

**Finance, Expenditure & Legal  
Subcommittee Meeting Minutes  
February 8, 2005**

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, 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.

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

\* 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 (2<sup>ND</sup> 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.

/pt/com/fel/feb/2005/feb05\_fin minutes