, etc.) was on the bottom of the lake. This would greatly aid in determining the amounts and depths at various locations are in need of being removed during the dredging process. After discussion, Trustee Staup moved and Trustee Perchal seconded the motion in the following form:

BE IT RESOLVED, that Sanitary and Improvement District No. 177 Board of Trustees hereby authorizes and approves the FYRA Engineering Service Agreement in the amount of six thousand five hundred ninety dollars (\$6,590.00) in accordance with the Service Agreement attached to and incorporated into these Minutes as Exhibit “I”).

On roll call vote thereon, the Resolution was voted for by all the trustees. The Chairman declared the Resolution passed and adopted.

Payment of Bills: Trustee Lynn reported that all the current bills for review and discussion are net yet out. As such, the Board discussed the need to pay the ongoing and routine expenses of the District until the next regular meeting in January. A motion was made by Trustee Staup and seconded by Trustee Heinrich 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 Warrants of the District, to the payees to pay the regular and ongoing typical obligations of the District until the next regularly scheduled meeting in January of 2017, 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 "J" 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, which will be the formal budget adoption meeting will be conducted on Wednesday, January 25, 2017, at 7:30 p.m., at the DC West Public School Library, 7th & Washington Streets, Waterloo, Nebraska.

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"	Agenda for Meeting
Exhibit "D"	People Service Report
Exhibit "E"	Olmsted & Perry Consulting Engineers Phase I Estimate of Cost of Improvement to Waste Treatment Plant
Exhibit "F"	Notice of Proposed Resolution of Advisability and Necessity for the construction and improvement to Phase I of the Waste Water Treatment System
Exhibit "G"	Thompson, Dreessen & Dorner Estimate of Cost of Improvement to Potable Water Treatment System
Exhibit "H"	Notice of Proposed Resolution of Advisability and Necessity for the construction and improvement to the Potable Water Treatment System
Exhibit "I"	FYRA Engineering Professional Service Agreement
Exhibit "J"	Warrant Resolutions and Tax Exemption Resolutions