

**METROPOLITAN UTILITIES DISTRICT**  
**Regular Meeting**

9:00 a.m.

January 4, 2012

**AGENDA**

1. Roll Call
  2. Open Meetings Act Notice
  3. Pledge of Allegiance
  4. Approval of Minutes – Public Hearing and Regular Board Meeting, December 7, 2011
  5. Election of Chairperson (New Chairperson then Presides) and Election of Vice Chairperson
  6. President's Report
  7. Special Presentation
- CONSTRUCTION & OPERATIONS**
8. Capital Expenditures for Approval
  9. Bids on Materials and Contracts
  10. Acceptance of Contract and Payment of Final Estimates
- JUDICIARY & LEGISLATIVE**
11. Condemnation Authority – Lot 1, Leisure Village Subdivision, Sarpy County
- PERSONNEL**
12. Promotional Increases
  13. Ratification of SPA Employment
- BOARD**
14. Appointment of Committees
  15. Review of President's Performance (CLOSED SESSION)
  16. Review of President's Compensation
  17. Other Matters of District Business for Discussion

**MINUTES OF REGULAR BOARD MEETING**

**January 4, 2012**

The Board of Directors of the Metropolitan Utilities District of Omaha met in the Board Room of the Headquarters Building at 1723 Harney Street in regular session at 9:00 a.m. on January 4, 2012.

Advance notice of the meeting was posted on the first floor of the Headquarters Building from December 7, 2011 to January 4, 2012. Notice of the meeting was published in the Omaha World-Herald on December 25, 2011. The agenda of the meeting was available for public inspection at the office of the Secretary and President and copies were delivered to Board Members on December 30, 2011.

**AGENDA NO. 1**

**ROLL CALL**

Chairperson Friend called the meeting to order at 9:00 a.m. On roll call vote, the following members were present:

Steve Patterson  
Amy Lindsay  
Tim Cavanaugh  
Mike McGowan  
Tom Dowd  
Dave Friend  
Jack Frost  
Doug Clark, Secretary

Also present were various members of the staff, representatives of Local Union IBEW #1521, and members of the public.

**AGENDA NO. 2**

**OPEN MEETINGS ACT NOTICE**

Chairperson Friend advised those in attendance that a copy of the Open Meetings Act was posted in the back of the Board Room.

**AGENDA NO. 3**

**PLEDGE OF ALLEGIANCE**

Chairperson Friend welcomed those who cared to participate to stand and recite the Pledge of Allegiance.

**AGENDA NO. 4**

**APPROVAL OF MINUTES OF REGULAR BOARD MEETING – DECEMBER 7, 2011**

Mr. Cavanaugh moved for approval of the minutes of the Regular Board Meeting held December 7, 2011, which was seconded by Mr. Patterson.

Voting Aye: Patterson, Lindsay, Cavanaugh, McGowan, Dowd, Friend, Frost  
Voting No: None

MINUTES FILE DOCUMENT NO. 136790

**AGENDA NO. 5**  
**ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON**

Mr. Dowd moved for the nomination of Mr. McGowan to fill the position of Chairperson for 2012, which was seconded by Mrs. Lindsay.

Voting Aye: Patterson, Lindsay, Cavanaugh, McGowan, Dowd, Friend, Frost  
Voting No: None

MINUTES FILE DOCUMENT NO. 136791

Mr. McGowan took over as Chairperson, thanked the Board Members for their support, and thanked Mr. Friend for his outstanding job as Chairperson in 2011.

Mr. Cavanaugh nominated Mrs. Lindsay as Vice Chairperson, which was seconded by Mr. Friend.

Voting Aye: Patterson, Lindsay, Cavanaugh, McGowan, Dowd, Friend, Frost  
Voting No: None

MINUTES FILE DOCUMENT NO. 136792

**AGENDA NO. 7**  
**SPECIAL PRESENTATION**

Chairperson McGowan recognized Mr. Frost for his 25 years of service to the District. Mr. Frost won his first election to the Board in 1986 and was re-elected in 1992, 1998, 2004, and 2010.

**AGENDA NO. 6**  
**PRESIDENT'S REPORT**

Mr. Clark presented the President's Report discussing the highlights for the month, including budget variances on gas and water, year-to-date payroll and overtime statistics, unfilled position report, and degree-days. There was one new crossbore to report for a total of 27. Mr. Clark gave updates on the infrastructure statistics. Fueling activities have continued to increase at the CNG stations. Mr. Clark stated there are currently 25 fulltime CNG taxicabs on the road with a goal of 50 by March.

**AGENDA NO. 8**  
**CAPITAL EXPENDITURES FOR APPROVAL**

Mr. Frost moved for approval of Mr. Keep's letter to the Committee dated December 13, 2011, which was seconded by Mr. Cavanaugh and carried on roll call vote.

Voting Aye: Patterson, Lindsay, Cavanaugh, McGowan, Dowd, Friend, Frost  
Voting No: None

MINUTES FILE DOCUMENT NO. 136793

**AGENDA NO. 9**  
**BIDS ON MATERIALS AND CONTRACTS**

Mr. Frost moved for approval of the bids as set out in Mr. Goodwin's letter to the Committee dated December 27, 2011, which was seconded by Mr. Patterson and carried on roll call vote.

