



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
April 14, 2016**

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. 154th St., Omaha, NE on April 14, 2016. 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 |
| Curt Frost | Ron Woodle |
| Scott Japp | |

ADOPTION OF AGENDA:

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

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

Voting Yea	-	Bonnett, Fred Conley, John 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 Tim Fowler and seconded by Director Fred 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 Director(s) have excused absences from the April 14, 2016, Board of Directors Meeting:

None to date.

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

BE IT RESOLVED that the March 10, 2016, Papio-Missouri River NRD Board Meeting minutes and the March 9, 2016, 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 10-yea and 1-nay.

Voting Yea	-	Bonnett, Fred Conley, John 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 April 7, 2016. The District's February 12, 2016 – March 10, 2016 expenditures were published in the Washington County Enterprise on March 18, 2016. 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’s written report is posted to the website and attached to the meeting minutes.

B. Nebraska Association of Resources Districts Report: Director Tesar gave a report on the NARD’s recognition program.

•• **MOTION NO. 3** It was moved by Director Rich Tesar and seconded by Director Tim Fowler that the Papio-Missouri River NRD Board of Directors nominate Glenn Johnson, General Manager of the Lower Platte South NRD for the NARD Hall of Fame Award.

Glenn has served as General Manager at the Lower Platte South NRD for 34 years and is planning to retire in August 2016. His contributions, accomplishments, and dedication to the

Nebraska's Natural Resources Districts make him deserving of the award. Director Tesar added that the final determination of the Hall of Fame recipient will be made by the NARD Executive Board.

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

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

C. Legislative Report – Husch Blackwell: Tim Gay and Steve Grasz gave the report on Legislative activities. Their report can be heard on the podcast at www.papionrd.org/about-nrd/podcasts. Their written report is attached to the file copy of the meeting minutes.

D. Lower Platte River Corridor Alliance Report: Meghan Sittler's written report is posted to the website and attached to the meeting minutes. Staff member Eric Williams provided an update on the Water Quality Monitoring Network.

SUBCOMMITTEE REPORTS:

A. Ad Hoc Consultant Selection Subcommittee for the Zorinsky Water Quality Basin Number 2 Project Professional Services: Director Rich Tesar reported that the Ad Hoc Consultant Selection Subcommittee for the Zorinsky Water Quality Basin Number 2 Project Professional Services met on April 12, 2016, and gave a brief recap of the meeting.

•• **MOTION NO. 4** It was moved by Director Rich Tesar that the following recommendation be adopted:

Ad Hoc Recommendation #1: Zorinsky Water Quality Basin Number 2 Professional Services ZB Water Quality Basin Contract with HDR Engineering Inc. – It is recommended that the General Manager be authorized to execute a professional services agreement with HDR Engineering Inc. for Phase 1 of the Zorinsky Water Quality Basin Number 2 project in a not to exceed amount of \$470,200, 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 and 1-nay.

Voting Yea - Bonnett, Fred Conley, John 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 April 12, 2016, 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: Second Addendum to Interlocal Cooperative Act Agreement – Bellevue Riverfront Development – It is recommended that the Second Addendum to the Interlocal Agreement between the City of Bellevue, Nebraska and Papio-Missouri River Natural Resources District for Bellevue Riverfront Development be approved, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel, and that the General Manager be authorized to execute the Second Addendum for an additional two year commitment of District funds, not to exceed 50% of project costs up to a maximum of \$720,000 per year (totaling \$1,440,000) beginning in fiscal year 2017.

Director Japp addressed questions to Jeff Roberts, Public Works Director for the City of Bellevue.

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

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

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

PPO Recommendation #2: Amendment to Sport Fish Restoration Grant with Nebraska Game & Parks for Dam Site 15A – It is recommended that the General Manager be authorized to execute the amendment to the agreement between the District and Nebraska Game and Parks Commission for 75% funding for the Papio Dam Site 15A Project through the Federal Sport Fish Restoration Program in the amount of \$1,125,000.

