



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
November 14, 2013**

**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. 154<sup>th</sup> Street, Omaha, NE on November 14, 2013. 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	Scott Japp
Fred Conley	Dave Klug
John Conley	Patrick Leahy
Tim Fowler	Jim Thompson
Curt Frost	Ron Woodle

**ADOPTION OF AGENDA:**

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

Roll call vote was held on motion. During the roll call vote Director Japp made a statement to the Board. The motion carried on a vote of 9-yea and 1-present and not voting.

Voting Yea - Bonnett, J. Conley, Fowler, Frost, Klug, Leahy, Thompson, Woodle, F. Conley  
Voting Nay - None  
Abstaining - None  
Excused Absence - Tesar  
Absent - Tesar  
**Present and not voting - Japp**

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2:** It was moved by Director Thompson and seconded by Director Fowler 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 from the November 14, 2013, Board of Directors Meeting is excused:

Rich Tesar.

Agenda Item 7. A.

BE IT RESOLVED that the October 10, 2013 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 9-yea and 1-present and not voting.

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

**Present and not voting - Japp**

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on November 7, 2013. The District's September 13-October 10, 2013, expenditures were published in the Douglas County Post-Gazette on October 22, 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: Neil Jensen, NRCS District Conservationist at the Omaha NRCS office, gave his report of NRCS activities. Neil's report is posted to the website and attached to these meeting minutes.

B. Nebraska Association of Resources Districts: There was no NARD report.

C. Legislative Report – Husch Blackwell: Steve Grasz reported on the on-going activities within the Nebraska Legislature. In December he plans to bring to the Board information on carry-over bills and new legislation being proposed for the next session.

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

**SUBCOMMITTEE REPORTS:**

A. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on November 12, 2013, 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:* NRCS Farm and Ranchland Protection Program Grant Application for Glacier Creek/Allwine Prairie West Parcel: Recommendation that the General Manager be authorized to apply for NRCS Farm and Ranchland Protection Program funding for the 227 acres north and west of Allwine Prairie as part of the Allwine Prairie/Glacier Creek Expansion Project.

Roll call vote was held on motion. The motion carried on a vote of 9-yea and 1-present and not voting.

Voting Yea - Bonnett, J. Conley, Fowler, Frost, Klug, Leahy, Thompson, Woodle, F. Conley  
Voting Nay - None  
Abstaining - None  
Excused Absence - Tesar  
Absent - Tesar  
**Present and not voting - Japp**

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

*PPO Recommendation #2:* Interlocal Agreement with Sarpy County on Elkhorn River 240<sup>th</sup> Street Project: Recommendation that the General Manager be authorized to execute an Interlocal Cooperation Act Agreement with Sarpy County providing, among other terms that the District and the County each shall provide a 50% share of the total costs of the remaining engineering needed and of the costs of construction observation, construction, operation, and maintenance of the 240<sup>th</sup> Street Erosion Protection Project along the Elkhorn River, not exceeding a maximum contribution of \$650,000 from each party towards such costs, all subject to approval by Sarpy County and 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 9-yea and 1-present and not voting.

Voting Yea - Bonnett, J. Conley, Fowler, Frost, Klug, Leahy, Thompson, Woodle, F. Conley  
Voting Nay - None  
Abstaining - None  
Excused Absence - Tesar  
Absent - Tesar  
**Present and not voting - Japp**

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

*PPO Recommendation #3:* Papio Dam Site 15A Interlocal Agreement with OPPD for Power Pole Relocation: Recommendation that the General Manager be authorized to execute an agreement with Omaha Public Power District providing for OPPD’s relocation of overhead transmission facilities, and for replacement of overhead distribution with an underground line at 17520 Ida Street, all for a not-to-exceed amount of \$2,038,240.37, 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, 1-nay, 1-abstention, and 1-present and not voting.

Voting Yea - Bonnett, J. Conley, Fowler, Leahy, Thompson, Woodle, F. Conley  
Voting Nay - Klug  
Abstaining - Frost  
Excused Absence - Tesar  
Absent - Tesar  
**Present and not voting - Japp**

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

*PPO Recommendation #4:* Bid Opening for Silver Creek and Tekamah-MUD Creek Watershed Structure Stabilization Project: Recommendation that the General Manager be authorized to execute a contract with Thompson Construction Inc. for construction of the stated Silver Creek and Tekamah-MUD Watershed Structure Stabilization Project dam for a not-to-exceed amount of \$138,844.

