

**Finance, Expenditure and Legal
Subcommittee Meeting Minutes
September 6, 2011**

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 September 6, 2011. The meeting was called to order by Chairperson Tesar at 7:16 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		Gus Erickson	John Winkler
Jim Thompson		Scott Japp	Marlin J. Petermann
Dorothy Lanphier		Rick Kolowski	Carey Fry
John Conley		Fred Conley	Martin Cleveland
Larry Bradley			Amanda Grint
			Lori Laster
			Emmet Egr
			Terry Schumacher
			Jean Tait
			Dick Sklenar
			Gerry Bowen
			Paul Peters
			Barb Sudrla

* Absence

** Alternate Voting Member

Adoption Of Agenda

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

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

Voting Yea: Rich Tesar, Jim Thompson, Dorothy Lanphier, John Conley, Larry Bradley

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 September 1, 2011. The proof of publication affidavit is included with the file copy of these minutes.

Review and Recommendation on Payment of Special Assessments of Dial Lots:

It was moved by Director Conley and seconded by Director Thompson that the Subcommittee recommend to the Board that the General Manager be authorized to make a payment of \$258,976.62 for the special assessments of Lots 114 and 115, Elk Ridge and Lots 8 through 14, Elk Ridge Replat 2.

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

Voting Yea: Rich Tesar, Jim Thompson, Dorothy Lanphier, John Conley, Larry Bradley
Voting Nay: None
Abstaining: None
Absent: None

Review and Recommendation on Pigeon/Jones Site 15 Project Right of Way Purchase Agreements [Executive Session] – Terry Schumacher, Paul Peters and Jack Borgmeyer, Midwest Right of Way:

Confidential Memo Posted to FEL Agenda Item 7.

It was moved by Director Conley and seconded by Director Bradley that the Subcommittee enter into an Executive Session for discussion of the motion.

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

Voting Yea: Rich Tesar, Jim Thompson, Dorothy Lanphier, John Conley, Larry Bradley
Voting Nay: None
Abstaining: None
Absent: None

The Subcommittee was in Executive Session beginning at 7:32 PM.

It was moved by Director Thompson and seconded by Director Bradley that the Subcommittee come out of Executive Session.

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

Voting Yea: Rich Tesar, Jim Thompson, Dorothy Lanphier, John Conley, Larry Bradley
Voting Nay: None
Abstaining: None
Absent: None

The Subcommittee came out of Executive Session at 7:52 PM

It was moved by Director Thompson and seconded by Director Bradley that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed purchase agreement for Tract 8 for the not to exceed amount of \$400,000.00 for 6.9 acres of land, relocation payments and a replacement housing payment for the Pigeon/Jones Site 15 project, subject to such other terms and conditions as the General Manager determines necessary and Legal Counsel approves as to form.

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

Voting Yea: Rich Tesar, Jim Thompson, John Conley, Larry Bradley
Voting Nay: Dorothy Lanphier
Abstaining: None
Absent: None

Review and Recommendation on Papillion Creek Watershed Structure W-3 Rehabilitation Project Construction Change Order and Account over 110% Approval:

It was moved by Director Thompson and seconded by Director Conley that the Subcommittee recommend to the Board that the Assistant General Manager (as per agreement with NRCS) be authorized to execute Contract Modification No. 5 in the maximum not to exceed amount of \$84,600 with Pruss Excavation for the Papio W-3 Rehabilitation Project, that the Assistant General Manager be authorized to execute future contract modifications totaling a maximum of 10% of the original construction contract amount and that Account No. 510-4479-W-3 Rehabilitation Project be allowed to exceed 110% of the budgeted amount.

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

Voting Yea: Rich Tesar, Jim Thompson, John Conley, Larry Bradley
Voting Nay: Dorothy Lanphier
Abstaining: None
Absent: None

P-MRNRD FY 2012 Tax Levy:

- ❖ **It is management's recommendation that Subcommittee recommend to the Board that the following resolution be adopted:**

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the Papio-Missouri River NRD passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and,

WHEREAS, a special public hearing held on September 8, 2011, as required by law to hear and consider comments concerning the property tax request; and,

WHEREAS, it is in the best interest of the Papio-Missouri River NRD that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District by a majority vote, resolved that:

1. The FY 2012 property tax request be set at \$17,011,250.21 with a tax levy of 0.032753/\$100.
2. And, that a copy of this resolution be certified and forwarded to the County Clerks within the District prior to October 13, 2011.

The increase in the tax requirement would amend the budget adopted at the August 11, 2011 Board meeting. In light of this change, I would ask that the following amended resolution be adopted:

BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District that the attached budget document and incorporated herein by reference, showing Total Requirements of ~~\$82,394,216.08~~ **\$82,591,966.08** as follows,

Operating Budget	\$82,344,216.08 \$82,541,966.08
Uninsured Liability Sinking Fund	\$50,000.00

and Property Tax Requirement of ~~\$16,811,522.71~~ **\$17,011,250.21** should be and is hereby adopted as the Fiscal Year 2012 budget of the Papio-Missouri River Natural Resources District.

BE IT FURTHER RESOLVED that the Board of Directors of the Papio-Missouri River Natural Resources District hold a Public Hearing to set the Final Property Tax Request and Tax Levy for Fiscal Year 2012 at the September 8, 2011 Board of Directors meeting, after final valuations have been received from Douglas, Sarpy, Dodge, Washington, Burt, Thurston and Dakota Counties.

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

Voting Yea: Rich Tesar, Jim Thompson, John Conley, Larry Bradley
Voting Nay: Dorothy Lanphier
Abstaining: None
Absent: None

FY 2012 Budget – Lid Computation (1% Resolution):

- It was moved by Director Conley and seconded by Director Thompson that the Subcommittee recommend to the Board that the following resolution be adopted:

BE IT RESOLVED THAT the Board of Directors of the Papio-Missouri NRD approves an additional increase of 1% in the Total Unused Restricted Funds Authority, pursuant to Neb. Rev. State. §§ 13-518 through 13-522.

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

Voting Yea: Rich Tesar, Jim Thompson, , John Conley, Larry Bradley

Voting Nay: Dorothy Lanphier

Abstaining: None

Absent: None

Adjournment: Being no further business, the meeting adjourned by acclamation at 8:45 p.m.

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