

**Finance, Expenditure and Legal  
Subcommittee Meeting Minutes  
October 11, 2011**

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 154<sup>th</sup> 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.

<b>Subcommittee Members Present</b>	<b>Subcommittee Members Absent</b>	<b>Other Directors Present</b>	<b>Others in Attendance</b>
Rich Tesar	Larry Bradley	Gus Erickson	John Winkler
Jim Thompson		Scott Japp	Marlin J. Petermann
Dorothy Lanphier		David Klug	Carey Fry
John Conley			Martin Cleveland
Kolowski**			Amanda Grint
			Lori Laster
			Jim Becic
			Jean Tait
			Trent Heiser
			Jerry Herbster
			Heather Guthridge

\* Absence

\*\* Alternate Voting Member

**Adoption 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