



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
December 11, 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 Street, Omaha, NE on December 11, 2014. 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 |
| Tim Fowler | Jim Thompson |
| Curt Frost | Ron Woodle |
| Scott Japp | |

ADOPTION OF AGENDA:

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

Roll call vote was held on motion. The motion carried on a vote of 11-yea.

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

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Fred Conley and seconded by Director Tesar 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 December 11, 2014, Board of Directors Meeting is excused:

None to date

Agenda Item 7. A.

BE IT RESOLVED that the November 13, 2014 Papio-Missouri River NRD Board meeting minutes and the November 12, 2014 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 and 1-nay.

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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on December 4, 2014. The District's October 10, 2014 – November 13, 2014, expenditures were published in the Douglas County Post-Gazette on November 25, 2014. 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. His 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 upcoming NARD Legislative Conference to be held January 27-28, 2015, in Lincoln and the NACD 2015 Annual Meeting to be held February 1-4, 2015, in New Orleans, LA. He stated that Director Fowler will be the voting delegate for the NARD Legislative Conference and encouraged all directors to attend. Directors Fowler and Bonnett will be attending the NACD Conference in February.

C. Legislative Report – Husch Blackwell: Tim Gay gave the Legislative Report. They are currently working to reach out to all the Senators to meet and discuss the NRD's mission. He

noted the Natural Resources Committee members are being assigned and the Chairman is Senator Ken Schilz.

D. Lower Platte River Corridor Alliance Report: Meghan Sittler's written report is attached to the file copy of the meeting minutes.

SUBCOMMITTEE REPORTS:

A. Ad Hoc Consultant Selection Subcommittee for the Multi-Hazard Mitigation Plan: Director Patrick Bonnett reported that the Ad Hoc Consultant Selection Subcommittee for the Multi-Hazard Mitigation Plan met on December 9, 2014, and gave a brief recap of the meeting.

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

Ad Hoc Mitigation Plan Recommendation #1: Professional Services Contract with JEO Consulting Group Inc.: Recommendation that the General Manager be authorized to execute a professional services contract with JEO Consulting Group Inc. to update the District's Multi-Hazard Mitigation Plan for a maximum fee not-to-exceed amount of \$150,000, 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 10-yea and 1-nay.

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

B. Ad Hoc Consultant Selection Subcommittee for the Big Papio Levee Culverts Project: Director Patrick Leahy reported that the Ad Hoc Consultant Selection Subcommittee for the Big Papio Levee Culverts Project met on December 9, 2014, and gave a brief recap of the meeting.

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

Ad Hoc Big Papio Culverts Recommendation #1: Initial Screening of Proposals for Consultant Selection Interviews: Recommendation that that FYRA Engineering, JEO Consulting Group, Inc., and Lamp Rynearson & Associates, be interviewed in alphabetical order by the Subcommittee on Thursday, January 15, 2015.

Roll call vote was held on motion. The motion carried on a vote of 11-yea.

Voting Yea - Bonnett, F. Conley, J. Conley, Fowler, Frost, Japp, Leahy, Tesar,

Thompson, Woodle, Klug
Voting Nay - None
Abstaining - None
Excused Absence - None
Absent - None

C. Personnel, Legislative and Public Affairs Subcommittee: Director Fred Conley reported that the PLPA Subcommittee met on December 9, 2014, and gave a brief recap of the meeting.

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

PLPA Recommendation #1: 2015 Pay Program Administration Manual: Recommendation that the amendments to the Papio-Missouri River NRD Pay Program for Calendar Year 2015, as presented to the Subcommittee, be adopted and incorporated into the District's Policy Manual.

Roll call vote was held on motion. The motion carried on a vote of 11-yea.

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

D. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on December 9, 2014, and gave a brief recap of the meeting.

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

PPO Recommendation #1: Renewal of USGS Maintenance Agreement for Papio Floodwarning System Gages: Recommendation that the General Manager be authorized to execute the proposed contract with the USGS in the amount of \$113,720 for the operation of the District's floodwarning system for the Papillion Creek Watershed and Omaha Creek gage at Homer.

Roll call vote was held on motion. The motion carried on a vote of 11-yea.

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

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

PPO Recommendation #2: Bid Opening for the Keystone Trail Bank Stabilization Project: Recommendation that the General Manager be authorized to execute a contract with Swain Construction for the construction of the Keystone Trail Stabilization Project in the bid amount not-to-exceed \$122,394.95, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

Roll call vote was held on the motion. The motion carried on a vote of 11-yea.

