

**Finance, Expenditure and Legal  
Subcommittee Meeting Minutes  
June 8, 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 June 8, 2021. The meeting was called to order by Chairperson Tesar at 5:01 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, Chair	*Larry Bradley, Vice-Chair	Patrick Bonnett	John Winkler
Fred Conley **	*Danny Begley	Tim Fowler	Marlin Petermann
Phil Davidson		Ted Japp	Brent Meyer, Legal Counsel
Tim McCormick		Kevyn Sopinski	Tracy Thompson
		Jim Thompson	Lori Laster
			Amanda Grint
			Darrell Logemann
			Gordon Mueller
			Dale and Stephanie Wilson
			Other Staff Members

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

**ADOPTION OF AGENDA:**

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

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

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

**PROOF OF PUBLICATION:** Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on June 3, 2021. The proof of publication affidavit is included with the file copy of these minutes.

**1. Review and Recommendation on Southern Sarpy Watershed Partnership Professional Services Account (26-01-000-4400) over 110% – Lori Laster:**

Project Manager Lori Laster reviewed the status of the Southern Sarpy Watershed Partnership Professional Services Account 26-01-000-4400. Currently, the District as Administering Agent, has professional services contracts with FYRA Engineering for developing the Watershed Master Plan and with JEO Consulting Group, Inc for providing construction site stormwater inspections. Over the course of FY 2021, an amendment to FYRA’s contract for the final phase of plan development and an amendment to extend JEO’s contract through the end of calendar year 2024 exceeded this year’s budgeted amount by more than

10%. The Partnership Fund reserves and dues collected from Partnership members (Gretna, Papillion, Bellevue, Springfield, Sarpy County, and the NRD) will cover all these expenses. The FY 2021 budget for this account is \$350,000. It is anticipated that the total expenditure for FY 2021 will be \$550,000. Lori answered Director's questions.

- **It was moved by Director Conley and seconded by Director McCormick that the Subcommittee recommend to the Board of Directors that Account #26-01-000-4400 (Southern Sarpy Watershed Partnership-Professional Services) be allowed to exceed 110% of the budgeted amount up to a maximum of \$550,000.**

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

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

**2. Review and Recommendation on Zorinsky Basin 2 Construction (02-01-558-4410) over 110% of Budget – Amanda Grint:**

Project Manager Amanda Grint reviewed the status of the Zorinsky Basin 2 Construction Account 02-01-558-4410. In the FY21 budget, \$850,000 was budgeted to complete the construction of Zorinsky Basin 2. The final invoice submitted to close out the project, reconcile quantities and pay retainage is \$371,400, which put the account balance at \$1,002,687. The last invoice completes the project and puts the budget item at 117.96%. Amanda clarified that this did not change the construction contract amount for the project which began in March 2018 with Valley Corporation for a total amount of \$4,254,983.97. Change orders for the project totaled, \$310,642.05 for a final construction cost of \$4,565,626.02. Amanda answered Directors questions.

- **It was moved by Director Conley and seconded by Director Davidson that the FEL Subcommittee recommend to the Board of Directors, that the account for Zorinsky #2 Water Quality Basin Construction Costs (02-01-558-4410) be allowed to exceed the budgeted amount up for fiscal year 2021 up to \$1,002,687.**

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

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

**3. Discussion on Dam Site 7 and Dam Site 12 Right-of-Way Purchase Request – Darrell Logemann and Director Patrick Bonnett:**

Director Patrick Bonnett briefed the directors on a request by landowners in the Dam Site 7 (DS7) and Dam Site 12 (DS12) areas to address the Subcommittee about the future of the dam sites.

The following individuals addressed the Subcommittee:

- Darrell Logemann, Box 1, Bennington, NE
- Gordon Mueller, Box 79, Bennington, NE
- Stephanie Wilson, 1797 County Rd 6, Yutan, NE

Mr. Logemann, Mr. Mueller, and Mrs. Wilson all informed the Directors that they have purchase contracts from developers for their property in the dam site areas. They are delaying completion of the agreements pending a decision by the NRD Board to move forward with the projects or not. The landowners agreed that the projects were beneficial to the community and want the NRD to move forward with purchasing their land for the dam sites. However, area development is occurring at a rapid pace and if the NRD does not move forward with the projects, then the property owners will complete their purchase contracts with the developers. General Manager John Winkler discussed funding options for the six priority reservoirs that are in the process of 404 permitting which includes DS7 and DS12. He reviewed several programs including federal infrastructure grants, U.S. Army Corps of Engineers (USACE) Water Infrastructure Finance and Innovation Act (WIFIA) loan program, continuing to purchase land through the annual budgeting process and bonding. He indicated that the NRD has bonding authority of 25-30 million through 2025 and that bonding is specific to each project. After extensive discussion, the Directors thanked the landowners for their willingness to work with the NRD to move forward with the proposed dam sites. The Directors consensus was to request a bond presentation at the July meeting. No action was taken.

**ADJOURNMENT:** Being no further business, the meeting adjourned by acclamation at 5:37 p.m.