

**Finance, Expenditure and Legal
Subcommittee Meeting Minutes
November 12, 2014**

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 November 12, 2014. The meeting was called to order by Chairperson Tesar at 7:52 p.m.

QUORUM CALL: Quorum call was taken. The following subcommittee members were in attendance.

Subcommittee Present	Members	Subcommittee Members Absent	Other Directors Present	Others in Attendance
John Conley			Patrick Bonnett	John Winkler
Curt Frost			Tim Fowler	Marlin J. Petermann
Ron Woodle			Scott Japp	Dave Newman
Jim Thompson (Vice-Chair)			Patrick Leahy	Heather Borkowski
Rich Tesar (Chairperson)				Bill Brush
				Martin Cleveland
				Carey Fry
				Amanda Grint
				Lori Laster
				Bill Warren
				John Zaugg
				Barb Sudrla
				Jean Tait
				Eric Williams
				Cody Winchester, OWH
				Laurie Carrette Zook, HDR
				Steven Braesch
				Shawn Melotz
				Maria Rodriguez, Midwest ROW
				Esther Nowlin
				Carol Cleaver
				Laura Wolff
				Don Shimmin, Orizon

- * Absence
- ** Alternate Voting Member

ADOPTION OF AGENDA:

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

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

Voting Yea: J. Conley, Thompson, Woodle, Tesar
 Voting Nay: Frost
 Abstaining: None
 Excused Absence: 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 November 6, 2014. The proof of publication affidavit is included with the file copy of these minutes.

1. Discussion on the Draft Fiscal Year 2014 Audit – Carey Fry and Don Shimmin, HSMC Orizon:

Don Shimmin, HSMC Orizon, presented the highlights of the FY 2014 audit. The audit is in draft form and the final will be presented at the December Board meeting.

Shawn Melotz, 10404 N 132nd Street, Omaha, NE addressed the Subcommittee and submitted a list of items that she is seeking clarification on (attached). It was noted that the list would be reviewed and a timeline for answers provided within 72 hours.

- **This was a discussion item and no action was taken by the Subcommittee.**

2. Review and Recommendation on Account over 110% - Zorinsky Basin #1 – Professional Services (02-01-562-4400) – Amanda Grint:

Amanda Grint noted that a timing issue on the June invoice from Olsson Associates transferred payment to FY15 from FY14 making the FY15 budget over the planned amount. It was noted that there was no change in the Olsson Associates contract amount.

- **It was moved by Director J. Conley and seconded by Director Thompson that the Subcommittee recommends to the Board of Directors that the account for Zorinsky Basin #1 Professional Services (02-01-562-4400) be allowed to exceed the budgeted amount up to \$78,161.00.**

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

Voting Yea: J. Conley, Thompson, Woodle, Tesar
Voting Nay: Frost
Abstaining: None
Excused Absence: None
Absent: None

3. Review and Recommendation on Iske Place Residential Purchase Agreements – Amanda Grint:

Amanda Grint provided an update on the purchase agreements and noted that no purchase agreements had been executed at this time and therefore no action needed to be taken.

The following individuals addressed the Subcommittee:

- Esther Nowlin, 3911 M Street, Omaha NE – read in to the record a Facebook post from Director Scott Japp (attached)
- Carol Cleaver, 6319 S 115th St., Omaha NE
- Laura Wolff, 8307 S 49th Avenue, Bellevue NE
- Steven Braesch, 16414 Iske Place, Bellevue NE

- **No action was taken by the Subcommittee.**

4. Review and Recommendation on Dam Site 15A Land Acquisition – Lori Laster:

- **It was moved by Director J. Conley and seconded by Director Woodle that the Subcommittee go into Executive Session at 8:31 p.m. for the purpose of discussing land acquisition at Dam Site 15A.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea and 0-nay.

Voting Yea: J. Conley, Thompson, Woodle, Tesar, Frost
 Voting Nay: None
 Abstaining: None
 Excused Absence: None
 Absent: None

- **It was moved by Director J. Conley and seconded by Director Thompson that the Subcommittee come out of Executive Session at 8:38 p.m.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea and 0-nay.

Voting Yea: J. Conley, Thompson, Woodle, Tesar, Frost
 Voting Nay: None
 Abstaining: None
 Excused Absence: None
 Absent: None

- **It was moved by Director J. Conley and seconded by Director Thompson that the General Manager be authorized to execute a purchase agreement for Papio Dam Site 15A Project Tract 4 in the amount of \$1,825,150 for 93.341 acres of land; and authorized to execute a purchase agreement for Papio Dam Site 15A Project Tract 5 in the amount of \$319,480 for 15.974 acres and including construction of a new driveway estimated at \$110,000, such purchase agreement to contain provisions for the owners to retain a lease over such lands for the 2014 crop year (expiring on or before December 1, 2014) and such other terms and conditions as the General Manager deems necessary and Legal Counsel approves as to form.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea and 0-nay.

Voting Yea: J. Conley, Thompson, Woodle, Tesar, Frost
 Voting Nay: None
 Abstaining: None
 Excused Absence: None
 Absent: None

- **It was moved by Director J. Conley and seconded by Director Thompson that the Board of Directors reject the counteroffer received from landowners of Papio Dam Site 15A Project Tract 2 in the amount of \$2,500,849 and that, in the absence of voluntary conveyances to the District of fee title to Papio Dam Site 15A Project Tract 2 for the appraised value determined by the District's appraiser, District's Legal Counsel be authorized to file a petition in the County Court of Douglas County, Nebraska, to initiate the proceedings necessary for acquisition of fee title in Papio Dam Site 15A Project Tract 2 through the District's exercise of its right of eminent domain.**

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

Voting Yea: J. Conley, Thompson, Woodle, Tesar
 Voting Nay: Frost

Abstaining: None
Excused Absence: None
Absent: None

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 8:42 p.m.

Minutes were prepared by Amanda Grint.