

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

May 23, 2018

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 May 23, 2018, at 7:30 p.m. at Agnes Robinson Waterloo Public Library, 23704 Cedar Drive, 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 District.

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 April 6, 2018. 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; as the municipality having zoning jurisdiction over the District, at least seven days prior to the meeting.

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 both posted on the wall and a copy was placed at the front table for review.

**Approve Minutes of Meeting held on April 18, 2018:** Following discussion of the Minutes previously circulated, Trustee Staup moved that the Minutes of the April 18, 2018, meeting be approved and Trustee Spilker 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 April 18, 2018, as completed and filed with the Omaha City Clerk.

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

**People Service Report:** Matthew Wilson from People Service. Matthew presented the monthly People Service report that is attached to these Minutes as Exhibit "E" and incorporated herein by this reference. Matthew informed the Board that the six-month inspection period following the installation of the new filters has officially been completed. The State of Nebraska has issued an acceptance of the completed project. Matthew also reported that Brad Harris of Layne Christensen was out to inspect the pumps and wells. A high volume pump #2 was inspected and in need of replacement. The replacement has been completed at a cost of approximately \$2,600. In addition, Layne reported that the bowl and shaft in well #2 needs to be replaced. Following discussion, Trustee Heinrich moved that the following resolution be adopted, and Trustee Staup seconded the motion in the following form:

**BE IT RESOLVED**, by the Board of Trustees of Sanitary and Improvement District No. 177 of Douglas County, Nebraska, hereby authorizes the replacement of the bowl and shaft (approximately \$6,975) along with the payment for the inspections in accordance with the attached proposal to these Minutes as Exhibit "F" and incorporated herein by this reference.

**BE IT FURTHER RESOLVED**, by the Board of Trustees of Sanitary and Improvement District No. 177 of Douglas County, Nebraska, hereby authorizes the replacement of the valve to the #2 well in accordance with the attached proposal to these Minutes as Exhibit "G" and incorporated herein by this reference.

On roll call vote thereon, the Resolutions were unanimously passed and adopted.

**Grounds Management Report:** Trustee Staup presented the Grounds Management report. The first matter reported was the completion of the essential street repairs to prevent further deterioration and to maintain the streets. Trustee Staup reported that the repairs had been completed by Musicfield Concrete Construction. Approximately \$600 in add-ons were approved for the library box pads and additional street work. Trustee Staup also reported that the street repairs were tentatively scheduled for next Monday. After discussion, Trustee Staup informed the Board he would contact Clean Sweep to move the sweep date off of Memorial Day. Chuck reported that he was picking up some additional fence replacement laterals and verticals to make additional fence repairs. The new backboards and pads are installed. The Board discussed the need to limit access to the burn pile to residents of the neighborhood.

Following discussion, Trustee Staup moved that the following resolution be adopted, and Trustee Perchal seconded the motion in the following form:

**BE IT RESOLVED**, by the Board of Trustees of Sanitary and Improvement District No. 177 of Douglas County, Nebraska, hereby authorizes the street repairs in accordance with its bid from Musicfield Concrete Construction in the amount of \$10,030. The Musicfield Concrete Construction estimate is attached to these Minutes as Exhibit “F” and incorporated herein by this reference.

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

**Lake Management:** The Board discussed a report from Trustee Spilker that the dredging contract for the fishing lake was all in place. The Notice to Proceed had been issued by the Engineers for the project. Although no exact date has been scheduled, the estimate is that dredging will not occur before mid-July or August.

