



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
December 14, 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 Street, Omaha, NE on December 14, 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	Ted Japp
Fred Conley	David Klug
John Conley	Patrick Leahy
Tim Fowler	Rich Tesar
Mark Gruenewald	Jim Thompson

ADOPTION OF AGENDA:

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

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

Voting Yea	-	Bradley, F. Conley, J. Conley, Fowler, Gruenewald, Japp, Leahy, Tesar, Thompson, Klug
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Wiese
Absent	-	Wiese

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Thompson and seconded by Director Fowler 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 December 14, 2017, Board of Directors Meeting is excused:

John Wiese.

Agenda Item 7. A. and Agenda Item 7.B.

BE IT RESOLVED that the November 9, 2017, Papio-Missouri River NRD Board meeting minutes and the November 8, 2017, Dakota County Rural Water Advisory Board meeting minutes are approved as printed.

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

Voting Yea	-	Bradley, F. Conley, J. Conley, Fowler, Gruenewald, Japp, Leahy, Tesar, Thompson, Klug
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Wiese
Absent	-	Wiese

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on December 7, 2017. The District's October 13, 2017 through November 9, 2017, expenditures were published in the Douglas County Post-Gazette on November 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, NRCS District Conservationist at the Omaha NRCS office, gave his report on NRCS activities. Neil's report is posted to the website and attached to these meeting minutes.

B. Nebraska Association of Resources Districts: Director Tesar reported the upcoming NARD Legislative Conference being held on January 23-24, 2018, at the Embassy Suites in Lincoln, NE.

C. Legislative Report: There was no Legislative Report.

PUBLIC HEARING ON PROPOSED GROUNDWATER MANAGEMENT PLAN:

Chairperson David Klug appointed staff member Paul Woodward as the Hearing Officer. Hearing Officer Woodward called the hearing to order at 7:11 p.m. and submitted the following exhibits for the record:

- Exhibit 1** Proof of Publication Affidavit for Public Hearing
- Exhibit 2** Public Hearing Agenda
- Exhibit 3** Groundwater Management Plan Frequently Asked Questions
- Exhibit 4** Draft of the Proposed Groundwater Management Plan
- Exhibit 5** Letter from Nebraska Department of Natural Resources Director with Agency Review and Approval on Proposed Groundwater Management Plan
- Exhibit 6** Nebraska Groundwater Management and Protections Act

Brent Meyer, Husch Blackwell, stated the Public Hearing was being held in accordance with Neb. Rev. Statute § 46-743. At this hearing, the District will explain the contents of the proposed Groundwater Management Plan, the geographic area which will be considered for inclusion in the management area, a general description of all controls proposed for adoption and shall identify all locations where a copy of the full text of the proposed plan and controls may be obtained. All interested persons shall be allowed to appear and present testimony, and the District will hear and consider any objections from any person. Hearing Officer Woodward gave a presentation of the proposed Groundwater Management Plan and opened the floor to the public. The following individuals provided testimony:

- Dwight Trumble, 12400 Buffalo Road, Springfield NE 68059
- Tom Andersen, 14438 County Road P12, Blair NE 68008
- John Knapp, 19010 S. 168th Street, Springfield NE 68059
- Mina Davis, 909 N. 48th Avenue Apt. 6, Omaha NE 68132
- Ray Cooney, 1000 27th Road, Walthill NE 68067
- Ellana Haakenstad, 4928 California Street, Omaha NE 68132
- Gary Lambrecht, 4604 County Road P25, Kennard NE 68034
- Shawn Melotz, 10404 N. 132nd Street, Omaha NE 68142
- Andy Scholting, 1070 6th Road, Wisner NE 68791(rural West Point)

Hearing Officer Woodward closed the Public Hearing at 8:15 p.m.

