

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

A meeting of the Pappio-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 February 7, 2012. The meeting was called to order by Chairperson Tesar at 8:37 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		Rick Kolowski	John Winkler
Jim Thompson		Fred Conley	Marlin J. Petermann
Dorothy Lanphier		Tim Fowler	Carey Fry
John Conley		Gus Erickson	Barb Sudrla
Larry Bradley		Scott Japp	Jean Tait
		Dave Klug	Trent Heiser
			Martin Cleveland
			Emmett Egr
			Terry Schumacher
			Amanda Grint
			Lori Laster
			Paul Peters

* Absence

** Alternate Voting Member

Adoption of Agenda

- **It was moved by Director J. Conley and seconded by Director Thompson that agenda be adopted.**

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

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

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

Review and Recommendation on Accounts over 110% - Accounting Fees (01-01-000-4391) and Service Awards and Leave Paid Out (01-01-000-4154):

District Accountant Carey Fry presented the final billing from Orizon CPAs, LLC for work performed outside the scope of the FY2011 audit, which brought total billings over 110% of the budgeted amount. Director Lanphier requested that management look at alternatives to prevent this from occurring during the next audit. There was discussion.

Recent unexpected staff retirements resulted in leave payouts over 110% of budget. Staff explained the difficulty of accurately predicting retirements during the budget process.

- **It was moved by Director John Conley and seconded by Director Bradley that the Subcommittee recommend to the Board of Directors that accounts 01-01-000-4391 (Accounting Fees) and 01-01-000-4154 (Service Awards and Leave Paid Out) be allowed to exceed 110% of budgeted amounts.**

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

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

Review and Recommendation on Western Sarpy Levee – USA (Department of the Army) Emergency Access Temporary License Agreement:

Martin Cleveland presented a request from the Department of Army to allow alternative emergency access to their Camp Ashland Training Facility in Sarpy County through the District’s Western Sarpy Levee right-of-way from Fairview Road.

Directors Thompson and Lanphier asked questions regarding the properties involved and which party would be responsible for any property damage incurred by such access.

It was moved by Director Lanphier and seconded by Director John Conley that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Emergency Access Temporary License Agreement with the USA (Department of Army) for the Western Sarpy Levee Fairview Road Access with the inclusion of a caveat that the National Guard will restore and repair any property damaged by its use.

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

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

Review and Recommendation on Pigeon/Jones Site 15 Project Right of Way Purchase Agreements [Confidential Memo - Executive Session]:

It was moved by Director John Conley and seconded by Director Thompson that the Subcommittee enter into Executive Session to discuss Pigeon/Jones Site 15 Project Right of Way Purchase Agreements.

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

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

The Subcommittee went into Executive Session at 8:50 pm.

It was moved by Director Thompson and seconded by Director John Conley that the Subcommittee return to Regular Session.

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

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

The Subcommittee returned to regular session at 9:02 pm.

It was moved by Director Bradley and seconded by Director Conley that the Subcommittee recommends to the Board of Directors that Management be authorized and directed to increase the amounts of the offers made by the District to owners of rights-of-way needed by the District for the Pigeon-Jones Creek Site 15 Project, in accordance with the proposed Schedule of Revised Offers dated February 7, 2012, presented by Management to the Finance, Expenditures, and Legal Subcommittee.

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

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

It was moved by Director Lanphier and seconded by Director John Conley that the Subcommittee restore the previously passed motion as originally written: “that the Subcommittee recommends to the Board of Directors that Management be authorized and directed to increase the amounts of the offers made by the District to owners of rights-of-way needed by the District for the Pigeon-Jones Creek Site 15 Project, in accordance with the proposed Schedule of Revised Offers dated February 7, 2012, presented by Management to the Finance, Expenditures, and Legal Subcommittee in closed session on February 7, 2012, 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, Lanphier, Tesar, Thompson, Bradley
Voting Nay:	None
Abstaining:	None
Absent:	None
Excused Absence:	None

Adjournment: Being no further business, the meeting adjourned by acclamation at 9:07 p.m.