



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
July 13, 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 July 13, 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    |

**ADOPTION OF AGENDA:**

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

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   |

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2:** It was moved by Director Tesar 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 absence(s) of the following Director(s) from the July 13, 2017, Board of Directors Meeting is excused:

Tim Fowler.

Agenda Item 7. A., and 7.B.:

BE IT RESOLVED that the June 8, 2017, Papio-Missouri River NRD Board meeting minutes, and the June 14, 2017, Dakota County Rural Water Advisory Board meeting minutes are approved as printed.

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

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on July 6, 2017. The District's May 12, 2017 – June 8, 2017, expenditures were published in the Burt County Plaindealer on June 21, 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, Omaha NRCS office, gave the report on NRCS activities. The report is posted to the website and attached to the file copy of these meeting minutes. Neil's report can be heard on the District's podcast at [www.papionrd.org/about-meeting-podcast](http://www.papionrd.org/about-meeting-podcast).

B. Nebraska Association of Resources Districts: Director Tesar gave the report on the NARD Board of Directors Meeting held on June 12<sup>th</sup> in Norfolk, Nebraska. He noted that the District's health insurance plan was discussed and stated there will be a 5% increase to the medical insurance premium and a 2.9% to the dental insurance premium for the coming year. He also updated the Board on the 2020 Envirothon proposal.

C. Legislative Report – Husch Blackwell: The Chairperson stated there was nothing to report.

**PUBLIC MEETING – REVIEW OF THE 2016 INTEGRATED MANAGEMENT PLAN ANNUAL REPORT:**

Staff member Paul Woodward and Amy Zoller, Nebraska Department of Natural Resources, reported on the 2016 Integrated Management Plan Annual Report. The report is posted to the website and attached to the file copy of these meeting minutes.

**SUBCOMMITTEE REPORTS:**

A. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on July 11, 2017, and gave a brief recap of the meeting.

- **MOTION NO. 3:** It was moved by Director John Conley that the following recommendation be adopted:

*PPO Recommendation #1:* Big Papio Levee Culverts Phase 2 Rehab Project - Recommendation that that the requirements of Board Policy 15.2 Purchasing – Professional Services be waived and the General Manager be authorized to execute the proposed professional services contract with FYRA Engineering, Inc. for the Big Papio Levee Culverts Phase 2 Rehab Project, for a maximum not-to-exceed contract amount of \$360,085, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Thompson offered a friendly amendment to staff’s original motion, changing the word “suspend” to “waive”. The friendly amendment was accepted by acclamation.

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

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

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

*PPO Recommendation #2:* Amendment to WP6 and WP7 Professional Services Contract with FYRA Engineering – Recommendation that the General Manager be authorized to execute the proposed Amendment 2 to the Professional Services Agreement between the District and FYRA Engineering for final design services for the WP6 and WP7 projects, in an amount of \$38,291, bringing the total maximum not-to-exceed contract amount to \$1,521,855, 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. 5:** It was moved by Director John Conley that the following recommendation be adopted:

*PPO Recommendation #3:* Water Sustainability Fund Application of ENWRA Airborne Electromagnetic Surveys – Recommendation that the General Manager be authorized to execute and submit a joint Water Sustainability Fund application through ENWRA for 60% of eligible project costs necessary to acquire the proposed AEM survey data for southern Washington County and northern and western Douglas County, 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 Tesar reported that the FEL Subcommittee met on July 11, 2017, and gave a brief recap of the meeting. He stated that the 1<sup>st</sup> draft of the FY 2018 was reviewed by the Subcommittee and that no action was taken. The following individual addressed the Board:

- Shawn Melotz, 10404 N. 132<sup>nd</sup> Street, Omaha, NE. A copy of her testimony is attached to the file copy of these meeting minutes.

•• **MOTION NO. 6:** It was moved by Director Tesar that the following recommendation be adopted:

*FEL Recommendation #1.:* FY 2018 Budget – Lid Computation (1% Resolution) – Recommendation that the following Resolution be adopted:

BE IT RESOLVED THAT the Board of Directors of the Papio-Missouri NRD approves an additional increase of 1% in the Total Restricted Funds Authority, pursuant to Neb. Rev. State. §§ 13-518 through 13-522.

Roll call vote was held on the motion. The motion failed on a vote of 6-yea and 4-nay. A super majority yea vote was needed in order for the motion to pass.

