

**Finance, Expenditure & Legal
Subcommittee Meeting
May 12, 2005
7:00 p.m.
Agenda**

Finance, Expenditure & Legal Subcommittee Members:

Dick Connealy, Chairperson
Tim Fowler, Vice-Chairperson
John Conley
Dorothy Lanphier
Jim Thompson

Alternate Members: John Schwope
Rich Tesar

Staff Liaison: Jim Becic
Jerry Herbster
Jack Lawless *
Trent Heiser

1. Meeting Called to Order – Chairperson Connealy
2. Quorum Call
3. Adoption of Agenda
4. Proof of Publication of Meeting Notice
5. Review and Recommendation on Transfer of Lands to the Fish and Wildlife Service – Jim Becic
6. Review and Recommendation on G&G Property Donation for Elkhorn River Public Access Site – Dick Sklenar
7. Review and Recommendation on Deposit of Condemnation Award in Sarpy County Court for West Branch Channel Project ROW (Dittus) [*Executive Session*] – Martin Cleveland
8. Other Items of Interest
9. Adjourn

Memo

To: Finance, Expenditure and Legal Subcommittee

From: Jim Becic

Re: Transfer of Lands to the Fish and Wildlife Service

Date: 29 April, 2005

For a variety of reasons, the 250 acre Nathan's Lake site, the 400.17 acre Stratbucker property, the 40.43 acre Nebraska Board of Educational Lands and Funds parcel and the 19.96 acre Rogers' tract were not transferred to the US Fish and Wildlife Service (F&WS), in 1997 at the time the original Boyer Chute National Wildlife Refuge was created.

With the exception of the \$54,000.00 paid for the Rogers' tract, (purchased in December, 2002 by the NRD at the request of the F&WS to facilitate a timely acquisition of the parcel from a willing seller), the intent of the Board from the initial Boyer Chute acquisition in the early 1990's, was to gift these lands to the U.S. Fish and Wildlife Service for incorporation into the Boyer Chute National Wildlife Refuge as soon as timing was appropriate.

It is the staff recommendation that the Finance, Expenditure and Legal Subcommittee recommend to the Board that the General Manager be authorized to sign the AGREEMENT FOR THE PURCHASE OF LANDS transferring ownership of the 250 acre Nathan's Lake site, the 400.17 acre Stratbucker property, the 40.43 acre Nebraska Board of Educational Lands and Funds parcel and the 19.96 acre Rogers' tract, more or less, to the United States Fish and Wildlife Service for the purchase price of Fifty Four Thousand Dollars (\$54,000.00), subject to changes deemed necessary as to form by District legal counsel.

MEMORANDUM

TO: Finance, Expenditures and Legal Subcommittee

FROM: Dick Sklenar

SUBJECT: Property Donation for Elkhorn River Public Access Site

DATE: April 29, 2005

For about one year, the District staff has had several meetings with the Graske family (founders of G&G Manufacturing Co.) regarding the donation of property adjacent to the Elkhorn River and West Dodge Road. This is one of the locations previously identified for establishing a motor boat and canoe access facility adjacent to the Elkhorn River for public use.

District personnel have surveyed the property which encompasses approximately 6.5 acres with ingress and egress from Skyline Drive.

As a prerequisite to the donation of the property, the following was requested by the Donor:

1. Have the donated property referred to as "Elkhorn Public Access at Graske Crossing".
2. Have fencing erected by the Donee along with the construction of a prominent sign indicating the name of the site.
3. Have the property permanently used by the Donee to provide public access to the Elkhorn River.
4. That the Donor be provided keys to all entry gates installed by the Donee.
5. That the Donor shall have the right to install a gate anywhere along the perimeter fencing along the property.

Attached is the restricted covenant, referring to the above items, that will be executed at closing.

The staff recommends that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the restricted covenant and accept donated property from G&G Manufacturing Co. for the future establishment of a public access site to the Elkhorn River.

Memo(s) for the following agenda item(s) are posted under “Confidential” on the District’s website at www.papionrd.org.

Agenda Item #7: Review and Recommendation on Deposit of
Condemnation Award in Sarpy County for West
Branch Channel Project ROW (Dittus)