

**Finance, Expenditure and Legal
Subcommittee Meeting Minutes
October 11, 2022**

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 154th Street, Omaha, NE, on October 11, 2022. The meeting was called to order by Chairman Tesar at 4:42 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, Chairman		Patrick Bonnett	John Winkler
Larry Bradley, Vice-Chairman		Tim Fowler	Amanda Grint
Fred Conley **		Ted Japp	Brent Meyer, Legal Counsel
Phil Davidson		Kevyn Sopinski	Nicole Gust
Tim McCormick		Jim Thompson	Justin Novak
			Martin Cleveland
			Maria Rodriguez, MROW
			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: None

PROOF OF PUBLICATION: Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on October 6, 2022. The proof of publication affidavit is included with the file copy of these minutes.

1. Issuance of a Water System Revenue Bond – Dakota County Rural Water – Justin Novak:

Project Manager Justin Novak reviewed the Dakota County Rural Water-Kramper Lake Water Main Extension project for the Directors and stated that the issuance of a Water System Revenue Bond through the USDA is for the construction of this project. Justin stated that the project is awaiting final approval by the USDA to begin construction and he broke down how the project costs are split. Justin 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 Board approve the proposed resolution issuing not to exceed \$1,954,000 in Water System Revenue Bond 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: Bradley, Conley, Davidson, McCormick, Tesar
Voting Nay: None
Abstaining: None
Absent: None

2. No Name Dike High Ground Easement Purchase Lot #44 – Lastovica [Executive Session if needed] – Martin Cleveland:

Project Manager Martin Cleveland briefed the Directors on the proposed No Name Dike Flood Reduction Project and the need to obtain High Ground Permanent Easement and Restriction from property owners in the high ground area in order to ensure that the flood protection of No Name Dike is maintained. Martin stated that property owners Jarod and Brittany Lastovica signed a purchase agreement for the appraised value of their lot and answered Directors questions.

- **It was moved by Director Bradley and seconded by Director Conley that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Purchase Agreement with Jarod and Brittany Lastovica for the purchase price of \$1,700 for Lot #44 permanent easement, for No Name Dike Flood Reduction Project High Ground Easement 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, Conley, Davidson, McCormick, Tesar
Voting Nay: None
Abstaining: None
Absent: None

3. Land Rights for No Name Dike High Ground Easement [Executive Session if needed] – Martin Cleveland:

- **It was moved by Director Conley and seconded by Director Bradley that the Subcommittee go into Executive Session for the purpose of discussing Land Rights for No Name Dike High Ground Easement.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea. The Subcommittee went into Executive Session at 4:52 p.m.

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

- **It was moved by Director Bradley and seconded by Director Conley 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 5:11 p.m.

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

- **It was moved by Director Bradley and seconded by Director Davidson that Subcommittee recommend to the Board to authorize District Legal Counsel to initiate the filing of a petition in the County Court of Douglas 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 the following landowners:**

- **Lot 39- Christian G. Otwell**
- **Lot 40- Christian G. Otwell**
- **Lot 45- Philip Cahoy and Bernice F Cahoy, joint tenants**
- **Lot 54- Kenneth Boicourt and Jean Boicourt, Trustees of the Inter Vivos Trust dated on the 7th of April, 2004.**

Sokol Camp Addition, Douglas County, Nebraska, for the District's acquisition of the necessary land right for the No Name Dike 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: None

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 5:13 p.m.