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

**TREASURER'S REPORT:**

- **MOTION NO. 7:** 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: (l) claims listed in the June, 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 Supply System, the Elkhorn River Bank Stabilization Project, the Elkhorn Breakout Project, the Elk/Pigeon Creek Drainage Project, the Western Sarpy Drainage District, the Papillion Creek Watershed Partnership, and the Southern Sarpy Watershed Partnership project bills listed on the June, 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 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:** Brent Meyer, District Legal Counsel stated there was nothing to report.

**CHAIRPERSON'S REPORT:** The Chairperson addressed Director Gruenewald's conduct. The audio of this report can be heard on the District's podcast at [www.papionrd.org/about-meeting-podcast](http://www.papionrd.org/about-meeting-podcast).

**GENERAL MANAGER'S REPORT:** GM Winkler reviewed the GM Report with the Board and noted that the report had been posted to the website. He also updated the Board on a letter he has submitted to Omaha Mayor Stothert, regarding the adopted Board's Resolution in the naming of Dam Site 15A.

**ELECTION OF P-MRNRD OFFICERS:**

The Chairperson turned the elections of P-MRNRD Officers over to Secretary Tesar.

A. **Chairperson:** The floor was opened for nominations for Chairperson. Director Thompson nominated Director David Klug as Chairperson. There were no other nominations. Being no other nominations, the nominations were closed. Director David Klug was elected as Chairperson by acclamation.

B. **Vice-Chairperson:** The floor was opened for nominations for Vice-Chairperson. Director Tesar nominated Director Tim Fowler and Director Leahy nominated Director Fred Conley for Vice-Chair. The floor was closed by acclamation and secret ballots were cast. 1<sup>st</sup> round vote resulted in a 5-5 tie. 2<sup>nd</sup> round secret ballots were cast. 2<sup>nd</sup> round vote results: 6-Fred Conley, 3-Tim Fowler and 1-absention.

C. **Secretary:** The floor was opened for nominations for Secretary. Director John Conley nominated Director Rich Tesar as Secretary. There were no other nominations. Being no other nominations, the nominations were closed. Director Rich Tesar was elected as Secretary by acclamation.

D. **Treasurer:** The floor was opened for nominations for Treasurer. Director Thompson nominated Director John Conley as Treasurer. There were no other nominations. Being no other nominations, the nominations were closed. Director John Conley was elected as Treasurer by acclamation.

Treasurer John Conley ratified his appointment of Assistant Treasurer to Director Patrick Leahy.

**ELECTION OF NARD DIRECTOR AND ALTERNATE DIRECTOR:**

The floor was opened for nominations for NARD Director and Alternate Director. Director Thompson nominated Director Rich Tesar for NARD Director. There were no other nominations. Being no other nominations, the nominations were closed. Director Rich Tesar was elected as NARD Director by acclamation. Director Tesar nominated Director Tim Fowler and Director Leahy nominated Director Larry Bradley for NARD Alternate Director. The floor was closed by acclamation and secret ballots were cast. Vote results: 6-Larry Bradley and 4-Tim Fowler.

- **MOTION NO. 8:** It was moved by Director Klug and seconded by Director John Conley that the following resolution be adopted:

BE IT RESOLVED that the following directors be and are hereby elected officers of the Papi-

Missouri River Natural Resources District for the coming year and until a successor has been elected: David Klug, Chairperson; Fred Conley, Vice-Chairperson; Rich Tesar, Secretary; and John Conley, Treasurer.

BE IT FURTHER RESOLVED that the Treasurer's written designation of Patrick Leahy, as Assistant Treasurer, is concurred in by the Board of Directors.

BE IT FURTHER RESOLVED that the presently elected Treasurer, John Conley, and the designated Assistant Treasurer, Patrick Leahy, be and are hereby authorized to serve until such time as bonding is completed on the Treasurer-elect and the Assistant Treasurer designate.

BE IT FURTHER RESOLVED that Rich Tesar is hereby elected the Nebraska Association of Resources Districts Director for the coming year and that Larry Bradley is hereby elected the Nebraska Association of Resources Districts Alternate Director for the coming year.

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

**INFORMATIONAL ITEMS:**

A. Future Meetings:

July 27, 2017	Papillion Creek Watershed Partnership Meeting 10:00 a.m., at NRC
August 8, 2017	P-MRNRD Subcommittee Meetings
August 10, 2017	P-MRNRD Board Meeting
August 24, 2017	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC

B. Next Meeting – The next scheduled meeting of the P-MRNRD Board of Directors will be held on August 10, 2017, at the NRC

**ADJOURNMENT:** Being no further business, the Chairperson declared that the meeting was adjourned at 8:20 p.m.

**NOTE:** These minutes reflect the actions and votes taken at the July 13, 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 July 13, 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