

**Finance, Expenditure and Legal
Subcommittee Meeting Minutes
November 12, 2024**

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, NE, on November 12, 2024. The meeting was called to order by Chairman Tesar at 4:33 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 Present |
|---|--|------------------------------------|----------------------------|
| Rich Tesar, Chairman | Josh Henningsen* | Tim Fowler | John Winkler |
| Larry Bradley, Vice-Chairman | Tim McCormick* | Zachary Irvine | Amanda Grint |
| Fred Conley** | | Jim Thompson | Brent Meyer, Legal Counsel |
| Phil Davidson | | | Tracy Thompson |
| | | | Ian Ghanavati |
| | | | Justin Novak |
| | | | Eric Williams |
| | | | Lori Laster |
| | | | Other Staff Members |

- * Absent
- ** Alternate Voting Member

ADOPTION OF AGENDA:

- **It was moved by Director Bradley and seconded by Director Conley that the agenda be adopted.**

Roll call was taken on the motion. The motion carried on a vote of 4-yea.

Voting Yea: Bradley, Conley, Davidson, Tesar
 Voting Nay: None
 Abstaining: None
 Absent: Henningsen, McCormick

PROOF OF PUBLICATION: Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on November 6, 2024. The proof of publication affidavit is included with the file copy of these minutes.

1. Remnant Right-of-Way Transfer to Hagen Hills, LLC. – Ian Ghanavati:

Project Manager Ian Ghanavati reviewed the preliminary layout of future Dam Site 7 (DS-7) located at approximately 168th St. and Military Rd., and Rainwood Road which will route across the reservoir. He stated that after dedicating the necessary right-of-way as required by an Interlocal Cooperation Agreement approved in April 2024 between the District, Douglas County, SID 623, SID 633, and Bennington Public Schools, the District was left with a remnant 0.041-acre piece of land within one of SID 633’s (Hagen Hill’s) outlots. Ian presented the proposed right-of-way transfer via quitclaim deed of this remnant piece of land to SID 633 and answered Directors questions.

- **It was moved by Director Bradley and seconded by Director Conley that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed Quitclaim Deed with Hagen Hills Homeowners Association, Inc., subject to such other terms and conditions as the General Manager determines necessary and Legal Counsel approves as to form.**

Roll call was taken on the motion. The motion carried on a vote of 4-yea.

Voting Yea: Bradley, Conley, Davidson, Tesar
 Voting Nay: None
 Abstaining: None
 Absent: Henningsen, McCormick

2. Storm Easement for Dakota County Rural Water System Waterline Main – Justin Novak:

Project Manager Justin Novak presented the proposed Dakota County Rural Water easement with the Storm family of rural Homer, Nebraska. He explained the logistics of the easement which is needed to connect meter pits along Fiddler Creek Rd. for additional customers. Justin indicated that the Storm family will grant the District easements with 100’ width access along their properties in exchange for one (1) meter pit connection valued at \$4,000 at Mike Storm’s residence. He answered Directors questions.

- **It was moved by Director Davidson and seconded by Director Conley that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed Easement with the Storms in exchange for 1 new meter pit connection, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 4-yea.

Voting Yea: Bradley, Conley, Davidson, Tesar
 Voting Nay: None
 Abstaining: None
 Absent: Henningsen, McCormick

3. Sorenson Connection Land Rights [Executive Session – If Needed] – Eric Williams:

Project Manager Eric Williams presented the proposed purchase agreement of one (1) parcel totaling approximately 3.38 acres of land from Cynthia Olsberg for the Sorenson Connection Trail project. He explained that federal funding has been awarded for the future trail project which will include an underpass below 72nd Street that will provide safe access to the existing Sorenson Trail which connects to the Keystone Trail along Little Papio Creek. Eric stated that initiation of the federal project and design on the underpass and trail is anticipated in 2025 and answered Directors questions.

- **It was moved by Director Bradley and seconded by Director Conley that the Subcommittee recommend to the Board that the General Manager be authorized to execute a purchase agreement providing for the purchase by the District from Cynthia Olsberg of one (1) parcel for the purchase price of \$54,000 subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 4-yea.

Voting Yea: Bradley, Conley, Davidson, Tesar
 Voting Nay: None
 Abstaining: None
 Absent: Henningsen, McCormick

4. Land Acquisition for Dam Site 19 [Executive Session – If Needed] – Lori Laster:

Project Manager Lori Laster reported that MRDP, LLC approached the District regarding the potential purchase of a parcel required for Dam Site 19 (DS-19), located at approximately 192nd & Giles, Sarpy County, Nebr. She presented the proposed purchase agreement with MRDP, LLC for Tract 11 consisting of 53.181 acres at \$71,400 per acre for a total purchase price of \$3,797,123. Lori reminded the Directors that DS-19 is included in the U.S. Army Corps of Engineers (USACE) Papillion Creek General Reevaluation Report. She stated that USACE will complete the project's final design, currently anticipated to start in 2025 and that as the local sponsor, the District is required to purchase all property rights and once final design is completed, the USACE will fund 60% of the construction costs, with the District providing the remaining 40%. Lori answered Directors questions.

- **It was moved by Director Conley and seconded by Director Bradley that the Subcommittee recommend to the Board that the General Manager be authorized to execute a purchase agreement providing for the purchase by the District from MRDP, LLC, Tract 11 for the Dam Site 19 Project for the purchase price of \$3,797,123 subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 4-yea.

Voting Yea: Bradley, Conley, Davidson, Tesar
Voting Nay: None
Abstaining: None
Absent: Henningsen, McCormick

5. Floodway Buyout Sales Corrections with NEMA [Executive Session if Needed] – Lori Laster:

- **It was moved by Director Bradley and seconded by Director Conley that the Subcommittee move into Executive Session for the purpose of discussing Floodway Buyout Sales Corrections with NEMA.**

Roll call was taken on the motion. The motion carried on a vote of 4-yea.
The Subcommittee went into Executive Session at 4:47 p.m.

Voting Yea: Bradley, Conley, Davidson, Tesar
Voting Nay: None
Abstaining: None
Absent: Henningsen, McCormick

- **It was moved by Director Davidson and seconded by Director Conley that the Subcommittee come out of Executive Session.**

Roll call was taken on the motion. The motion carried on a vote of 4-yea.
The Subcommittee came out of Executive Session at 4:46 p.m.

Voting Yea: Bradley, Conley, Davidson, Tesar
Voting Nay: None
Abstaining: None
Absent: Henningsen, McCormick

- **It was moved by Director Conley and seconded by Director Davidson that the Subcommittee recommend to the Board of Directors that the corrected payment amounts be approved, and appropriate payments made to the property owners, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 4-yea.

Voting Yea: Bradley, Conley, Davidson, Tesar

Voting Nay: None

Abstaining: None

Absent: Henningsen, McCormick

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 4:57 p.m.