



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
June 8, 2017**

**PLEDGE OF ALLEGIANCE**

**MEETING CALLED TO ORDER:** A regular meeting of the Papio-Missouri River Natural Resources District Board of Directors was held at the Natural Resources Center, 8901 S. 154<sup>th</sup> Street, Omaha, NE on June 8, 2017. The meeting was called to order by Chairperson David Klug at 7:00 p.m.

**NOTIFICATION OF OPEN MEETINGS ACT POSTING AND MEETING PROCEDURE**

**QUORUM CALL:** The following Directors were present for the Quorum Call:

Larry Bradley	David Klug
Fred Conley	Patrick Leahy *
John Conley	Rich Tesar
Mark Gruenewald	Jim Thompson
Ted Japp	John Wiese

\*Director Leahy arrived to the meeting at 7:17 p.m.

**ADOPTION OF AGENDA:**

- **MOTION NO. 1:** It was moved by Director Tesar and seconded by Director Fred Conley that the meeting agenda be adopted.

Roll call vote was held on the motion. The motion carried on a vote of 9-yea.

Voting Yea	-	Bradley, Conley (Fred), Conley (John), Gruenewald, Japp, Tesar, Thompson, Wiese, Klug
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Fowler, Leahy
Absent	-	Fowler, Leahy

**ADOPTION OF CONSENT AGENDA:**

Prior to the adoption of the consent agenda, Director Gruenewald made a motion to remove the May 11, 2017, meeting minutes as part of the consent agenda and to vote on them separately as he had concerns about the accuracy of the minutes. The motion was seconded by Director Japp.

- **MOTION NO. 2:** It was moved by Director Gruenewald and seconded by Director Japp to remove the May 11, 2017, meeting minutes from the consent agenda and vote on the May 11, 2017, minutes as a separate action.

There was extended discussion by the Directors. Director Gruenewald stated for the record that he lives at 4957 S. 149<sup>th</sup> Court, Omaha, NE and not ‘Street’ as was written. Director Gruenewald’s concerns can be heard on the District’s podcast at [www.papionrd.org/about-meeting\\_podcast](http://www.papionrd.org/about-meeting_podcast).

Roll call vote was held on the motion to remove the minutes from the consent agenda. The motion failed on a vote of 1-yea and 8-nay.

Voting Yea	-	Gruenewald
Voting Nay	-	Bradley, Conley (Fred), Conley (John), Japp, Tesar, Thompson, Wiese, Klug
Abstaining	-	None
Excused Absence	-	Fowler, Leahy
Absent	-	Fowler, Leahy

- **MOTION NO. 3:** It was moved by Director John Conley and seconded by Director Fred Conley that the following resolution be adopted:

BE IT RESOLVED that the following resolutions on the consent agenda are hereby adopted.

Agenda Item 3.A.:

BE IT RESOLVED that the absences of the following Director(s) from the June 8, 2017, Board of Directors Meeting are excused:

Tim Fowler  
Patrick Leahy, arriving late.

Agenda Item 7. A.:

BE IT RESOLVED that the May 11, 2017, Papio-Missouri River NRD Board meeting minutes are approved as printed.

Director Gruenewald asked that the entire written record of the Chairperson’s Report be removed from the May 11, 2017, meeting minutes and have it placed on the July Board agenda. There was discussion on his request. Director John Conley asked Director Gruenewald if he had provided the necessary IRS withholding forms and a bank account for direct deposit of per diem and expenses. Director Gruenewald stated that since he didn’t believe it necessary, his answer was no. There was additional discussion.

Roll call vote was held on the original motion. The motion carried on a vote of 8-yea and 1-nay.

Voting Yea	-	Bradley, Conley (Fred), Conley (John), Japp, Tesar, Thompson, Wiese, Klug
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Voting Nay - Gruenewald  
Abstaining - None  
Excused Absence - Fowler, Leahy  
Absent - Fowler, Leahy

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on June 1, 2017. The District's April 14-May 11, 2017, expenditures were published in the Burt County Plaindealer on May 24, 2017. The Chairperson ordered the Proofs of Publication recorded in the minutes of this meeting. (They are contained as part of the file copy of these minutes.)

