

MINUTES OF SANITARY & IMPROVEMENT DISTRICT NO. 8
OF SAUNDERS COUNTY, NEBRASKA

On Monday, **November 4, 2013 at 5:30 p.m.**, a Public Hearing on Proposed Ordinance, Resolution, Rules and Regulations, and Fee Schedule for the operation of the District's water system, sanitary sewer system, and storm sewer system, followed by a regular meeting of the Chairman and Board of Trustees of the Sanitary & Improvement District No. 8 of Saunders County, Nebraska, was convened in open and public session at the office of Woodcliff Lakes, Inc., Lot T-1018, Suite A, 980 County Road W, Fremont, Nebraska 68025.

Trustees present were: Lonnie Mahrt, Tom Sawyer, Michael Wise, Nick Borman, Sean Kenney.

Trustees absent were: NONE

Others present: Don Schneider, the District's attorney; Tyler Hevlin, the District's engineer; JEO Engineer Kevin Kruse; Chris Johannesen, SID secretary; Duane Grashorn, PeopleService; and resident Norm Nelson.

Timely notice of the of the public hearing and regular meeting was given to the public by publication, notice and the proposed agenda was timely given to all members of the Board of Trustees, and notice was timely given to the Saunders County Clerk and the Fremont City Clerk. Availability of the agenda was communicated in said notices. These minutes were written and available for public inspection at the office of Woodcliff Lakes, Inc., within ten working days or prior to the next convened meeting, whichever was earlier. It was stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and the location of the copy of said Act was indicated. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. Business conducted and decisions made were as follows.

Public Hearing at 5:30 p.m.

The Chairman called the public hearing to order to consider comments and discussion of proposed Ordinance, Resolution, Rules and Regulations, and Fee Schedule for the operation of the District's water system, sanitary sewer system, and storm sewer system. Thereafter there was had discussion and public comments thereon.

Whereupon a Motion for Adjournment of the Public Hearing was made by Trustee Kenney, and seconded by Trustee Borman, and on roll call vote was unanimously approved by the Chairman and all Trustees, and declared duly adopted by the Chairman, at which point the Public Hearing adjourned.

Regular Meeting at 5:40 p.m.

The Regular Meeting was called to order by the Chairman.

1. Elected from the September 2013 ballots were: Nick Borman, Sean Kenney, Lonnie Mahrt, Tom Sawyer, and Mike Wise. A motion was made by Mike Wise and seconded by Sean

Kenney to elect Lonnie Mahrt as Chairman and Tom Sawyer as Clerk. After discussion upon roll call vote, voting YES were all Trustees, voting NO were None; whereupon the motion was declared adopted by the presiding officer. Lonnie Mahrt and Tom Sawyer signed the Universal Surety Co. Insurance Bond Continuation Certifications for their positions.

2. A motion was made by Sean Kenney and seconded by Tom Sawyer to approve the minutes of the meeting from September 9, 2013. After discussion upon roll call vote, voting YES were ALL TRUSTEES, voting NO were NONE; whereupon the motion was declared adopted by the presiding officer.

3. The following bills were approved for payment from the General Fund with a warrant to be issued on each:

<u>No.</u>	<u>For</u>	<u>Amount</u>
1371	PeopleService Inc.	\$3,448.54
1372	Saunders Co. Clerk	\$ 618.80
1373	Don Schneider	\$1,120.00
1374	Woodcliff Lakes	\$ 158.96
1375	Erickson & Brooks	\$1,500.00
1376	Inspro Insurance	\$ 120.00
1377	PeopleService Inc.	\$3,446.03
1378	Woodcliff Lakes	\$6,540.00
1379	Chris Johannesen	\$ 190.00
1380	Fremont Tribune	\$ 8.18
1381	Don Schneider	\$2,220.00
1382	Woodcliff Lakes	\$ 125.00

4. The Board then took under consideration the proposed Ordinance, Resolution, Rules and Regulations, and Fee Schedule for the operation of the District's water system, sanitary sewer system, and storm sewer system. A copy of the Notice published in the Wahoo Newspaper for said proposed Ordinance, Resolution, Rules and Regulations, and Fee Schedule for the operation of the District's water system, sanitary sewer system, and storm sewer system are attached to these meetings. The Affidavit of the Board's secretary setting forth the posting of the Notice in three public places within the District is also attached to these minutes. The Board discussed whether any amendments or changes were needed or desirable from the language as originally proposed and published. The only changes proposed were the following: #1, that Item 3 of the proposed Resolution 2013-02 include a summary of the amendment procedure; #2, that a new Item 13 of the proposed Rules and Regulations include a summary of the amendment procedure;

