

**Finance, Expenditure and Legal  
Subcommittee Meeting Minutes  
May 11, 2021**

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 May 11, 2021. The meeting was called to order by Chairperson Tesar at 5:07 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, Chair	* Danny Begley	Patrick Bonnett	John Winkler
Larry Bradley, Vice-Chair		Ted Japp	Marlin Petermann
Fred Conley **		Kevyn Sopinski	Brent Meyer, Legal Counsel
Phil Davidson		Jim Thompson	Tracy Thompson
Tim McCormick			Justin Novak
			Amanda Grint
			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: Bradley, Conley, Davidson, McCormick, Tesar

Voting Nay: None

Abstaining: None

Absent: Begley

**PROOF OF PUBLICATION:** Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on May 6, 2021. The proof of publication affidavit is included with the file copy of these minutes.

1. **Review and Recommendation of Land Rights for the Elk Creek Levee Repairs [Executive Session - if needed] – Justin Novak**
2. **Review and Recommendation of West Papillion Regional Basin 2 (WP2) Surplus Land Sale Agreement [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 land acquisition for the Elk Creek Levee Repairs and the sale of surplus land at West Papillion Regional Basin 2 (WP2).**

Roll call was taken on the motion. The motion carried on a vote of 5-yea. The Subcommittee went into Executive Session at 5:08 p.m.

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

- **It was moved by Director McCormick and seconded by Director Davidson 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 5:46 p.m.

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

- **It was moved by Director Tesar and seconded by Director Conley that the Subcommittee recommend to the Board of Directors to authorize District Legal Counsel to initiate the filing of a petition in the County Court of Dakota County, Nebraska, on behalf of the District, pursuant to the procedures governing eminent domain provided by Neb. Rev. Stat. § 76-701, et seq., for the appointment of appraisers to ascertain and determine the damages that will be sustained by Darlene L. Roost Revocable Trust Dated December 29, 2000, from the District's acquisition of the necessary land rights for the Elk Creek Levee Repair Project.**

Roll call was taken on the motion. The motion carried on a vote of 4-yea and 1-nay.

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

- **It was moved by Director Tesar and seconded by Director Conley that the Subcommittee recommend to the Board of Directors that approximately 8.93 acres of land purchased as part of the WP2 project be declared surplus and that the General Manager be authorized to execute a purchase agreement with Celebrity Homes for the sale of 8.93 acres, verified by survey, in the amount of \$57,594 per acre, 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, Conley, Davidson, McCormick, Tesar  
Voting Nay: None  
Abstaining: None  
Absent: Begley

**ADJOURNMENT:** Being no further business, the meeting adjourned by acclamation at 5:48 p.m.