**AGENCY AND ASSOCIATION REPORTS:**

- A. Natural Resources Conservation Service Report: Neil Jensen, District Conservationist at the Omaha NRCS office, gave the report on NRCS activities. The report is posted to the website and attached to the file copy of the meeting minutes. Neil's report can be heard on the District's podcast at [www.papionrd.org/about-meeting-podcasts](http://www.papionrd.org/about-meeting-podcasts).
- B. Nebraska Association of Resources Districts: Director Tesar briefed the Directors on the upcoming NARD Board meeting being held in Norfolk, Nebraska on June 12<sup>th</sup> and the Northeast Nebraska NRDs Basin Tour. He also updated the Board on the NARD plans to host the 2020 National Envirothon. This event is expected to bring in 500 students from across the United States, two teams from China, with an estimated 150 sponsors. The cost to the 23 NRDs is \$400,000. Director Tesar stated his concern on how this item was approved by NARD. He said the General Manager would commit \$16,000 in District funds, to be paid in equal amounts over the next two fiscal years and would work to find sponsors or hold fund raising events to make up the difference of the NARD's requested amount.
- C. Legislative Report – Husch Blackwell: Tim Gay and Ron Sedlacek provided the Board an update on legislative bills and issues in the State Legislature. There was discussion by Directors. A copy of their written report is attached to the file copy of the meeting minutes. Their report can be heard on the District's podcast at [www.papionrd.org/about-meeting-podcast](http://www.papionrd.org/about-meeting-podcast).

**SUBCOMMITTEE REPORTS:**

A. Programs, Projects, and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on June 6, 2017, and gave a brief recap of the meeting.

- **MOTION NO. 4:** It was moved by Director John Conley that the following recommendation be adopted:

*PPO Recommendation #1.:* Interlocal Agreement with Waterloo Volunteer Fire Department: It is recommended that the General Manager be authorized to execute the proposed Interlocal Agreement with Waterloo Volunteer Fire Department in an amount not-to-exceed \$30,000, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Roll call vote was held on the motion. The motion carried on a vote of 9-yea and 1-abstention.

Voting Yea - Bradley, Conley (Fred), Conley (John), Japp, Leahy, Tesar, Thompson, Wiese, Klug  
Voting Nay - None  
Abstaining - Gruenewald  
Excused Absence - Fowler  
Absent - Fowler

•• **MOTION NO.5:** It was moved by Director John Conley that the following recommendation be adopted:

*PPO Recommendation #2.:* Interlocal Agreement with Washington County, Township Number 1 for the Relocation of a 6” Water Main: It is recommended that the General Manager be authorized to execute the proposed Interlocal Agreement with Township 1, Washington County, Nebraska, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Roll call vote was held on the motion. The motion carried on a vote of 10-yea.

Voting Yea - Bradley, Conley (Fred), Conley (John), Gruenewald, Japp, Leahy, Tesar, Thompson, Wiese, Klug  
Voting Nay - None  
Abstaining - None  
Excused Absence - Fowler  
Absent - Fowler

Director John Conley stated that the motion to approve the Bicycle and Pedestrian Counter Interlocal Agreement with the City of Omaha failed in Subcommittee.

•• **MOTION NO. 6:** It was moved by Director Leahy and seconded by Director Fred Conley that the staff recommendation for the Bicycle and Pedestrian Counter, Interlocal Agreement with City of Omaha be reconsidered:

Roll call vote was held on the motion of reconsideration. The motion carried on a vote of 6-yea and 4-nay.

