



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
January 14, 2016**

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 January 14, 2016. 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:

Patrick Bonnett	Dave Klug
Fred Conley	Patrick Leahy
John Conley	Rich Tesar
Curt Frost	Jim Thompson
Scott Japp	

ADOPTION OF AGENDA:

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

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

Voting Yea	-	Bonnett, Fred Conley, John Conley, Frost, Japp, Leahy, Tesar, Thompson, Klug
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Fowler, Woodle
Absent	-	Fowler, Woodle

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Fred Conley and seconded by Director Thompson 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 of the following Director(s) from the January 14, 2016, Board of Directors Meeting is excused:

Tim Fowler
Ron Woodle

Agenda Item 7.A.:

BE IT RESOLVED that the December 10, 2015, Papio-Missouri River NRD Board meeting minutes are approved as printed.

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

Voting Yea	-	Bonnett, Fred Conley, John Conley, Frost, Leahy, Tesar, Thompson, Klug
Voting Nay	-	Japp
Abstaining	-	None
Excused Absence	-	Fowler, Woodle
Absent	-	Fowler, Woodle

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on January 7, 2016. The District's November 13, 2015 through December 10, 2015 expenditures were published in the Papillion Times on December 16, 2015. 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 gave the report on the NARD Legislative Conference which is being held January 26-27, 2016, in Lincoln, NE.

C. Legislative Report – Husch Blackwell: Steve Grasz gave the report on Legislative activities. His report can be heard on the podcast at www.papionrd.org/about-nrd/podcasts.

D. Lower Platte River Corridor Alliance Report: Meghan Sittler's written report is posted to the website and attached to these meeting minutes.

PUBLIC INPUT ON PAPIO MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN: Lori Laster and Becky Appleford, JEO Engineering, gave a presentation on the Papio

Multi-Jurisdictional Hazard Mitigation Plan, outlining the Goals and Objectives of the Plan and the next steps for implementing updates to it. The plan is required to be updated every 5 years, and is due to expire in September 2016.

SUBCOMMITTEE REPORTS:

A. Personnel, Legislative, and Public Affairs Subcommittee: Director Fred Conley reported that the Personnel, Legislative, and Public Affairs Subcommittee met on January 12, 2016, 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: P-MRNRD Affirmative Action Policy for 2016: Recommendation that the Papio-Missouri River NRD’s Affirmative Action Policy for 2016 be adopted and incorporated in the District’s Policy Manual as Appendix W.

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

Voting Yea	-	Bonnett, Fred Conley, John Conley, Frost, Japp, Leahy, Tesar, Thompson, Klug
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Fowler, Woodle
Absent	-	Fowler, Woodle

B. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on January 12, 2016, 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: Contract Amendment with HDR Engineering for Design Services of Rumsey West Wetland Mitigation Bank: Recommendation that the General Manager be authorized to execute the contract amendment with HDR Engineering, Inc. in an amount not to exceed \$75,737 for Rumsey West wetland design bringing the contract total not to exceed amount to \$170,606, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

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

Voting Yea	-	Bonnett, Fred Conley, John Conley, Frost, Japp, Leahy, Tesar, Thompson, Klug
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Fowler, Woodle

Absent - Fowler, Woodle

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

PPO Recommendation #2: Big Papio Creek Levee Culverts Project: Recommendation that the General Manager be authorized to reject all of the December 29, 2015 bids for the construction of the Big Papio Levee Culverts Project and rebid the project.

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

Voting Yea - Bonnett, Fred Conley, John Conley, Frost, Leahy, Tesar, Thompson, Klug
Voting Nay - None
Abstaining - Japp
Excused Absence - Fowler, Woodle
Absent - Fowler, Woodle

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

PPO Recommendation #3: Little Papillion Creek Channel Stabilization Project: Recommendation that the General Manager be authorized to execute a contract with Bayshore Contractors, LLC in the amount of \$173,780 for construction of the Little Papillion Creek Channel Stabilization Project, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

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

Voting Yea - Bonnett, Fred Conley, John Conley, Frost, Japp, Leahy, Tesar, Thompson, Klug
Voting Nay - None
Abstaining - None
Excused Absence - Fowler, Woodle
Absent - Fowler, Woodle

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

PPO Recommendation #4.a.: Elkhorn River 240th Street Bank Stabilization Project – Construction Bid Opening: Recommendation that upon the acquisition of necessary rights-of-way, the General Manager be authorized to execute a contract with Niewohner Construction for construction of the Elkhorn River 240th Street Bank Stabilization Project for the total bid amount, including the alternate, of \$399,625.90, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

Roll call vote was held on motion. The motion carried on a vote of 7-yea and 2-nay.

