

**Finance, Expenditure and Legal
Subcommittee Meeting Minutes
November 9, 2010**

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, Nebraska, on November 9, 2010. The meeting was called to order by the Chairperson Rich Tesar at 7:20 p.m.

Quorum Call:

Subcommittee Members Present	Subcommittee Members Absent	Other Directors Present	Others in Attendance
Larry Bradley	Thompson *	Gus Erickson	John Winkler
John Conley		Fred Conley	Carey Fry
Dorothy Lanphier		David Klug	Jim Becic
Rick Kolowski **		Tim Fowler	Marlin Petermann
Rich Tesar		Scott Japp	Paul Peters
			Martin Cleveland
			Jean Tait
			Trent Heiser
			Don Moses
			Barb Sudrla
			Jason Tonjes
			Justin Frauendorfer
			Bill Smith
			Shawn Melotz

* Excused Absence

** Alternate Voting Member

Adoption Of Agenda

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

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

Voting Yea: Bradley, Conley, Lanphier, Kolowski, Tesar

Voting Nay: None

Abstaining: None

Excused Absence: Thompson

Absent: Thompson

Proof Of Publication: Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on 4 November, 2010. The proof of publication affidavit is included with the file copy of these minutes.

Transfer \$200,000 for the Silver Creek Dam Project to Conservation Assistance Program:

Director Japp presented his memo and request to transfer \$200,000 from the Silver Creek Dam Project to the Conservation Assistance Program. There was discussion.

- **It was moved by Director Lanphier and seconded by Director Bradley that the Subcommittee recommend to the Board to transfer up to \$200,000 in funds budgeted for the Silver Creek Watershed Site #1 Structure to the Conservation Assistance Program in order to approve additional conservation cost sharing applications, of which \$155,828 which are pending.**

Roll call was taken on the motion. The motion failed on a vote of 3 to 2.

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

Draft FY 2010 Audit: The Draft FY 2010 Audit report was summarized by Jason Tonjes and Justin Frauendorfer, Bland and Associates, with a final report to be submitted at the December meeting. Discussion by the general public and Subcommittee ensued. **No action was taken.**

Western Sarpy Levee Construction – RSP Management, LLC, Request for Hunting Impact Compensation: A presentation was made by Martin Cleveland summarizing the request for compensation from RSP Management and Bill Smith, RSP Management, read a letter stating his concerns regarding the claim.

- **It was moved by Director Conley and seconded by Director Kolowski to go into executive session for the purpose of discussing the RSP Management claim.**

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

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

The Subcommittee went into Executive Session at 8:39 p.m.

- **It was moved by Director Kolowski and seconded by Director Bradley to return to Regular Session.**

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

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

The Subcommittee returned to Regular Session at 9:50 p.m.

Paul Peters, District Legal Counsel, presented a brief summary of the Districts legal responsibilities.

- **It was moved by Director Kolowski and seconded by Director Lanphier to accept Management's recommendation that the Subcommittee recommend to the Board that the Board reject the claim of RSP Management LLC.**

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

Voting Yea: Bradley, Conley, Lanphier, Kolowski, Tesar

Voting Nay: None

Abstaining: None

Excused Absence: Thompson

Absent: Thompson

Monthly Financial Report: Director Lanphier requested that more detail be provided for the recent billing from HGM, Associates, for the work that they performed on the Missouri River Trail Phase 2. It was noted that the billing was normal and consistent with engineering firms and the amount had been deliberated and approved at the previous Board meeting. If Director Lanphier requested that this bill be discussed at the Board meeting this would be her prerogative to do so. **No action was taken.**

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 10:05 p.m.

/pt/com/fel/2010/November/nov10_fel_minutes