



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
March 12, 2015**

**PLEDGE OF ALLEGIANCE**

**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> St., Omaha, NE on March 12, 2015. The meeting was called to order by Chairperson David Klug at 7:00 p.m.

**NOTIFICATION OF OPEN MEETINGS ACT POSTING AND MEETING PROCEDURE**

**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  |
| Scott Japp      | Ron Woodle    |

**ADOPTION OF AGENDA:**

- **MOTION NO. 1** It was moved by Director Fowler and seconded by Director F. Conley that the agenda be adopted.

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

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

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2** It was moved by Director J. Conley and seconded by Director F. Conley 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 excused absences from the March 12, 2015, Board of Directors Meeting:

Curt Frost

Agenda Item 7.A. and 7.B.:

BE IT RESOLVED that the February 12, 2015, Papio-Missouri River NRD Board Meeting minutes and the February 11, 2015, Dakota County Rural Water Advisory Board Meeting minutes be approved as printed.

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

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

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on March 5, 2015. The District's January 9, 2015 – February 12, 2015 expenditures were published in the Washington County Enterprise on February 20, 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 from the NRCS Omaha Office gave the March report on NRCS activities. Neil's report is posted to the website and attached to these meeting minutes. He acknowledged staff and the NRD for their support in the March 12, 2015, project tour with the Under Secretary for Natural Resources and Environment, Robert Bonnie.

B. Nebraska Association of Resources Districts Report: Director Fowler reported on the NARD Board of Directors meeting that was held on March 8-9, 2015, at the Embassy Suites in Lincoln, NE. The NARD Washington D.C. Conference is being held on March 23-25, 2015 and Director Tim Fowler and staff member Marlin Petermann will be representing the District.

C. Legislative Report – Husch Blackwell: Tim Gay gave the Legislative Update report. A written copy of his report is attached to these meeting minutes.

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

E. Prosper Omaha Presentation: Randy Thelen, Senior Vice President of the Greater Omaha Economic Development Partnership, gave a presentation on “Prosper Omaha” and the “We Don’t Coast” campaign. His presentation is attached to these meeting minutes.

**SUBCOMMITTEE REPORTS:**

A. Ad Hoc Consultant Selection Subcommittee for the WP6 and WP7 Regional Detention Basins: Director Tim Fowler reported that the Ad Hoc Consultant Selection Subcommittee for the WP6 and WP7 Regional Detention Basins met on March 5, 2015, and gave a brief recap of the meeting.

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

*Ad Hoc Recommendation #1: Consultant Selection Interviews* – It is recommended that FYRA *WP6 & WP7 Regional Detention Basins* Engineering be ranked first for the WP6 and WP7 Regional Detention Basins and request they prepare a detailed scope of services and cost estimate for the project, and that Olsson Associates be ranked second.

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

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

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 March 10, 2015, 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 Recommendation #1: Professional Services Contract with FYRA Engineering* – It is recommended that the General Manager be authorized to execute a professional services contract with FYRA Engineering for the *Big Papio Levee Culverts Project* in the maximum not-to-exceed amount of \$208,773, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

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

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

C. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on March 10, 2015, and gave a brief recap of the meeting.

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

*PPO Recommendation #1:* 2<sup>nd</sup> Amendment to the Nebraska Land Trust Agreement: It is recommended the General Manager be authorized to execute the proposed second addendum to the 18 March, 2009 “Agreement Between Papio-Missouri River Natural Resources District and Nebraska Land Trust for Cooperative Assistance” that allows for an additional three year District commitment in the amount of \$30,000/year, commencing in fiscal year, 2016.

Director Japp asked staff what other NRDs contribute to the Nebraska Land Trust. Jim Becic stated that the Lower Platte South NRD contributes \$30,000 and Nebraska Game and Parks contributes \$15,000 per year.

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

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

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

*PPO Recommendation #2:* Bid Opening for the Kramper Lake Maintenance Shop – It is recommended that the General Manager be authorized to execute a Notice of Award letter to the Nebraska Game and Parks Commission authorizing the Commission to enter into and administer a contract with Hohenstein Construction for the construction of a Maintenance Shop at the Kramper Lake/Danish Alps State Recreation Area Project in the bid amount including Alternate #1 and #3, of \$186,432.00.

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

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

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

*PPO Recommendation #3:* Bid Opening for the Renovation of the Chalco Hills Park Residence – It is recommended that the General Manager be authorized to execute a contract with Prestige Construction Inc. for the renovation of the Chalco Hills Recreation Area Park Residence in the amount of \$43,039.

Roll call was held on the motion. The motion carried on a vote of 8-yea and 2-nay.

