

**ELKHORN PUBLIC SCHOOLS  
MINUTES OF BOARD OF EDUCATION  
SPECIAL MEETING  
March 27, 2019**

The special hearing of the Elkhorn Public Schools Board of Education was called to order at 8:00 AM. Members present: J. Marasco, C. Burney, A. Clark, A. Parks, and R. Vokt. N. Rogic-Greufe absent and excused. President J. Marasco opened the Public Hearing and noted that the meeting was governed by the Open Meetings Act, a copy of which is posted on the east wall of the Board Room.

A presentation was shared by Superintendent B. Habrock and R. Lindquist to address the Board and explain and discuss the nature of the proposed school project, the necessity for a Middle School project and Elementary School project, the reason or reasons for selecting the particular location for the Middle School site and Elementary School site, and the quantity of property necessary to fulfill the public purpose of a Middle School site and Elementary School site.

Duncan Young, attorney for the School District addressed the Board and the Public in attendance to explain: 1) the power of the school district to exercise eminent domain under Nebraska statutes; 2) the right of each owner to have representation in negotiations with respect to each piece of property; 3) the obligation to negotiate in good faith; 4) the right of each property owner to representation by counsel; 5) the right to require compensation for the taking of such property as determined pursuant to the procedures for acquisition by eminent domain; 6) that the District will pay fair market value; and 7) that the District will purchase fee simple and any easements necessary.

Lloyd Rowher and Alan Rowher addressed the Board.

It was moved by Aaron Clark and seconded by C. Burney to approve the acquisition of approximately 50 acres of property by the eminent domain authority of the District pursuant to ' 79-1095 et. seq., which consists of portions of those parcels of land generally located south and west of 204th and F Street generally described as follows: Part of Parcel #0103780003 consisting of an irregular 50 acres, more or less, located generally in the South Half (S2) of the Northeast Quarter (NE3) and a parcel of approximately 350 ft. by 50 ft. of parcel #0103780007 in the Southeast Quarter (SE3) of the Northeast Quarter (NE3) of the Northeast Quarter (NE3) all in Section 1, Township 14 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, together with any necessary or required temporary or permanent easements as described in the Notice of Acquisition and to be more specifically described following completion of an actual survey conducted as provided by law to provide the actual meets and bounds for each parcel. A detailed and legal description will be provided at a later date upon the completion of a land survey of the property to be acquired.

It was further moved that the Superintendent of the Elkhorn Public Schools, subject to Board approval, be authorized and directed to enter into such good faith negotiations as required by law and as directed by this Board, and to make and receive such offers on behalf of the District with each individual landowner or such landowner's designated representative.

VOTE: J. Marasco - yes; A. - yes; R. Vokt; C. Burney - yes; A. Clark - yes

It was moved by J. Marasco and seconded by A. Clark to enter into a Closed Session of the Elkhorn Board of Education for the purposes of discussing land acquisition/land purchase negotiations.

VOTE: A. Clark - yes; J. Marasco - yes; A. Parks - yes; R. Vokt – yes; C. Burney – yes

The Elkhorn Board of Education went into Closed Session at 8:52 AM. No action was taken during this Closed Session and the board reconvened in Open Session prior to adjournment by President J. Marasco at 8:56 AM.

The next regular meeting of the board is scheduled for Monday, April 8, 2019 at 6:30 PM, in the Board Room of the Administration Building, 20650 Glenn Street, Elkhorn, NE 68022.