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 October 11, 2011. The meeting was called to order by Chairperson Tesar at 9:05 p.m.

**Quorum Call:** Quorum call was taken. The following subcommittee members were in attendance.

<table>
<thead>
<tr>
<th>Subcommittee Members Present</th>
<th>Subcommittee Members Absent</th>
<th>Other Directors Present</th>
<th>Others in Attendance</th>
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<tr>
<td>Rich Tesar</td>
<td>Larry Bradley</td>
<td>Gus Erickson</td>
<td>John Winkler</td>
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<td>Jim Thompson</td>
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<td>Scott Japp</td>
<td>Marlin J. Petermann</td>
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<td>Dorothy Lanphier</td>
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<td>David Klug</td>
<td>Carey Fry</td>
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<td>John Conley</td>
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<td>Martin Cleveland</td>
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<td>Kolowski**</td>
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<td>Amanda Grint</td>
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<td>Lori Laster</td>
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<td>Jerry Herbster</td>
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<td>Heather Guthridge</td>
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* Absence
** Alternate Voting Member

**Adoptioin Of Agenda**

It was moved by Director Thompson and seconded by Director Kolowski that 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, Lanphier, John Conley, Kolowski
Voting Nay: None
Abstaining: None
Absent: Larry Bradley

**Proof Of Publication:** Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on October 6, 2011. The proof of publication affidavit is included with the file copy of these minutes.
Review and Recommendation on Papillion Creek Watershed Structure W-3 Rehabilitation Project Permanent Ingress/Egress [Executive Session]:

It was moved by Director Kolowski and seconded by Director Thompson to go into executive session for the purpose of discussing and negotiating land rights. The subcommittee went into executive session at 9:06 pm.

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

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

It was moved by Director Conley and seconded by Director Kolowski to come out of executive session at 9:29 pm.

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

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

It was moved by Director Conley and seconded by Director Kolowski to recommend to the Board that the District Legal Counsel be directed to initiate proceedings to quiet title to the permanent access easement to Papio Creek Watershed Structure W-3 obtained by the NRD’s adverse prescriptive use for approximately 30 years.

Roll call was taken on the motion. The motion carried on a vote of 4 Yea, 0 Nay, with one Abstention.

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

Review and Recommendation on Waterloo River Access Area 01-06-285-4479 Account Over 110%:

Brief Discussion by Jerry Herbster summarizing his memo on the agenda item and the reason for the overage.
It was moved by Director Conley and seconded by Director Kolowski that the Subcommittee recommend to the Board that the contract limitation be allowed to exceed 110%.

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

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

Adjournment: Being no further business, the meeting adjourned by acclamation at 9:32 p.m.

JB:pb/com/fel/2011/October