

**Finance, Expenditure and Legal  
Subcommittee Meeting Minutes  
February 7, 2017**

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 154<sup>th</sup> Street, Omaha, NE, on February 7, 2017. The meeting was called to order by Chairperson Tesar at 7:21 p.m.

**QUORUM CALL:** Quorum call was taken. The following subcommittee members were in attendance.

<b>Subcommittee Members Present</b>	<b>Subcommittee Members Absent</b>	<b>Other Directors Present</b>	<b>Others in Attendance</b>
Rich Tesar, Chairperson		Tim Fowler	John Winkler
Jim Thompson, Vice-Chairperson		Ted Japp	Marlin J. Petermann
Larry Bradley		David Klug	Brent Meyer
John Conley			Martin Cleveland
John Wiese			Lori Laster
Fred Conley - Alternate			Amanda Grint
			Other Staff Members

- \* Absence
- \*\* Alternate Voting Member

**ADOPTION OF AGENDA:**

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

Roll call was taken on the motion. The motion carried on a vote of 5-yea and 0-nay.

Voting Yea: Bradley, Conley (John), Thompson, Wiese, Tesar  
 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 February 2, 2017. The proof of publication affidavit is included with the file copy of these minutes.

**1. Review and Recommendation on Union Dike Indemnification and Hold Harmless Agreement with NEBCO, Inc. - Martin Cleveland:**

Martin Cleveland described the two ingress/egress routes across Western Sand and Gravel (aka NEBCO) property to Union Dike near Fremont. The first route is through the Western Sand and Gravel sandpit area and is well maintained. The second route is a dirt road that is west of the sandpit

area and is not well maintained. In order to keep using the Western Sand and Gravel sandpit area access, NEBCO, Inc. is requiring that an indemnification agreement be signed by the District. It was noted by Director Tesar that the sandpit area access should be a short term solution and that the dirt road ingress/egress access should be improved and used as the permanent access route.

- **It was moved by Director Thompson and seconded by Director J. Conley that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Indemnification and Hold Harmless Agreement for Union Dike Access with NEBCO, Inc., subject to terms and conditions 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 5 yea and 0 nay.

Voting Yea: Bradley, Conley (John), Thompson, Wiese, Tesar  
Voting Nay: None  
Abstaining: None  
Absent: None

**2. Review and Recommendation on Account over 110% 02-01-555-4400 Dam Site 15A Professional Services – Lori Laster:**

Lori Laster noted that in October 2016, the Board approved an extension to the construction contract with McArdle and the construction observation contract with HDR. These project delays were mainly weather related. At the time the contracts were approved, the accounts were not approved to go over budget and now an approval is needed to allow this year's budget for professional services to be exceeded.

- **It was moved by Director J. Conley and seconded by Director Bradley that the Subcommittee recommend to the Board of Directors that Account # 02-01-555-4400 (Dam Site 15A – Professional Services) be allowed to exceed 110% of the budgeted amount, with a maximum not-to-exceed amount of \$800,000 without further Board approval.**

Roll call was taken on the motion. The motion carried on a vote of 5 yea and 0 nay.

Voting Yea: Bradley, Conley (John), Thompson, Wiese, Tesar  
Voting Nay: None  
Abstaining: None  
Absent: None

**ADJOURNMENT:** Being no further business, the meeting adjourned by acclamation at 7:37 p.m.

Minutes were prepared by Amanda Grint.