

MEETING OF
SANITARY AND IMPROVEMENT DISTRICT NO. 3
OF DODGE COUNTY, NEBRASKA
January 16, 2024

A meeting of the Board of Trustees of the Sanitary and Improvement District #3 of Dodge County, Nebraska was convened in open and public session at 1814 LaPlaya Lane, Fremont, Nebraska on January 16, 2024, at 4:00 p.m. which meeting was open to public.

Notice of the meeting was given in advance thereof by publication, in the Fremont Tribune on January 6, 2024. Notice of the meeting was simultaneously given to all members of the Board of Trustees. Availability of the agenda was communicated in the published notice and in the notice to the Trustees of this meeting. All proceedings of the Board were taken while the convened meeting was open to the attendance of the public. The City of Fremont and Dodge County were also notified of this meeting. The undersigned Clerk certified that the agenda was written and available for public inspection with ten (10) working days prior to the next convened meeting of the Board of Trustees.

Due to lack of a quorum the January 16, 2024 meeting was rescheduled to meet February 20, 2024 at 1814 LaPlaya Lane, Fremont, Nebraska at 4:00 p.m.

February 20, 2024 Meeting

A meeting of the Board of Trustees of the Sanitary and Improvement District #3 of Dodge County, Nebraska was convened in open and public session at 1814 LaPlaya Lane, Fremont, Nebraska on February 20, 2024, at 4:00 p.m. which meeting was open to public. Present were: Rob Custer, Nic Beninato, Larry Snyder and Mike Winterfeld. Jim Wileynski by phone. Also present were: Ric Flynn and Sheryl Sukup, Secretary.

Notice of the meeting was given in advance thereof by publication, in the Fremont Tribune on February 10, 2024. Notice of the meeting was simultaneously given to all members of the Board of Trustees. Availability of the agenda was communicated in the published notice and in the notice to the Trustees of this meeting. All proceedings of the Board were taken while the convened meeting was open to the attendance of the public. The City of Fremont and Dodge County were also notified of this meeting. The undersigned Clerk certified that the agenda was written and available for public inspection with ten (10) working days prior to the next convened meeting of the Board of Trustees.

Item 1. A motion was made by Winterfeld and seconded by Beninato to approve the minutes of the December 19, 2023 meeting. Upon roll call vote, all Trustees present voted in favor of the motion.

Item 2. Water and sewer maintenance report was given by Wileynski.

Item 3. Grounds maintenance report was given by Custer.

Item 4. Reading and approval of Ordinance No. 9 swimming pools. After reading of Ordinance No. 9 the meeting was open for discussion. After discussion a motion was made by Winterfeld and seconded by Snyder to strike under Section 3 Draining of Swimming Pools (a) or into Lake Ventura and Section 4 Violation and

Penalty (b) Lake Ventura. Upon roll call vote, all Trustees present voted in favor of the motion. (see attached)

Item 5. Secretary Sukup presented all checks written to the SID for inspection by the Trustees. Bills were presented by Sukup. A motion was made by Winterfeld and seconded by Snyder to pay the bills of the District. Upon roll call vote, all Trustees present voted in favor of the motion.

Item 6. A motion was made by Winterfeld and seconded by Snyder to approve the financial statements from the Dodge County Treasurer's Office for the month of December, 2023 and the month of January, 2024. Upon roll call vote, all Trustees present voted in favor of the motion.

There being no further business to come before the Board the meeting was adjourned.

Michael Winterfeld – Clerk


By: Sheryl Sukup - Secretary

ORDINANCE NO. 9

AN ORDINANCE OF SANITARY AND IMPROVEMENT DISTRICT NO. 3 OF DODGE COUNTY, NEBRASKA, ESTABLISHING RULES AND LIMITATIONS FOR THE FILLING AND DRAINING OF SWIMMING POOLS; PROVIDING DEFINITIONS; ESTABLISHING FINES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE. AUTHORITY TO CREATE ORDINANCE GRANTED UNDER NEB. REV. ST. § 31-733

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF SANITARY AND IMPROVEMENT DISTRICT NO. 3 OF DODGE COUNTY, NEBRASKA PURSUANT TO NEB. REV. ST. § 31-733, NEB. REV. ST. § 31-742, AND NEB. REV. ST. § 31-727, AS FOLLOWS:

Section 1. Definitions. As used in this Ordinance, unless context otherwise indicates:

(a) "District" shall mean Sanitary and Improvement District No. 3 of Dodge County, Nebraska (SID #3) and any property within or without said district subject to its jurisdiction or control.

(b) "Swimming Pool" shall mean any structure intended for swimming or recreational bathing that has capacity to hold at least 1,000 gallons of water. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and/or spas.

(c) "Chemical" shall mean chlorine, bromine or any other similarly acting chemical.

(d) "Drain" or "Draining" shall mean removing 10% or more of the water based upon the Swimming Pool's designated capacity by any means (e.g. manual, mechanical, gravity, vacuum) within a seventy-two (72) hour period.

(e) "Fill" or "Filling" shall mean adding water, which is ten percent (10%) or more of the pool's capacity within a seventy-two (72) hour period.

