



**Finance, Expenditure & Legal
Subcommittee Meeting
November 9, 2010
6:45 p.m.
(Or Immediately Following the PPO Meeting)
Agenda**

Finance, Expenditure & Legal Subcommittee Members:

Rich Tesar, Chairperson
Jim Thompson, Vice-Chairperson
Larry Bradley
John Conley
Dorothy Lanphier

Alternate Members: Fred Conley Staff Liaison: Jim Becic *
Rick Kolowski 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. Transfer \$200,000 for the Silver Creek Dam Project to Conservation Assistance Program – Director Japp
7. Discussion of Draft FY 2010 Audit – Carey Fry and Jason Tonjes and Justin Frauendorfer, Bland and Associates
8. Review and Recommendation on Western Sarpy Levee Construction – RSP Management, LLC, Request for Hunting Impact Compensation [*Executive Session, in needed*] – Martin Cleveland and Bill Smith, RSP Management
9. Monthly Financial Report – Director Lanphier
10. Adjourn

Agenda Item 6

From: Scott Japp [mailto:sjapp@huntel.net]
Sent: Tuesday, November 02, 2010 9:13 AM
To: Winkler, John
Cc: Puls, Ralph
Subject: Conservation program

John

I am directing you to assign to the proper subcommittee for the upcoming board meeting next week the following agenda item. Transferring of \$200,000 for the silver creek dam project to the CAP programs for the construction of conservation work.

This transfer would not change the budget and there is not way since we have not started the construction of the dam project to spend the entire fund allocated for the project this fiscal year.

I have had numerous contact wanting to know why there were told there was no funds available for conservation work this fall. This is the busiest time of the year and the most appropriate time of the year to construct such project and we are turning them down. Ralph had the opportunity in the 2010 fiscal budget to use the unspent fund of approximately \$125,000 for the silver creek dam to be allocated for the CAP programs, however he choose not to do so. There was an abundance amount of applications that could have used the leftover funds for last years programs.

It is disgrace that a State agencies the is set up to project the natural resources of this State does not have enough funds available to do 1 months of work.

Scott Japp

Memorandum

To: Finance, Expenditure and Legal Subcommittee

Re: Conservation Assistance Program (CAP) Funding

Date: November 3, 2011

Updated: November 4, 2010

From: Ralph Puls, Land/Water Programs Coordinator

Director Japp has requested that the Finance, Expenditure and Legal Subcommittee consider recommending to the Board of Directors that \$200,000 of funds budgeted for the Silver Creek Watershed Site #11 structure be transferred to CAP in order to approve additional conservation cost-sharing applications. He states correctly that there are landowners who have applied for funds for construction of conservation practices this fall who have not been funded due to the funds being totally committed. He also states that the total amount budgeted for construction of Site #11 will not be spent this fiscal year. It's possible that the funds will not all be expended this fiscal year. The construction of this structure has been delayed because a 404 permit has not been issued by the Corps of Engineers yet; however, it is expected to be issued in December of this year. The structure could be put out for bids in early 2011, with construction starting in April. It's estimated that construction will take 4 months, which would be approximately the end of July 2011. If this estimate is accurate, some of the construction funds in FY 2011 will remain unspent; but at this time, it would be difficult to make an estimate of how much.

Regarding the status of the funds allocated to date:

- 1) All of the \$800,000 in CAP has been approved plus 10% more for a total of \$880,000
- 2) All \$130,388 Nebraska Soil and Water Funds have been approved
- 3) Total combined funds allocated is \$1,010,388
- 4) Additional request for funds pending approval: \$155,828

The use of the USDA Environmental Quality Incentive Program (EQIP) has been emphasized; \$569,070 in EQIP funds has been combined with CAP funds.

In addition to previous comments about the use of Silver Creek Watershed funds in FY2010, it should be noted that money budgeted for Silver Creek in FY 2010 was for the construction of Silver Creek Site #9, and for professional services for Silver Creek Site #11. Of the total \$155,000 budgeted, \$98,841.93 was expended by year's end. At the time of the discussion of allocating additional funds to the Conservation Assistance Program these Silver Creek funds were earmarked for use as noted above, and it was unknown at the time whether they would be completely expended by the end of the Fiscal Year or not. Also of note, the Board of Directors approved funds to cover the over allocation of funds in March of 2010, but they opted not to not authorize additional funds for CAP.

MEMORANDUM

TO: Finance, Expenditure and Legislative Subcommittee

SUBJECT: Draft FY 2010 Audit

DATE: November 4, 2010

FROM: John Winkler, General Manager

Attached is the draft FY 2010 Audit and management letter for the Papio-Missouri River NRD. Our plan is to review the draft at the November 9, 2010 FEL Subcommittee and present the final version at the December 7, 2010 FEL Subcommittee for approval. This should give everyone ample time to review the audit and its findings and recommendations

Agenda Item 8

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

8. Review and Recommendation on Western Sarpy Levee Construction – RSP Management, LLC, Request for Hunting Impact Compensation [*Executive Session, in needed*] – Martin Cleveland and Bill Smith, RSP Management

Agenda Item 9

From: Dorothy Lanphier <dlanphier@cox.net>

Sent: Monday, November 08, 2010 3:48 PM

To: Winkler, John <jwinkler@pacionrd.org>; Kolowski, Rick <rkolowski@hotmail.com>; Tesar, Richard <tesarduck@msn.com>

Subject: FEL Agenda Item

John Winkler, General Manager

Rick Kolowski, Chairman

Rich Tesar. Chair, FEL Subcommittee

I request that Monthly Financial Report be placed on the Financial Expenditure and Legal Agenda for the November 9, 2010 Subcommittee Meeting

Thank You,

Dorothy Lanphier