



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
October 8, 2015**

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 October 8, 2015. 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 Thompson 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 F. 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 October 8, 2015, Board of Directors Meeting is excused:

None to date.

Agenda Item 7. A.

BE IT RESOLVED that the September 10, 2015, Pappio-Missouri River NRD Board meeting minutes and the September 9, 2015, 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 October 1, 2015. The District's August 14-September 10, 2015, expenditures were published in the Dakota County Star on September 17, 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: Loren Ehlers, Resource Conservationist for Burt County, briefed the Board on NRCS activities. Neil Jensen's report is posted to the website.

B. Nebraska Association of Resources Districts: Directors Bonnett and Thompson gave the report on the NARD Annual Meeting that was held on September 28-29, 2015, in Kearney, NE.

C. Legislative Report – Husch Blackwell: Steve Graszc updated the Board on the Natural Resources Commission's amendment to the Water Sustainability Fund Regulations. He stated the amendment more accurately reflects the statutory intent of the Legislature and makes it more likely for the District to succeed in received funding for projects such as the Offutt Levee.

General Manager Winkler added that the Legislative team continues to conduct State Senator meetings.

D. Lower Platte River Corridor Alliance Report: Meghan Sittler, LPRCA Coordinator, gave her report on the LPRCA activities. Her written report is posted to the website.

SUBCOMMITTEE REPORTS:

A. Ad Hoc Consultant Selection Subcommittee for the Groundwater Management Plan Update: Director Jim Thompson reported that the Ad Hoc Consultant Selection Subcommittee met on October 1, 2015, and gave a brief recap of the meeting.

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

Ad Hoc Recommendation #1: Initial Screening of Proposals for Consultant Selection Interviews: Recommendation that Olsson Associates be ranked first for the Groundwater Management Plan Update and that they be asked to prepare a detailed scope of services and cost estimates for the project, and the EA Engineering, Science and Technology be ranked second.

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

B. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on October 6, 2015, 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: FY 2016 Long Range Implementation Plan (LRIP): Recommendation that the Fiscal Year 2016 Long Range Implementation Plan be approved.

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

Voting Yea	-	Bonnett, F. Conley, J. Conley, Fowler, Leahy, Tesar, Thompson, Woodle, Klug
Voting Nay	-	Japp

Abstaining - Frost
Excused Absence - None
Absent - None

TREASURER'S REPORT:

- **MOTION NO. 5:** 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 September, 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 September, 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 9-yea, 1-nay, and 1-abstention.

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

LEGAL UPDATE:

Motion to Move to Executive Session:

A motion was made by Director J. Conley and seconded by Director Tesar to go into Executive Session for the protection of the public interest while the Board considers District Legal Counsel's advice concerning the collection of the sanctions award

without waiving any privileges.

Roll call vote was held on 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

The Board went into Executive Session at 7:25 p.m.

Motion to Return to General Session: A motion was made by Director Tesar and seconded by Director F. Conley to return to General Session.

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

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

The Board returned to General Session at 7:47 p.m.

•• **MOTION NO. 6:** Collection of Court Award in Papio-Missouri River NRD vs. Japp: It was moved by Director Klug and seconded by Director Tesar that the following resolution be adopted:

BE IT RESOLVED that the Papio-Missouri River NRD Board of Directors authorizes District Legal Counsel to take the necessary steps to recover the attorney fees awarded as sanctions on September 14, 2015, from R. Scott Japp and K.C. Engdahl.

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

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

CHAIRPERSON'S REPORT:

•• **MOTION NO. 7:** It was moved by Director Thompson and seconded by Director

Fowler that the following resolution be adopted:

BE IT RESOLVED that the following be adopted as the schedule for Papio-Missouri River NRD Board of Directors meetings for calendar year 2016:

January 14, 2016	July 14, 2016
February 11, 2016	August 11, 2016
March 10, 2016	September 8, 2016
April 14, 2016	October 13, 2016
May 12, 2016	November 10, 2016
June 9, 2016	December 8, 2016

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

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

LITIGATION UPDATE:

David Newman, District Legal Counsel, updated the Board on pending litigation matters.

GENERAL MANAGER'S REPORT: GM Winkler reviewed the GM Report with the Board and noted that the report had been posted to the website. Staff member Amanda Grint updated the Board on the sale of surplus property located at Prairie Queen Recreation Area. The property is expected to be sold before the end of the year.

INFORMATIONAL ITEMS:

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

October 22, 2015	Papillion Creek Watershed Partnership Meeting 10:00 a.m., NRC
October 27, 2015	LPRRCA Quarterly Meeting, 6:00 p.m. at Papio-Missouri River NRD office
November 10, 2015	P-MRNRD Subcommittee Meetings
November 11, 2015	Veteran's Day – P-MRNRD Offices Closed
November 12, 2015	P-MRNRD Board Meeting
November 17, 2015	Lower Platte River Basin Coalition Water Banking

Workshop, 11:00 a.m. at Central Community College,
Columbus, NE

November 19, 2015 Papillion Creek Watershed Partnership Meeting 10:00
a.m., NRC

November 26-27, 2015 Thanksgiving Holiday – P-MRNRD Offices Closed

B. Next Meeting – November 12, 2015, at the NRC

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 7:56 p.m.

NOTE: These minutes reflect the actions and votes taken at the October 8, 2015 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 October 8, 2015, 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