

**Finance, Expenditure and Legal  
Subcommittee Meeting Minutes  
October 6, 2020**

A meeting of the Papio-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 October 6, 2020. The meeting was called to order by Chairperson Tesar at 5:19 p.m.

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

<b>Subcommittee Members Present</b>	<b>Subcommittee Members Absent</b>	<b>Other Directors Present</b>	<b>Others Present</b>
Rich Tesar, Chairperson	John Wiese*	Tim Fowler	John Winkler
Larry Bradley, Vice-Chair		Ted Japp	Marlin Petermann
Danny Begley		Kevyn Sopinski	Brent Meyer, Legal Counsel
Fred Conley **		Jim Thompson	Tracy Thompson
Tim McCormick			Eric Williams
			Amanda Grint
			Lea Watson, Pint Nine Brewery
			Other Staff Members

\* Absent

\*\* Alternate Voting Member

**ADOPTION OF AGENDA:**

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

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

Voting Yea: Bradley, Begley, 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 October 1, 2020. The proof of publication affidavit is included with the file copy of these minutes.

**1. West Papio Trail Connection Permit – Eric Williams:**

Project Manager Eric Williams presented the proposed West Papio Trail connection permit. The West Papio Trail from 90<sup>th</sup> St. to 108<sup>th</sup> & Giles Rd. and Giles Rd. to Q St. trail was developed in collaboration with the cities of Papillion and La Vista and is widely used by residents and businesses in the area, particularly by the customers of the businesses in the plaza near 103<sup>rd</sup> and Portal Rd. In order to provide access from the trail to the businesses, District staff worked with business owners to develop plans for an official trail connection to replace an informal path to the businesses. The business owners contracted for design services, and District staff provided technical review and support. Eric reviewed the terms of the proposed permit and answered Directors questions.

- **It was moved by Director McCormick and seconded by Director Conley that the Subcommittee recommend to the Board of Directors that the General Manager be authorized**

**to issue a Permit for Occupation of District Right-of-way for the proposed connection to the West Papio Trail, subject to changes deemed necessary by the General Manager and approval as to form by District legal counsel.**

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

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

**2. Land Acquisition for West Papillion Regional Basin Number 2 (WP2) [Executive Session if needed] – Amanda Grint:**

Project Manager Amanda Grint presented the proposed purchase agreement with MDC Giles Partners, LLC, for land necessary for the WP2 project. MDC Giles Partners, LLC had single family homes planned for this parcel; however, development of this land would be impacted by WP2. The District conducted an appraisal of the property in order to negotiate the land costs. The agreement includes the proposed sale price of \$55,188 per acre for 24.93 acres, closing upon final title work and payment for the land over a three-year period starting with the first payment at closing. The estimated purchase price would be \$1,375,837. Amanda answered Directors questions.

- **It was moved by Director Bradley and seconded by Director McCormick that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute a purchase agreement with MDC Giles Partners, LLC, for the purchase of 24.93 acres, for \$55,188 per acre, for the construction of the WP2 regional detention basin project 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: Bradley, Begley, Conley, McCormick, Tesar  
Voting Nay: None  
Abstaining: None  
Absent: Wiese

**3. Land Acquisition for Missouri River R-613/R-616 Levee Improvement Project [Executive Session if needed] – Marlin Petermann:**

- **It was moved by Director McCormick and seconded by Director Begley that the Subcommittee move into to Executive Session for the purpose of discussing land acquisition for the Missouri River R-613/R-616 Levee Improvement Project.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea. The Subcommittee went into Executive Session at 5:34 p.m.

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

- **It was moved by Director Conley 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 5:41 p.m.

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

- **It was moved by Director Conley and seconded by Director Bradley that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute an Easement Agreement for Flood Wall and accompanying Memorandum of Easement with BNSF Railway Company, a Delaware Corporation, in the amount of \$19,500 for an area containing 0.375 acres of land and \$2,000 for an administrative fee, totaling \$21,500 for the Missouri River R613/R616 Levee Improvement Project, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

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

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

**ADJOURNMENT:** Being no further business, the meeting adjourned by acclamation at 5:42 p.m.