Roll call vote was held on motion. The motion carried on a vote of 9-yea and 1-present and not voting.

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

Absent - Tesar

**Present and not voting - Japp**

B. Finance, Expenditures and Legal Subcommittee: Director Thompson reported that the FEL Subcommittee met on November 12, 2013 and gave a brief recap of the meeting.

There was discussion of the Draft FY 2013 Audit. No action was taken on this item.

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

*FEL Recommendation #1.:* Sale of Elk Ridge Lots: Recommendation that the General Manager be authorized to execute the proposed purchase agreement for the sale to Boyer Young of Lots 9-14 Elk Ridge Replat 2 and Lots 114-115 Elk Ridge in the amount of \$380,000 subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

The following individual addressed the Board:

- ❖ Doug Kagan, 12320 William Street, Omaha, NE 68144

Roll call vote was held on the motion. The motion carried on a vote of 7-yea, 1-nay, 1-abstention and 1-present and not voting.

Voting Yea - Bonnett, J. Conley, Fowler, Klug, Thompson, Woodle, F. Conley  
Voting Nay - Leahy  
Abstaining - Frost  
Excused Absence - Tesar  
Absent - Tesar

**Present and not voting - Japp**

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

*FEL Recommendation #2.:* Employment Agreement with Paul Peters: Recommendation that the Board approve the proposed part-time, at will, short-term employment agreement, in the form as presented to the meeting with such employment of Mr. Peters to begin upon execution of such agreement and end on June 30, 2014, or after 30 day's written notice from the General Manager, whichever occurs sooner, subject to such changes as are deemed necessary by the General Manager.

Roll call vote was held on motion. The motion carried on a vote of 9-yea and 1-present and not voting.

Voting Yea - Bonnett, J. Conley, Fowler, Frost, Klug, Leahy, Thompson, Woodle, F. Conley

Voting Nay - None  
Abstaining - None  
Excused Absence - Tesar  
Absent - Tesar

**Present and not voting - Japp**

**TREASURER'S REPORT:**

- **MOTION NO. 9:** It was moved by Director John Conley and seconded by Director Klug 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 October, 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 October, 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.

Roll call vote was held on motion. The motion carried on a vote of 8-yea, 1-nay, and 1-present and not voting.

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

**Present and not voting - Japp**

**CHAIRPERSON'S REPORT:** There was no Chairperson report.

**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 also briefed the Board on various meetings he attended during the month that included: meeting with the Commander at Offutt AFB to discuss FEMA certification requirements for the Missouri River, how it impacts the levees, and how it affects the mission at Offutt and a corresponding meeting with Governor Heineman. The GM also, upon the request of Senator Crawford, testified on LR 201 – Interim study to examine policy options available to the State of Nebraska to support military installations, military families, and veterans and their families. In closing, the GM passed on his thanks to staff member Gerry Bowen, who is retiring at the end of November.

**INFORMATIONAL ITEMS:**

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

November 21, 2013	Papillion Creek Watershed Partnership Meeting 10:00 a.m., NRC
November 28-29, 2013	Thanksgiving Holiday – P-MRNRD Offices Closed
December 10, 2013	P-MRNRD Subcommittee Meetings
December 12, 2013	P-MRNRD Board Meeting
December 21, 2013	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
December 25, 2013	Christmas Holiday – P-MRNRD Offices Closed
January 1, 2014	New Year’s Day Holiday – P-MRNRD Offices Closed
January 7, 2014	P-MRNRD Subcommittee Meetings
January 9, 2014	P-MRNRD Board Meeting

B. Next Meeting – December 12, 2013, at the NRC

**ADJOURNMENT**: Being no further business, the Chairperson declared that the meeting was adjourned at 7:27 p.m.

**NOTE**: These minutes reflect the actions and votes taken at the November 14, 2013 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](http://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 November 14, 2013, 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.

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Richard Tesar  
District Secretary