

**Finance, Expenditure & Legal
Subcommittee Meeting
May 11, 2010
7:00 p.m.
(Or immediately following the PPO Subcommittee Meeting)
Agenda**

Finance, Expenditure & Legal Subcommittee Members:

Rich Tesar, Chairperson
Rick Kolowski, Vice-Chairperson
Larry Bradley
John Conley
Dorothy Lanphier

Alternate Members: Fred Conley
Jim Thompson

Staff Liaison: Jim Becic
Jerry Herbster
Carey Fry
Brian Henkel
Lori Laster *

1. Meeting Called to Order – Chairperson Tesar
2. Notification of Open Meetings Act Posting and Announcement of Meeting Procedure – Chairperson Tesar
3. Quorum Call
4. Adoption of Agenda
5. Proof of Publication of Meeting Notice
6. Review and Recommendation on Accounts Over 110% -
 - a. 01 01-00 4397 – Employee Training – John Winkler
 - b. 01 03-10 4410 – Western Sarpy/Clear Creek – Construction – Martin Cleveland
7. Review and Recommendation on West Papio Regional Detention Basin 5 – Proposed Right of Way Acquisition – *Confidential [Executive Session, if needed]* – Amanda Grint
8. Report on W-3 Injunction Hearing - *Confidential [Executive Session, if needed]* – Paul Peters
9. Adjourn

Agenda item 6.a.

MEMORANDUM

TO: Finance, Expenditures and Legal Subcommittee

SUBJECT: Accounts Over 110%:

- Acct# - 0101004397 – Employee Training

DATE: May 3, 2010

FROM: John Winkler, General Manager

District Policy 1.5 FEL Subcommittee – Budgetary Oversight states, “If, at any time during the fiscal year, the District expenditures from any budgetary account, for which more than \$10,000 was budgeted for that fiscal year, exceed the amount budgeted by more than 10%, the chairperson of the FEL Subcommittee may call a meeting of such Subcommittee to consider recommendations to the Board with respect to such accounts.”

Pursuant to this policy the following accounts are submitted for review:

<p>Acct. # 01 01-00 4397 Employee Training</p> <p>Budget \$12,500 – Actual \$16,945.41 (136%)</p>	<p>The major expense was \$5,500 for New Horizons for IT training. At the time of the \$5500 expense we were given an opportunity to receive 20 days of security/technology training along with website management and website development training. I was working on getting my security certifications completed & starting our newest employee on gaining the understanding of security management. We purchased the training at a heavily reduced rate knowing that we needed to complete this training.</p>
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It is recommended that the Subcommittee recommend to the Board that the following accounts be allowed to exceed 110% of the budgeted amount:

- **Acct# - 0101004397 – Employee Training**

MEMORANDUM

TO: Finance, Expenditures and Legal Subcommittee

SUBJECT: Account Over 110%
Account #01-03-10 (4410), Western Sarpy – Construction Cost

DATE: May 4, 2010

FROM: Martin P. Cleveland

The Corps of Engineers recently briefed the Western Sarpy Clear Creek Flood Reduction Project sponsors (Papio-Missouri River NRD, Lower Platte North NRD and Lower Platte South NRD) on the current status of the project. Enclosed is a May 4, 2010 Allocation of Funds table that shows the expenses to date and projected remaining expenses to complete this project. At present approximately two-thirds of the project is complete or under construction.

The estimated total project cost is now estimated at \$38,800,000 with the federal share at \$25,220,000 (65% of total) and non-federal share at \$13,580,000 (35% of total). The non-federal share (from State of Nebraska, P-MRNRD, LPNNRD, LPSNRD) consists of credit for easements (LERRD) and cash contribution for construction. The total cash contribution is \$7,334,000, of which \$4,556,077 has been paid to date, so \$2,777,923 remains to be paid.

Interlocal agreements allocate the non-federal share as follows:

Nebraska Department of Natural Resources	60%
Papio-Missouri River NRD *	20%
Lower Platte North NRD	14%
Lower Platte South NRD	<u>6%</u>
	100%

*P-MRNRD is reimbursed 25% by Sarpy County

The P-MRNRD serves as the “lead” sponsor and issues checks to the Corps and then invoices the other sponsors for their share. An increase in state funding is being sought.

As a result of the Corps of Engineers obtaining additional \$4,000,000 funding from American Recovery and Reinvestment Act (ARRA), it now will be awarding additional Western Sarpy Levee Construction Contracts, in particular Conservation Measure Construction at former District owned Jansen sand pit area near Fairview Road and Vencil’s Island area. These projects have a total cost of \$4,000,000 and will be awarded in the May 2010 and the sponsor agreement with the Corps requires 35% level local cost-share to be paid prior award of the referenced contract. This translates into a need to issue a check for \$550,000 to Corps of Engineers as soon as possible in May 2010. This will bring the total expenses in the WSCC construction account (01-03-10 4410) to \$3,628,093 which is 118% of the 3,078,000 budgeted.

- **It is recommended by Management that the Subcommittee recommend to the Board that the following account be allowed to exceed 110% of the budgeted amount:**
 - **Account #01-03-10 4410 – Western Sarpy – Construction Cost.**

Agenda Item 7

Memo(s) for the following agenda items are posted under “Confidential”

7. Review and Recommendation on West Papio Regional Detention Basin 5 – Proposed Right of Way Acquisition – ***Confidential*** [***Executive Session, if needed***] – Amanda Grint

Agenda Item 8

8. Report on W-3 Injunction Hearing - *Confidential [Executive Session, if needed]* – Paul Peters

District Legal Counsel will give a verbal report on the W-3 Injunction Hearing at the Subcommittee meeting.