

**Finance, Expenditure and Legal
Subcommittee Meeting Minutes
April 11, 2023**

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 April 11, 2023. The meeting was called to order by Chairman Tesar at 4:58 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		Fred Conley	John Winkler
Larry Bradley, Vice-Chairman		Tim Fowler	Amanda Grint
Phil Davidson		Ted Japp	Brent Meyer, Legal Counsel
Josh Henningsen		Kevyn Sopinski	Nicole Gust
Tim McCormick		Jim Thompson	Carey Fry
			Justin Novak
			Paul Grieger, DA Davidson
			Tyler Mullen, Baird Holm
			Gene Garrelts, BerganKDV
			Other Staff Members

- * Absent
- ** Alternate Voting Member

ADOPTION OF AGENDA:

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

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

Voting Yea: Bradley, Davidson, Henningsen, 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 April 6, 2023. The proof of publication affidavit is included with the file copy of these minutes.

1. Discussion on Current Bond Market Conditions – John Winkler and Paul Grieger, DA Davidson:

General Manager John Winkler, Paul Grieger, DA Davidson, and Tyler Mullen, Baird Holm, discussed the current Bond Market conditions and answered Directors questions. No action was taken by the Subcommittee.

2. Nebraska CLASS Public Fund Investment – John Winkler:

General Manager John Winkler briefed the Directors on the Nebraska CLASS Investment Trust, similar to NPAIT, and how it is an interlocal agreement for the purpose of public funds investment that was

organized in 2022. John informed the Directors that participation in Nebraska CLASS as well as NPAIT would give the District more options to maximize returns on investment. John answered Directors questions.

- **It was moved by Director Davidson and seconded by Director McCormick that the Subcommittee recommend to the Board of Directors that the following resolution be adopted:**

WHEREAS, NEB. Const. art. XV, § 18(1) authorizes local government entities to exercise their powers and functions, including financing, jointly or in cooperation with other governmental entities and Nebraska law express allows public agencies to invest surplus or excess funds;

WHEREAS, NEB. REV. STAT. § 13-804 authorizes public agencies to enter into interlocal agreements in order for such agencies to take joint or cooperative action;

WHEREAS, the Nebraska Cooperative Liquid Assets Securities System Trust (“Nebraska CLASS Trust”) has been formed pursuant to the provisions of the Interlocal Cooperation Act, NEB. REV. STAT. §§ 13-801 to 13-827;

WHEREAS, the Declaration of Trust and Interlocal Agreement and an Information Statement relating to the Nebraska CLASS Trust have been presented to this Governing Body;

WHEREAS, the Declaration of Trust authorizes public agencies to adopt and enter into the Declaration of Trust and become Participants of such trust;

WHEREAS, this Governing Body deems it advisable for this Public Agency to adopt and enter into the Declaration of Trust and become a participant of the Nebraska CLASS Trust for the purpose of the joint investment of this Public Agency’s money with those other public agencies so as to enhance the investment earnings accruing to each such public agency,

NOW THEREFORE, be it resolved as follows:

- 1. This Public Agency shall and does hereby join with other Nebraska public agencies in accordance with the provisions of Nebraska law and in accordance with the Interlocal Cooperative Act, as applicable, by becoming a Participant of the Nebraska CLASS Trust, and the Declaration of Trust and Interlocal Agreement, as amended from time to time, is hereby adopted by this reference with the same effect as if it had been set out verbatim in this Resolution. A copy of the Declaration of Trust is attached hereto and incorporated herein by this reference and shall be filed with the minutes of the meeting at which this Resolution was adopted.**
- 2. The Trustees of the Nebraska CLASS Trust are hereby designated as having official custody of this Public Agency’s monies which are invested in accordance with the Declaration of Trust.**
- 3. Authorization is hereby given for members of this Governing Body and officials of this Public Agency to serve as Trustees of the Nebraska CLASS Trust from time to time if elected as such pursuant to the Declaration of Trust.**
- 4. The Key Contact and Authorized Signatories are those persons listed on the Trust Registration Form attached hereto and incorporated herein. The Authorized Signatories are authorized by the Participant to direct the investment of such Participants’ investment funds and to take all such actions deemed necessary or desirable to carry out the activities otherwise**

authorized by this Resolution, subject to the Authorized Signatories' obligation to take such actions only in the name of and for the benefit of this Participant.

5. The Key Contact and Authorized Signatories may be changed from time to time by written notice to Nebraska CLASS.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution being the same are hereby rescinded.

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

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

3. **RFP for Auditing Services – Carey Fry:**

Senior Accountant Carey Fry briefed the Directors on the RFP process for Proposals for Professional Auditing Services. She stated that the District received one bid from BerganKDV, LLC and summarized the bid. Carey answered Directors questions.

- **It was moved by Director McCormick and seconded by Director Davidson that the General Manager be authorized to execute a contract for auditing services with BerganKDV, LLC for FY2023 through FY2027, subject to approval as to form by the District's legal counsel.**

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

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

4. **Washington County Rural Water, Customer Contract Costs Account (10-01-4080) over 110% - Justin Novak:**

Project Manager Justin Novak reviewed the WCRW Customer Contract Account (10-01-4080). He informed the Directors that due to difficulty in receiving materials this past year, a large order was placed to cover anticipated needs for the next few years. The order, which was due to be delivered in August, arrived early, and if the District does not purchase them now the materials will be sold off. Justin stated that purchasing these materials would put this account over 110% and requested additional funds. Justin answered Directors questions.

- **It was moved by Director McCormick and seconded by Director Bradley that Account (10-01-4080) Washington County Rural Water-Customer Contract Costs be allowed to exceed 110% of the budgeted amount up to a maximum of \$130,000.**

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

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

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 5:21 p.m.