



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
March 8, 2018**

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. 154th Street, Omaha, NE on March 8, 2018. 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 | Ted Japp |
| Fred Conley | David Klug |
| John Conley | Patrick Leahy |
| Tim Fowler | Jim Thompson |

ADOPTION OF AGENDA:

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

Roll call vote was held on motion. The motion carried on a vote of 8-yea.

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

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director F. Conley and seconded by Director J. 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 March 8, 2018, Board of Directors Meeting are excused:

Mark Gruenewald
Rich Tesar
John Wiese

Agenda Item 7. A.

BE IT RESOLVED that the February 8, 2018, Papio-Missouri River NRD Board meeting minutes and the February 14, 2018, 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 8-yea.

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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on March 1, 2018. The District's January 12, 2018, through February 8, 2018, expenditures were published in the Papillion Times on February 14, 2018. 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 minutes.

B. Nebraska Association of Resources Districts: Chairperson Klug reported the NARD Board of Directors will meet on March 11-12, 2018, at the Embassy Suites in Lincoln, NE.

C. Nebraska Natural Resources Commission: Director Jim Thompson reported on the NNRC meeting held February 21, 2018, at the Holiday Inn Convention Center, Kearney, NE.

D. Legislative Report – Husch Blackwell: Ron Sedlacek, Government Relations Representative, gave the Legislative Update. His presentation can be heard on the District's podcast at www.papionrd.org and his written report is attached to the file copy of these minutes.

SUBCOMMITTEE REPORTS:

A. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on March 6, 2018, 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: Nebraska Land Trust Interlocal Agreement Third Addendum: It is recommended that the General Manager be authorized to execute the Third Addendum to the 18 March 2009, “Agreement Between Papio-Missouri River Natural Resources District and Nebraska Land Trust for Cooperative Assistance” that allows for an additional three year District commitment in the amount of \$30,000/year, commencing in fiscal year 2019, 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 8-yea.

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

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

PPO Recommendation #2: Amendment to 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 amendment to the Interlocal Agreement with the City of Gretna for the WP2 Sanitary Sewer Main Extension Project in a maximum not-to-exceed amount of \$370,000, 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 8-yea.

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

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

PPO Recommendation #3: Amendments to District Policy 17-21 Groundwater Management Program: It is recommended that amendments to Policy 17-21 Groundwater Management Program be adopted and incorporated into the District's Policy Manual.

Roll call vote was held on motion. The motion carried on a vote of 8-yea.

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

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

PPO Recommendation #4: City of Springfield Wellhead Protection Area Plan Cost Share Agreement: It is recommended that the General Manager be authorized to execute the proposed Interlocal Agreement with the City of Springfield for Wellhead Protection Area Plan cost share in a maximum not-to-exceed amount of \$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 carried on a vote of 8-yea.

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

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

PPO Recommendation #5: Joint Funding Agreement with USGS for the Western Sarpy County GeoScene 3D Aquifer Characterization Project: It is recommended that the General Manager be authorized to execute a Joint Funding Agreement with the U.S. Geological Survey for the Western Sarpy County GeoScene 3D Aquifer Characterization Project for a total non-federal maximum not-to-exceed amount of \$200,000, 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 8-yea.

Voting Yea - Bradley, F. Conley, J. Conley, Fowler, Japp, Leahy, Thompson, Klug
Voting Nay - None

Abstaining - None
Excused Absence - Gruenewald, Tesar, Wiese
Absent - Gruenewald, Tesar, Wiese

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

PPO Recommendation #6: Bids Received for Construction of the Fish Cleaning Station and Trail Improvements at the Danish Alps State Recreation Area: It is recommended that the General Manager be authorized to execute a contract with HCI Construction in a maximum not-to-exceed amount of \$186,023.29 for the construction of the Fish Cleaning Station and Trail Improvements at the Danish Alps State Recreation Area Project, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

There was discussion regarding the original Master Plan for Danish Alps Recreation Area, Nebraska Game and Parks role in the operations and maintenance of this site, future educational aspects for this area, and the Fish Cleaning Station portion of the bids received for this project.

- **AMENDED MOTION:** It was moved by Director Klug and seconded by Director Leahy to amend the original motion, removing the fish cleaning station from the submitted bid.

Roll call vote was held on the amended motion. The amended motion failed on a vote of 1-yea and 7-nay.

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

Roll call vote was held on the original motion. The original motion carried on a vote of 7-yea and 1-nay.

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

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

PPO Recommendation #7: Update to Appendix K Rules and Regulations for All District Recreation Areas: It is recommended that the proposed amendments

to Appendix K Rules and Regulations for All District Recreation Areas be approved and incorporated into the District Policy Manual.

Director Leahy asked why Prairie Queen Recreation Area was still appearing on the updated version of the policy. Staff responded that it would be removed in the next update to the Rules and Regulations for District Recreation Areas.

Roll call vote was held on motion. The motion carried on a vote of 8-yea.

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

B. Finance, Expenditure and Legal Subcommittee: Director Jim Thompson reported that the FEL Subcommittee met on March 6, 2018, and gave a brief recap of the meeting.

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

FEL Recommendation #1: Lot Donation from Eastern Nebraska Community Action Partnership: It is recommended that the General Manager be authorized to execute a transfer agreement to take ownership of the lot currently owned by the Eastern Nebraska Community Action Partnership, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Japp said he agreed with the points made by Director Tesar at the Subcommittee meeting on why the District should be taking on the land donation. There was discussion by the Directors.

Roll call vote was held on motion. The motion carried on a vote of 5-yea and 3-nay.

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

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

FEL Recommendation #2: Zorinsky Basin 2 Professional Services (02-01-558-440) Account over 110%: It is recommended that the account for Zorinsky #2 Water Quality Basin Professional Services (02-01-558-440) be allowed to exceed the budgeted amount up to a maximum amount of \$650,000.

Roll call vote was held on motion. The motion carried on a vote of 8-yea.

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

TREASURER'S REPORT:

- **MOTION NO. 12:** It was moved by Director John Conley and seconded by Director Jim 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 February 2018, 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 February 2018, 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 8-yea.

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

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

CHAIRPERSON'S REPORT: Chairperson Klug stated he had nothing to report.

GENERAL MANAGER'S REPORT: General Manager Winkler reviewed the GM Report with the Board. His report is posted to the website and attached to these minutes.

INFORMATIONAL ITEMS:

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

- | | |
|-------------------|--|
| March 17-21, 2018 | NRDs Annual Washington D.C. Conference |
| March 22, 2018 | Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC |
| April 10, 2018 | P-MRNRD Subcommittee Meetings |
| April 12, 2018 | P-MRNRD Board Meeting |
| April 21, 2018 | Earth Day Omaha, 11:00 a.m.-6:00 p.m., Elmwood Park, Omaha |
| April 26, 2018 | 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 April 12, 2018, at the NRC

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 7:59 p.m.

NOTE: These minutes reflect the actions and votes taken at the March 8, 2018, 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 March 8, 2018, 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