

**Finance, Expenditure and Legal
Subcommittee Meeting Minutes
November 12, 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 154th Street, Omaha, NE, on November 12, 2013. The meeting was called to order by Chairperson Tesar at 7:08 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 | | | Scott Japp | Marlin J. Petermann |
| Ron Woodle | | | Dave Klug | Paul Peters |
| Jim Thompson (Vice-Chair) | | | Patrick Leahy | Jean Tait |
| Rich Tesar (Chairperson) | | | | Heather Borkowski |
| | | | | Bill Brush |
| | | | | Gerry Bowen |
| | | | | Barb Sudrla |
| | | | | Amanda Grint |
| | | | | John Zaugg |
| | | | | Carey Fry |
| | | | | Lori Laster |
| | | | | Terry Schumacher |
| | | | | Shawn Melotz |
| | | | | Gene Garrelts |
| | | | | Don Shimmins |
| | | | | Cody Winchester |

- * Absence
- ** Alternate Voting Member

Adoption of Agenda

- **It was moved by Director 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 5 to 0.

Voting Yea: 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 November 7, 2013. The proof of publication affidavit is included with the file copy of these minutes.

1. **Discussion on the Draft Fiscal Year 2013 Audit – Carey Fry and Gene Garrelts, Orizon Group:**

Gene Garrelts and Don Shimmins, HSMC Orizon, presented the draft FY 2013 audit report to the Subcommittee. Mr. Garrelts stated that the report is substantially complete and will be finalized prior to the December Board of Directors meeting.

The following individual addressed the Subcommittee:

❖ Shawn Melotz, 10404 N. 132nd Street, Omaha, NE

No action was taken on this item.

2. **Review and Recommendation on Sale of Elk Ridge Lots – Amanda Grint:**

Staff member Amanda Grint updated the Subcommittee on the Elk Ridge Lots that the District acquired from Dial Realty as part of the Dam Site 13 agreements. She stated that Boyer Young has offered to buy the eight remaining District-owned lots for \$380,000. The appraised value of the lots in a bulk sale condition was \$484,000 based on the District's June 2013 appraisal.

- **It was moved by Director Conley and seconded by Director Woodle that the Subcommittee recommend to the Board that the General Manger be authorized to execute the purchase agreement with Boyer Young for the sale of Lots 9-14 Elk Ridge Replat 2 and Lots 114-115 Elk Ridge in the amount of \$380,000 subject to changes deemed necessary 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 to 0.

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

3. **Review and Recommendation on Employment Agreement with Paul Peters – John Winkler and Paul Peters, Attorney:**

John Winkler, General Manager, briefed the Subcommittee on the October 23, 2013, letter he received from Paul Peters, notifying the District of his planned retirement in the summer of 2014. The GM asked the Subcommittee to consider entering into an agreement with Mr. Peters, making him a temporary, at will, in-house attorney until June 30, 2014, or upon 30 days of notification of termination. During this time Paul will focus solely on District projects and the District will begin the RFP process to select future legal representation.

- **It was moved by Director Woodle and seconded by Director Conley that the Subcommittee recommend to the Board approval of the proposed employment agreement, per the terms and conditions outlined in said agreement, for a period to begin upon execution of agreement and end on June 30, 2014, or upon 30 day notice requirement, subject to changes deemed necessary by the General Manger and approval as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 5 to 0.

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

Adjournment: Being no further business, the meeting adjourned by acclamation at 7:42 p.m.