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

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

*PPO Recommendation #4:* Bid Opening for the Platte River Landing Recreational Improvements Phase 4 – It is recommended that the General Manager be authorized to execute a contract with Lawnsmith & Co., Inc. for the construction of the Platte River Landing Recreational Improvements for the bid amount of \$123,872, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

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

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

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

*PPO Recommendation #5:* Policy Manual Update – Chemigation Certification Program

Revision – It is recommended that the proposed changes to Appendix U – Chemigation Certification Program Rules and Regulations be adopted and incorporated into the District’s Policy Manual.

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

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

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

*PPO Recommendation #6:* 1<sup>st</sup> Amendment to Agreement for the Sale of Water between MUD and the Papio-Missouri River NRD – It is recommended that the General Manager be authorized to execute the proposed First Amendment to the Agreement for the Sale of Water between Metropolitan Utilities District of Omaha and the Papio-Missouri River Natural Resources District, Dated May 15, 2013, as presented to the Subcommittee, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

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

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

GM Winkler acknowledged Zach Nelson’s efforts in getting the Capital Facilities charge of \$1,251 eliminated for each new customer added to the District’s Rural Water System, and the eliminated charge will apply to other whole sale customers.

D. Finance, Expenditure and Legal Subcommittee: Director Jim Thompson reported that the FEL Subcommittee met on March 10, 2015, and gave a brief recap of the meeting.

•• **MOTION NO. 11** It was moved by Director Thompson that the following recommendation be adopted:

*FEL Recommendation #1:* Elkhorn River Improvement Project Area (IPA) Assessments – It is recommended that a special assessment for operation and

maintenance of the Elkhorn River Bank Stabilization Project be levied against benefited parcels in the total amount of \$20,000 for calendar year 2015.

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

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

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

*FEL Recommendation #2:* Sale of Surplus Property at Prairie Queen Recreation Area – It is recommended that the General Manager be authorized to declare the proposed 76 acres of the Prairie Queen Recreation Area project lands as surplus District property and to bring to the Subcommittee in following months a recommendation on the sale of the surplus property, subject to such other terms and conditions as deemed necessary by the General Manager and approved as to form by District Legal Counsel.

There was discussion regarding the 76 acres of property located at the Prairie Queen Recreation Area that is not needed for the flood pool or for recreation area facilities and the Interlocal Agreement between the District and the City of Papillion. GM Winkler, Amanda Grint and Dave Newman, District Legal Counsel, addressed the concerns.

Roll call was held on the motion. The motion carried on a vote of 8-yea and 2-nay.

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

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

*FEL Recommendation #3:* King Lake Residential Purchase Agreement – It is recommended that the General Manager be authorized to execute for and on behalf of the District the Purchase Agreement, in the form as presented to the Subcommittee, providing for the purchase by the District from Steven and Donna Woodward, of land and improvements at 6410 North 246<sup>th</sup> Street, King Lake in Douglas County, Nebraska, for the purchase price of \$10,000, subject to changes deemed necessary by

the General Manager and approved as to form by District Legal Counsel.

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

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

**TREASURER'S REPORT:**

•• **MOTION NO. 14** It was moved by Director John Conley and seconded by Director Thompson as follows:

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

Director Japp had questions regarding January's Ice Jam event and asked how rural water bills were paid. Staff addressed his concerns.

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

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



Voting Nay - Japp  
Abstaining - None  
Excused Absence - Frost  
Absent - Frost

**CHAIRPERSON'S REPORT:** Chairperson Klug thanked staff for their participation in the Strategic Planning Session held on March 3, 2015.

**GENERAL MANAGER'S REPORT:** GM Winkler reviewed the GM report with the Board and asked directors to contact him if they had questions. His report has been posted to the website and is attached to these meeting minutes. The GM added that the District has been receiving phone calls from across the Country regarding levees and FEMA accreditation. He added he would be attending a meeting being held at Offutt AFB for Congressman Jeff Fortenberry on March 13<sup>th</sup> in regards to Defense Base Closure and Realignment. He concluded by briefing that the Prairie Queen Recreation Area is scheduled to open on March 31, 2015.

**INFORMATIONAL ITEMS:**

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

March 21-25, 2015	NARD Washington D.C. Conference
March 26, 2015	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
April 7, 2015	P-MRNRD Subcommittee Meetings
April 9, 2015	P-MRNRD Board Meeting
April 18, 2015	Earth Day Omaha, 11:00 a.m. – 5:00 p.m., Elmwood Park, Omaha
April 21, 2015	LPRCA Quarterly Meeting, 9:00 a.m. at the Lower Platte South NRD, 3125 Portia Street, Lincoln
April 23, 2015	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC

B. Next Meeting – April 9, 2015, at the NRC.

**ADJOURNMENT:** Being no further business, at 8:11 p.m. the Chairperson declared that the meeting was adjourned.

**NOTE:** These minutes reflect the actions and votes taken at the March 12, 2015, 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](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 March 12, 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.

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Richard Tesar  
District Secretary