

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

On May 13, 2019 at 5:30 p.m., a 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, Barry Taylor
Nick Borman arrived at 5:40pm

Trustees absent were: Sean Kenney

Others present were: Office Administrator Chris Johannesen, JEO Engineer Jake Miriovsky and residents Jon Gettman, Gary Gross, Norm Nelson, and Tyler Schott.

1. Timely notice of the 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.

2. Minutes of meeting held on September 10, 2018 were approved by unanimous consent.

3. The following previously-issued warrants were ratified and approved;

From General Fund:

<u>Warrant</u>	<u>Date</u>	<u>Amount</u>	<u>Vendor</u>	<u>Service</u>
1643	10/29/18	\$10,895.00	Erickson & Brooks	Audit
1644	10/29/18	\$ 101.80	Fremont Tribune	Ad
1645	10/29/18	\$ 5,371.25	PeopleService Inc.	utility contracts
1646	10/29/18	\$ 6,669.57	PeopleService Inc.	utility contracts
1647	10/29/18	\$10,940.00	Woodcliff Lakes	2018 contracts
1648	11/30/18	\$ 6,228.92	People Service Inc.	utility contracts
1649	11/30/18	\$ 2,875.00	Inland Potable Svc	clean/inspect tower
1650	11/30/18	\$ 250.00	Chris Johannesen	Secretarial
1651	1/10/19	\$ 6,053.75	PeopleService	utility contracts
1652	1/10/19	\$ 173.60	Saunders Co. Treas.	Drainage taxes
1653	1/10/19	\$ 694.25	Murphy Tractor	sweeper bristles
1654	1/31/19	\$ 123.52	Woodcliff Lakes	stamps & paper
1655	1/31/19	\$ 5,453.48	PeopleService	utility contracts
1656	3/1/19	\$13,281.98	PeopleService	Utilities/Trekk
1657	3/1/19	\$ 390.00	Englemeyer Repair	replace broombristles
1658	3/1/19	\$ 350.00	Chris Johannesen	secretarial
1659	4/2/19	\$ 150.00	Goree Backhoe	snow removal wells

1660	4/2/19	\$ 199.03	Papio MO NRD	weed spraying
1661	4/2/19	\$ 6,459.68	PeopleService	utility contracts
1662	4/2/19	\$ 1,487.50	Yost Schafersman	attorney fees
1663	4/2/19	\$ 2,062.50	Jen Wolsleben	flood security
1664	5/2/19	\$43,884.22	Goree Backhoe	flood prevention
1665	5/2/19	\$ 3,097.50	Wiese Plumbing	frozen water service
1666	5/2/19	\$ 1,890.00	Andersen Plumb.	S1007 hydrant repair
1667	5/2/19	\$ 6,754.79	PeopleService	utility contracts
1668	5/2/19	\$ 831.25	Chris Johannesen	Mar/Apr secretary

From Sinking Fund:

81	10/29/18	\$ 561.75	JEO Consulting	Bank Stabilization
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From Utility Fund:

<u>Warrant</u>	<u>Date</u>	<u>Amount</u>	<u>Vendor</u>	<u>Service</u>
NONE				

4. The following bills were approved for payment with a warrant to be issued on each:

From General Fund:

<u>No.</u>	<u>For</u>	<u>Amount</u>	<u>Vendor</u>	<u>Service</u>
1669	5/6/19	\$7,522.50	JEO Consulting	Flood Assessment
1670	5/9/19	\$ 6.88	Fremont Tribune	meeting ad

For 2017 Bank Stabilization Phase II:

It was moved by Barry Taylor and seconded by Tom Sawyer to approve and sign the following items and warrants related to the River Bank Stabilization Project:

Resolution 2019-2 authorizing payment of warrants #34, #35, and #36.

Construction warrant #34	\$ 5,195.59	DA Davidson	1% Processing Fee
Construction warrant #35	\$11,728.84	DA Davidson	Annual interest
Construction warrant #36	\$ 117.29	DA Davidson	1% Processing Fee

After discussion upon roll call vote; voting YES were Trustees Borman, Mahrt, Sawyer, and Taylor; voting NO were Trustees NONE; absent or abstaining were Kenney; whereupon the motion was declared adopted by the presiding officer.

5. Written or oral reports or concerns from the following individuals or entities on the following topics were considered:

S1229 Gary Gross and S1230 Tyler Schott presented issues with drainage near their lots. The Board asked that Trekk Industries be called to clean out the tube at S1230 and that JEO Consulting Group look at the area to see if there was a more permanent solution.

The Financial Statements and Audit completed by Erickson and Brooks through the fiscal 2017-2018 year were reviewed. It was moved by Barry Taylor and seconded by Nick Borman that Resolution 2019-1 authorizing the Saunders County Treasurer to combine the Utility and General Fund be approved. After discussion upon roll call vote; voting YES were Trustees Borman, Mahrt, Sawyer, and Taylor; voting NO were Trustees NONE; absent or abstaining were Kenney; whereupon the motion was declared adopted by the presiding officer.

