

**Finance, Expenditure & Legal
Subcommittee Meeting Minutes
July 6, 2004**

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 July 6, 2004. The meeting was called to order by Chairperson Melissa Gardner at 8:30 p.m.

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

Subcommittee Members Present	Subcommittee Members Absent	Other Directors Present	Others in Attendance
Melissa Gardner	Dick Connealy *	Rich Tesar	Steve Oltmans
Joe Neary **		Fred Conley	Marlin Petermann
John Conley		Tim Fowler	Paul Woodward
Barb Nichols		Rich Jansen	Dick Sklenar
Jim Thompson			Martin Cleveland
			Trent Heiser
			Emmett Egr
			Ralph Puls
			Pat Teer
			Doris Theil, Midwest ROW
			Jack Borgmeyer, Midwest ROW
			Barbie Hayes, Hayes Environmental
			Gene Prososki, Graves Development
			Dave Koukol

* Excused Absence

** Alternate Voting Member

ADOPTION OF AGENDA

*** It was moved by Director John Conley, and seconded by Director Jim Thompson, that agenda be adopted.**

Roll call was taken on the motion. The motion carried on a vote of 5 to 0.

Voting Yea: John Conley, Nichols, Neary, Thompson, Gardner

Voting Nay: None

Abstaining: None

Absent: Connealy

Excused Absence: Connealy

PROOF OF PUBLICATION: Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on July 2, 2004.

REQUEST FOR PAPIO CREEK WATERSHED PL566 STRUCTURE D-17, WATERFORD DEVELOPMENT, L.L.C. EASEMENT AGREEMENT: Martin Cleveland, Gene Proski, Graves Development; and Barbie Hayes, Hayes Environmental, reviewed the Waterford Development proposal to utilize 2 acres of NRD's #D-17 land for a wetland mitigation site. It was noted that Waterford Development would construct, operate and maintain wetland area.

- * **It was moved by Director John Conley, and seconded by Director Thompson, that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute an easement agreement with Waterford Development, L.L.C., for a wetland mitigation site on Papio Creek Watershed PL566 Site D-17 land, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel and Nebraska Department of Natural Resources approval.**

Roll call was taken on the motion. The motion carried on a vote of 5 to 0.

Voting Yea: John Conley, Joe Neary, Barb Nichols, Jim Thompson, Melissa Gardner
Voting Nay: None
Abstaining: None
Absent: Connealy
Excused Absence: Connealy

FY2005 PROPOSED BUDGET – DRAFT 2: Steve Oltmans and Pat Teer discussed the changes to the FY 2005 budget. It was pointed out to the Subcommittee that we still do not have final expenditure and revenue figures, cash on hand, Treasurers' balances, valuations, etc. GM Oltmans explained the proposed 1 cent tax increase to establish a sinking fund for flood control dam sites. He noted that the 1 cent would raise approximately \$3.5 million and would be earmarked for the sole purpose of building more reservoirs. Director Neary expressed his concern regarding the 1 cent proposal and suggested that the Board consider a ½ cent increase. He also noted that he would like to see specific guidelines written for the use of these funds. There was discussion.

- ❖ **It was moved by Director John Conley, and seconded by Director Nichols, that the Subcommittee recommend to the Board that Draft-2 of the P-MRNRD FY 2005 budget be approved as the proposed FY 2005 budget and forwarded for review at the Budget Hearing at the August 12, 2004, Board Meeting, subject to changes deemed necessary by the General Manager to ensure that the District is in compliance with state statutes regarding the lid.**

Roll call was taken on the motion. The motion carried on a vote of 3 to 2.

Voting Yea: John Conley, Nichols, Thompson
Voting Nay: Neary, Gardner
Abstaining: None
Absent: Connealy
Excused Absence: Connealy

FY2005 BUDGET – LID COMPUTATION (1% RESOLUTION): Pat Teer explained that the District has the ability to increase its base restricted funds by 2.5%. State statutes also allows

the District an additional 1% increase. At least 75% of the Board (8 votes) is required to approve the additional 1%. It was noted that the 2.5% lid applies to operational expenditures such as salaries, Directors per diem and expenditures; insurance, gas, oil and vehicle repairs, etc.

- ❖ **It was moved by Director John Conley, and Seconded by Director Nichols, that the Subcommittee recommend to the Board that the following resolution be adopted:**

BE IT RESOLVED THAT the Board of Directors of the Papio-Missouri NRD approves an additional increase of 1% in the Total 2003-2004 Funds Subject to Limitation, pursuant to Neb. Rev. State. §§ 13-518 through 13-522.

Roll call was taken on the motion. The motion carried by a vote of 3 to 2.

Voting Yea: John Conley, Barb Nichols, Jim Thompson
Voting Nay: Neary, Gardner
Abstaining: None
Absent: Connealy
Excused Absence: Connealy

WESTERN SARPY CLEAR CREEK FLOOD REDUCTION PROJECT – SARPY COUNTY SIDE RIVERSIDE CABINS PURCHASE AGREEMENT:

- ❖ **It was moved by Director John Conley, and seconded by Director Gardner, that the Subcommittee go into Executive Session to discuss purchase agreements for the WS/CC Sarpy County Side Riverside Cabins.**

Roll call was taken on the motion. The motion carried by a vote of 5 to 0.

Voting Yea: John Conley, Barb Nichols, Joe Neary, Jim Thompson, Melissa Gardner
Voting Nay: None
Abstaining: None
Absent: Connealy
Excused Absence: Connealy

The Subcommittee went into Executive Session at 9:15 pm.

The Subcommittee returned to Regular Session at 9:25 pm.

- ❖ **It was moved by Director Nichols, and seconded by Director John Conley, that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute purchase agreements with Tract # 9L, (Rhoades) for \$780, Tract 10L (Pietryga) for \$1,380, Tract 11L (Smith) for \$7,240, RSP Management for \$2,060.**

Roll call was taken on the motion. The motion carried on a vote of 4 to 1.

Voting Yea: John Conley, Nichols, Thompson, Gardner

Voting Nay: Neary

Abstaining: None

Absent: Connealy

Excused Absence: Connealy

OTHER ITEMS OF INTEREST: None.

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 9:27 p.m.

/pt/com/FEL/2004/July/July04.fel minutes