



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
August 10, 2017**

PLEDGE OF ALLEGIANCE

NOTIFICATION OF OPEN MEETINGS ACT POSTING AND MEETING PROCEDURE

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. 154th St., Omaha, NE on August 10, 2017. The meeting was called to order by Chairperson David Klug at 7:00 p.m.

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

Larry Bradley	Dave Klug
Fred Conley	Patrick Leahy
Tim Fowler	Rich Tesar
Mark Gruenewald	Jim Thompson
Ted Japp	

ADOPTION OF AGENDA:

- **MOTION NO. 1** It was moved by Director Conley (Fred) and seconded by Director Fowler that the 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), Fowler, Gruenewald, Japp, Leahy, Tesar, Thompson, Klug
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Conley (John), Wiese
Absent	-	Conley (John), Wiese

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2** It was moved by Director Tesar and seconded by Director Conley (Fred) 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 following Director(s) has an excused absence from the August 10, 2017, Board of Directors Meeting:

John Conley
John Wiese

Agenda Items 7.A. and 7.B.:

BE IT RESOLVED that the July 13, 2017, Papio-Missouri River NRD Board meeting minutes and the July 12, 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 9-yea.

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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on August 3, 2017. The District's June 9 - July 13, 2017, expenditures were published in the Burt County Plaindealer on July 19, 2017. The Chairperson ordered the Proofs of Publication be 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, NRCS District Conservationist at the Omaha NRCS office, gave his report on NRCS activities. The report is posted to the website and attached to the file copy of these 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 Report: Director Tesar reminded the Board the NARD Annual Conference will be held in Kearney, Nebraska on September 25-26, 2017. He encouraged Directors to attend.

C. Legislative Report – Husch Blackwell: Brent Meyer, District Legal Counsel, stated there was nothing to report.

D. Nebraska Natural Resources Commission Report: Director Thompson announced the NNRC Scoring Committee will meet in Gothenburg, Nebraska, on November 8th-9th, 2017 to review and score funding applications. The next Commission meeting is scheduled for November 28, 2017.

PUBLIC COMMENT AND INPUT ON P-MRNRD FY 2018 BUDGET: General Manager Winkler provided updates that were made to the second draft of the budget. He then opened the floor to the public to give comment and input on the FY 2018 Budget. The following individuals addressed the Board:

- Doug Kagan, Nebraska Taxpayers for Freedom, 416 S. 130th Street, Omaha, NE (a copy of Mr. Kagan's written testimony is attached to the file copy of these minutes)
- Wade Junker, 12404 Pawnee Road, Omaha, NE, on behalf of Shawn Melotz, 10404 S. 132nd Street, Omaha, NE (a copy of Ms. Melotz's written testimony is attached to the file copy of these minutes)
- Grant Melotz, 10404 N 132nd Street, Omaha, NE (a copy of Mr. Melotz's written testimony is attached to the file copy of these minutes)

The Public Hearings to adopt the FY 2018 budget and to set the property tax levy is scheduled for September 14, 2017.

SUBCOMMITTEE REPORTS:

A. Programs, Projects and Operations Subcommittee: Director Jim Thompson reported that the PPO Subcommittee met on August 8, 2017 and gave a brief recap of the meeting.

- **MOTION NO. 3** It was moved by Director Jim Thompson that the following Subcommittee recommendation be adopted:

PPO Recommendation #1: Geographic Information Services to Certify Irrigated Acres and Issue Well Permits – Recommendation that the General Manager be authorized to execute a contract with Burns & McDonnell for Geographic Information Services to certify irrigated acres and issue well permits for a maximum not-to-exceed cost of \$46,361, subject to provisions deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Directors Japp and Gruenewald addressed their concerns regarding the legal obligations of certifying acres. The General Manager explained the statutory obligations of the Groundwater Management Plan. Staff member Paul Woodward briefed the requirements of the Integrated Management Plan and Groundwater Management Plans and added that these rules have been in place since 2009. He added that these plans establish a good practice to ensure the correct permits and applications follow current rules and regulations.

