



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
May 12, 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 May 12, 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
Curt Frost	Jim Thompson
Scott Japp	Ron Woodle

ADOPTION OF AGENDA:

- **MOTION NO. 1** It was moved by Director Rich Tesar and seconded by Director Fred 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, Fred Conley, John Conley, Frost, Japp, Leahy, Tesar, Thompson, Woodle, Klug
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Fowler
Absent	-	Fowler

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2** It was moved by Director Fred Conley and seconded by Director Bonnett 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 May 12, 2016, Board of Directors Meeting:

Tim Fowler.

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

BE IT RESOLVED that the April 14, 2016, Papio-Missouri River NRD Board Meeting minutes and the April 13, 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 9-yea and 1-nay.

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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on May 5, 2016. The District's March 11 through April 14, 2016 expenditures were published in the Washington County Enterprise on April 22, 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 briefed the NARD Board Meeting and Blue River Basin Tour will be held on June 13-14, 2016, in York, Nebraska. He added that he would be attending the Board meeting and that Director Bonnett had signed up for the basin tour.

C. Legislative Report – Husch Blackwell: Steve Grasz gave the report on Legislative activities. He provided Directors with a booklet of Nebraska's 2016 State Legislative Candidates that will be moving forward to the General Election in November. He said their team will continue to meet with candidates throughout the summer to build relationships as there will be a number of new senators. His report can be heard on the podcast at www.papionrd.org/about

[nrd/podcasts.](#)

D. Lower Platte River Corridor Alliance Report: Meghan Sittler’s written report is posted to the website and attached to the meeting minutes. Mike Sotak, FYRA Engineering, gave a presentation on the Elkhorn River Long Term Solution Post Construction Update. His report can be heard on the podcast at www.papionrd.org/about-nrd/podcasts.

PUBLIC MEETING:

Review of the 2014-2015 Integrated Management Plan Annual Report: Paul Woodward and Amy Zoller, Integrated Management Plan Coordinator for Nebraska Department of Natural Resources, gave a presentation on the annual review of the 2014-2015 Integrated Management Plan. They reviewed the goals and objectives for the next reporting period. The floor was opened to the general public for comments. The following individuals addressed the Board:

- Carl Lorenzen, 953 Westridge Drive, Blair, NE Washington Co. Supervisor District 4
- Shawn Melotz, 10404 N. 132nd Street, Omaha, NE
- Steve Kruger, 14744 Co. Rd. 7, Arlington, NE Washington Co. Supervisor District 6

There was extensive discussion on the Integrated Management Plan. Staff and General Manager Winkler addressed questions and concerns.

SUBCOMMITTEE REPORTS:

A. Ad Hoc Consultant Selection Subcommittee for the West Papio Trail, Giles Road to Millard: Director Patrick Bonnett reported that the Ad Hoc Consultant Selection Subcommittee for the West Papio Trail, Giles Road to Millard met on May 9, 2016, and gave a brief recap of the meeting.

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

Ad Hoc Recommendation #1: West Papio Trail, Giles Road to Millard – It is recommended that West Papio Trail, Giles Rd. Big Muddy Workshop/JEO Consulting Group, Ehrhart Griffin & Associates, Felsburg, Holt & Ullevig, and HGM Associates be interviewed by the Subcommittee, in the order as presented, on June 2, 2016, at 6:00 p.m.

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

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

B. Programs, Projects and Operations Subcommittee: Director Jim Thompson reported

that the PPO Subcommittee met on May 9, 2016, and gave a brief recap of the meeting.

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

PPO Recommendation #1: Contract for Aerial Electromagnetic Survey of SW Sarpy County with Aqua Geo Framework - a)Water Sustainability Fund Grant Award, b) Professional Services Agreement with Aqua Geo Frameworks, LLC and c) ENWRA account 01-05-191-4195 to exceed 110% of Budget – It is recommended that the General Manager be authorized to execute a grant award for the Water Sustainability Fund in the amount of \$240,000; that the District waive the consultant selection process and the General Manager be authorized to execute a professional services agreement with Aqua Geo Frameworks, LLC in the amount of \$400,000; and that Account No.01-05-191-4195,ENWRA – Contributions/Reimbursements/Cost Shares, be allowed to exceed 110% of the budgeted amount all for the AEM Survey of the Southwestern Sarpy County Dakota Aquifer Mapping Project, 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-abstention.

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

- **MOTION NO. 5** It was moved by Director Jim Thompson that the following recommendation be adopted:

PPO Recommendation #2: Platte and Elkhorn River Valley Integrated Water Monitoring Project – a)DNR IDEP and Water Sustainability Fund Grant Awards, b)Joint Funding Agreement with USGS, and c)Interlocal Agreement with the Lower Platte North NRD – It is recommended that the General Manager be authorized to execute grant awards for the NDNR INSIGHT Data Enhancement Program funding in the amount of \$72,000 and Water Sustainability Fund in the amount of \$64,200, execute a Joint Funding Agreement with U.S. Geological Survey for a total cost to the District of \$175,500, and execute an Interlocal Agreement with the Lower Platte North NRD for cost-share of up to \$21,400 for the Platte and Elkhorn River Valley Integrated Water Monitoring Project, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

Director Leahy inquired about the District’s previous action on this item. Paul Woodward stated that the Board voted to approve the submittal of the grant applications through the Water

Sustainability Fund and if approved, would move forward with entering into the Interlocal agreements with USGS and LPNRRD.

