

**Finance, Expenditures and Legal Subcommittee  
Meeting Minutes  
January 9, 2007**

A meeting of the Papio-Missouri River Natural Resources District's Finance, Expenditures and Legal Subcommittee was held at the Natural Resources Center, 8901 S. 154th Street, Omaha, NE on January 9, 2007. The meeting was called to order by Chairperson Dick Connealy at 7:00 p.m.

**QUORUM CALL:** Quorum call was taken. The following were in attendance.

<u>Subcommittee Members Present</u>	<u>Subcommittee Members Absent</u>	<u>Other Directors Present</u>	<u>Others Present</u>
Dick Connealy	Dorothy Lanphier *	Rick Kolowski	P-MRNRD Staff:
Tim Fowler		John Schwope	John Winkler
John Conley		Jim Thompson	Marlin Petermann
Richard Patterson			Jim Becic
Rich Tesar **			Trent Heiser
			Martin Cleveland
			Ralph Puls
			Pat Teer
			Dick Sklenar
			Jack Lawless
			Randy Lee
			Paul Peters, Legal Counsel
			Bland and Associates:
			Jerry Bland
			Hilary Allen
			Carol White, Lyman-Richey

\* Excused Absence

\*\* Alternate Voting Member

**ADOPTION OF AGENDA:**

**❖ It was moved by Director John Conley and seconded by Director Fowler that agenda be adopted.**

Roll call vote was held on the motion. The motion carried by a vote of 5-0.

Voting Yea - Conley, Fowler, Tesar, Patterson, Connealy

Voting Nay - None

Abstaining - None

Excused Absence: Lanphier

Absent - Lanphier

**PROOF OF PUBLICATION:** Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on January 4, 2007. The proof of publication affidavit is included with the file copy of these minutes.

**P-MRNRD FY 2006 AUDIT:** Jack Lawless, District Accountant, introduced Jerry Bland and Hilary Allen, Bland and Associates, who presented the audit to the Subcommittee. Director Patterson asked if expense accounts were reviewed. Jerry Bland indicated that the expense accounts were reviewed in a random sampling. Director Patterson asked if payroll and retirement accounts were reviewed. Jerry Bland stated that individual payroll and retirement accounts were reviewed wholly.

- ❖ **It was moved by Director Fowler and seconded by Director Patterson that the FEL subcommittee recommend to the Board that the FY2006 Audit Report and management letter, prepared by Bland and Associates, be accepted and that the General Manager be directed to file an authenticated copy of the audit report with the Nebraska Auditor of Public Accounts and the Nebraska Natural Resources Commission.**

Roll call vote was held on the motion. The motion carried on a vote of 5-0.

Voting Yea - Conley, Fowler, Tesar, Patterson, Connealy  
Voting Nay - None  
Abstaining - None  
Excused Absence: Lanphier  
Absent - Lanphier

**WESTERN SARPY DRAINAGE DITCH:**

A. Lyman-Richey Request for a Quit Claim Deed (Fairview Road to Capehart Road): Martin Cleveland gave a brief background of how the deed covers part of the easement area and as such is not needed. Director Connealy asked if the land would be placed back on the tax rolls. Martin indicated that it would be.

- ❖ **It was moved by Director John Conley and seconded by Director Tesar that the FEL subcommittee recommend to the Board that the General Manager be authorized to negotiate and execute a Quit Claim Deed for SEC Accommodator LXV, LLC for a 16.5 ft. wide strip of property in SE1/4 of Section 9, T13N, R10E, Sarpy County, Nebraska, subject to approval as to form by District legal counsel.**

Roll call vote was held on the motion. The motion carried on a vote of 5-0.

Voting Yea - Conley, Fowler, Tesar, Patterson, Connealy  
Voting Nay - None  
Abstaining - None  
Excused Absence: Lanphier  
Absent - Lanphier

B. Lyman-Richey Request for Amendment to Easement: Martin Cleveland gave an overview of the suggested amendment to the Easement. Carol White, Lyman Richey Corp., explained the need for the amendment. Director Connealy asked if mining the area would enhance drainage. Martin stated that the lake would provide an outlet for drainage. Director Conley asked about development after mining completed. Ms White indicated that the land would be returned to agricultural land.

- ❖ **It was moved by Director Patterson and seconded by Director Fowler that the FEL subcommittee recommends to the Board that the General Manager be authorized to negotiate and execute an Amendment to Drainage Ditch easement, subject to approval as to form by District legal counsel.**

Roll call vote was held on the motion. The motion carried on a vote of 5-0.

Voting Yea - Conley, Fowler, Tesar, Patterson, Connealy  
Voting Nay - None  
Abstaining - None  
Excused Absence: Lanphier  
Absent - Lanphier

**MISSOURI RIVER TRAIL – PHASE 2 – INTERLOCAL COOPERATION ACT AGREEMENT WITH DOUGLAS COUNTY:** Jim Becic reported that the Nebraska Department of Roads approved a funding request for \$500,000 to assist in the construction costs of the Missouri River Trail – Phase 2. The proposed Interlocal Cooperation Act Agreement with Douglas County, which is a requirement of NDOR, would allow the District to locate portions of the trail on road rights of way. There was a brief discussion.

- ❖ **It was moved by Director John Conley and seconded by Director Fowler that the FEL subcommittee recommend to the Board that the General Manager be authorized to execute the proposed Interlocal Cooperation Act Agreement between the County of Douglas, Nebraska and the Papio-Missouri River Natural Resources District for the Missouri River Trail Project - Phase 2, subject to amendments deemed necessary by the General Manager and approved as to form by District Legal Counsel.**

Roll call vote was held on the motion. The motion carried on a vote of 4-0.

Voting Yea - Conley, Fowler, Patterson, Connealy  
Voting Nay - None  
Abstaining - None  
Excused Absence: Lanphier  
Absent - Lanphier, Tesar

**ADJOURNMENT:** Being no further business, the meeting adjourned by acclamation at 7:34 p.m.