PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM
Governance Committee Meeting Minutes
Conference Call
October 18, 2013

Friday, October 18, 2013

Meeting Attendees

Governance Committee (GC)

State of Wyoming
Harry LaBonde – Member
Andrea Odell - Alternate
Greg Lanning – Alternate

State of Colorado
Don Ament – Member
Suzanne Sellers – Alternate

State of Nebraska
Jesse Bradley – Alternate

U.S. Fish and Wildlife Service (Service)
Mike George – Alternate

Bureau of Reclamation (BOR)
Gary Campbell – Member

Environmental Entities
John Heaston – Member
Marian Langan – Alternate
Bill Taddicken – Member
Tom Doherty – Member

Upper Platte Water Users
Dennis Strauch – Member

Colorado Water Users
Alan Berryman – Member

Downstream Water Users
Brian Barels – Member
Don Kraus – Member
Mark Czaplewski – Member
Kent Miller – Member

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

Welcome & Administrative

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

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

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

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

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

Ament called for comments and discussion.

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

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

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

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

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

Ament asked if there was other comment and discussion.

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

LaBonde made the motion:

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

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

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

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