Voting Yea - Bradley, Conley (Fred), Japp, Leahy, Wiese, Klug  
Voting Nay - Conley (John), Gruenewald, Tesar, Thompson  
Abstaining - None  
Excused Absence - Fowler  
Absent - Fowler

There was extended discussion on the advantages and disadvantages of entering into this agreement with the City of Omaha. Eric Williams addressed Director’s questions.

•• **MOTION NO. 7:** It was moved by Director Fred Conley and seconded by Director

Leahy that the following recommendation be adopted:

*PPO Recommendation #3.:* Bicycle and Pedestrian Counter, Interlocal Agreement with City of Omaha: It is recommended that the General Manager be authorized to execute the proposed Interlocal Cooperation Agreement with the City of Omaha for the “Automated Bicycle and Pedestrian Counter Program”, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Roll call vote was held on the motion. The motion failed on a vote of 5-yea and 5-nay.

Voting Yea - Bradley, Conley (Fred), Japp, Leahy, Wiese  
Voting Nay - Conley (John), Gruenewald, Tesar, Thompson, Klug  
Abstaining - None  
Excused Absence - Fowler  
Absent - Fowler

Director Tesar asked that this item be placed on next month’s agenda after staff has investigates the costs associated with the purchase of a mobile unit.

•• **MOTION NO. 8:** It was moved by Director John Conley that the following recommendation be adopted:

*PPO Recommendation #4.:* Bids for the Little Papio Creek Channel Stabilization Project: It is recommended that the General Manager be authorized to execute a contract with Niewohner Construction, Inc. in an amount not-to-exceed \$335,470, for the construction of the Little Papillion Creek Channel Stabilization Project, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Roll call vote was held on the motion. The motion carried on a vote of 10-yea.

Voting Yea - Bradley, Conley (Fred), Conley (John), Gruenewald, Japp, Leahy, Tesar, Thompson, Wiese, Klug  
Voting Nay - None  
Abstaining - None  
Excused Absence - Fowler  
Absent - Fowler

•• **MOTION NO. 9:** It was moved by Director John Conley that the following recommendation be adopted:

*PPO Recommendation #5.:* Metropolitan Utilities District Water Main Work for Zorinsky Basin 2: It is recommended that the General Manager be authorized to execute an agreement with Metropolitan Utilities District for proposed water main work as part of the Zorinsky Water Quality Basin Number 2 project in an amount not to exceed \$236,000,

subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Wiese had questions regarding the process if the work exceeds \$236,000. The General Manager and project manager Amanda Grint addressed his concerns.

Roll call vote was held on the motion. The motion carried on a vote of 9-yea and 1-abstention.

Voting Yea - Bradley, Conley (Fred), Gruenewald, Japp, Leahy, Tesar, Thompson, Wiese, Klug  
Voting Nay - None  
Abstaining - Conley (John)  
Excused Absence - Fowler  
Absent - Fowler

•• **MOTION NO. 10:** It was moved by Director John Conley that the following recommendation be adopted:

*PPO Recommendation #6.:* Interlocal Agreement between the City of Blair and Papio-Missouri River NRD for California Bend Restoration Project Public Access: It is recommended that the General Manager be authorized to execute the proposed Interlocal Agreement with the City of Blair, Nebraska, for California Bend Restoration Project Public Access, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Roll call vote was held on the motion. The motion carried on a vote of 10-yea.

Voting Yea - Bradley, Conley (Fred), Conley (John), Gruenewald, Japp, Leahy, Tesar, Thompson, Wiese, Klug  
Voting Nay - None  
Abstaining - None  
Excused Absence - Fowler  
Absent - Fowler

B. Finance, Expenditures, and Legal Subcommittee: Director Rich Tesar reported that the FEL Subcommittee met on June 6, 2017, and gave a brief recap of the meeting.

•• **MOTION NO. 11:** It was moved by Director Rich Tesar that the following recommendation be adopted:

*FEL Recommendation #1.:* Account Over 110% Elk Pigeon Creek Equipment Rental: It is recommended that Account 17-01-000-4475 (Equipment Rental) be allowed to exceed 110% of the budgeted amount, with a maximum not-to-exceed amount of \$175,000, without further Board approval.