Jake Miriovsky, JEO Engineer, presented information on damages and projects resulting from the March 14-17 Flood event. Applications for assistance have been filed with FEMA, NEMA, and NRCS. JEO will also submit an application for a grant with the NE Environmental

Trust. Low-interest loans are also available through the DEQ. Tom Sawyer made a motion approving JEO Task Orders #6 for Roadway Elevation Assessment, #7 Bank Stability Repair, and #8 Temporary Lagoon Bank Protection which was seconded by Nick Borman. After discussion upon roll call vote; voting YES were Trustees Borman, Mahrt, Sawyer, and Taylor; voting NO were Trustees NONE; absent or abstaining were Kenney; whereupon the motion was declared adopted by the presiding officer.

It was noted that SWMP Project No. 2 warranty expired November 30, 2018 and SWMP Project No. warranty period expired May 30, 2019. There are no warranty issues for either.

The Board asked JEO to continue investigation of drainage issues at S1083, S1164, S31, and T22. Additional drainage issues at S1229/S1230 and at S76 will be added.

PeopleService monthly reports from August 2018 thru April 2019 were reviewed. PeopleService had submitted two issues for Board consideration: The September 2018 tower inspection showed minor interior rust spots; repairs are recommended and a quote for \$5,750 plus up to \$250 for materials was submitted. A motion was made by Taylor and seconded by Sawyer approving the repairs. After discussion upon roll call vote; voting YES were Trustees Borman, Mahrt, Sawyer, and Taylor; voting NO were Trustees NONE; absent or abstaining were Kenney; whereupon the motion was declared adopted by the presiding officer.

The second request was for a written policy or ordinance addressing who is responsible for stop box repairs and/or the line to the water main or house. The Board asked that the attorney draft an ordinance stating that the SID is responsible only for the main and that everything from the main, including the stop box, is the responsibility of the homeowner.

It was noted that water tests for copper are to be done this year.

The NE DHHS Sanitary System Inspection report was reviewed; corrections on five items were done by PeopleService.

The financial report through May 10, 2019 was reviewed. All utility fees are paid in full.

Tim Thietje, S1026, prepared a letter to be sent to the Burlington Northern Santa Fe Railroad reminding them of the unique configuration of the land near Woodcliff and that Emergency Evacuation Plans for Woodcliff should be included in their emergency preparations. Taylor made a motion approving the letter be signed and sent which was seconded by Borman. After discussion upon roll call vote; voting YES were Trustees Borman, Mahrt, Sawyer, and Taylor; voting NO were Trustees NONE; absent or abstaining were Kenney; whereupon the motion was declared adopted by the presiding officer.

6. Old Business:

Grease Clogs in the sewer main near the business section are a on-going problem. Trekk Industries will be asked to clean the main again as a preventive measure.

7. New Business:

After the March flood event it was discovered that the Flood Insurance Policy only covers a building built in 1969 and that coverage for the lift stations, lagoons, fencing, etc. is not available. The policy will be cancelled and coverage under an Inland Marine policy will be researched.

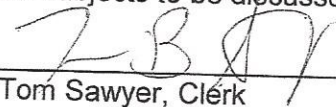
An email from Gail Rosso reporting that Trash and Recycling Services can now be considered as an SID service. The Board was not interested in pursuing this at this time.

It was noted that Board Elections will be held in September and the filing deadline is July 22nd.

The annual check of sirens was done May 7th. The antenna on the siren by the volleyball court will be ordered and replaced.

Whereupon a Motion for Adjournment was made by Taylor, seconded by Sawyer, 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

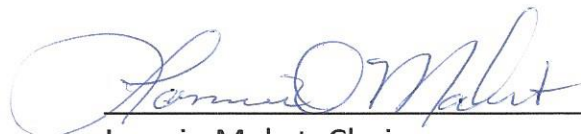
**RESOLUTION NO. 2019-01
SANITARY & IMPROVEMENT
DISTRICT NO. 8 BOARD OF TRUSTEES**

WHEREAS, the District provided all proper and required notices of meeting of Board of Trustees upon the consideration and approval of combining the Utility Fund with the General Fund;

AND WHEREAS, the Board of trustees held a meeting Monday, May 13, 2019, at 5:30pm at the District Office, Lot T-1018A, 980 County Road W, Fremont, Nebraska, constituting a regular meeting of the Board of Trustees of Sanitary and Improvement District No. 8 of Saunders County, Nebraska;

NOW THEREFORE, by unanimous vote of its Board of Trustees of Sanitary and Improvement District No. 8 Saunders County, Nebraska, it is hereby resolved as follows:

RESOLVED, by the Board of trustees of Sanitary & Improvement District No. 8 of Saunders County, Nebraska, that the Utility Fund of SID No. 8 shall be closed, and the funds now in the Utility Fund be transferred to and combined with the General Fund of SID No. 8.