PUBLIC HEARING ON PROPOSED GROUNDWATER RULES AND REGULATIONS:

Hearing Officer Woodward called the hearing to order at 8:15 p.m. and submitted the following exhibits for the record:

- Exhibit 1** Proof of Publication Affidavit for Public Hearing
- Exhibit 2** Public Hearing Agenda
- Exhibit 3** Summary of Proposed Groundwater Rules, Regulations and Actions
- Exhibit 4** Draft of Groundwater Rules and Regulations
- Exhibit 5** Letter from Nebraska Department of Natural Resources Director with comments on Rules and Regulations
- Exhibit 6** Letter from Nebraska Department of Environmental Quality with testimony

- Exhibit 7** Nebraska Groundwater Management and Protections Act
- Exhibit 8** Maps of affected areas within the Papio-Missouri River NRD

Brent Meyer, Husch Blackwell, stated the Public Hearing was being held in accordance with Neb. Rev. Statute § 46-708 and 46-743. At this hearing, the District will explain the nature and necessity of the proposed amendment to the District’s groundwater rules and regulation and identify the geographic area where the proposed rules and regulation will apply. The District shall identify all locations where a copy of the full text of the proposed amendment to the rules and regulations may be obtained. All interested persons shall be allowed to appear and present testimony, and the District will hear and consider any objections from any person. Hearing Officer Woodward opened the floor to the public. No additional testimony was given. Hearing Officer Woodward closed the Public Hearing at 8:22 p.m.

PUBLIC HEARING ON PROPOSED GROUNDWATER MANAGEMENT AREAS:

Hearing Officer Woodward called the hearing to order at 8:22 p.m. and submitted the following exhibits for the record:

- Exhibit 1** Proof of Publication Affidavit for Public Hearing
- Exhibit 2** Public Hearing Agenda
- Exhibit 3** Map of the Proposed Groundwater Management Areas
- Exhibit 4** Letter from Nebraska Department of Natural Resources Director with comments on Rules and Regulations
- Exhibit 5** Letter from Nebraska Department of Environmental Quality with testimony
- Exhibit 6** Nebraska Groundwater Management and Protections Act

Brent Meyer, Husch Blackwell, stated the Public Hearing was being held in accordance with Neb. Rev. Statute § 46-712 and 46-743. At this hearing, the District will explain the reasons for designating a Groundwater Management Area, the geographic area contained within the proposed Groundwater Management Area, and how the property owners within the proposed Groundwater Management Area will be affected. All interested persons shall be allowed to appear and present testimony, and the District will hear and consider any objections from any person. Hearing Officer Woodward opened the floor to the public. No additional testimony was given. Hearing Officer Woodward closed the Public Hearing at 8:31 p.m.

SUBCOMMITTEE REPORTS:

A. Personnel, Legislative, and Public Affairs Subcommittee: Director Fred Conley reported that the Personnel, Legislative, and Public Affairs Subcommittee met on December 12, 2017, and gave a brief recap of the meeting.

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

PLPA Recommendation #1: 2018 Pay Program Administration Manual: Recommendation that the amendments to the Papio-Missouri River NRD Pay Program

Administration Manual for calendar year 2018, be adopted and incorporated into the District Policy Manual.

Amended Motion: Director Bradley made a motion to remove the strikeouts on page 16 of the proposed 2018 Pay Program Administration Manual, which would keep the employee length of service increases at 7, 15 and 25 years, in the manual. The motion was seconded by Director F. Conley.

There was extensive discussion by Directors. Ashley Thomalla, SilverStone Group, and General Manager Winkler addressed Directors questions. Director Leahy inquired to the timeline of having SilverStone Group review and assess the District's annual and sick leaves for market comparison. The General Manager stated the comparison would begin in the spring/summer of 2018 and brought back to the Subcommittee in the fall.