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

Voting Yea - Bradley, Conley (Fred), Fowler, Japp, Leahy, Tesar, Thompson, Klug

Voting Nay - Gruenewald
 Abstaining - None
 Excused Absence - Conley (John), Wiese
 Absent - Conley (John), Wiese

•• **MOTION NO. 4** It was moved by Director Jim Thompson that the following Subcommittee recommendation be adopted:

PPO Recommendation #2: Lower Platte Watershed Restoration, Nebraska – Aquatic Ecosystem Restoration Comprehensive Study - Recommendation that the General Manager be authorized to execute the proposed Letter of Intent for the Lower Platte River Watershed, Nebraska-Aquatic Ecosystem Restoration Comprehensive Study, contingent upon approval by the Lower Platte North NRD and the Lower Platte South NRD and subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

The General Manager briefed the Board members that the Lower Platte North NRD voted to approve the letter of intent. The Lower Platte South NRD Board will vote on this issue at their August 16th meeting. Director Tesar addressed his concerns regarding the study. There was additional discussion.

Roll call was held on the motion. The motion carried on a vote of 5-yea and 4-nay.

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

B. Finance, Expenditure and Legal Subcommittee: Director Rich Tesar reported that the FEL Subcommittee met on August 8, 2017 and gave a brief recap of the meeting.

•• **MOTION NO. 5** It was moved by Director Rich Tesar that the following Subcommittee recommendation be adopted:

FEL Recommendation #1: FY 2018 Budget – Draft 2 – Recommendation that the FY 2018 draft budget be forwarded for review at the September 14, 2017 Budget Hearing with the provision that the General Manager be authorized to make necessary adjustments once final figures are available to achieve compliance of state statutes regarding the lid.

There was extensive discussion by Directors and staff regarding various P-MRNRD projects and how those projects will impact District taxpayers and the FY 2018 Budget.

End Discussion (Move The Previous Question) A motion to end the discussion (move the previous question) was made by Director Tesar and was seconded by Director Fowler.

Roll call was held on the motion to end discussion (Move the Previous Question). The motion carried on a vote of 7-yea and 2-nay.

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

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

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

TREASURER'S REPORT:

- **MOTION NO. 6** It was moved by Director Patrick Leahy and seconded by Director Klug 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 July, 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 July, 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 9-yea.

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

LEGAL UPDATE: Brent Meyer, District Legal Counsel, briefed the Board on Steve Grasz’s nomination by President Trump, to serve as Judge on the 8th Circuit U.S. Court of Appeals. He explained the process and timeline for confirmation. Until that time, Steve will continue to represent the District.

CHAIRPERSON’S REPORT: The Chairman Klug said he was disappointed the discussion of the FY 2018 Budget was cut short and added he respected the comments made by Directors and the General Manager.

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 provided an update on a meeting with Wells Fargo Bank, Government Division. Wells Fargo conducted a fraud protection review on District accounts and found that all of our accounts exceeded their expectations. He added that Wells Fargo was going to eliminate their \$1,200-\$1,600 monthly banking fees and was going to review District revenue accounts to look at strategies to move money currently in checking accounts into higher interest bearing accounts i.e. money market accounts.

INFORMATIONAL ITEMS:

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

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| August 24, 2017 | Papillion Creek Watershed Partnership Meeting,
10:00 a.m., NRC |
| September 4, 2017 | Labor Day Holiday – P-MRNRD Offices Closed |
| September 9, 2017 | World O! Water, Chalco Hills noon to 4:00 p.m. |
| September 12, 2017 | P-MRNRD Subcommittee Meetings |
| September 14, 2017 | P-MRNRD Board Meeting in Dakota City, NE |
| September 12-14, 2017 | Husker Harvest Days, Grand Island, NE |
| September 25-26, 2017 | NARD Annual Conference, Kearney, NE |
| September 28, 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 September 14, 2017, at the Dakota City Field Office.

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

NOTE: These minutes reflect the actions and votes taken at the August 10, 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.

I, the undersigned, Secretary of the Papio-Missouri River Natural Resources District, hereby certify that the foregoing are true and correct minutes of the meeting of the Board of Directors of the District held on August 10, 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.

Richard Tesar
District Secretary