Lonnie Mahrt, Chairman
S.I.D. No. 8, Saunders County

ATTEST



Tom B. Sawyer, Clerk
S.I.D. No. 8, Saunders County

RESOLUTION NO. 2019-2
SANITARY & IMPROVEMENT
DISTRICT NO. 8 BOARD OF TRUSTEES

WHEREAS, the District provided all proper and required notices of meeting of Board of Trustees on the consideration and approval of the exempt status tax certification;

AND WHEREAS, the Board of Trustees held a meeting May 13, 2019 at 5:30 p.m. at the District Office, Lot T-1018, 980 County Rd. W, Fremont, Nebraska, constituting a regular meeting of the Board of Trustees of Sanitary and Improvement District No. 8 of Saunders County, Nebraska, at which meeting the following warrants were ratified and approved:

<u>Warrant No.</u>	<u>Date Issued</u>	<u>Amount</u>	<u>Payee</u>
34	4/16/19	\$ 5,195.59	DA Davidson
35	4/16/19	\$11,728.84	DA Davidson
36	4/16/19	\$ 117.29	DA Davidson

NOW THEREFORE, by unanimous vote of its Board of Trustees of Sanitary and Improvement District No. 8 Saunders County, Nebraska, it is hereby resolved as follows:

RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 8 of Saunders County, Nebraska, that both they and the District hereby find and determine and covenant, and warrant and agree that (a) the facilities for which the above Warrants are issued are for essential governmental functions and are designed to serve members of the general public on an equal basis; (b) there are no persons with rights to use said facilities other than as members of the general public; (c) ownership and operation of said facilities is within the District or another political subdivision; (d) none of the proceeds of the Warrants will be loaned to any person and to the extent that special assessments have been or are to be levied for any said facilities, such special assessments have been or are to be levied under Nebraska law as a matter of general application to all property specially benefited by such facilities in the District; (e) the development of the land in the District is for residential or commercial use; (f) the development of the land in the District for sale and occupation by the general public is proceeding with reasonable speed; and (g) the District hereby authorizes and directs the Chairman or Clerk to file, when due, an information reporting form pursuant to Section 149(e) of the Internal Revenue Code of 1986 pertaining to the above Warrants.

FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 8 of Saunders County, Nebraska, that the District hereby covenants, warrants and agrees as follows: (a) to take all actions necessary under current federal law to maintain the tax exempt status (as to taxpayers generally) of interest on the above Warrants; and (b) to the extent that it may lawfully do so, the District hereby designates the above Warrants as its "qualified tax exempt obligations" under Section 265(b)(3)(8)(i)(III) of the Internal Revenue Code of 1986, as amended, and covenants and warrants that the District does not reasonably expect to issue warrants or bonds or other obligations aggregating in the principal amount of more than \$10,000,000 during the calendar year in which the above Warrants are to be issued.

FURTHER RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 8 of Saunders County, Nebraska, that this and the preceding Resolutions are hereby adopted as the Certificate With Respect to Arbitrage of the District pertaining to the above Warrants and the District and the Chairman and Clerk of the District hereby further certify, as of the date of the registration of the above Warrants with the County Treasurer of Saunders County, Nebraska, as follows:


1. No separate reserve or replacement fund has been or will be established with respect to the above Warrants. The District reasonably anticipates that monies in its Bond Fund reasonably attributable to the above Warrants in excess

of the lesser of: (a) ten percent (10%) of the net principal proceeds of the above Warrants, (b) the maximum annual debt service due on the above Warrants, or (c) one hundred twenty-five percent (125%) of average annual debt service due on the above Warrants will be expended for payment of principal of and interest on the above Warrants within thirteen (13) months after receipt of such monies. That amount which is currently held in the District's Bond Fund which exceeds the amount which is to be expended for payment of principal and interest on the above Warrants within thirteen (13) months after receipt of such monies, plus that amount arrived at pursuant to the immediately preceding sentence, will not be invested in any securities or any other investment obligations which bear a yield, as computed in accordance with the actuarial method, in excess of the yield on the above Warrants.


2. To the best of their knowledge, information and belief, the above expectations are reasonable.

3. The District has not been notified of any listing of it by the Internal Revenue Service as an issuer that may not certify its bonds.

4. This Certificate is being passed, executed and delivered pursuant to Section 1.148-2(b)(2) of the Income Tax Regulations under the Internal Revenue Code of 1986, as amended.


Lonnie Mahrt, Chairman
S.I.D. No. 8, Saunders County

ATTEST


Tom B. 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@woodcliffcakes.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 ___May 13, 2019_ 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 ___April 26, 2019___ 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 ___May 6, 2019_ 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 ___May 14, 2019___ 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	dhartmann@yostlawfirm.com
Lonnie Mahrt	lonnie_mahrt@csgi.com
Tom B. Sawyer	tbs@68025.com
Sean Kenney	skenney@mfmne.com
Nick Borman	nick.borman@gmail.com
Barry Taylor	barry.taylor@thermalservices.com