

**Finance, Expenditure & Legal  
Subcommittee Meeting Minutes  
March 9, 2010**

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 March 9, 2010. The meeting was called to order by Vice-Chairperson Kolowski at 8:55 p.m.

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

| Subcommittee Members Present | Subcommittee Members Absent | Other Directors Present | Others in Attendance |
|------------------------------|-----------------------------|-------------------------|----------------------|
| Scott Japp**                 | Larry Bradley *             | Fred Conley             | John Winkler         |
| Rick Kolowski                | Richard Tesar *             |                         | Jerry Herbster       |
| David Klug**                 |                             |                         | Martin Cleveland     |
| Dorothy Lanphier             |                             |                         | Jean Tait            |
| John Conley                  |                             |                         | Trent Heiser         |
|                              |                             |                         | Paul Peters          |
|                              |                             |                         | Amanda Grint         |
|                              |                             |                         | Terry Schumacher     |
|                              |                             |                         | Ralph Puls           |
|                              |                             |                         | Lori Laster          |
|                              |                             |                         | Ralph Puls           |

\* Excused Absence

\*\* Alternate Subcommittee Member

**Adoption Of Agenda**

- **It was moved by Director John Conley and seconded by Director Klug that agenda be adopted.**

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

Voting Yea: Kolowski, J. Conley, Lanphier, Klug, Japp

Voting Nay: None

Abstaining: None

Excused Absence: Tesar, Bradley

Absent: Tesar, Bradley

**Proof Of Publication:** Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on March 4, 2010. A copy of the avadavat is attached to the file copy the minutes.

**Retirement 2003A and 2003B Revenue Bonds for Dakota County Rural Water and Washington County Rural Water #1:** Dick Sklenar explained that in 2003, both the Dakota County Rural Water system and the Washington County Rural Water #1 system refinanced their entire existing debt as a means of lowering operating costs. The interest rates at that time were

very favorable. Interest received on investments (primarily CD's) over the past 12 months has been generally under 2%, and we do not foresee rates on CD's to exceed 4% over the next 24 months. Both rural water systems have the available cash on hand to retire the remaining debt. He suggested that the remaining revenue bonds be retired for both rural water systems.

- It was moved by Director Klug and seconded by Director John Conley that the following resolution be adopted:

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT, IN THE STATE OF NEBRASKA:**

**Section 1. That the following bonds, in accordance with their option provisions, are hereby called for payment on April 15, 2010, after which date interest on the bonds will cease:**

**Water Revenue Refunding Bonds, Series 2003A, dated April 15, 2003, maturing on April 15 of the years 2011 through 2013, in the aggregate outstanding principal amount of \$245,000, maturing, bearing interest and identified as follows:**

| <u>Maturity Date</u> | <u>Principal Amount</u> | <u>Interest Rate</u> | <u>CUSIP NUMBER</u> |
|----------------------|-------------------------|----------------------|---------------------|
| April 15, 2011       | \$80,000                | 3.60%                | 69887E AW2          |
| April 15, 2012       | \$80,000                | 3.75%                | 69887E AX0          |
| April 15, 2013       | \$85,000                | 3.90%                | 69887E AY8          |

Said bonds were issued for the purpose of paying the bonded debt of the District on its legally issued Water Revenue Refunding Bond, Series 1979, dated September 1, 1979 (delivered October 9, 1979), in the approximate remaining principal amount of \$670,071 and on its Water Revenue Refunding Bonds, 1980 Series, dated August 15, 1980 (delivered September 8, 1980) in the approximate remaining principal amount of \$69,723.

**Water Revenue Refunding Bonds, Series 2003B, dated April 15, 2003, maturing on April 15 of the years 2011 through 2013, in the aggregate outstanding principal amount of \$125,000, maturing, bearing interest and identified as follows:**

| <u>Maturity Date</u> | <u>Principal Amount</u> | <u>Interest Rate</u> | <u>CUSIP NUMBER</u> |
|----------------------|-------------------------|----------------------|---------------------|
| April 15, 2011       | \$40,000                | 3.60%                | 69887E BG6          |
| April 15, 2012       | \$40,000                | 3.75%                | 69887E BH4          |
| April 15, 2013       | \$45,000                | 3.90%                | 69887E BJ0          |

Said bonds were issued for the purpose of paying the bonded debt of the District on its legally issued Water Project Revenue Refunding Bonds, Series 1993, dated October 15, 1993, in the remaining principal amount of

**\$95,000 and on its Water Revenue Bond, 1998 Series, dated November 19, 1998 in the approximate remaining principal amount of \$296,889.**

