



1 **PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM**
2 **Governance Committee Meeting Minutes**
3 Conference Call
4 October 18, 2013

5
6 **Friday, October 18, 2013**

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8 **Meeting Attendees**

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10 **Governance Committee (GC)**

11 **State of Wyoming**

12 Harry LaBonde – Member

13 Andrea Odell - Alternate

14 Greg Lanning – Alternate

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16 **State of Colorado**

17 Don Ament – Member

18 Suzanne Sellers – Alternate

19
20 **State of Nebraska**

21 Jesse Bradley – Alternate

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23 **U.S. Fish and Wildlife Service (Service)**

24 Mike George – Alternate

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26 **Bureau of Reclamation (BOR)**

27 Gary Campbell – Member

28
29 **Environmental Entities**

30 John Heaston – Member

31 Marian Langan – Alternate

32 Bill Taddicken – Member

33 Tom Doherty – Member

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35 **Upper Platte Water Users**

36 Dennis Strauch – Member

37
38 **Colorado Water Users**

39 Alan Berryman – Member

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41 **Downstream Water Users**

42 Brian Barels – Member

43 Don Kraus – Member

44 Mark Czaplewski – Member

45 Kent Miller – Member

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47
Executive Director’s Office (EDO) Staff

Jerry Kenny, Executive Director (ED)

Bruce Sackett

Audience Members

Brock Merrill - BOR

Andrea Odell – State of Wyoming

Diane Wilson – NCF



48 **Welcome & Administrative**

49 Ament called the meeting to order at 9:36 a.m. Central time and the group proceeded with introductions.

50
51 Kenny explained that while the government shutdown had been ended and federal employees were
52 mobilizing back to work, there was an additional factor in play that is making federal funds functionally
53 unavailable. The Department of Interior's financial management system which includes the ASAP system
54 was intentionally taken down on October 1 (not a function of the government shutdown, but planned and
55 scheduled for October 1) for upgrades and replacement. The ASAP system was the system by which funds
56 were transferred on an immediate, as needed basis to the Nebraska Community Foundation (NCF) when a
57 Request for Disbursement is authorized. In the interim the old paper request system was to be used. That is
58 a slow and cumbersome system at best. In light of the shutdown and consequent paperwork backlog, we
59 are looking at a month or more delay in getting federal funds from this point in time. Further, requests will
60 not be considered after October 25th and the date when the ASAP system will again be functional could be
61 as late as end of November. Functionally, federal funds remain unavailable until possibly December 1.

62
63 Currently there are four requests for disbursement totaling @ \$370,000 awaiting payment. A total of
64 \$600,000 to \$750,000 will have accumulated by the end of the month, and a similar amount can be expected
65 in November. So we are probably looking at \$1,000,000 to \$1,500,000 in invoices before federal funds
66 functionally available.

67
68 Not paying our bills in a timely manner has significant consequences to our reputation (don't pay bills,
69 can't be trusted) and our ability to attract high quality contractors and consultants.

70
71 Kenny requested the GC authorize state funds to be used exclusively in the interim to pay invoices,
72 following an 80/20% split CO/WY, until federal funds again become functionally available, at which time
73 federal funds will be used until the standard proportions are restored and the proportionate disbursements
74 followed thereafter.

75
76 Ament called for comments and discussion.

77
78 Campbell observed that as we may be facing this issue again in January, should the GC consider making
79 this a broader empowerment and include this operational flexibility as a general policy?

80
81 LaBonde expressed concern that it be made a general policy without some limiting criteria such as for no
82 more than 30 days. Long periods of unavailability of federal funds signaled a deeper problem and might
83 mean that the Program shut down until our federal partners were able to fully participate.

84
85 Kenny suggested that a dollar amount be part of the criteria, such as expenditures not exceeding \$2 million
86 in total.

87
88 Berryman inquired as to what work would be affected if a shut-down situation were to happen now. Kenny
89 responded that late summer/fall was a period of heavy activity in terms of habitat rehabilitation work – river
90 diking, island building, earth moving - and the only window for that kind of work due to Migratory Bird
91 Treaty Act and summer birds/whooping crane restrictions. So shutting that work down would delay it for a
92 year. A shut-down in the spring/summer would cause us to lose a year of monitoring data. In addition to
93 the season specific work, there is the baseload of study and analyses going on year round that would be
94 stopped.



95 LaBonde stated that his strong preference was to just deal with the situation at hand and not make this a
96 blanket policy, if it arises again, deal with the specifics of that situation at that time.

97

98 Ament asked if there was other comment and discussion.

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100 Doherty agreed that a case-by-case application made sense.

101

102 LaBonde made the motion:

103

104 *The GC authorizes the Executive Director to direct the NCF to pay invoices exclusively from state funds in*
105 *the proportion of 80% from Colorado and 20% from Wyoming funds until the federal ASAP system was*
106 *again functional. At such time as ASAP was again functional, invoices should be paid exclusively from*
107 *federal funds until the standard disbursement proportions were restored. At which time invoices will be*
108 *paid using the standard disbursement proportions to draw from federal and state funds.*

109

110 The motion was seconded by Berryman and **passed without objection.**

111

112 Ament asked about other business and Kenny noted that the venue for the November 20th budget session
113 had been set. The GC will meet in Denver, CO at the Country Inn and Suites on 40th and Airport Road
114 commencing at 9:00 am on 11/20/13 to work on the 2014 budget.

115

116 Ament adjourned the meeting at 10:09 a.m. Central time.