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

Voting Yea	-	Bonnett, Fred Conley, John Conley, Fowler, Japp, Leahy, Tesar, Thompson, Woodle, Klug
Voting Nay	-	Frost
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 #3: Interlocal Agreement with the Village of Arlington for the Arlington Floodplain Buyout Program – It is recommended that the General Manager be authorized to execute the Interlocal Agreement between the District and the Village of Arlington and to initiate the application process to obtain federal funding for the Arlington Floodplain Buyout Program, 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, 1-nay, and 1-abstention.

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

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

PPO Recommendation #4: Bids for the Elkhorn Crossing Recreation Area Improvements – It is recommended that the General Manager be authorized to execute a contract with Dostals Construction Company, Inc. for the construction of the Elkhorn Crossing Recreation Area Improvements for a not to exceed bid amount of \$136,800, 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 and 1-nay.

Voting Yea - Bonnett, Fred Conley, John Conley, Fowler, Frost, Leahy, Tesar, Thompson, Woodle, Klug
Voting Nay - Japp
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 #5: Bids for the Big and Little Papio Channels – L Street Bridges Trail Stabilization Project – It is recommended that the General Manager be authorized to execute a contract with Bayshore Construction for the construction of the Big and Little Papio Channels - L Street

Bridges Trail Stabilization Project in a not to exceed bid amount of \$155,723, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

Director Japp asked questions regarding the submitted bids. Staff addressed his concerns.

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

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

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

Director John Conley asked the Board to consider voting on Cost Share Programs 6.a. through 6.g. as one vote and added that all of the Cost Share applications will be subject to funding in the FY2017 Budget.

PPO Recommendation #6.a.: Stormwater Best Management Practices Program – District policy allows for management approval of all Stormwater Best Management Practices applications, no action was required by the Board.

PPO Recommendation #6.b.: Flood Mitigation Planning and Mapping Assistance Program – It is recommended that District Program 17-39 requirement for state and federal funding be waived and that the Flood Mitigation Planning and Mapping Assistance Program applications from the City of Blair be approved, for a total of \$77,710, subject to funding in the FY2017 Budget.

PPO Recommendation #6.c.: Urban Conservation Assistance Program – It is recommended that the Urban Conservation Assistance Program applications from Douglas County for \$21,384, Fort Calhoun for \$30,000, Herman for \$6,000, Metropolitan Community College for \$30,000, Omaha for \$30,000, Sarpy County for \$30,000, SID 380 for \$30,000, and SID 503 for \$30,000, for a total of \$207,384 be approved, subject to funding in the FY2017 Budget.

PPO Recommendation #6.d.: Urban Drainageway Assistance Program – It is recommended that the Urban Drainageway Program applications from Omaha for \$71,413, Omaha for \$48,178, Omaha for \$120,000, Omaha for \$374,400, Papillion for \$97,122, and SID 162 for \$61,040, for a total of \$1,072,153 be approved, subject to funding in the FY2017 Budget.

PPO Recommendation #6.e.: Recreation Area Development Program – It is recommended that the Recreation Area Development Program applications from Omaha for \$50,000 and Papillion for \$2,500, for a total of \$52,500 be approved, subject to funding in the FY2017 Budget.

PPO Recommendation #6.f.: Trails Assistance Program – It is recommended that the Trails Assistance Program applications from Omaha for \$414,374, Papillion for \$101,747, and Walthill for \$40,392, for a total of \$556,513 be approved, subject to funding in the FY2017 Budget.

PPO Recommendation #6.g.: Lake Dredging Program – It is recommended that the Lake Dredging Program application from Omaha for \$100,000 be approved, subject to funding in the FY2017 Budget.

Discussion was held on the Urban Conservation Assistance Program applications from Douglas County and the Village of Herman.

Amended Motion to: It was moved by Director Bonnet and seconded by Director John Conley to exclude Douglas County’s Urban Conservation Cost Share request for \$21,384

Roll call was held on the amended motion. The amended motion failed on a vote of 5-yea, 5-nay, and 1-abstention.

