Finance, Expenditure & Legal Subcommittee Meeting  
April 7, 2009  
6:35 p.m.  
(or immediately following the Ad Hoc 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. Approval of Account Over 110% - Acct. No. 01 03-10 4410 – Western Sarpy – Construction – Martin Cleveland  
   b. Acct No. 01 04-00 4382 – Elk/Pigeon Creek – Dick Sklenar  
7. Review and Recommendation on Western Sarpy Clear Creek Levee Project – Right of Way Acquisition on Melvin Bundy Property (252nd and Platteview Road) - Martin Cleveland  
   *CONFIDENTIAL – Executive Session*  
8. Discussion regarding Agreement with Washington County Prohibiting the District from Building Dams in Washington County – Director Japp  
9. Adjourn
MEMORANDUM

TO: Finance, Expenditures and Legal Subcommittee
FROM: Martin P. Cleveland
SUBJECT: Accounts Over 110%
Account #01 03-10 4410
Western Sarpy Clear Creek Construction Cost
DATE: March 31, 2009

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 account is submitted for review:

1. Account #01 03-10 4410
   Western Sarpy Clear Creek Construction Cost
2. Budget:$300,000
3. Actual Expenses to Date: $0
4. Anticipated Account Status with April expense: $568,000 (189%)

As a result of earlier than anticipated Flood Control Project Construction, the Corps of Engineers has requested that the District provide $568,000 for local sponsor share of construction cost (35%). See attached letter and allocation of funds table. The Corps will not award a construction contract until it has the District share contribution.

There are adequate funds ($689,310.09) in Western Sarpy Clear Creek Land Rights (Account # 0103-10 4430) to cover before mentioned overage.

It is recommended that the Subcommittee recommend to the Board that the following account be allowed to exceed 110% of the budgeted amount:

- Acct # - 01 03-10 4410 – Western Sarpy Clear Creek Construction Cost
MEMORANDUM

TO: Finance, Expenditures and Legal Subcommittee

SUBJECT: Accounts Over 110%:

- Acct # -01 04-00 4382 – Elk / Pigeon Creek

DATE: March 31, 2009

FROM: Dick Sklenar, Project 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:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Description</th>
<th>Budget</th>
<th>Actual</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acct. # 01 04-00 4382</td>
<td>Elk / Pigeon Creek</td>
<td>$85,000</td>
<td>$112,457.51</td>
<td>132%</td>
</tr>
</tbody>
</table>

Last November a contract was awarded to L. A. Carlson Contracting for repairing a portion of the Elk Creek levee in Dakota County. Their lowest bid ($198,743.75) was higher than what was anticipated when the budget was developed for this work.

It is recommended that the Subcommittee recommend to the Board that the following accounts be allowed to exceed 110% of the budgeted amount:

- Acct # - 010400 4382 – Elk / Pigeon Creek
Agenda Item 7

Memo for the following agenda item is posted under “Confidential”

7. Review and Recommendation on Western Sarpy Clear Creek Levee Project – Right of Way Acquisition on Melvin Bundy Property (252\textsuperscript{nd} and Platteview Road)
Discussion regarding Agreement with Washington County
Prohibiting the District from Building Dams in Washington County –
This item placed on the agenda at the request of Director Japp.