(f) "Sewage Treatment System" shall mean the sanitary sewer system installed and maintained by the District and serving the District.

(g) "Salt-Water" shall mean water treated by a salt chlorine generator.

(h) "Leakage" shall mean any amount of unintended escape of water from Swimming Pool.

(i) "Storm Sewer System" shall mean a drain built to carry away excess water to avoid surface buildup of water.

(j) "Lake Ventura Association" shall mean the homeowner association (HOA) that makes and enforces the rules for the properties and residents. Those who purchase or own property within the HOA's jurisdiction automatically become members and are required to pay dues.

(k) "Lake Ventura" shall mean the lake, which is a part of the Lake Ventura Association.

(l) "District Personnel" shall mean an SID #3 duly authorized person(s) who is charged and entrusted to maintain SID #3 property.

Section 2. FILLING OF SWIMMING POOLS. All Swimming Pools shall be permitted to be Filled by authorization and direction of District personnel only. The Swimming Pool shall be Filled through use of the owner's backflow-protected water source. Permission to Fill and Fill time shall be determined by the SID #3 Board of Directors, or designated District personnel, at the time of the request. An annual fee of \$100.00 shall be accessed to the lot owner(s) for water usage, for their pool, and will be billed through the pool owner's SID #3 sewer & water billing. The owner must provide the District personnel notice prior (two full business days is recommended) to the planned pool Fill. District personnel shall have the authority to deny any Fill, due to limited water availability through SID #3 water well(s) or concerns as to the physical condition of the swimming pool or its associated plumbing.

Section 3. DRAINING OF SWIMMING POOLS. The owner shall bear the sole responsibility for proper and safe disposal of all waters used in any Swimming Pool(s). The owner must request and receive approval from the District prior (two full business days is recommended) to each Draining. Plumbing for the draining of a lot-owner's swimming pool SHALL NOT be plumbed directly, or indirectly, into the District Sewage Treatment System or the District Storm Sewer System. The District reserves the right to inspect the Swimming Pool and any of its associated plumbing at any time.

(a) Draining of Chemically Treated Swimming Pools. Water drained from Chemically treated Swimming Pools may be hauled offsite to a water treatment facility or to another site which has agreed to accept the swimming pool water or may be permitted to drain onto the owner's property ~~or into Lake Ventura~~ once the Chemical has dissipated. In no circumstances shall the Swimming Pool water be drained in less than 168 hours (7 full days) from the last addition of any amount of Chemical; unless all water drained is hauled to an offsite location. All Chemically treated Swimming Pool water to be drained onto the owner's property must be tested by District personnel to ensure proper de-chemicalization and acceptable PH levels. Water from

RC MW

Swimming Pools treated with Chemical shall not be discharged directly or indirectly into the District Sewage Treatment System

(b) Draining of Salt-Water Swimming Pools. Water drained from Salt-Water Swimming Pools shall be hauled offsite to a water treatment facility or hauled to another site which has agreed to accept the salt-water. Swimming pool Salt-Water shall not be permitted to drain onto the owner's property and drain directly or indirectly into Lake Ventura, nor directly or indirectly into the District Storm Sewer System, nor directly or indirectly into the District Sewage Treatment System.

Section 4 VIOLATION AND PENALTY. The Owner shall bear all costs associated with Filling and Draining of Swimming Pools, including the following penalties and fines:

(a) Penalty for Violation of this Ordinance as it relates to Chemically treated Swimming Pools. A fine of up to \$2.00/per gallon, shall be levied against the property and property owners if Swimming Pool water treated with Chemical is emptied, intentionally or through the owner's neglect, into the District Sewage Treatment System. In the event the amount of emptied Swimming Pool Water is unknown, the normal (design capacity) Swimming Pool Capacity shall be used to calculate the Emptied amount.

(b) Penalty for Violation of this Ordinance as it relates to Salt-Water Swimming Pools. A fine of up to \$5.00/per gallon shall be levied against the property and property owner(s) in the event of any discharge, intentionally or through the owner's neglect into ~~Lake Ventura~~ ^{RC MW} the District Storm Sewer System, or the District Sewage Treatment System. In the event the amount of emptied Swimming Pool Water is unknown, the normal (design capacity) Swimming Pool Capacity shall be used to calculate the Emptied amount.

(c) Additional Fines or Penalties. The District may levy additional fines or fees in the event any damage is caused to any District property, Lake Ventura and/or its ecosystem, or any ground water upon which SID #3 relies.

Section 5 Conflicting Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.


Section 6 Severability. In case any one of the provisions of this Ordinance shall for any reason be held invalid or unenforceable in any respect, such invalidity or unenforceability shall not affect any other provision hereof and such Ordinance shall be construed as if invalid or unenforceable provision had never been contained herein.

Section 7 Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication in the Code of Ordinances as maintained by the District.


Passed and approved this 20 day of FEB, 2024.

SANITARY AND IMPROVEMENT DISTRICT

NO. 3


By CHAIRMAN
Its _____

ATTEST:


(Seal) clerk SID#3