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

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

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

C. Finance, Expenditure and Legal Subcommittee: Director Rich Tesar reported that the FEL Subcommittee met on April 12, 2016, and gave a brief recap of the meeting.

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

FEL Recommendation #1: RFP for Auditing Services – It is recommended that the General Manager be authorized to execute a contract for auditing services with HSMC Orizon for FY2016 through FY2020, subject to approval as to

form by District Legal Counsel.

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

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

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

FEL Recommendation #2: Thompson Creek Levee Improvement Project, Fricke Inc. ROW Purchase – It is recommended that the General Manager be authorized to execute a Purchase Agreement with Fricke Inc. for 0.306 acres of Tract 1A permanent levee easement for the Thompson Creek Levee Improvement Project, for the purchase price not to exceed \$3,060 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 11-yea.

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

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

FEL Recommendation #3: Account over 110% Elkhorn River 240th Street Professional Services – It is recommended that account number 01-03-547-4400 Streambank Stabilization Professional Services, be allowed to exceed 110% of the budgeted amount.

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

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

TREASURER'S REPORT:

- **MOTION NO. 14** It was moved by Director John Conley and seconded by Director David Klug as follows:

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (l) claims listed in the March, 2016, 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 March, 2016, 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 was held on the motion. The motion carried on a vote of 9-yea, 1-nay, and 1-abstention.

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

LEGAL UPDATE: David Newman, District Legal Counsel, stated that Ft. Calhoun has moved to dismiss all four lawsuits against the District and legal counsel has filed a motion to dismiss our counter claim. The judge has ruled to dismiss two of the claims and the same ruling is expected for the remaining two claims.

CHAIRPERSON'S REPORT: Chairman Klug appointed members to the Ad Hoc Consultant Selection Subcommittee for the West Papio Trail, Giles Road to Millard. The Subcommittee members are: Patrick Bonnett, Chairperson; John Conley, Tim Fowler, Patrick Leahy, Jim Thompson, and Fred Conley, Alternate. The Chairman and Director Thompson updated the Board on the NRDs Annual Washington D.C. Conference that was held on March 12-16th, 2016.

GENERAL MANAGER'S REPORT: GM Winkler updated the Board on the Air Forces'

commitment to building a new runway at Offutt Air Force Base. He passed on his thanks to everyone who helped in securing this project. He also reviewed the GM report with the Board and asked directors to contact him if they had questions.

The General Manager stated there is a conflict with the May 10th Subcommittee meeting date due to the Natural Resources Center being the polling location for Precincts 53 and 54 for the Primary Elections. It was also noted that having the meeting on the 10th limits the campaigning efforts of those Directors running in the Primary. It was suggest that the meeting date be rescheduled for Monday, May 9th. There was additional discussion.

- **MOTION NO. 15** It was moved by Director John Conley and seconded by Director David Klug to reschedule the May Subcommittee meeting for Monday, May 9th.

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

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

INFORMATIONAL ITEMS:

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

April 16, 2016	Earth Day Omaha, 11:00 a.m. - 6:00 p.m., Elmwood Park
April 23, 2016	Registration opens at 9:00 a.m. for the LPRCA Kayak Tour
April 28, 2016	Papillion Creek Watershed Partnership Meeting, 10:00 a.m. NRC
May 3-4, 2016	Water Works Festival, Schramm Park, 10:00 a.m.-1:30 p.m.
May 3, 2016	Lower Platte River Corridor Alliance Quarterly Meeting, 9:00 a.m. at Lower Platte South NRD
May 9, 2016	P-MRNRD Subcommittee Meetings
May 12, 2016	P-MRNRD Board Meeting
May 26, 2016	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
May 30, 2016	Memorial Day – P-MRNRD Offices Closed

B. Next Meeting – May 12, 2016, at the NRC.

ADJOURNMENT: Being no further business, at 7:58 p.m. the Chairperson declared that the meeting was adjourned.

NOTE: These minutes reflect the actions and votes taken at the April 14, 2016, 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 April 14, 2016, 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