

**Finance, Expenditure and Legal
Subcommittee Meeting Minutes
April 12, 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 April 12, 2011. The meeting was called to order by Chairperson Tesar at 8:45 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	Paul Peters
John Conley			Trent Heiser
Larry Bradley			Barb Sudrla
			Carey Fry
			Terry Schumacher
			Jean Tait
			Brian Henkel
			Marty Nissen
			Jerry Herbster
			Gerry Bowen

Adoption Of Agenda

- **It was moved by Director Bradley and seconded by Conley that 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, Thompson, 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 7, 2011. The proof of publication affidavit is included with the file copy of these minutes.

Request for Proposals for Auditing Services: Carey Fry, District Accountant, reported that the District’s Request for Proposals for Professional Auditing Services was advertised in the Omaha World Herald on February 28, 2011 and March 7, 2011. The District received proposals from Hayes and Associates, Bland and Associates; Orison Group and McGladrey & Pullen. There was discussion.

- **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 a contract for auditing services with Bland and Associates for FY2011 and FY2012, subject to approval as to form by the District's legal counsel.**

There was discussion regarding the Directors rankings of the proposals and Director Lanphier proposed an amendment to the original motion.

- **Amendment to Motion** **It was moved by Director Lanphier and seconded by Director Bradley that the Subcommittee recommend to the Board that the General Manager be authorized to execute a contract for auditing services with McGladrey & Pullen for FY2011 and FY2012, subject to approval as to form by the District's legal counsel.**

There was additional discussion regarding the Directors rankings of the proposals and discussion of the length of contract.

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

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

There was additional discussion and Director Conley called the question on the original motion.

Roll call was taken on calling the question. Calling the question failed on a vote of 2 to 3.

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

There was additional discussion.

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

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

Account Over 110% - Acct# 01-01-402-4630 (NRC Building Maintenance): Marty Nissen, NRC Building Manager, reported that the NRC building maintenance account had gone over 110% of budget. The FY 2011 budget amount is \$246,000 and the actual amount spent to date is \$269,993.69. He noted that the major expenses for this item was carry over from the steel roof replacement, which accounts for \$157,818.50. The other major expense was an unplanned replacement for part of the building cooling system.

- **It was moved by Director Thompson and seconded by Director Bradley that the Subcommittee recommend to the Board of Directors that Acct.# 01 01-402-4630 – NRC Building Maintenance be allowed to exceed 110% of the budgeted amount.**

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

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

Deposit of Funds for Papio Creek Structure W-3 Temporary Easement Extension:

- **It was moved by Director Bradley and seconded by Director Thompson that the Subcommittee go into executive session to discuss deposit of funds for Papio Creek Structure W-3 temporary easement extension.**

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

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

The Subcommittee went into executive session at 9:15 p.m.

- **It was moved by Director Lanphier and seconded by Director Thompson 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: Bradley, Conley, Lanphier, Thompson, Tesar
 Voting Nay: None
 Abstaining: None
 Absent: None

The Subcommittee returned to Regular Session at 9:19 p.m.

- **It was moved by Director Thompson and seconded by Director Bradley that the Subcommittee recommend to the Board of Directors, that in the event the Washington County Court Board of Appraisers (in the eminent domain temporary easement extension taking for the W-3 Rehabilitation Project, authorized at the March 10, 2011 meeting of the Board of Directors), has not filed in such court its report of awards by the time of the April Board of Directors' meeting on April 14, 2011, the General Manager is authorized to deposit, with the Washington County Court, the total amount of the Papio Creek Watershed Structure #W-3 Board of Appraisers awards for John and Mary Camden property, temporary easement extension up to \$20,000 and that account**

510 4430-W-3 Rehabilitation Land Rights be allowed to exceed 110% of budget amount.

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

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

Pigeon/Jones Site 15 Right of Way Acquisition

- **It was moved by Director Thompson and seconded by Director Lanphier that the Subcommittee go into Executive Session to discuss Pigeon/Jones Site 15 right of way acquisition.**

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

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

The Subcommittee went into executive session at 9:23 p.m.

- **It was moved by Director Lanphier 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: Bradley, Conley, Lanphier, Thompson, Tesar
Voting Nay: None
Abstaining: None
Absent: None

The Subcommittee returned to Regular Session at 9:42 p.m.

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

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

- **It was moved by Director Thompson and seconded by Director Bradley that the Subcommittee recommend to the Board of Directors, that Management be and is hereby authorized and directed to increase the amounts of the offers made by the District to the owners of rights-of-way needed by the District for the Pigeon-Jones Creek Site 15 Project all in accordance with the proposed schedule of revised offers presented to the Finance, Expenditure and Legal Subcommittee in**

closed session on April 12, 2011 and maintained in the District's confidential files.

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

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

Voting Nay: None

Abstaining: None

Absent: None

Adjournment: Being no further business, the meeting adjourned by acclamation at 9:44 p.m.

/pt/com/fel/2011/april/apr11_fel_minutes