

Finance, Expenditure and Legal Subcommittee
Meeting Minutes
May 10, 2005

A meeting of the Pappio-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 May 10, 2005. The meeting was called to order by Chairperson Connealy at 7:03 p.m.

Subcommittee Members Present	Subcommittee Members Absent	Other Directors	Others Present
_____	_____	_____	_____
Rich Tesar Dick Connealy John Conley Dorothy Lanphier Jim Thompson	Tim Fowler	Rich Jansen Joe Neary	P-MRNRD Staff: Steve Oltmans Marlin Petermann Jack Lawless Martin Cleveland Paul Woodward Dick Sklenar Jim Becic Trent Heiser Jerry Herbster Paul Peters, Legal Counsel Brian Schultz Chuck Dittus

ADOPTION OF AGENDA:

The Chairperson called for discussion on the tentative agenda.

- **IT WAS MOVED** by Conley, and seconded by Thompson, that the agenda be adopted.

ROLL CALL WAS TAKEN ON THE MOTION. The motion carried by a vote of 5-0.

Voting Yea: Connealy, J Conley, Tesar, Lanphier, Thompson
Voting Nay: None
Abstain: None
Absent: None

PROOF OF PUBLICATION: Public notice of the meeting was posted at all District offices and in the Omaha World Herald on May 5, 2005.

TRANSFER OF LANDS TO THE FISH AND WILDLIFE SERVICE: Jim Becic gave an overview of the plan to transfer land to the Fish and Wildlife Service. Brian Shultz of the

Fish & Wildlife Service answered questions about staffing and canoe access at Boyer Chute.

- **IT WAS MOVED** by Conley, and seconded by Lanphier, that the Subcommittee recommend to the Board that the General Manager be authorized to sign the Agreement for the Purchase of Lands transferring ownership to the United States Fish and Wildlife Service 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 Roger's tract, more or less, for the price of \$54,000, 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 by a vote of 5-0.

Voting Yea: Connealy, J Conley, Tesar, Lanphier, Thompson
Voting Nay: None
Abstain: None
Absent: None

G&G PROPERTY DONATION FOR ELKHORN RIVER PUBLIC ACCESS SITE: Dick Sklenar gave an overview of the location of the donated property (SE corner of West Dodge Road and the Elkhorn River) by the Graske family and plans for the site. It was noted that the Graske's had verbally agreed that the site name listed in the covenants being requested could be shortened when used in publications, signage, etc.

- **IT WAS MOVED** by Tesar, and seconded by Thompson, 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 West Dodge Road public access site to the Elkhorn River.

ROLL CALL WAS TAKEN ON THE MOTION. The motion carried by a vote of 5 to 0.

Voting Yea: Connealy, J Conley, Tesar, Lanphier, Thompson
Voting Nay: None
Abstain: None
Absent: None

DEPOSIT OF CONDEMNATION AWARD IN SARPY COUNTY COURT FOR WEST BRANCH CHANNEL PROJECT ROW: Martin Cleveland introduced Chuck Dittus who asked the Subcommittee to reconsider the price of \$20,000 per acre for the 1.07 acres of abandoned railroad land he wanted to purchase which is adjacent to his property.

- **IT WAS MOVED** by Conley, and seconded by Thompson, that the subcommittee go into Executive Session for the purpose of discussing land rights at 7:36 P.M.

ROLL CALL WAS TAKEN ON THE MOTION. The motion carried by a vote of 5 to 0.

Voting Yea: Connealy, J Conley, Tesar, Lanphier, Thompson
Voting Nay: None
Abstain: None
Absent: None

The Subcommittee returned to Regular Session at 7:51 P.M.

- **IT WAS MOVED** by Conley, and seconded by Tesar, that the Subcommittee recommend to the Board that the District deposit \$86,000 with the Clerk of the Sarpy County Court, allow such \$86,000 to be withdrawn by Condemnee Dittus, and not appeal to the District Court from the Award of Appraisers in the eminent domain proceedings for fee simple title to the Dittus Tract #5 for the West Branch Channel Project; and, that the General Manager is authorized to execute an agreement to sell the District's 1.07 acres of adjacent former railroad right of way to Condemnee Dittus for \$21,400 if no appeal is filed by such Condemnee.

ROLL CALL WAS TAKEN ON THE MOTION. The motion carried by a vote of 5 to 0.

Voting Yea: Connealy, J Conley, Fowler, Lanphier, Thompson
Voting Nay: None
Abstain: None
Absent: None

ADJOURNMENT: There being no further business, the meeting adjourned at 7:55 P.M.