Whereupon it was moved by Trustee Kenny and seconded by Trustee Wise to adopt and approve ORDINANCE NO. 2013-02, providing authority for the District to promulgate rules and regulations for the operation of the District's water system, sanitary sewer system, and storm sewer system, providing a procedure for future amendments, granting authority to set fees, creating a utilities fund, authorizing penalties, and providing an effective date; a copy of which Ordinance is attached to these Minutes. Upon roll call vote, voting YES were Trustees Nick Borman, Sean Kenny, Lonnie Mahrt, Tom Sawyer, and Michael Wise; voting NO were Trustees None; absent or abstaining were Trustees None, whereupon the motion was declared adopted by the Chairman.

5. It was moved by Trustee Kenny and seconded by Trustee Wise to adopt and approve RESOLUTION NO. 2013-02, including EXHIBIT "1" Rules and Regulations and SCHEDULE "A" Fee Schedule incorporated into said RESOLUTION NO. 2013-02, which Resolution, Rules and Regulations, and Fee Schedule set forth the rules and regulations and fee schedule for the operation of the District's water system, sanitary sewer system, and storm sewer system, the method adopted for future amendments thereto, provision for said rules and fee schedule to be kept available for public inspection at the District's office, and for effective date; a copy of which Resolution, Exhibit, and Schedule are attached to these Minutes. Upon roll call vote, voting YES were Trustees Nick Borman, Sean Kenny, Lonnie Mahrt, Tom Sawyer, and Michael Wise; voting NO were Trustees None; absent or abstaining were Trustees None, whereupon the motion was declared adopted by the Chairman.

6. It was moved by Trustee Kenny and seconded by Trustee Wise to direct the Chairman and Clerk to execute and file an appropriate Public Notice for filing at the Saunders County Register of Deeds on all Lots within the territorial limits of the District, providing notice that the SID has adopted Rules and Regulations and Fee Schedule for the operation of the District's system, and that a copy of same may be reviewed at the office of the District; a copy of which Public Notice is attached to these Minutes. Upon roll call vote, voting YES were Trustees Nick Borman, Sean Kenny, Lonnie Mahrt, Tom Sawyer, and Michael Wise; voting NO were Trustees None; absent or abstaining were Trustees None, whereupon the motion was declared adopted by the Chairman.

7. Don Schneider reported that Hamilton and Johnson Title Company located only one easement related to the water system, plus a record of an earlier water service contract that was never cancelled of record. He further reported that pursuant to the Assignment and Transfer of Permanent Utility Easement that he prepared, signed by the HOA President, and filed at the Register of Deeds on October 29, 2013, the easement has been assigned to S.I.D. 8 and the old water service agreement cancelled. A copy of the Hamilton and Johnson letter and a copy of the filed Assignment and Transfer of Easement are attached to these minutes.

8. Don Schneider reported that all documents requested by the Nebraska Department of Health and Human Services Water Division for transfer of the water system from Woodcliff Lakes, Inc. HOA to S.I.D. 8 have been completed, signed, and sent to the DHHS. A copy of all said filings with DHHS is attached to these minutes.

9. Don Schneider reported that the County Treasurer has set up the Water and Sewer Utility Fund for the District so that the Board's Secretary will be able to send the deposits for the water and sewer fees to the Saunders County Treasurer for depositing into the Utilities account. He also reported that he and Chris are working out a new Warrant form for use with the Utilities account.

10. Chris Johannesen reported on the 437 lots/tracts which will be billed the \$75 Water Service Fee in February and presented a copy of a sample invoice.

11. The Board requested that Inspro Insurance use a valuation of \$1,000,000 for the Water System for a General Liability policy.