Roll call was held on the motion. The motion carried on a vote of 7-yea and 3-nay.

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

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

PPO Recommendation #3: Big Papio Creek Levee Culverts Project – It is recommended that the General Manager be authorized to execute a contract with Nelson and Rock Contracting Inc. in the amount of \$1,683,688.50 for the construction of the Big Papio Levee Culverts Project, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

Director Bonnett had questions about the piping material being used for this project. Staff addressed his concerns.

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

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

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

PPO Recommendation #4: FY 2017 Equipment Requirements – It is recommended that the FY 2017 Equipment Requirements be approved, as presented to the Subcommittee, subject to funding in the FY 2017 Budget.

Director Frost stated his opposition to the identified requirement of the mobile and portable radio system. The General Manager responded to his concern.

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

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

Excused Absence - Fowler
Absent - Fowler

C. Finance, Expenditure and Legal Subcommittee: Director Rich Tesar reported that the FEL Subcommittee met on May 9, 2016, and gave a brief recap of the meeting.

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

FEL Recommendation #1a: Surplus Property at Papio Dam Site 15A – Declaration of Surplus Property – It is recommended that the proposed 10.857 acres of the Papio Dam Site 15A project lands be declared as surplus District property.

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

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

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

FEL Recommendation #1b: Surplus Property at Papio Dam Site 15A – Authorize General Manager to Accept Sealed Bids – It is recommended that the General Manager be authorized to receive sealed bids for consideration by the Board of Directors for the sale of the 10.857 acres of surplus property of the Papio Dam Site 15A project lands, subject 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, Fred Conley, John Conley, Frost, Japp, Tesar, Thompson, Woodle, Klug
Voting Nay - Leahy
Abstaining - None
Excused Absence - Fowler
Absent - Fowler

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

FEL Recommendation #2: ROW Acquisition for Tract 1, West Papillion Regional Basin Number 6 – It is recommended that the General Manager be

authorized to execute a purchase agreement for Tract 1 for \$55,000 per acre for an estimated 81.66 acres of land for the West Papillion Regional Basin Number 6 project, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

Director Frost asked if there would be any surplus acres from this purchase. Staff stated that there will be 4.6 acres of access property but due to the nature and location of the property, it isn't something the District would try to sell.

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

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

TREASURER'S REPORT:

•• **MOTION NO. 11** 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 April, 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 April, 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 and 1-nay.

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

LEGAL UPDATE: David Newman, District Legal Counsel, briefed that all of the Fort Calhoun lawsuits have been dismissed and that the only pending litigation is the Camden case. General Manager Winkler informed the Board that Mr. Newman would be leaving Husch Blackwell and thanked him for his service to the District.

CHAIRPERSON'S REPORT: Chairman Klug appointed members to the Ad Hoc Consultant Selection Subcommittee for the Little Papio Channel Stabilization Project. The Subcommittee members are: Patrick Leahy - Chairman, Fred Conley, John Conley, Tim Fowler, Ron Woodle, and Jim Thompson - Alternate.

- **MOTION NO. 12** Enforcement of District Policies Regarding Requests for Information Presented to District Vendors - It was moved by Chairman David Klug and seconded by Director John Conley that the following resolution is hereby adopted and approved:

BE IT RESOLVED THAT The General Manager is hereby authorized and directed to contact all vendors, partners and units of government doing business with the District and inform or remind them of the District's policies regarding requests for records and information pertaining to District business, and especially to transactions in which confidential information such as bank accounts and social security numbers could be compromised or utilized in an unscrupulous manner. The communication shall specifically inform or remind the recipients that Director Scott Japp has no authority to receive any documents or information pertaining to their businesses on behalf of the District, and that any such requests are to be directed to the General Manager for response.

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

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

GENERAL MANAGER'S REPORT: GM Winkler stated that his report has been posted to the website for review. A copy of his report is attached to these meeting minutes. He briefed the Board on his recent attendance at the National Security Forum at the Air War College, held at Maxwell AFB, Montgomery, Alabama from May 2-6, 2016. He discussed the topics of study and discussion and noted that the forum was attended by representatives from 43 states and diplomatic and military representative from 46 allied nations.

INFORMATIONAL ITEMS:

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

May 26, 2016 Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC

May 30, 2016 Memorial Day – P-MRNRD Offices Closed

June 2, 2016 West Papio Trail, Giles Road to Millard AdHoc Consultant Subcommittee Interviews, 6:00 p.m., NRC

June 7, 2016 P-MRNRD Subcommittee Meetings

June 9, 2016 P- MRNRD Board Meeting

June 13-14, 2016 NARD Board Meeting & Blue River Basin Tour, Upper Big Blue NRD, York, NE

June 23, 2016 Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC

B. Next Meeting – June 9, 2016, at the NRC.

ADJOURNMENT: Being no further business, at 8:55 p.m. the Chairperson declared that the meeting was adjourned.

NOTE: These minutes reflect the actions and votes taken at the May 12, 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 May 12, 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