

**Finance, Expenditure and Legal
Subcommittee Meeting Minutes
April 8, 2014**

A meeting of the Pappio-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 8, 2014. The meeting was called to order by Chairperson Tesar at 8:39 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			Fred Conley	Marlin J. Petermann
Ron Woodle			Scott Japp	Paul Peters
Jim Thompson (Vice-Chair)			Patrick Leahy	Jean Tait
Rich Tesar (Chairperson)				Jim Becic
				Bill Brush
				Martin Cleveland
				Carey Fry
				Amanda Grint
				Lori Laster
				Barb Sudrla
				Eric Williams
				Heather Borkowski
				David Minino and Marie Rodriguez, Midwest ROW

- * Absence
- ** Alternate Voting Member

Adoption of Agenda

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

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

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

Proof of Publication: Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on April 3, 2014. The proof of publication affidavit is included with the file copy of these minutes.

1. **Review and Recommendation on Western Sarpy Clear Creek Flood Reduction Project Accounts over 110% – Martin Cleveland:**

Martin Cleveland reviewed his memo with the subcommittee and summarized the status of the Western Sarpy Clear Creek Flood Reduction Project. Brief discussion ensued centering on Lincoln and MUD’s well fields that this project is designed to protect and the financing.

- **It was moved by Director J. Conley and seconded by Director Thompson that the Subcommittee recommend to the Board of Directors that Western Sarpy/Clear Creek accounts for Professional Services; Construction; Land Rights; and Attorney Fees be allowed to exceed the budgeted amounts and that the General Manager be authorized to obtain short term financing for up to a 3 year duration for an amount up to \$2,831,651 to pay for the necessary construction contribution to US Army Corps of Engineers for the Western Sarpy Clear Creek Flood Reduction Project.**

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
Absent: None
Excused Absence: None

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

A. **Changes to Tract 11 Acquisition Limit:**

- **It was moved by Director J. Conley and seconded by Director Thompson to go into executive session at 8:56 p.m. for the purpose of discussing land rights acquisition.**

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

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

- **It was moved by Director J. Conley and seconded by Director Woodle to come out of executive session at 9:03 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, Frost, Thompson, Woodle, Tesar
Voting Nay: None
Abstaining: None
Absent: None
Excused Absence: None

Lori Laster stated that the original proposed acquisition of Tract 11 for the Papio Dam Site 15A project would cut off the owner's access to public roads to the remainder of the property. District legal counsel has advised that the District may be responsible for property damages equaling the full fair market value of the entire 40 acre parcel while only acquiring approximately 10 acres. Staff and District legal counsel recommend acquiring the entire 40 acre parcel for incorporation into the recreation area.

- **It was moved by Director J. Conley and seconded by Director Woodle that the Subcommittee recommend to the Board of Directors that the General Manager be directed to modify the plans for the Papio Dam Site 15A Flood Control Reservoir and Recreation Area Project to incorporate the entire 40 acre Vollmer tract into the project Master Plan and that such lands be acquired for the project.**

Roll call was taken on the motion. The motion carried on a vote of 4-yea, 0-nay and 1-abstention.

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

B. Proposed Purchases:

Lori Laster briefed the Subcommittee regarding the progress of the Dam Site 15A project and specifically the acquisition of Tracts 17 and 18.

- **It was moved by Director J. Conley and seconded by Director Thompson that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute a purchase agreement for Papio Dam Site 15A Project Tract 17 in the amount of \$1,624,071 for 33.486 acres of land; and authorized to execute a purchase agreement for Papio Dam Site 15A Project Tract 18 in the amount of \$4,284,360 for 95.208 acres of land, such purchase agreements to contain provisions for the owners to retain leases over such lands for the 2014 crop year (ending November 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, Frost, Thompson, Woodle, Tesar
Voting Nay: None
Abstaining: None
Absent: None
Excused Absence: None

3. Review and Recommendation on Kennard Lagoon Property – Amanda Grint:

Amanda Grint summarized her memo and the recommendation regarding the Kennard Lagoon Property with the Subcommittee.

- **It was moved by Director J. Conley and seconded by Director Woodle that the Subcommittee recommend to the Board of Directors that the General Manager should be and is hereby authorized and directed to sell the former Kennard sewer lagoon property, legally described as Tax Lots 75 and 95, Washington County, Nebraska, to Andersen Farms, Ltd for the amount of \$125,000, according to such other terms and conditions of sale as he determines necessary for the sale; and, the General Manager is further hereby authorized to execute a purchase agreement, deed and such other documents as he determines 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, Frost, Thompson, Woodle, Tesar
Voting Nay: None
Abstaining: None
Absent: None
Excused Absence: None

Adjournment: Being no further business, the meeting adjourned by acclamation at 9:11 p.m.