**Section 2. Each and all of said bonds are to be paid at the office of the Treasurer of the District in Omaha, Nebraska (8901 South 154th Street, Omaha, Nebraska), being the office of the Paying Agent and Registrar.**

**Section 3. A true copy of this Resolution shall be filed by the District Secretary with the Paying Agent and Registrar at least thirty (30) days prior to call date and the Paying Agent and Registrar is hereby irrevocably instructed to take appropriate action to mail (or otherwise provide) notice to the registered owner at least thirty days prior to the call date.**

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

Voting Yea: Kolowski, J. Conley, Lanphier, Klug, Japp

Voting Nay: None

Abstaining: None

Excused Absence: Tesar, Bradley

Absent: Tesar, Bradley

**King Lake Floodway Purchase Program Track 10:** Lori Laster, Stormwater Management Engineer, explained that the District had received funding through FEMA's Hazard Mitigation Grant Program to purchase properties located in the floodway in King Lake. William Huser has signed a purchase agreement with the District to purchase his house and property located at 24219 Martin Avenue for the appraised value.

- **It was moved by Director John Conley and seconded by Director Klug that the Subcommittee recommend to the Board that the General Manager be authorized to execute for and on behalf of the District the Purchase Agreement in the form as presented to this meeting providing for the purchase by the District from William Huser, etal, of 0.28 acres of floodway land for the purchase price of \$18,000, subject to changes 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: Kolowski, J. Conley, Lanphier, Klug, Japp

Voting Nay: None

Abstaining: None

Excused Absence: Tesar, Bradley

Absent: Tesar, Bradley

**Account Over 110% - 01 04 00 4700 – Conservation Assistance Program:** Program Coordinator Ralph Puls noted that the number of Conservation Assistance Program (CAP) applications that were completed this fall exceeded the budget amount due primarily to the added incentive to landowners provided by combining Environmental Quality Incentive Program (EQIP) funds with CAP funds. The increased incentive resulted in the utilization of a great deal more of the USDA EQIP funds than would have been realized without the added incentive. The result was more conservation on the land with less CAP funds expended.

- **It was moved by Director John Conley and seconded by Director Klug that the Subcommittee recommend to the Board that the following account be allowed to exceed 110% of the budgeted amount:**
  - **Account #04-00-700 – Conservation Assistance Program.**

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

Voting Yea: Kolowski, J. Conley, Lanphier, Klug, Japp  
 Voting Nay: None  
 Abstaining: None  
 Excused Absence: Tesar, Bradley  
 Absent: Tesar, Bradley

**Papio Creek Watershed Structure W-3 Land Rights:**

- **It was moved by Director John Conley and seconded by Director Klug that the Subcommittee go into Executive Session to discuss W-3 Land Rights.**

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

Voting Yea: Kolowski, J. Conley, Lanphier, Klug, Japp  
 Voting Nay: None  
 Abstaining: None  
 Excused Absence: Tesar, Bradley  
 Absent: Tesar, Bradley

The Subcommittee went into Executive Session at 9:12 p.m.

- **It was moved by Director John Conley and seconded by Director Klug that the Subcommittee return to Regular Session.**

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

Voting Yea: Kolowski, J. Conley, Lanphier, Klug, Japp  
 Voting Nay: None  
 Abstaining: None  
 Excused Absence: Tesar, Bradley  
 Absent: Tesar, Bradley

The Subcommittee returned to Regular Session at 9:17 p.m.

- **It was moved by Director Klug and seconded by Director John Conley that, in the event the Washington County Court board of appraisers (in the eminent domain temporary easement taking for the W-3 Rehabilitation Project, authorized at the February 10, 2010, meeting of the Board of Directors), has not filed in such court its report of awards by the time of the March Board of Directors' meeting on March 11, 2010, the General Manager is authorized to deposit, with the Washington County Court, the total amount of the Papio Creek Watershed Structure #W-3**

**Board of Appraisers awards for John and Mary Camden Property, temporary ingress/egress easement.**

Roll call was taken on the motion. The motion carried on a vote of 3-yea, 1-nay and 1-abstention.

Voting Yea: Kolowski, J. Conley, Klug

Voting Nay: Japp

Abstaining: Lanphier

Excused Absence: Tesar, Bradley

Absent: Tesar, Bradley

**ADJOURNMENT:** Being no further business, the meeting adjourned by acclamation at 9:20 p.m.

/pt/com/fel/2010/March/mar10\_fel-minutes