

**Finance, Expenditure and Legal  
Subcommittee Meeting Minutes  
May 7, 2013**

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 May 7, 2013. The meeting was called to order by Chairperson Rich Tesar at 7:45 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 in Attendance</b>
Rich Tesar, Chairperson		Patrick Bonnett	John Winkler
Jim Thompson		Scott Japp	Marlin Petermann
John Conley		Dave Klug	Paul Peters
Curt Frost			Jean Tait
Ron Woodle			Carey Fry
			Amanda Grint
			Lori Laster
			Zach Nelson
			Gerry Bowen
			Jerry Herbster
			Brian Henkel
			Terry Schumacher
			Justin Novak
			Marty Thieman
			Barb Sudrla
			Bill Brush
			Heather Borkowski
			Parker Schenken
			Paul Grieger
			Carl Lorenzen

\* Absence

\*\* Alternate Voting Member

**Adoption of Agenda**

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

Roll call was taken on the motion. The motion carried unanimously.

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 May 2, 2013. The proof of publication affidavit is included with the file copy of these minutes.

**Discussion on Financial Options Per Directors' Strategic Planning Meeting – Amanda Grint, Marlin Petermann, and John Winkler:** Staff members Amanda Grint and Marlin Petermann gave a presentation of funding options to pay for land acquisition and construction of Dam Site 15A. Options included bonding for land acquisition and construction utilizing projected expenditures outlined in the District's Long Range Implementation Plan to include: five-year short term financing for land acquisition and construction, five-year financing for land acquisition and bonding of construction work, and a pay as you go financing plan. Grint also updated the Subcommittee on the status of the USACE and FEMA's timeline to complete the Big and Little Papio Flood Study, which includes the Missouri River. There was additional discussion by the Subcommittee. This was a discussion item and no action was required by the Subcommittee.

**Review and Recommendation on Issuance of Flood Control and Water Quality Enhancement Bonds for Dam Site 15A – Lori Laster, Parker Schenken – Baird Holm LLP, and Paul Grieger – DA Davidson:** Lori Laster briefed the Subcommittee on the District's proposal to issue \$42,600,000 in Flood Protection and Water Quality Enhancement Bonds to fund the design, rights-of-way acquisition, and construction of Papio Dam Site 15A, a proposed flood control project within the District jurisdiction, in order to provide public safety through flood control and water quality to its citizens. Parker Schenken, Baird Holms LLP, and Paul Grieger, DA Davidson, addressed the financing of the \$42,600,000 in bonding. Marlin Petermann explained to the Subcommittee the District's history of use of Tax Levies in order to pay for major projects. The following individuals addressed the Subcommittee:

- Shawn Meltoz, 10404 N. 132<sup>nd</sup> Street, Omaha, Nebraska
- Mark Stursma, City of Papillion, Papillion, Nebraska
- Rod Wood, 14747 California, Omaha, Nebraska

**It was moved by Director Thompson and seconded by Director J. Conley that the Subcommittee recommend to the Board of Directors that the District approve the issuing of \$42,600,000 for the Papio Dam Site 15A project in Flood Control and Water Quality Enhancement bonds 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 4 yea and 1 nay.

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

**Discussion on District Property Located Near Kennard, Nebraska – Amanda Grint:** Amanda Grint updated the Subcommittee on the agreement between the District and the Village of Kennard that resulted in the District's acquiring of the Kennard Lagoon Property. The District has

leased this property to Merle Anderson to farm each year, as had the Village of Kennard. Staff asked the Subcommittee for some time to review the options of either keeping this property, identifying it as surplus, selling it or donating to a conservation practice organization such as, Pheasants Forever. The following individual addressed the Subcommittee:

- Tim Anderson, 207 W. 4<sup>th</sup> Street, Kennard, Nebraska

The Subcommittee agreed to allow staff time to formulate a recommendation and to bring it back to the Subcommittee in September of 2013. This was a discussion item and no action was required by the Subcommittee.

**Review and Recommendation on Zorinsky Basin 1 Land Rights – Fitzpatrick/Heine Tract [Executive Session] – Gerry Bowen, Marlin Petermann, and Paul Peters:**

Gerry Bowen and Assistant General Manager, Marlin Petermann gave presentation on the staff's recommendation. The Chairperson asked if anyone in the audience wanted to speak on this item. The following individual addressed the Subcommittee:

- William Graft, 2800 West Higgins Road, Hoffman Estates, Illinois 60169

**It was moved by Director J. Conley and seconded by Director Tesar to go into executive session. The committee went into executive session at 9:06 p.m.**

Roll call was taken on the motion to go into executive session. The motion carried unanimously.

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

**It was moved by Director Thompson and seconded by Director J. Conley to come out of executive session. The committee came out of executive session at 9:54 p.m.**

Roll call was taken to come out of executive session. The motion carried unanimously.

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

After coming out of Executive Committee the Chairperson once again asked if anyone in the audience wanted to speak to this item. No one came forward.

**It was moved by Director Thompson and seconded by Director J. Conley that Management recommend to the Board of Directors that the General Manager be authorized to continue negotiations.**

Roll call was taken on the motion. The motion carried unanimously.

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

**Review and Recommendation on Sale of Old Blair Office Building – Zachary Nelson and Carl Lorenzen, Re/Max Real Estate:** Staff member Zach Nelson introduced Carl Lorenzen, from Re/Max Real Estate. Mr. Lorenzen briefed the Subcommittee on the offer received from Richard and Barb Ortmeier to purchase the old Blair Office Building located at 1245 Lincoln Street, Blair, Nebraska for \$175,000 with the buyer paying closing costs and associated fees, not-to-exceed \$2,500.

**It was moved by Director J. Conley and seconded by Director Thompson that Management recommend to the Board of Directors that the General Manager be authorized to execute the Proposed Purchase Agreement for a base price of \$175,000 for the sale of the old Blair office.**

Roll call was taken on the motion. The motion carried unanimously.

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 10:02 p.m.