

**Finance, Expenditure and Legal Subcommittee**  
Meeting Minutes  
August 8, 2006

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, Nebraska, on August 8, 2006. The meeting was called to order by Chairperson Jim Thompson at 8:32 p.m.

Subcommittee Members Present	Subcommittee Members Absent	Other Directors	Others Present
John Schwope ** Rick Kolowski ** John Conley Dorothy Lanphier Jim Thompson	Dick Connealy * Tim Fowler *	Richard Patterson	P-MRNRD Staff: Marlin Petermann Trent Heiser Jack Lawless Gerry Bowen Jim Becic Emmett Egr Pat Teer Paul Peters, Legal Counsel Attendance sheet Attached to file copy Of these minutes

\* Excused Absence  
\*\* Alternate Voting Member

**ADOPTION OF AGENDA:** The Chairperson called for discussion on the tentative agenda.

❖ **IT WAS MOVED** by Director John Conley, and seconded by Director Kolowski, that the agenda be adopted.

**ROLL CALL WAS TAKEN ON THE MOTION.** The motion carried by a vote of 5-0.

Voting Yea: Schwope, Kolowski, J Conley, Lanphier, Thompson  
Voting Nay: None  
Abstain: None  
Excused Absence: Connealy, Fowler  
Absent: Connealy, Fowler

**PROOF OF PUBLICATION:** Public notice of the meeting was posted at all District offices and in the Omaha World Herald on August 3, 2006.

**ADOPTION OF FY 2007 BUDGET:** Marlin Petermann gave the Subcommittee members an update on the changes in the budget since the last meeting. They primarily involved end of year adjustments to match actual fund balances. He noted that the total budget was not \$37.3 million

with a total property tax requirement of \$16.6 million and that based upon a projected 5% increase in valuation (except for Sarpy County's preliminary projection of a 10.89% increase) the tax levy would decrease slightly from last year to 3.887 cents per \$100.

- ❖ **IT WAS MOVED** by Director John Conley and seconded by Director Kolowski that the Subcommittee recommend to the Board that the following resolution be adopted:

BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District that the attached budget document incorporated herein by reference, showing Total Requirements of \$37,380,156.58 (\$37,330,156.58 – general and \$50,000 – sinking fund) and Property Tax Requirement of \$16,608,383.19 be and is hereby adopted as the Fiscal Year 2007 budget of the Papio-Missouri River Natural Resources District.

BE IT FURTHER RESOLVED that the Board of Directors of the Papio-Missouri River Natural Resources District hold a Public Hearing to set the Final Property Tax Request and Tax Levy for Fiscal Year 2007 at the September 14, 2006 Board of Directors meeting, after final valuations have been received from Douglas, Sarpy, Dodge, Washington, Burt, Thurston and Dakota Counties.

**ROLL CALL WAS TAKEN ON THE MOTION.** The motion carried by a vote of 5-0.

Voting Yea: Schwope, Kolowski, J Conley, Lanphier, Thompson

Voting Nay: None

Abstain: None

Excused Absence: Connealy, Fowler

Absent: Connealy, Fowler

**AMENDMENT TO DISTRICT POLICY 2.1 DIRECTORS – VACANCIES:** Paul Peters, District Legal Counsel, noted that he had been requested to provide possible alternative revisions to the NRD's policy governing appointments of persons to fill vacancies on the Board. He reviewed the suggested amendments and also introduced option 4 handout which would give the Board flexibility to determine the process used to fill a vacancy.

- ❖ **IT WAS MOVED** by Director Schwope and seconded by Director Kolowski that the Subcommittee recommend to the Board that the following amendment to District Policy 2.1 – Vacancies lay on the table for one month pursuant to District Policy 1.5 with final consideration at the September 14, 2006 Board Meeting:

**2.1 Directors - Vacancies.** Sec. 2-3215 R.R.S., 1943, governs when a vacancy exists in the office of director. Unless the Board elects to use a different procedure, Any any such vacancy shall be filled in the following manner: (1) Notice of such vacancy shall be given by the Chairperson to the Board at the first regular meeting of the Board after notification has been received by the Chairperson of the vacancy; (2) the

General Manager then shall publish notice of such vacancy and in such notice request that persons interested in being considered for appointment to the position submit a letter of application to the Board no later than two weeks prior to the next regular meeting of the Board; and, (3) at such next regular meeting of the Board ~~and candidates~~ such applicants may appear before the Board, and, at such meeting, ~~from such slate of applicants~~, the Board shall ~~nominate two persons by secret ballot, and by majority resolution either~~ elect one of such nominees ~~applicants~~ to fill such vacancy or order the General Manager to re-publish such notice of such vacancy.

**ROLL CALL WAS TAKEN ON THE MOTION.** The motion carried by a vote of 5 to 0.

Voting Yea: Schwope, Kolowski, J Conley, Lanphier, Thompson

Voting Nay: None

Abstain: None

Excused Absence: Connealy, Fowler

Absent: Connealy, Fowler

Staff was directed to contact other governmental agencies regarding their policy for filling vacancies.

**REVIEW OF DISTRICT VEHICLE USE POLICY:** Mr. Petermann noted that this item had been tabled for 60 days at the June Board meeting. However, this item was on the agenda at the request of Director Tesar, who is unable to attend tonight's meeting. Director Tesar asked that this item be tabled until the September meeting.

- ❖ **IT WAS MOVED** by Director John Conley and seconded by Director Kolowski that the Subcommittee table action on the District's vehicle use policy until two months after a General Manager had been hired.

After some discussion Director Conley withdrew his motion and Kolowski withdrew his second from the floor.

- ❖ **IT WAS MOVED** by Director Schwope and seconded by Director Lanphier that the Subcommittee table the consideration of the District's vehicle use policy until the September meeting.

**ROLL CALL WAS TAKEN ON THE MOTION.** The motion carried by a vote of 5 to 0.

Voting Yea: Schwope, Kolowski, J Conley, Lanphier, Thompson

Voting Nay: None

Abstain: None

Excused Absence: Connealy, Fowler

Absent: Connealy, Fowler

**ADJOURNMENT:** Being no further business, the meeting adjourned at 8:58 P.M.