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

Voting Yea	-	Bradley
Voting Nay	-	F. Conley, J. Conley, Fowler, Gruenewald, Japp, Leahy, Tesar, Thompson, Klug
Abstaining	-	None
Excused Absence	-	Wiese
Absent	-	Wiese

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

Voting Yea	-	F. Conley, J. Conley, Fowler, Gruenewald, Japp, Leahy, Tesar, Thompson, Klug
Voting Nay	-	Bradley
Abstaining	-	None
Excused Absence	-	Wiese
Absent	-	Wiese

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

PLPA Recommendation #2: Update to Employee Handbook: Recommendation that the amendments to the Papio-Missouri River NRD Employee Handbook, be adopted and incorporated into the District Policy Manual.

Director Leahy requested an update to page 10 of the Employee Handbook, under Section Titled 'Compensation for Temporary Duty', to insert the words "...and is required to report it to the Board of Directors." at the end of the last sentence.

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

Voting Yea - Bradley, F. Conley, J. Conley, Fowler, Gruenewald, Japp, Leahy, Tesar, Thompson, Klug
Voting Nay - None
Abstaining - None
Excused Absence - Wiese
Absent - Wiese

B. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on December 12, 2017, and gave a brief recap of the meeting.

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

PPO Recommendation #1: Interlocal Agreement with City of Gretna on Sanitary Sewer Main Extension around the WP2 Project: It is recommended that the General Manager be authorized to execute an Interlocal Agreement with the City of Gretna for the WP2 Sanitary Sewer Main Extension Project, in an amount not-to-exceed \$300,000, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

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

Voting Yea - Bradley, F. Conley, J. Conley, Fowler, Gruenewald, Japp, Leahy, Tesar, Thompson, Klug
Voting Nay - None
Abstaining - None
Excused Absence - Wiese
Absent - Wiese

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

PPO Recommendation #2: Proposed Easements to SID 312 and Sarpy County for Lincoln Road Improvements: It is recommended that the General Manager be authorized to execute the proposed Temporary Construction Easement to Sarpy County, Permanent Storm Sewer and Drainage Easement to Sarpy County and Permanent Storm Sewer and Drainage Easement to SID 312 for the Lincoln Road Improvements, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

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

Voting Yea - Bradley, F. Conley, J. Conley, Fowler, Gruenewald, Japp, Leahy, Tesar, Thompson, Klug
Voting Nay - None
Abstaining - None
Excused Absence - Wiese
Absent - Wiese

•• **MOTION NO. 7:** It was moved by Director John Conley that the following recommendation be adopted:

PPO Recommendation #3: Mentored Hunt Agreement with Nebraska Game and Parks Commission: It is recommended that the General Manager be authorized to execute the proposed Platte/Elkhorn River Habitat Area Mentored Hunt Agreement with the Nebraska Game and Parks Commission, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Tesar asked staff member Eric Williams if the requested changes identified at the Subcommittee meeting had been included in the agreement. Eric addressed his concerns. It was added that if there were any deviations to the agreement, other than those identified, that it must come back to the Board for their approval.

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

Voting Yea - Bradley, F. Conley, J. Conley, Fowler, Gruenewald, Japp, Leahy, Tesar, Thompson, Klug
Voting Nay - None
Abstaining - None
Excused Absence - Wiese
Absent - Wiese

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

PPO Recommendation #4: Chalco Hills 156th Street Trail Paving Project Construction Bids: It is recommended that the General Manager be authorized to execute a contract with Dostals Construction for construction of the Chalco Hills Recreation Area 156th Street Trail Paving Project in the bid amount of \$118,376, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

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

Voting Yea - Bradley, F. Conley, J. Conley, Fowler, Gruenewald, Japp, Leahy, Tesar, Thompson, Klug

Voting Nay - None
Abstaining - None
Excused Absence - Wiese
Absent - Wiese

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

PPO Recommendation #5: FY 2018 Replacement Vehicle Purchase: It is recommended that the low and best bid of \$25,134 from Woodhouse Ford for one, 2018 Ford Super Duty F-350 Chassis Cab Truck be accepted with trade-in of the District's 2006 Ford F-250 4x4 Utility Truck, serial number 1FDNF21556EC02494.

