

**Finance, Expenditure and Legal  
Subcommittee Meeting Minutes  
August 11, 2020**

A meeting of the Pappio-Missouri River Natural Resources District’s Finance, Expenditure and Legal Subcommittee was held at the Natural Resources Center, 8901 South 154<sup>th</sup> Street, Omaha, NE, on August 11, 2020. The meeting was called to order by Chairperson Tesar at 4:55 p.m.

**QUORUM CALL:** Quorum call was taken. The following subcommittee members were in attendance.

Subcommittee Members Present	Subcommittee Members Absent	Other Directors Present	Others Present
Rich Tesar, Chairperson	John Wiese *	Ted Japp	John Winkler
Danny Begley		Kevyn Sopinski	Marlin Petermann
Larry Bradley, Vice-Chair		Jim Thompson	Brent Meyer, Legal Counsel
Fred Conley **			Tracy Thompson
Tim McCormick			Amanda Grint
			Paul Grieger, D.A. Davidson
			Jim Lang, Lang Law
			Doug Kellner, Thompson, Dreessen, Dorner
			Other Staff Members

\* Absent

\*\* Alternate Voting Member

**ADOPTION OF AGENDA:**

- **It was moved by Director Bradley and seconded by Director Conley that the agenda be adopted.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Begley, Bradley, Conley, McCormick, Tesar  
 Voting Nay: None  
 Abstaining: None  
 Absent: Wiese

**PROOF OF PUBLICATION:** Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on August 6, 2020. The proof of publication affidavit is included with the file copy of these minutes.

**1. Refinancing Series 2020 Flood Control and Water Quality Enhancement Bonds - John Winkler and Paul Grieger, D.A. Davidson:**

General Manager John Winkler and Paul Grieger of D.A. Davidson reviewed the District’s four bond refinancing issues since 2015 and explained that due to declining interest rates, refinancing of the 2015, 2017 and 2018 bonds is expected to save the District approximately \$1.2 million in interest costs. GM Winkler indicated that the terms of the bonds will not be extended, and the District will not realize any additional funds for current or future expenditures. The proposed parameter resolution only authorizes

possible refinancing and requires two thirds majority vote (8 votes) approval of the Board of Directors. John and Paul Grieger answered Directors questions.

- **It was moved by Director Bradley and seconded by Director Begley that the Subcommittee recommend to the Board of Directors that the Board authorize the possible refinancing of 2015, 2017 and 2018 Series Flood Control and Water Quality Enhancement bonds subject to approval by District Legal Counsel and the General Manager.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Begley, Bradley, Conley, McCormick, Tesar  
Voting Nay: None  
Abstaining: None  
Absent: Wiese

**2. FY 2021 Budget - Draft 2 – John Winkler:**

General Manager John Winkler presented Draft 2 of the FY 2021 budget and reviewed the changes from Draft 1. He reminded the Directors of the Public Input Meeting for the budget at the August 13, 2020 Board meeting and the Budget Hearing and Adoption of the FY 2021 Budget and Set Tax Levy at the September 10, 2020 Board Meeting. John answered Directors questions.

- **It was moved by Director Conley and seconded by Director Bradley that the Subcommittee recommend to the Board that the FY 2021 draft budget be forwarded for review at the September 10, 2020 Budget Hearing with the provision that the General Manager be authorized to make necessary adjustments once final figures are available to achieve compliance of state statutes regarding the lid.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Begley, Bradley, Conley, McCormick, Tesar  
Voting Nay: None  
Abstaining: None  
Absent: Wiese

**3. Land Acquisition for West Papillion Regional Basin Number 1 (WP1) [Executive Session if needed] – Amanda Grint:**

- **It was moved by Director Conley and seconded by Director McCormick that the Subcommittee move into Executive Session for the purpose of discussing land acquisition.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea. The Subcommittee went into Executive Session at 5:11 p.m.

Voting Yea: Begley, Bradley, Conley, McCormick, Tesar  
Voting Nay: None  
Abstaining: None  
Absent: Wiese

- **It was moved by Director Bradley and seconded by Director Begley that the Subcommittee come out of Executive Session.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea. The Subcommittee came out of Executive Session at 5:31 p.m.

Voting Yea: Begley, Bradley, Conley, McCormick, Tesar  
Voting Nay: None  
Abstaining: None  
Absent: Wiese

Jim Lang, attorney for FRK Development, and Doug Kellner of Thompson, Dreessen, Dorner addressed the Subcommittee in regard to the details of the proposed land purchase and answered Directors questions. A motion was made by Director Bradley to recommend the staff's recommendation. This item failed in Subcommittee due to a lack of a second.

**4. Legal Action on Temporary Access Agreement at Zorinsky Basin #2 [Executive Session if needed] – Amanda Grint:**

- **It was moved by Director Conley and seconded by Director McCormick that the Subcommittee move into to Executive Session for the purpose of discussing legal action.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea. The Subcommittee went into Executive Session at 5:42 p.m.

Voting Yea: Begley, Bradley, Conley, McCormick, Tesar  
Voting Nay: None  
Abstaining: None  
Absent: Wiese

- **It was moved by Director McCormick and seconded by Director Begley that the Subcommittee come out of Executive Session.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea. The Subcommittee came out of Executive Session at 5:47 p.m.

Voting Yea: Begley, Bradley, Conley, McCormick, Tesar  
Voting Nay: None  
Abstaining: None  
Absent: Wiese

- **It was moved by Director Conley and seconded by Director McCormick that the Subcommittee recommend to the Board that the General Manager be authorized to pursue legal action to enforce the terms of the Temporary Construction Easement Agreement with Skrupa Investment Company, Inc., subject to such other terms and conditions as the General Manager determines necessary and Legal Counsel approves as to form.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Begley, Bradley, Conley, McCormick, Tesar  
Voting Nay: None  
Abstaining: None  
Absent: Wiese

**ADJOURNMENT:** Being no further business, the meeting adjourned by acclamation at 5:49 p.m.