

**Finance, Expenditure and Legal  
Subcommittee Meeting Minutes  
November 10, 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 November 10, 2020. The meeting was called to order by Chairperson Tesar at 4:48 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	*Larry Bradley, Vice-Chair	Tim Fowler	John Winkler
Danny Begley	*John Wiese	Ted Japp	Marlin Petermann
Fred Conley **		Kevyn Sopinski	Brent Meyer, Legal Counsel
Tim McCormick		Jim Thompson	Tracy Thompson
			Zach Nelson
			Carey Fry
			Eric Williams
			Bryan Hartman, NP Dodge
			Other Staff Members

- \* Absent
- \*\* Alternate Voting Member

**ADOPTION OF AGENDA:**

General Manager Winkler requested that Agenda Item 8 “Review and Recommendation of Land Acquisition for Kramper Lake/Hubbard & Fiddler Creek Watermain Extension Project” be moved to Agenda Item 6 due to a schedule conflict of Project Manager Zach Nelson.

- **It was moved by Director Conley and seconded by Director Begley that the agenda be revised and that Agenda Item 8 “Review and Recommendation of Land Acquisition for Kramper Lake/Hubbard & Fiddler Creek Watermain Extension Project” be moved to Agenda Item 6.**

Roll call was taken on the motion. The motion carried on a vote of 4-yea.

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

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

Roll call was taken on the motion. The motion carried on a vote of 4-yea.

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

**PROOF OF PUBLICATION:** Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on November 5, 2020. The proof of publication affidavit is included with the file copy of these minutes.

**1. Review and Recommendation of Land Acquisition for Kramper Lake/Hubbard & Fiddler Creek Watermain Extension Project [Executive Session if needed] - Zach Nelson:**

Project Manager Zach Nelson presented proposed purchase agreement with Andersen Farms, Inc. for the purchase of 0.23 acres of land for the Kramper Lake/Hubbard & Fiddler Creek Water Main Extension Project pump station. He reviewed the project details and answered Directors questions.

- **It was moved by Director Conley and seconded by Director Begley that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed purchase agreement with Andersen Farms, Inc for the purchase of 0.23 acres of land for the Kramper Lake/Hubbard & Fiddler Creek Water Main Extension Project pump station, 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 4-yea.

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

**2. Review and Recommendation of Accounting Software - Carey Fry:**

Senior Accountant Carey Fry presented the proposed contract with BS&A Software for fund accounting software. She briefed the Directors on the limitations of the current provider and the needs of the District. After reviewing multiple options staff determined that BS&A financial management software which is specifically designed for local governments would be the best fit for the District and allow for future expansion. The proposed contract includes permanent software licenses, historical data conversion, implementation support, and training. BS&A currently provides remote-only support/training due to COVID-19, but if on-site training eventually becomes an option, there may be additional travel expenses of approximately \$9,745 bringing the total proposed contract to \$69,825. Carey answered Directors questions.

- **It was moved by Director Conley and seconded by Director McCormick that the FEL Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute a contract with BS&A Software, not to exceed \$69,825, 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 4-yea.

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

**3. Review and Recommendation of West Papio Trail Drainage Improvements - Land Rights to the City of Omaha - Eric Williams:**

Project Manager Eric Williams presented the proposed Right of Way License Agreement with the City of Omaha for West Papio Drainage Improvements. He reported that due to drainage along Harry Andersen Ave. into the West Papio Creek, the ditch has eroded to expose the City of Omaha sanitary sewer running parallel to the creek. In order to protect the sewer, and prepare for future trail construction, drainage improvements are planned by the city to begin in early 2021. Eric reviewed plans for the West Papio Trail and the future Millard Connection which will incorporate the proposed drainage improvement in the trail design. Eric answered Directors questions.

- **It was moved by Director Conley and seconded by Director Begley that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Right of Way License Agreement with the City of Omaha for West Papio Drainage Improvements, 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 4-yea.

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

**4. Review and Recommendation of Granite Falls North Sanitary Sewer and Storm Sewer Easements at Big Elk Lake - Marlin Petermann:**

Assistant General Manager Marlin Petermann presented the proposed temporary easements at Big Elk Lake to the Granite Falls North SID No. 312 of Sarpy County, NE. Marlin explained that development in SID No. 312 has been occurring prior to and during the construction of the adjacent Big Elk Lake flood control reservoir. Granite Falls North SID is requesting the easements in order to tie into the sewer main as well as complete their storm sewer which outlets on District property. Marlin indicated that the SID will restore any disturbance to already completed work (i.e. fence or seeding) on District property. Marlin answered Directors questions.

- **It was moved by Director McCormick and seconded by Director Conley that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed Temporary Construction Easement, Permanent Storm Sewer and Drainage Easement and Permanent Sanitary Sewer Easement at Big Elk Lake to the Granite Falls North SID No. 312 of Sarpy County, Nebraska, 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 4-yea.

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

**5. Review and Recommendation of Sale of Prairie Queen Surplus Land [Executive Session if needed] - Marlin Petermann:**

Assistant General Manager Marlin Petermann presented the proposed purchase agreement with InvestCRE, LLC, for the sale of 27.17 acres of Prairie Queen Surplus land in the amount of \$2,010,000.00. He reviewed the details of the agreement and easements that the District will retain. Project Manager Eric Williams answered questions about future trail options at the site. Marlin and Bryan Hartman of NP Dodge answered other 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 execute the purchase agreement with InvestCRE, LLC, for the sale of 27.17 acres in the amount of \$2,010,000.00, 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 4-yea.

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

**6. Review and Recommendation of WP6 and WP7 Professional Services Accounts over 110% - Marlin Petermann:**

Assistant General Manager Marlin Petermann reviewed Amendment 5 to the Professional Services Contract with FYRA Engineering for WP6 and WP7 (Big Elk Lake) which was approved in the amount of \$170,521 at the October Board meeting. However, the ability to go over the budgeted amount was not included with the motion at that time. With that amendment the two accounts will go over 110%. Marlin indicated that budget line item WP6 Professional Services (02-01-556-4400) was budgeted at \$100,000 and is proposed to exceed that budget up to an amount of \$186,000 and budget line item WP7 Professional Services (02-01-557-4400) was budgeted at \$100,000 and is proposed to exceed that budget up to an amount of \$186,000. Marlin answered Directors questions.

- **It was moved by Director Conley and seconded by Director McCormick that the FEL Subcommittee recommend to the Board of Directors that the accounts for WP6 and WP7 Professional Services (02-01-556-4400 and 02-01-557-4400) each be allowed to exceed the budgeted amount up to \$186,000.**

Roll call was taken on the motion. The motion carried on a vote of 4-yea.

Voting Yea: Begley, Conley, McCormick, Tesar

Voting Nay: None

Abstaining: None

Absent: Bradley, Wiese

**ADJOURNMENT:** Being no further business, the meeting adjourned by acclamation at 5:11 p.m.