

# NEBRASKA NATURAL RESOURCES COMMISSION

## SPECIAL MEETING MINUTES

November 1, 2012

### On-site Attendees:

Clint Johannes, Member

Rex Gittins, NDNR

Kent Zimmerman, NDNR

### Attending via Teleconference:

Keith Rexroth, Member

Dan Watermeier, Member

Dave Kadlecck, Vice-Chair

Kenneth Brockman, Member

Dick Mercer, Chair

Stan Clouse, Member

Richard Hadenfeldt, Member

Beverly Donaldson, Member

### Absent:

Garry Anderson, Member

Dave Deines, Member

Joseph Hergott, Member

Tom Knutson, Member

Dan Nelsen, Member

Ladd Reeves, Member

Jeff Steffen, Member

### CALL TO ORDER & ROLL CALL

The meeting was called to order by Commission Chairman Mercer at 9:00 a.m. at the Department of Natural Resources Conference Room in Lincoln, Nebraska.

### PUBLIC NOTICE & MEETING LAWS

Notice of the meeting was posted on the DNR website and on the State calendar. A copy of the open meeting laws was posted in the room.

### INFORMATIONAL MATERIALS

The following informational materials were distributed to Commission members prior to the meeting and made available during the meeting. A copy of each is attached to the file copy of these minutes.

1. Commission Special Meeting Agenda
2. Auctioneer Bid Summary
3. Auctioneer Bid Proposal packets 1 through 4

### SMALL WATERSHEDS FLOOD CONTROL FUND

#### Overview of Auctioneer Bid Proposals and Packets

Chairman Mercer directed staff to proceed with the agenda item on discussion and possible action to select an auctioneer for the sale of Small Watershed Flood Control Fund properties held by Lower Platte North NRD. Staff reported that Commissioner Reeves was unable to participate in the meeting due to other commitments but had offered several comments via email prior to the meeting. The following comments were read by staff. (A copy of the email is also attached to these minutes.)

- Reeves stated that the Great Plains Realty's proposal to allow the commission to be paid by the buyer is unusual for land auctions, and such conditions must be clearly stated in all advertising and contracts to identify who the broker is working for.

- The number of acres sold as listed in the Farmers National Company’s proposal seems high for Nebraska and may include all land sold in this region or through all of their franchises.

Additional observations and comments offered by Commissioners in attendance included:

- Brockman questioned whether either site would appeal to developers for a 40 – 50 home subdivision. The group consensus was that the locations and sizes would be unlikely to appeal to developers, but may appeal to someone wanting to build a single family home.
- Pictures of the properties were reviewed during the September Commission meeting.
- Johannes noted that it was difficult to compare between proposals as they each had a different approach on advertising and pricing. Also, he felt that using a local broker would be advantageous.
- In response to a question regarding staff’s recommendations, staff replied that they had no preference.
- Johannes summarized the discussion noting uncertainty on advertising costs, benefit of having a local broker, uncertainty about the issue of the buyer versus seller paying commission, and the high price of Farmers National.
- Kadlecsek added that some of the proposals included high costs if the highest bid was rejected, while one proposal required no fees if the bids were rejected.
- Watermeier noted concern that Home real estate did not have a website that provided statewide advertising.
- It was recommended by commissioners to advertise in the Lincoln, Omaha & Fremont papers as well as the Midwest Messenger. Staff will look at where the brochures are mailed to and do the normal flyers.

**Discussion & Possible Action to Select an Auctioneer for the Sale of Small Watersheds Flood Control Fund Properties held by Lower Platte North NRD**

Johannes moved and Donaldson seconded a motion to approve the auctioneering services bid of Home Real Estate for the 2013 sale of Lower Platte North NRD’s Site 3 in 29-16N-R6E; & Site 24 in 5-16N-R5E, both in Saunders County, Nebraska.

**Motion Passed.**

*Aye:* Brockman, Clouse, Donaldson, Hadenfeldt, Rexroth, Johannes, Kadlecsek, Watermeier, and Mercer

*Nay:* None

*Abstain:* None

*Not Present:* Anderson, Deines, Hergott, Reeves, Steffen, Knutson and Nelsen

**ANNOUNCEMENTS, FUTURE MEETINGS, REQUESTS FOR AGENDA ITEMS**

Chairman Mercer noted the November Commission meeting had been changed to the 29<sup>th</sup> during the September Commission meeting.

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The meeting was adjourned at 9:23 a.m.

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Dick Mercer