Next was a discussion of the Riverside Lakes Aquatic Invasive Species Prevention Program (“RSL AISPP”). Trustee Perchal and the entire Board have spent a considerable amount of time trying to design a methodology and program to prevent invasive species (namely zebra mussels) from entering the lakes at Riverside Lakes. Nearly all reports, journals, and sources clearly indicate that the contamination of a lake results from people bringing in boats, trailers, and other equipment that has previously been in a contaminated or infected lake. As such, the RSL AISPP is designed to prevent Riverside Lakes from having an infestation that could destroy home values and, ultimately, result in the draining or cleaning of the lake over a number of years. The cost to clean the lake once an invasive species enters the lake and the cost to remediate it is huge. The Board stressed in adopting this program that it is important limiting all watercraft from coming in without proper evidence that the boat has been cleaned in accordance with established and recognized standards. The RSL AISPP requires a boat owner to demonstrate that the boat has been cleaned in accordance with these standard before any watercraft can be brought into Riverside Lakes. Making absolutely certain that every boat brought in meets these cleanliness requirements to avoid bringing in zebra mussels and other invasive species is essential. The Board had discussed a preliminary draft the prior month. This month a number of edits and updates had been made to make certain that everyone that uses the lakes: residents, guests of residents and general public; all must meet the same compliance standards. The Board discussed the Riverside Lake is a public lake, and as such; the standards apply to all boats that come onto the lake. A number of volunteers will be trained so that a number of individuals will be trained to inspect all watercraft and the owners’ registrations and insurance prior to allowing access to the Lakes. Following discussion, Trustee Perchal moved that the following resolution be adopted, and Trustee Staup seconded the motion in the following form:

**BE IT RESOLVED**, by the Board of Trustees of Sanitary and Improvement District No. 177 of Douglas County, Nebraska, hereby authorizes, adopts and ratifies Riverside Lakes Aquatic Invasive Species Prevention Program (“RSL AISPP”) for the express purposes of providing set standards and procedures to protect Riverside Lakes from invasive species entering the lakes with a target implementation date of July 1, 2018. The RSL AISPP is attached to these Minutes as Exhibit “H” and incorporated herein by this reference.

**BE IT FURTHER RESOLVED**, by the Board of Trustees of Sanitary and Improvement District No. 177 of Douglas County, Nebraska, hereby authorizes the expenditure of up to \$1,500.00 for stickers, signs, locks, keys, training materials and other items necessary or appropriate to implement this program.

On roll call vote thereon, the Resolutions were unanimously passed and adopted.

**Payment of Bills and Ratification of Warrants:** Trustee Staup presented the bills and construction matters for review and discussion. A listing of all the vendors, amount of payment, description of transaction and General Fund Warrant numbers is attached to these Minutes as Exhibit "I" 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 Perchal 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. 7074 through 7084**, of the District, to the payees and in the amounts listed on the attached Exhibit "I", said Warrants to be drawn on the General Fund of the District and to draw interest at the rate of six and one-half (6.5%) 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.

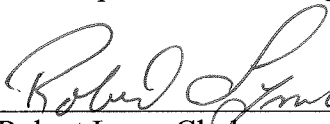
**New Business:** The Board discussed the need to have residents who are storing their personal property (boats, lifts and docks) on the District's property to have the property removed.

The consensus by the Board was that if the Board lets some specific homeowners store personal property on SID property, they will be forced to let everyone have the same privileges. Homeowners in attendance who are currently storing personal property responded they were not aware this was an issue. The homeowners agreed to remove the items that are stored on the SID lots promptly.

A representative from the HOA, Barb Bowers, asked that the repair or replacement of the Riverside Lakes entrance sign be addressed. Barb, on behalf of the HOA, would like to look into the design, purchase and installation of a new entrance sign. The Board members were of the consensus that the SID Board will review the information assembled by the HOA. The parties discussed the extremely tight budget in 2018 because of the Lake Dredging Project. However, everyone acknowledges that it will be a priority if and when funds are available.

**Next Regular Meeting Date, Location and Time:** The next regular meeting will be conducted on Wednesday, July 18, 2018 at 7:30 p.m., at the Agnes Robinson, Waterloo Public Library, 23704 Cedar Drive, Waterloo, Nebraska. The Board will try to coordinate the next meeting with the availability of the room and the timing for award of the 2018 Dredging Contract.

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

  
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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"	Certificates of Clerk: Notice of Meeting sent to City/Certificate of Minutes Availability
Exhibit "E"	People Service Report
Exhibit "F"	Layne Christensen Proposal 1
Exhibit "G"	Layne Christensen Proposal 2
Exhibit "H"	Riverside Lakes Aquatic Invasive Species Prevention Program
Exhibit "I"	General Fund Warrants
"Exhibit "J"	Warrant Resolutions and Tax Exemption Resolutions