12. August and September 2013 reports from PeopleService Inc. were reviewed with no action taken.

13. Duane Grashorn, PeopleService, reported that separate invoices will be sent for their services for the Sewer System and the Water System. Sean Kenney made a motion, which was seconded by Mike Wise to authorize the Chairman and Clerk to consider, review, and sign a new Water and Sewer Operation Contract with PeopleService to begin on January 1, 2014. After discussion upon roll call vote, voting YES were ALL TRUSTEES, voting NO were NONE; whereupon the motion was declared adopted by the presiding officer.

14. Kevin Kruse, JEO, reported on options for Phase 2 of the Flood Control and Bank Stabilization work. A motion was made by Trustee Sawyer and seconded by Trustee Kenney for JEO to provide estimates for each option for consideration at a future meeting. After discussion upon roll call voted, voting YES were ALL TRUSTEES, voting NO were NONE; whereupon the motion was declared adopted by the presiding officer.

15. Chris Johannesen reported that Timme Welding will be making adjustments to the ribbon sweeper to correct the modifications made this summer to the original specifications requested.

16. Chris Johannesen reported that Schmader Electric has checked the Warning Sirens and they are not compatible with Fremont's new system. Schmader Electric will try modifying the sirens and prepare an estimate for new equipment if needed.

17. A Needs Survey for the Nebraska Department of Environmental Quality was discussed and PeopleService Inc. will be asked to include adding grinders to the lift stations on the form.

Whereupon a Motion for Adjournment was made by Tom Sawyer, seconded by Nick Borman, and on roll call vote was unanimously approved by the Chairman and all Trustees, and declared duly adopted by the presiding officer, at which point the meeting adjourned.

I, the undersigned, the duly qualified Clerk or Acting Clerk for Sanitary and Improvement District No. 8 of Saunders County, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Chairman and Board of Trustees of SID No. 8 of Saunders County on the date stated above, that all the subjects included in the foregoing proceedings were contained in the agenda available to the public for at least 24 hours prior to said meeting; that the said minutes of the Chairman and the Board of Trustees of the District were in written form and available for public inspection at the Clerk's office, within ten days after said meeting as required by statute and prior to the next convened meeting of said body; and that a copy of said minutes were or will be filed with the County Clerk of Saunders County and the Fremont City Clerk as required by statute within thirty days of said meeting; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and the place of said meeting, and the subjects to be discussed at said meeting.

Tom Sawyer, Clerk

SANITARY & IMPROVEMENT DISTRICT NO. 8
OF SAUNDERS COUNTY, NEBRASKA

Lonnie Mahrt, Chairman
Tom Sawyer, Clerk

Lot T-1018, Suite A
980 County Road W
Fremont, Nebraska 68025

Chris Johannesen, Secretary
Ph. 402-753-0247
sid8@woodcliffakes.com

CERTIFICATION

The undersigned Chris Johannesen, Secretary of SID No. 8 of Saunders County, Nebraska, in her capacity as an assistant to the Clerk of SID No. 8, hereby certifies that in regard to the SID Board of Directors meeting held on ___November 4, 2013___ at ___5:30_ p.m. the undersigned sent a copy of the following indicated document(s) to the indicated recipient(s) on the indicated date(s):

Notice for Publication was sent on __October 21, 2013__ to the Fremont Tribune newspaper for publication at least 7 days prior to the meeting, said newspaper being a newspaper of general circulation within the District.

Notice of Meeting was sent on __October 28, 2013__ to all Board Members, SID 8 Attorney, Saunders County Clerk, and Fremont Municipal Clerk. The Notice to the Board Members also included a copy of the Agenda for said meeting, and any relevant materials on agenda items.

Minutes of Meeting were sent on _____ to all Board Members, SID 8 Attorney, Saunders County Clerk, and Fremont Municipal Clerk.

Pursuant to SID 8 rules of procedure adopted April 19, 2011 all items were sent as PDF or Word attachments via email. A current list of said email addresses is listed below.

Dated:

Chris Johannesen, Secretary SID No. 8
Acting in her capacity as Assistant to SID No. 8 Clerk

County Clerk	countyclerk@co.saunders.ne.us
City Clerk	kimvolk@fremontne.gov
SID Attorney	donschneiderlaw@yahool.com
Lonnie Mahrt	Lonnie.mahrt@csgsystems.com
Tom B. Sawyer	tomb@sawyerconstructionco.com
Sean Kenney	skenney@mfmne.com
Nick Borman	nick.borman@gmail.com
Michael Wise	michaelewise@hotmail.com