

**Finance, Expenditure and Legal
Subcommittee Meeting Minutes
August 7, 2012**

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 August 7, 2012. The meeting was called to order by Chairperson Tesar at 8:27 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 in Attendance
Rich Tesar	Larry Bradley	Tim Fowler	John Winkler
John Conley		Gus Erickson	Marlin J. Petermann
Dorothy Lanphier		Rick Kolowski	Paul Peters
Fred Conley**		David Klug	Trent Heiser
Jim Thompson (Out of room during roll call)		Scott Japp	Jean Tait
			Brian Henkel
			Barb Sudrla
			Carey Fry
			Gerry Bowen
			Heather Guthridge
			Dick Sklenar
			Terry Schumacher
			Justin Novak

* Absence

** Alternate Voting Member

Adoption of Agenda

- **It was moved by Director John Conley and seconded by Director Fred Conley that the Agenda be adopted.**

Roll call was taken on the motion. The motion carried on a vote of 4 to 0.

Voting Yea: John Conley, Fred Conley, Lanphier, Tesar
 Voting Nay: None
 Abstaining: None
 Absent: None
 Excused Absence: Bradley

* Director Thompson was out of the room at the time roll call was taken.

Proof of Publication: Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on August 2, 2012. The proof of publication affidavit is included with the file copy of these minutes.

Review and Recommendation of the Missouri River Levee System Unit R-616 Seepage Area Repairs Land Rights:

Martin Cleveland briefed the Subcommittee regarding land rights acquisitions necessary for construction of seepage berms on the R-616 Levee. The US Army Corps of Engineers is modifying the existing temporary seepage berms to create permanent berms and constructing an additional permanent seepage berm. Due to the Corps construction schedule, the management recommendation was for an emergency resolution for right-of-way purchase.

It was moved by Director Fred Conley and seconded by Director John Conley that the Finance, Expenditure and Legal Subcommittee recommend the following Resolution to the Board:

EMERGENCY RESOLUTION

WHEREAS, the U. S. Army Corps of Engineers (“the Corps”) has designed an emergency project (“the Project”) to install under seepage berms to improve Levee Unit R-616 at five locations, and has requested that the Papio-Missouri River Natural Resources District immediately provide all necessary easements and other rights-of-way for the Project; and,

WHEREAS, the Board of Directors hereby determines that it is necessary to temporarily give to the District’s General Manager authority to take emergency action requiring expenditures of District funds and further action on behalf of the District, without requiring further authority from the Board of Directors and without requiring adherence to the District’s usual purchasing and right-of-way acquisition policies and practices,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District that, in acquiring rights-of-way for the Project, as the Corps may request, the General Manager may execute, for and on behalf of the District, right-of-way contracts and purchase agreements reflecting such prices as the General Manager, in his sole discretion determines appropriate, notwithstanding limitations provided in the District’s Policy Manual; and, containing such other terms and conditions as the General Manager determines appropriate and Legal Counsel approves as to form.

Roll call was taken on the motion. The motion carried on a vote of 5 to 0.

Voting Yea:	John Conley, Lanphier, Thompson, Fred Conley, Tesar
Voting Nay:	None
Abstaining:	None
Absent:	None
Excused Absence:	Bradley

Review and Recommendation on the FY 2013 Proposed Budget:

General Manager John Winkler briefed the Subcommittee on two versions of a proposed District budget for fiscal year 2013 and recommended the version with no increase in tax levy.

Note: Dates to Remember for P-MRNRD FY 2013 Budget:

Budget Hearing, Adoption of FY 2013 Budget and Setting of the Tax Levy for FY 2013 at the September 13, 2012 Board Meeting.

It was moved by Director Fred Conley and seconded by Director Jim Thompson that the Finance, Expenditure and Legal Subcommittee recommend to the Board of Directors that the FY 2013 budget option with no levy increase, be forwarded for review at the September 13, 2012, Budget Hearing with the provision that the General Manger be authorized to make necessary adjustments once final figures are available to achieve compliance of state statutes regarding the lid.

Roll call was taken on the motion. The motion carried on a vote of 4 to 1.

Voting Yea: John Conley, Fred Conley, Thompson, Tesar
Voting Nay: Lanphier
Abstaining: None
Absent: None
Excused Absence: Bradley

Adjournment: Being no further business, the meeting adjourned by acclamation at 9:03 p.m.