



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
January 9, 2014**

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 January 9, 2014. The meeting was called to order by Chairperson Fred Conley 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 Klug and seconded by Director Thompson that the agenda be adopted.

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

Voting Yea	-	Bonnett, Conley (John), Klug, Leahy, Tesar, Thompson, Conley (Fred)
Voting Nay	-	Frost
Abstaining	-	Japp
Excused Absence:		Fowler, Woodle
Absent	-	Fowler, Woodle

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2** It was moved by Director Tesar 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 following Directors have an excused absence from the January 9, 2014, Board of Directors Meeting:

Tim Fowler
Ron Woodle

Agenda Item 7 A.:

BE IT RESOLVED that the December 12, 2013 Papio-Missouri River NRD Board meeting minutes be approved as printed.

Prior to the taking roll call Director Japp addressed the Board. Roll call vote was held on the motion. The motion carried on a vote of 7-yea, 1-nay, and 1-abstention.

Voting Yea - Bonnett, Conley (John), Klug, Leahy, Tesar, Thompson, Conley (Fred)
Voting Nay - Japp
Abstaining - Frost
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 2, 2014. The District's November 15 – December 12, 2013, expenditures were published in the Papillion Times on December 25, 2013. 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: Chuck Leinen from the NRCS Omaha Office gave the January report on NRCS activities. Neil Jansen's report is posted to the website and attached to these meeting minutes.

B. Nebraska Association of Resources Districts Report: Director Tesar reported that the 2014 NARD Legislative Conference would be held January 28-29, 2014, at the Embassy Suites in Lincoln, NE. He also noted that Directors Fowler and Bonnett would be representing the District at the NACD Conference being held in Anaheim, CA on February 2-5, 2014, and that Directors Thompson and Leahy would be representing the District at the NARD Washington D.C. Conference being held on March 23-26, 2014.

C. Legislative Report – Husch Blackwell: Tim Gay gave the Legislative Update report.

D. Lower Platte River Corridor Alliance Report (written report): Meghan's written

report is posted to the website and is attached to these meeting minutes.

SUBCOMMITTEE REPORTS:

A. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on January 7, 2014, and gave a brief recap of the meeting. The Nebraska Beekeeping Industry and Colony Collapse Disorder recommendation failed in subcommittee. That concluded his report.

B. Executive Subcommittee: Director Fred Conley reported that the EXE Subcommittee met on January 7, 2014, and gave a brief recap of the meeting.

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

EXE Recommendation #1: Director’s Expense Claim Reimbursement - It is recommended that the Board ratify the General Manager’s action denying Director Japp’s November 2013 expense claim for mileage to attend the Lower Platter North Board Meeting.

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

Voting Yea	-	Bonnett, Conley (John), Klug, Leahy, Tesar, Thompson, Conley (Fred)
Voting Nay	-	Frost
Abstaining	-	Japp
Excused Absence:		Fowler, Woodle
Absent	-	Fowler, Woodle

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

EXE Recommendation #2: Legal Options Concerning Director’s Actions - It is recommended that the following Resolution be adopted:

BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District that the General Manger is hereby directed to bring Director Scott Japp’s proposed “Quarry Lease Agreement” to the attention of the appropriate County Attorney.

BE IT FURTHER RESOLVED that District Legal Counsel is directed to request an injunction and other relief from the District Courts with respect to such “Quarry Lease Agreement.”

Director Japp addressed the Board. He stated that there was a list of questions asked of him at the Tuesday night meeting and said that he is not involved with the Corporation, that he doesn’t know the Corporation, or have anything to do with the Corporation. He further denied receiving any confidential information from the Board and addressed the December 16, 2013 letter sent to Dam Site 15A Project landowners. The referenced letter was given to staff by Director Japp and will become a part of the permanent record of these Board Meeting minutes.

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

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

TREASURER'S REPORT:

- **MOTION NO. 5** It was moved by Director John Conley and seconded by Director Klug as follows:

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (l) claims listed in the December, 2013, 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, 2013, 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.

Director Japp had a question regarding the financial report. Chairman Fred Conley instructed him to submit his question in writing in order for staff to properly respond to his concern.

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

Voting Yea - Bonnett, Conley (John), Klug, Leahy, Tesar, Thompson, Conley (Fred)
Voting Nay - Japp
Abstaining - Frost
Excused Absence: Fowler, Woodle
Absent - Fowler, Woodle

CHAIRPERSON’S REPORT:

A. Appointment of Ad Hoc Consultant Selection Subcommittee – Request for Proposal (RFP) for District’s Legal Services: Chairperson Fred Conley reported that he appointed the following Directors to the Ad Hoc Selection Subcommittee – Request for Proposal (RFP) for the District’s Legal Services. Members appointed are Jim Thompson – Chairperson, Dave Klug - Vice-Chairperson, Fred Conley, Patrick Leahy, Ron Woodle, and John Conley – Alternate.

- **MOTION NO. 6** It was moved by Director Thompson and seconded by Director Klug that the following resolutions be adopted:

BE IT RESOLVED that Ad Hoc Subcommittee appointments, as presented by the Chairperson, are hereby approved.

There was discussion on whether the District was looking for an individual or a firm to take over the District’s legal affairs. The General Manager said that would be determined based on the submissions received. There was further discussion.

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

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

GENERAL MANAGER'S REPORT: GM Winkler reviewed the GM report with the Board and asked directors to contact him if they had questions. The GM report has been posted to the website and is attached to these meeting minutes.

INFORMATIONAL ITEMS:

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

- January 20, 2014 Martin Luther King Holiday – P-MRNRD Offices Closed
- January 21, 2014 Hazard Identification Public Meeting – Lower Platte North NRD, 511 Commercial Rd, Wahoo, NE at 7:00 p.m.
- January 22, 2014 Hazard Identification Public Meeting – Fremont City Office, 400 E. Military Ave. Fremont, NE at 2:00 p.m.
- January 23, 2014 Papillion Creek Watershed Partnership Meeting, 9:00 a.m., NRC
- January 23, 2014 Hazard Identification Public Meeting – David City Library, 399 N. 5th St. David City, NE at 7:00 p.m.

January 28-29, 2014	NARD Legislative Conference, Embassy Suites, Lincoln, NE
February 2-5, 2014	National Association of Conservation Districts 2014 Annual Meeting, Anaheim, CA
February 11, 2014	P-MRNRD Subcommittee Meetings
February 13, 2014	P-MRNRD Board Meeting
February 17, 2014	Presidents Day – P-MRNRD Offices Closed
March 11, 2014	P-MRNRD Subcommittee Meetings
March 13, 2014	P-MRNRD Board Meeting
March 23-26, 2014	NARD Washington, D.C., Conference

B. Next Meeting – February 13, 2014, at NRC

ADJOURNMENT: Being no further business, at 7:23 p.m. the Chairperson declared that the meeting was adjourned.

NOTE: These minutes reflect the actions and votes taken at the January 9, 2014 Board of Directors Meeting of the Papio-Missouri River NRD 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 9, 2014 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