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

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

PPO Recommendation #3: Water Sales Agreement with the Village of Rosalie and the Thurston County Rural Water System: Recommendation that the General Manager be authorized to execute the proposed Water Sales Agreement with the Village of Rosalie, as presented to the Subcommittee, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

There was discussion regarding payment. Staff member Zach Nelson stated that all invoices received will be submitted to the USDA for payment.

Roll call vote was held on the motion. The motion carried on a vote of 11-yea.

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

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

PPO Recommendation #4: Chalco Hills Park Residence: Recommendation that staff is hereby authorized to implement Option 1, remediation of all mold damage

and build back the Chalco Hills Park Residence in an amount not-to-exceed \$58,915.

There was Director discussion regarding the job description and long-term plan of the NRD.

Roll call vote was held on the motion. The motion carried on a vote of 8-yea and 3-nay.

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

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

PPO Recommendation #5.a.: Changes to the District's Policy Manual and Appendices: Recommendation that the proposed amendments to District Policies 1.0-1.5, 4.0-4.10, 5.0-5.9, 13.0-13.9, 14.0-14.8, 15.0-15.9, and 16.0-16.9 be tabled for consideration at the January 8th, 2015, Board of Directors meeting; and

Roll call vote was held on the motion. The motion carried on a vote of 11-yea.

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

- **MOTION NO. 11:** It was moved by Director John Conley that the following recommendation be adopted:

PPO Recommendation #5.b.: Changes to the District's Policy Manual and Appendices: The proposed changes to District Policies 17.0-17.44 (not including 17.41), 18.0-18.41, 22.0-22.4 and Appendix E – Manual of Standard Forms, Appendix K – Rules and Regulations for all District Recreation Areas, Appendix L – Papio Trails System, Appendix N – Groundwater Management Program Rules and Regulations, and Appendix U – Chemigation Certification Program, as amended at the Subcommittee are hereby adopted and approved. The subcommittee recommends that no changes be made to Policy 17.41 – Stormwater Best Management Practice Program.

Amended Motion: It was moved by Director Japp and seconded by Director Frost to remove the words “in developed, urban areas” from Policy 17.44 – Flood Mitigation Assistance Program.

Asst. General Manager Marlin Petermann stated the goal of the program was to bring back the flood control element that had been removed in the past. He also noted that Policy 17.3- Conservation Assistance Program helps to manage the rural areas. There was Director discussion.

Roll call vote was held on the amended motion. The amended motion failed on a vote of 5-yea and 6-nay.

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

There was discussion regarding liability and possible issues that could come of allowing electric motor bikes on the trail. The following individuals addressed the Board:

- Dale Rabideau, 14506 Stone Avenue, Omaha, Nebraska
- Bill Moore, 805 Leprechaun Lane, Papillion, Nebraska

Motion to Table: It was moved by Director Bonnett to table Appendices K and L regarding the definition of bicycles.

The motion failed due to lack of a second.

Roll call vote was held on the original motion. The original motion carried on a vote of 11-yea.

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

•• **MOTION NO. 12:** It was moved by Director John Conley that the following recommendation be adopted:

PPO Recommendation #6: FY 2015 Long Range Implementation Plan: Recommendation that the Fiscal Year 2015 Long Range Implementation Plan be approved.

Roll call vote was held on motion. The motion carried on a vote of 11-yea.

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

E. Finance, Expenditures and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on December 9, 2014, and gave a brief recap of the meeting.

•• **MOTION NO. 13:** It was moved by Director Tesar that the following recommendation be adopted:

FEL Recommendation #1: Fiscal Year 2014 Audit Report: Recommendation that the FY2014 Audit Report, prepared by HSMC Orizon, LLC, is hereby 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.

Gene Garrelts, HSMC Orizon, addressed Director's questions regarding the detail level of the audit.

Roll call vote was held on the motion. The motion carried on a vote of 10-yea and 1-nay.

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

•• **MOTION NO. 14:** It was moved by Director Tesar that the following recommendation be adopted:

FEL Recommendation #2: Bids Received for Papio Dam Site 15A Project Tract 12 Buildings: Recommendation that the highest and best bids as presented to the Subcommittee, totaling \$12,908.18 for the house, out buildings, and fencing of Papio Dam Site 15A Project Tract 12 be accepted, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

Roll call vote was held on the motion. The motion carried on a vote of 11-yea.

