

**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 (252<sup>nd</sup> 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

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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**

Agenda Item 6.b.

## 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:

<b>Acct. # 01 04-00 4382</b> <b>Elk / Pigeon Creek</b> Budget \$85,000 – Actual \$112,457.51 (132%)	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.
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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 # - 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<sup>nd</sup> and Platteview Road)

Agenda Item 8

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.