

**Finance, Expenditure & Legal Subcommittee
Meeting Minutes
September 7, 2004**

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 September 7, 2004. The meeting was called to order by Chairperson Connealy at 9:12 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
Dick Connealy		Rich Jansen	Steve Oltmans
John Conley		Tim Fowler	Marlin Petermann
Barb Nichols		Rich Tesar	Nancy Gaarder
Jim Thompson			Gerry Bowen
Joe Neary *			Martin Cleveland
			Paul Peters
			Dick Sklenar
			Trent Heiser*
			Terry Schumacher
			Nancy Grothe
			Jack Borgmeyer
			Doris Theil
			Tim Dreessen
			Dean Hascall
			Phil Hansen
			Peggy Vosler
			Herb Grothe

* Alternate Voting Member

ADOPTION OF AGENDA

*** It was moved by John Conley and seconded by Jim Thompson that the agenda be adopted.**

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

Voting Yea: Conley, Nichols, Thompson, Neary, Connealy
 Voting Nay: None
 Abstaining: None
 Absent: None

PROOF OF PUBLICATION: Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on September 2, 2004.

FY2005 BUDGET – FINAL LEVY = 0.040620 (Last Year’s Tax Levy = 0.030637) – Steven Oltmans discussed the Fiscal Year 2005 property tax levy requirements to meet the property tax request of \$14,975,911.03 and the total requirements of \$31,831,456.31. Pursuant to final valuations being received from County Assessors’, the final tax levy would be set at 0.040620/\$100. He then reminded Directors that a Public Hearing to Set Property Tax Request for FY 2005 Budget would be held, as a portion of the September 9, 2004 Board Meeting.

❖ **It was moved by John Conley, and seconded by Barb Nichols, that the Subcommittee recommend to the Board that the following resolution be adopted:**

WHEREAS the Papio-Missouri River NRD Board of Directors at the August 12, 2004, meeting adopted the FY2005 budget with a property tax request of \$14,975,911.03 and the total requirements at \$31,831,456.31;

NOW THEREFORE BE IT RESOLVED that the tax levy of 0.040620/\$100 for FY2005 be adopted and certified copies forwarded to County Clerks.

Roll call was taken on the motion. The motion carried on a vote of 4 to 1.

Voting Yea: Conley, Nichols, Thompson, Connealy

Voting Nay: Neary

Abstaining: None

Absent: None

WESTERN SARPY/CLEAR CREEK FLOOD REDUCTION PROJECT – SARPY COUNTY SIDE RIVERSIDE CABINS PURCHASE AGREEMENTS:

Chairman Connealy noted that the Board had authorized eminent domain proceedings for cabin raising, flowage and levee easements on three properties for the Western Sarpy/Clear Creek Project at the August Board meeting. These three property owners were present to address the Subcommittee.

Peggy Vosler (Tract 6L) indicated that she wanted just compensation for her loss and felt that the amounts being offered for the easements were too low. She noted that she had no counter offer at this time, but had retained an appraiser and would provide the appraisal to the District when completed. She also had a number of questions concerning the levee improvements, cabin raising, garage flood proofing, etc., which were individually addressed by Assistant General Manager Petermann.

Dean Hascall (attorney representing Phil Hansen) and Phil Hansen (Tract 2L) addressed the Subcommittee concerning the “cost of cure” for the proposed easements and other questions. Mr. Hascall offered having the District raise Hansen’s principle cabin to 1.5 feet above the post-project 100-year flood elevation, like other cabins in the area, as a counter proposal for “cost of cure.” Petermann answered the questions posed and noted that Mr. Hansen’s cabin is not being elevated because it is presently higher than the post-project 100-year flood and therefore not affected by the project.

Herb Grothe noted that he recently provided the District an appraisal of his property as suggested at the August Board meeting. He indicated the appraisal showed the fair market value of his property as being \$91,000 and he is looking to sell it to the District for something close to that.

Legal Council recommended entering executive session.

❖ It was moved by John Conley, and seconded by Barb Nichols, that the Subcommittee go into Executive Session at 10:08 p.m. to discuss land rights.

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

Voting Yea: Neary, Thompson, Nichols, Conley, Connealy
Voting Nay: None
Abstaining: None
Absent: None

The Subcommittee returned to Regular Session at 10:31 p.m. No action was taken on this item.

OTHER ITEMS OF INTEREST: None.

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 10:32 p.m.

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