

**Finance, Expenditure and Legal  
Subcommittee Meeting Minutes  
April 9, 2019**

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 April 9, 2019. The meeting was called to order by Chairperson Tesar at 7:53 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		Fred Conley	John Winkler
Larry Bradley – Vice-Chairperson		Tim Fowler	Marlin Petermann
Danny Begley		Mark Gruenewald	Brent Meyer, Legal Counsel
Tim McCormick		Ted Japp	Nicole Gust
John Wiese		Kevyn Sopinski	Martin Cleveland
		Jim Thompson	Paul Woodward
			Other Staff Members

- \* Absent
- \*\* Alternate Voting Member

**ADOPTION OF AGENDA:**

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

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

Voting Yea: Begley, Bradley, McCormick, 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 April 4, 2019. The proof of publication affidavit is included with the file copy of these minutes.

**1. Review and Recommendation of Attorney Fees for Missouri River Levee Certification Account 01-03-560-4392 Over 110% - Paul Woodward:**

Project Manager Paul Woodward briefed Directors that the Fiscal Year 2019 budget for attorney fees for the Missouri River Levee Certification Project was set at \$120,000. Paul stated that the NRD has worked with Husch Blackwell on land rights acquisition of private properties, as well as prepare and negotiate agreements with the city of Omaha and Offutt Air Force Base, bringing the expended budget to near 110%. In addition, appeals filed by private properties acquired under eminent domain will require the need for additional attorney fees at an estimated \$60,000, bringing the FY19 expenditure of this account to almost \$190,000. Paul answered Directors questions.

- **It was moved by Director McCormick and seconded by Director Begley that the Subcommittee recommend to the Board of Directors that Missouri River Levee Certification Attorney Fees (Account No. 01-03-560-4392) be allowed to exceed the budgeted amount, up to \$190,000, without further approval by the Board.**

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

Voting Yea: Begley, Bradley, McCormick, Wiese, Tesar  
 Voting Nay: None  
 Abstaining: None  
 Absent: None

**2. Review and Recommendation of Maintenance, Channels and Levees – Maintenance Materials Account 01-03-591-4477 Over 110% - Martin Cleveland:**

Project Manager Martin Cleveland reminded the Directors that account 01-03-591-4477 is used to pay for maintenance material for levee top surfacing, bank erosion areas and levee and channel projects. The Fiscal Year 2019 budget for this account is \$161,000. Martin informed the Directors that the \$315,900 expended in March 2019 was due to maintenance material purchased for the Emergency Union Dike flood damage initial repairs in cooperation with the Corps of Engineers. Martin stated that he anticipated an additional \$150,000 would be needed for emergency flood repairs in upcoming months, bringing the anticipated FY19 expenditure of this account to a maximum of \$570,000. Martin answered Directors questions.

- **It was moved by Director Bradley and seconded by Director Wiese that the Subcommittee recommend to the Board that Account #01-03-591-4477 – Maintenance, Channels and Levees – Maintenance Materials be allowed to exceed 110% of the budgeted amount to a maximum of \$570,000, without further approval by the Board.**

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

Voting Yea: Begley, Bradley, McCormick, Wiese, Tesar  
 Voting Nay: None  
 Abstaining: None  
 Absent: None

**ADJOURNMENT:** Being no further business, the meeting adjourned by acclamation at 8:02 p.m.