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

•• **MOTION NO. 15:** It was moved by Director Tesar that the following recommendation

be adopted:

FEL Recommendation #3: Iske Place Residential Purchase Agreements: Recommendation that the General Manager be authorized to execute for and on behalf of the District a Purchase Agreement in the form as presented at the meeting, providing for the purchase by the District from the following, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel:

- Richard Steinauer and Catherine Baker Steinauer, the structure and leasehold located at 16416 Iske Place in Sarpy County, Nebraska for the purchase price of \$77,490;
- Glen and Catherine Avery, the structure and leasehold interest located at 16608 or 16603 Iske Place in Sarpy County, Nebraska for the purchase price of \$70,000;
- Charles and Sharon Saxton, the structures and leasehold interests located at 16517 and 16612 Iske Place in Sarpy County, Nebraska for the purchase price of \$74,000;
- Stephanie Jaksich, the structure and leasehold interest located at 16521 Iske Place in Sarpy County, Nebraska for the purchase price of \$26,000;
- Donald and Sheryl Jaksich, the structure and leasehold interest located at 16523 Iske Place in Sarpy County, Nebraska for the purchase price of \$129,603;
- Thomas Sedlacek, the structure and leasehold interest located at 16623 Iske Place in Sarpy County, Nebraska for the purchase price of \$38,000;
- Robert Smithberg, the structure and leasehold interest located at 16723 Iske Place in Sarpy County, Nebraska for the purchase price of \$75,000.

Roll call vote was held on the motion. The motion carried on a vote of 10-yea and 1-abstention.

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

•• **MOTION NO. 16:** It was moved by Director Tesar that the following recommendation be adopted:

FEL Recommendation #4: Donation of Recreational Area Land Elkhorn River: Recommendation that the Board approve the donation of 18.01 acres of land from Mr. Frank Krejci to the Papio-Missouri River NRD as presented to the Subcommittee, per the legal description

and other terms and conditions of the Warranty Deed, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

Roll call vote was held on the motion. The motion carried on a vote of 11-yea.

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

- **MOTION NO. 17:** It was moved by Director Tesar that the following recommendation be adopted:

FEL Recommendation #5: Account over 110% - Dam Maintenance Land Rights (01-03-590-4430): Recommendation that account 010-03-590-4430 Dam Maintenance Land Rights be allowed to exceed 110%.

Roll call vote was held on the motion. The motion carried on a vote of 11-yea.

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

TREASURER'S REPORT:

- **MOTION NO. 18:** It was moved by Director J. 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, 2014, 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 November, 2014, 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 and 1-nay.

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

CHAIRPERSON’S REPORT:

- **MOTION NO. 19:** Ad Hoc Consultant Selection Subcommittee – WP 6 and WP 7 Regional Detention Structures - It was moved by Director Klug and seconded by Director Thompson that the following resolution be adopted:

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

The Ad Hoc Consultant Selection Subcommittee for the WP 6 and WP 7 Regional Detention Structures Committee Members are as listed:

Tim Fowler, Chairperson
Ron Woodle, Vice-Chairperson
Patrick Bonnett
Rich Tesar
Jim Thompson
Patrick Leahy, Alternate

Roll call vote was held on the motion. The motion carried on a vote of 10-yea and 1-abstention.

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

P-MRNRD Employee Service Awards: The following employees were recognized for their years

of service with the District:

➤	Ross Hoppock – IT Support Tech	5 Years
➤	George Tillwick – WCRW Operator	5 Years
➤	Barbara Sudrla – Part Time District Accountant	5 Years
➤	Lori Laster – Stormwater Management Engineer	5 Years
➤	Tom Pleiss – Assistant Park Superintendent	15 Years
➤	Keith Butcher – Heavy Equipment Operator	30 Years
➤	Jim Becic – Environmental Coordinator	30 Years
➤	Marlin Petermann – Assistant General Manager	40 Years

GENERAL MANAGER'S REPORT: GM Winkler reviewed the GM Report with the Board and noted that the report had been posted to the website.

INFORMATIONAL ITEMS:

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

December 18, 2014	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
December 25, 2014	Christmas Holiday – P-MRNRD Offices Closed
January 1, 2015	New Year’s Day Holiday – P-MRNRD Offices Closed
January 6, 2015	P-MRNRD Subcommittee Meetings
January 8, 2015	P-MRNRD Board Meeting
January 19, 2015	Martin Luther King Day – P-MRNRD Offices Closed
January 22, 2015	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
January 27-28, 2015	NARD Legislative Conference, Lincoln, NE
February 1-4, 2015	National Association of Conservation Districts 2015 Annual Meeting, New Orleans, LA

B. Next Meeting – January 8, 2015, at the NRC

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 8:18 p.m.

NOTE: These minutes reflect the actions and votes taken at the December 11, 2014, 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 11, 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