Voting Yea - Bonnett, Fred Conley, John Conley, Leahy, Tesar, Thompson, Klug
Voting Nay - Frost, Japp
Abstaining - None
Excused Absence - Fowler, Woodle
Absent - Fowler, Woodle

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

PPO Recommendation #4.b.: Elkhorn River 240th Street Bank Stabilization Project – Right of Way Acquisition: Recommendation that the General Manager be authorized to accept the counter offer proposed by the State of Nebraska Board of Educational Lands & Funds management for the Elkhorn River 240th Street Bank Stabilization Projects Tract 2 in the amount of \$85,250 for a channel easement containing an area of 4.287 acres, subject to terms and conditions deemed necessary by the General Manager and approved as to form by District Legal Counsel.

Executive Session: A motion was made by Director Bonnett and was seconded by Director Japp to move into Executive Session at 7:42 p.m. for the purpose of discussing real estate acquisition.

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

Voting Yea - Bonnett, Fred Conley, Frost, Japp, Leahy
Voting Nay - John Conley, Tesar, Thompson, Klug
Abstaining - None
Excused Absence - Fowler, Woodle
Absent - Fowler, Woodle

Return to General Session: A motion was made by Director Thompson and was seconded by Director Tesar to return to General Session at 7:47 p.m.

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

Voting Yea - Bonnett, Fred Conley, John Conley, Frost, Japp, Leahy, Tesar, Thompson, Klug
Voting Nay - None
Abstaining - None
Excused Absence - Fowler, Woodle
Absent - Fowler, Woodle

Roll call vote was held on the original motion. The motion carried on a vote of 7-yea and 2-nay.

Voting Yea - Bonnett, Fred Conley, John Conley, Leahy, Tesar, Thompson, Klug
Voting Nay - Frost, Japp

Abstaining - None
Excused Absence - Fowler, Woodle
Absent - Fowler, Woodle

TREASURER'S REPORT:

- **MOTION NO. 9:** 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 December, 2015, 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 December, 2015, 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 and 1-nay.

Voting Yea - Bonnett, Fred Conley, John Conley, Frost, Leahy, Tesar, Thompson, Klug
Voting Nay - Japp
Abstaining - None
Excused Absence - Fowler, Woodle
Absent - Fowler, Woodle

LEGAL UPDATE: David Newman, District Legal Counsel, provided update on the mediation with City of Fort Calhoun and the Camden condemnation case.

CHAIRPERSON'S REPORT:

Chairperson's Report Recommendation: Taking from the Table and Consideration of Amendments to District Policies proposed at the Board of Directors meeting on December 10, 2015:

- Policy 15.4 Purchasing – Emergency Purchasing Authority
- Policy 15.8 Purchasing – Performance Bonds

- **MOTION NO. 10:** It was moved by Director Thompson and seconded by Director John Conley to take Policies 15.4 and 15.8 from the table.

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

Voting Yea - Bonnett, Fred Conley, John Conley, Frost, Japp, Leahy, Tesar, Thompson, Klug
 Voting Nay - None
 Abstaining - None
 Excused Absence - Fowler, Woodle
 Absent - Fowler, Woodle

- **MOTION NO. 11:** It was moved by Director John Conley and seconded by Director Fred Conley that the amendments to policies 15.4 and 15.8 be approved and that the following resolution be adopted:

BE IT RESOLVED that such amendments are hereby adopted and ordered to be incorporated in the District’s Policy Manual.

Roll call vote was held on motion. The motion carried on a vote of 7-yea and 2-nay.

Voting Yea - Bonnett, Fred Conley, John Conley, Leahy, Tesar, Thompson, Klug
 Voting Nay - Frost, Japp
 Abstaining - None
 Excused Absence - Fowler, Woodle
 Absent - Fowler, Woodle

The Chairperson appointed the members of the Ad Hoc Consultant Selection Subcommittee for the Zorinsky Water Quality Basin Number 2 Project Professional Services. Members include: Tesar, Chairperson; John Conley, Vice-Chairperson; Bonnett, Fred Conley, Woodle, committee members; and Tim Fowler, alternate committee member.

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 briefed the Board on the changes to the contents of the Directors books - moving towards a “paperless” system and provided update on the Project Managers retreat that was held on December 14, 2015.

INFORMATIONAL ITEMS:

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

January 18, 2016	Martin Luther King Day – P-MRNRD Offices Closed
January 19, 2016	LPRCA Quarterly Meeting, 9:00 a.m. at the LPNNRD Office, Wahoo, NE

January 26-27, 2016	NARD Legislative Conference, Lincoln, NE
January 28, 2016	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
Jan. 30-Feb. 3, 2016	National Association of Conservation Districts 2016 Annual Meeting, Reno, NV
February 9, 2016	P-MRNRD Subcommittee Meetings
February 11, 2016	P-MRNRD Board Meeting
February 15, 2016	Presidents Day – P-MRNRD Offices Closed

B. Next Meeting – February 11, 2016, at the NRC

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 8:13 p.m.

NOTE: These minutes reflect the actions and votes taken at the January 14, 2016, 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 January 14, 2016, 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