Voting Aye: Patterson, Lindsay, Cavanaugh, McGowan, Dowd, Friend, Frost  
Voting No: None

MINUTES FILE DOCUMENT NO. 136794

**AGENDA NO. 10**  
**ACCEPTANCE OF CONTRACTS AND PAYMENT OF FINAL ESTIMATES**

Mr. Frost moved for approval of Mr. Keep's letter to the Committee dated December 13, 2011, which was seconded by Mrs. Lindsay and carried on roll call vote.

Voting Aye: Patterson, Lindsay, Cavanaugh, McGowan, Dowd, Friend, Frost  
Voting No: None

MINUTES FILE DOCUMENT NO. 136795

**AGENDA NO. 11**  
**CONDEMNATION AUTHORITY – LOT 1, LEISURE VILLAGE SUBDIVISION, SARPY COUNTY**

Mr. Dowd moved for approval of Mr. Bucher's letter to the Committee dated December 22, 2011, which was seconded by Mr. Frost and carried on roll call vote.

Voting Aye: Patterson, Lindsay, Cavanaugh, McGowan, Dowd, Friend, Frost  
Voting No: None

MINUTES FILE DOCUMENT NO. 136796

**AGENDA NO. 12**  
**RATIFICATION OF SPA EMPLOYMENT**

Chairperson McGowan moved to approve the authorization to hire and ratification of three SPA employees as set out in Mr. Hemschemeyer's letter to the Committee dated December 28, 2011. This was seconded by Mr. Dowd and carried on roll call vote.

Voting Aye: Patterson, Lindsay, Cavanaugh, McGowan, Dowd, Friend, Frost  
Voting No: None

MINUTES FILE DOCUMENT NO. 136797

**AGENDA NO. 13**  
**PROMOTIONAL INCREASES**

Chairperson McGowan moved for approval of Mr. Hemschemeyer’s letter of December 28, 2011 to the Committee, which was seconded by Mr. Friend and carried on roll call vote.

Voting Aye: Patterson, Lindsay, Cavanaugh, McGowan, Dowd, Friend, Frost  
Voting No: None

MINUTES FILE DOCUMENT NO. 136798

**AGENDA NO. 14**  
**APPOINTMENT OF COMMITTEES**

Chairperson McGowan handed out a preliminary list of Committees. After discussion, the 2012 Committees are:

<b>Committee</b>	<b>Chair</b>	<b>Members</b>	
AEF & R	McGowan	Patterson	Lindsay
Audit	Patterson	Lindsay	Friend
C & O	Frost	McGowan	Dowd
Governance	Lindsay	Friend	Frost
I & P	Dowd	Frost	Patterson
J & L	Dowd	Cavanaugh	McGowan
Marketing	Cavanaugh	Frost	Friend
Personnel	Lindsay	Patterson	McGowan
Security & Safety	Cavanaugh	Dowd	Friend
S & E	Friend	McGowan	Cavanaugh

**AGENDA NO. 17**  
**OTHER MATTERS OF DISTRICT BUSINESS FOR DISCUSSION**

Chairperson McGowan asked if any Board Member had any matter of District business for discussion. There being none, Chairperson McGowan opened it up to the public.

Mr. Billy Ramsey, in UNO’s MBA program, stated that he is working on a special project on M.U.D. - studying the financing and how it’s working. He noticed the downgrade of the credit rating and asked how it would affect the District and if any steps are being taken to change it. Mrs. Schneider explained the circumstances regarding the downgrade and said the rating will not affect District operations. Chairperson McGowan explained how the District is back on track financially and is confident the prior rating will be back.

Mr. Chris Hassebroek, in UNO’s MBA program, asked about the District’s partnership with other utilities in buying natural gas (CPEP projects). He reviewed the District’s 2010 Annual Report and saw we buy a bulk of 8.8 million DTH’s per year. He asked how, if we use a

fee as you go approach, we protect ourselves from swings in the prices. Mr. Knight and Mr. Keep explained how CPEP works. In 2011, the District saved \$4 million with this program.

Mr. Patterson read a complimentary letter he received from a customer and thanked employees for their work.

**AGENDA NO. 15**  
**REVIEW OF PRESIDENT'S PERFORMANCE (CLOSED SESSION)**

At 9:30 a.m., Mr. Friend made a motion to go into closed session for discussing the President's performance. Seconded by Mrs. Lindsay and carried on roll call vote.

Voting Aye: Patterson, Lindsay, Cavanaugh, McGowan, Dowd, Friend, Frost  
Voting No: None

MINUTES FILE DOCUMENT NO. 136799

At 9:55 a.m., Mr. Patterson made a motion to return to open session, which was seconded by Mrs. Lindsay and carried on roll call vote.

Voting Aye: Patterson, Lindsay, Cavanaugh, McGowan, Dowd, Friend, Frost  
Voting No: None

MINUTES FILE DOCUMENT NO. 136800

**AGENDA NO. 16**  
**REVIEW OF PRESIDENT'S COMPENSATION**

Chairperson McGowan stated that during closed session, Mr. Clark stepped forward and asked the Board to not consider any increase in his wage or compensation at this time given the steps that have been taken by this Board to freeze wages. The Board accepted his offer. At the appropriate time, there will be recognition of Mr. Clark's efforts.

At 9:57 a.m., Mr. Frost made a motion to adjourn which was seconded by Mr. Cavanaugh and carried on roll call vote.

Voting Aye: Patterson, Lindsay, Cavanaugh, McGowan, Dowd, Friend, Frost  
Voting No: None

MINUTES FILE DOCUMENT NO. 136801

The meeting adjourned at 10:57 a.m.



\_\_\_\_\_  
Douglas R. Clark, Secretary

DRC/sms