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, Nebraska, on February 8, 2005. The meeting was called to order by Chairperson Richard Connealy at 6:56 p.m.

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

<table>
<thead>
<tr>
<th>Subcommittee Members Present</th>
<th>Subcommittee Members Absent</th>
<th>Other Directors Present</th>
<th>Others in Attendance</th>
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<tbody>
<tr>
<td>Connealy</td>
<td>Rich Jansen</td>
<td>Steve Oltmans</td>
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<td>Conley, J.</td>
<td></td>
<td>Marlin Petermann</td>
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<td>Lanphier</td>
<td></td>
<td>Jerry Herbster</td>
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<tr>
<td>Thompson</td>
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<td>Trent Heiser</td>
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<td>Fowler</td>
<td></td>
<td>Jim Becic</td>
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<td>Schwope **</td>
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<td>Martin Cleveland</td>
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<td>Paul Peters</td>
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<td></td>
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<td>Donald C. Dittus</td>
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</table>

* Not in attendance for quorum call, but attended the meeting.
** Alternative voting member.

**ADOPTION OF AGENDA**

- It was moved by Connealy Seconded by Thompson that agenda be adopted.

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

Voting Yea: Lanphier, Conley J., Connealy, Thompson, Schwope
Voting Nay: None
Abstaining: None
Absent: Fowler

**PROOF OF PUBLICATION:** Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on February 3, 2005.

**WEST BRANCH CHANNEL PROJECT (2ND STREET TO GILES ROAD) RIGHT OF WAY ACQUISITION - TRACT # 5 (DONALD C. DITTUS) AND TRACT #24 (FREDERICK):**

Chuck Dittus spoke to the Subcommittee regarding his property in Tract 5. He had four items he addressed:

1. The 3.6 acres located in the West Branch Papillion Creek should be worth $550.00 per acre not $100.00 per acre.
2. The 1.09 acres north of the creek should be raised from the appraised value of $22,000.00 to $37,500.00.
3. The 3.73 acres south of the creek should be worth $20,000 per acre.
4. He wanted his filter strip contract not to be impacted by the project.

- It was moved by Director John Conley and seconded by Director Schwope that the Subcommittee go into Executive Session to discuss right of way acquisition for the West Branch Channel Project – Tract #5 (Dittus) and Tract #24 (Frederick).

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

Voting Yea: Lanphier, Conley J., Connealy, Thompson, Schwope
Voting Nay: None
Abstaining: None
Absent: Fowler

The Subcommittee went into Executive Session to discuss right of way acquisition for the West Branch Channel Project – Tracts #5 (Dittus) and Tract #24 (Frederick) at 7:23 p.m.

The Subcommittee returned to Regular Session at 7:49 p.m.

a. Tract # 5 (Donald C. Dittus)

- It was moved by Schwope, and seconded by Thompson, that the Subcommittee recommend to the Board that the General Manager be authorized to initiate eminent domain proceedings on Tract #5 (Dittus) for the West Branch Channel Project.

Roll call was taken on the motion. The motion carried on a vote of 6 to 0.

Voting Yea: Lanphier, Conley J., Connealy, Fowler, Thompson, Schwope
Voting Nay: None
Abstaining: None
Absent: None

b. Tract #24 (Frederick)

- It was moved by Director John Conley and seconded by Director Fowler that the Subcommittee recommend to the Board that the General Manager be authorized to execute a purchase agreement with Judith Frederick, et.al., for Tract #24 of the West Branch Channel Project, for the amount of $73,250, and such additional documents to effectuate this transaction as deemed necessary by the General Manager and approved 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: Lanphier, Conley J., Connealy, Thompson, Fowler
Voting Nay: None
Abstaining: None
Absent: None

OTHER ITEMS OF INTEREST: None

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 7:56 p.m.