Roll call vote was held on the motion. The motion carried on a vote of 10-yea.

Voting Yea - Bradley, Conley (Fred), Conley (John), Gruenewald, Japp, Leahy, Tesar,

		Thompson, Wiese, Klug
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Fowler
Absent	-	Fowler

**TREASURER'S REPORT:**

- **MOTION NO. 12:** It was moved by Director John Conley and seconded by Director Thompson that the following resolution be adopted:

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (1) claims listed in the May, 2017, financial report; and, (2) any claims made prior to the next Board meeting for (a) earned salaries of District employees, (b) withholding taxes, (c) social security payments, (d) retirement program contributions, (e) utilities, (f) registration fees and expenses for upcoming meetings and conferences, (g) certified completed CAP and Special Project Area applications, (h) invoices which offer a credit or discount for payment made prior to the next Board meeting, (i) postage, and, (j) building and grounds contract expenses.

BE IT FURTHER RESOLVED that the Treasurer is authorized to pay, from the respective operating accounts of the Dakota County, Thurston County and Washington County Rural Water System, the Elkhorn River Bank Stabilization Project, the Elkhorn Breakout Project, the Elk/Pigeon Creek Drainage Project, and the Western Sarpy Drainage District, the project bills listed on the May, 2017, financial report, and future claims for project utilities.

BE IT FURTHER RESOLVED that the financial reports be affixed to and made a part of the minutes.

Roll call vote was held on the motion. The motion carried on a vote of 10-yea.

Voting Yea	-	Bradley, Conley (Fred), Conley (John), Gruenewald, Japp, Leahy, Tesar, Thompson, Wiese, Klug
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Fowler
Absent	-	Fowler

**LEGAL UPDATE:** Chairperson Klug stated there was nothing to report.

**CHAIRPERSON'S REPORT:** Chairperson David Klug extended his thanks to the General Manager for his work with the Legislature this past session to help protect future funding to the District. He also provided highlights from his attendance at the National Security Forum held at the Air War College in Montgomery, Alabama.

**GENERAL MANAGER'S REPORT:** John Winkler reviewed the GM Report with the Board. He also provided an update on the E-Bicycle Station located at Chalco Hills. He noted that he would be emailing Directors the USACE's summary of the Lower Platte Watershed Ecosystem Restoration Fact Sheet. Director Thompson added that the National Resources Commission would be meeting in Kearney, Nebraska on June 20<sup>th</sup>.

**INFORMATIONAL ITEMS:**

A. **Future Meetings:** The Chairperson reviewed the following upcoming meetings with the Directors:

June 22, 2017	Papillion Creek Watershed Partnership Meeting, 10:00 a.m. NRC
July 4, 2017	4 <sup>th</sup> of July Holiday, P-MRNRD Offices Closed
July 11, 2017	P-MRNRD Subcommittee Meetings
July 13, 2017	P-MRNRD Board Meeting
July 27, 2017	Papillion Creek Watershed Partnership Meeting, 10:00 a.m. NRC

B. **Next Meeting** – The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on July 13, 2017.

**ADJOURNMENT:** Being no further business, the Chairperson declared that the meeting was adjourned at 8:38 p.m.

**NOTE:** These minutes reflect the actions and votes taken at the June 8, 2017, Board of Directors Meeting of the Papio-Missouri River Natural Resources District and are not an official transcript of the meeting. The audio cast of this meeting can be found on our website at [www.papionrd.org](http://www.papionrd.org).

I, the undersigned, Secretary of the Papio-Missouri River Natural Resources District, hereby certify that the foregoing are true and correct minutes of a meeting of the Board of Directors of the District held on June 8, 2017, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the District; that such subjects were contained in said agenda at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting.

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Richard Tesar  
District Secretary