Director Thompson voiced his concern about spending budgeted dollars that were not used on items that were not identified during the budgeting process. Director J. Conley reminded the Board that the vehicle no longer met the needs of the O&M Department.

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

Voting Yea - Bradley, F. Conley, J. Conley, Fowler, Gruenewald, Japp, Leahy, Tesar, Klug
Voting Nay - Thompson
Abstaining - None
Excused Absence - Wiese
Absent - Wiese

C. Finance, Expenditures and Legal Subcommittee: Director Rich Tesar reported that the FEL Subcommittee met on December 12, 2017, and gave a brief recap of the meeting.

- **MOTION NO. 10:** It was moved by Director Rich Tesar that the following recommendation be adopted:

FEL Recommendation #1: Fiscal Year 2017 Audit Report: Recommendation that the FY2017 Audit Report, prepared by HSMC Orizon, LLC, be accepted and that the General Manager be directed to file an authenticated copy of the audit report with the Nebraska Auditor of Public Accounts and the Nebraska Natural Resources Commission.

Director J. Conley complimented Carey Fry, Jo Lene Kohout, and Barb Sudrla on their excellent work in the Accounting Department. The following individual addressed the Board:

- Shawn Melotz, 10404 N. 132nd Street, Omaha NE 68142. Her written testimony is attached to the file copy of these meeting minutes.

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

Voting Yea - Bradley, F. Conley, J. Conley, Fowler, Gruenewald, Japp, Leahy, Tesar, Thompson, Klug
 Voting Nay - None
 Abstaining - None
 Excused Absence - Wiese
 Absent - Wiese

TREASURER'S REPORT:

- **MOTION NO. 11:** 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 November, 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 November, 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, F. Conley, J. Conley, Fowler, Gruenewald, Japp, Leahy, Tesar, Thompson, Klug
 Voting Nay - None
 Abstaining - None
 Excused Absence - Wiese
 Absent - Wiese

LEGAL UPDATE: Brent Meyer, District Legal Counsel, had nothing to report.

CHAIRPERSON’S REPORT:

A. P-MRNRD Employee Service Awards

Pat McEvoy – Assistant O&M Superintendent	5 Years
Amanda Grint – Water Resources Engineer	10 Years
Justin Novak – Field Representative	10 Years
Mike McNaney – Survey Coordinator	15 Years
Jo Lene Kohout – Accounting Assistant	20 Years
Jason Schnell – Medium Equipment Operator	25 Years
Terry Schumacher – Land & Water Coordinator	25 Years
Marty Thieman – Water Supply Superintendent	25 Years
Marge Stark – Water Supply Bookkeeper	30 Years

The Chairperson concluded his report by thanking everyone for their fine work and professionalism displayed throughout the past year.

GENERAL MANAGER'S REPORT: GM Winkler stated that his report had been posted to the website for review. He concluded his report by wishing everyone a safe and happy holiday.

INFORMATIONAL ITEMS:

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

December 25, 2017	Christmas Holiday – P-MRNRD Offices Closed
January 1, 2018	New Year’s Holiday – P-MRNRD Offices Closed
January 9, 2018	P-MRNRD Subcommittee Meetings
January 11, 2018	P-MRNRD Board Meeting
January 15, 2018	Martin Luther King Day – P-MRNRD Offices Closed
January 23-24, 2018	NARD Legislative Conference, Lincoln, NE
January 25, 2018	Papillion Creek Watershed Partnership Meeting, 10:00 a.m. NRC
January 27-31, 2018	National Association of Conservation Districts 2018 Annual Meeting, Nashville, TN

B. Next Meeting – The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on January 11, 2018, at the NRC

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 9:25 p.m.

NOTE: These minutes reflect the actions and votes taken at the December 14, 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 a meeting of the Board of Directors of the District held on December 14, 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