



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
August 14, 2014**

**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> St., Omaha, NE on August 14, 2014. 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
Curt Frost	Jim Thompson
Scott Japp	Ron Woodle

**ADOPTION OF AGENDA:**

- **MOTION NO. 1** It was moved by Director Thompson 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 9-yea and 1-abstention.

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

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2** It was moved by Director Thompson 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 Director(s) have an excused absence from the August 14, 2014, Board of Directors Meeting:

Tim Fowler.

Agenda Items 7.A. and 7.B.:

BE IT RESOLVED that the July 10, 2014 Papio-Missouri River NRD Board meeting minutes and the July 9, 2014 Dakota County Rural Water Advisory Board meeting minutes are 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, 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 August 7, 2014. The District's June 13 - July 10, 2014, expenditures were published in the Dakota County Star on July 17, 2014. The Chairperson ordered the Proofs of Publication be 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 on NRCS activities. Neil's report is posted to the website and attached to these meeting minutes.

B. Nebraska Association of Resources Districts Report: Director Tesar stated that the NARD Annual Conference will be held in Kearney, Nebraska on September 22-23, 2014. He encouraged Directors to attend.

C. Legislative Report – Husch Blackwell: Steve Grasz briefed that Government Relations representatives Tim Gay and Ron Sedlacek continue to meet with Nebraska State Senators throughout the summer. He added that the three of them attended a Legislative Quorum that was held at the Strategic Air and Space Museum. The Legislative Quorum was attended by

many of the State's Senators. The General Manager inquired on Senator Sue Crawford's Interim Hearing on Unfunded Federal Mandates for Cities and Counties. He asked Steve to contact her to see if the District needed to be represented at the hearing.

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

**PUBLIC COMMENT AND INPUT ON P-MRNRD FY 2015 BUDGET**: General Manager Winkler opened the floor to the public to give comment and input on the FY 2015 Budget. The following individuals addressed the Board:

- Ken Baker, Homer, NE
- Doug Kagan, Nebraska Taxpayers for Freedom, 12320 William Street, Omaha, NE
- Wade Junker, 10627 Laurel Avenue, Omaha, NE, representing Shawn Melotz, 10404 N. 132<sup>nd</sup> Street, Omaha, NE. A copy of her testimony is attached to the written file copy of these minutes.
- Scott Japp, 4752 County Road 15, Arlington, NE

The General Manager Winkler and Assistant General Manager Petermann addressed concerns on budget items regarding bonding, land acquisition for the Western Sarpy/Clear Creek Project, and the District's Partnership agreement with the Lower Platte South and Lower Platte North NRDs for the Western Sarpy/Clear Creek Project.

**SUBCOMMITTEE REPORTS**:

A. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on August 12, 2014, and gave a brief recap of the meeting.

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

*PPO Recommendation #1:* West Papillion Regional Basin Number 5 (WP5) Amended Interlocal Agreement with the City of Papillion and Sarpy County - Recommendation that the General Manager be authorized to execute the amended West Papillion Creek Flood Control Interlocal Agreement with the City of Papillion, SID 290, and Sarpy County, as presented to the Subcommittee, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

Director Japp stated his objection of the District giving land to Sarpy County, adding that the County should purchase it.

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, Leahy, Tesar, Thompson, Woodle, Klug
Voting Nay	-	Frost, Japp
Abstaining	-	None

Excused Absence - Fowler  
Absent - Fowler

C. Finance, Expenditure and Legal Subcommittee: Director Rich Tesar reported that the FEL Subcommittee met on August 12, 2014, and gave a brief recap of the meeting.

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

*FEL Recommendation #1:* Blair Office Building Storm Repair – Recommendation that the General Manager be authorized to execute the proposed contract with Fauss Construction for storm damage repairs to the Blair Field Office in the amount of \$198,155.27, as presented to the Subcommittee, and subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

Director Frost asked why the District didn't bid out the repairs of the damaged Blair building. The General Manager stated it was a sole source contract that was implemented through the District's insurance company. Fauss Construction served as the general contractor to the original building. The District's out-of-pocket expense for the repairs is \$5,000.

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

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

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

*FEL Recommendation #2:* Dam Site 15A Land Acquisition – Recommendation that the General Manager be authorized to execute a purchase agreement for Papio Dam Site 15A Project Tract 6 in the amount of \$307,572 for 16.188 acres of land, such purchase agreement to contain provisions for the owners to retain a lease over such lands for the 2014 crop year (expiring on or before November 1, 2014) and such other terms and conditions as the General Manager deems necessary and approved as to form by District Legal Counsel.

Director Japp asked if the contract allowed for acres to be given to a County or SID. Staff member Lori Laster stated the 2 provisions identified in the contract; the first to purchase the property from the landowner, and the second to give some of the land to the City of Omaha as outlined in the Interlocal Agreement.

- **MOTION NO. 5.a.** Call the Question It was moved by Director Bonnett and seconded by Director Tesar to call the question.

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

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

Roll call was held on the original motion. The motion carried on a vote of 7-yea, 2-nay, and 1-abstention.

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

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

*FEL Recommendation #3:* Review of the FY 2015 Budget – Recommendation that the FY 2015 proposed budget option 1, as presented at the meeting of the Subcommittee, be forwarded for review at the September 11, 2014, Budget Hearing, with the provision that the General Manager be authorized to make necessary adjustments once final valuation figures are available to achieve compliance of state statutes regarding the lid.

There was extensive discussion by the Board of Directors and staff regarding the FY 2015 Budget, proposed Budget Options 1 and 2, as presented at the August 12, 2014, FEL Subcommittee Meeting, and various recommended changes to specific budget line items. The following individual addressed the Board:

- Wade Junker, 10627 Laurel Avenue, Omaha, NE

It was moved by Director Japp to amend the original motion to remove \$150,000 from budget item 01-03-536-4479 Flood Preparedness/Ice Jam Removal Contract Work from the budget. The motion died from lack of a second.

- **MOTION NO. 6.a.** Amended Motion It was moved by Director Thompson and seconded by Director J. Conley to amend the original motion to remove \$1,432,000 from budget item 01-07-283 Glacier Creek.

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

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

- **MOTION NO. 6.b.** It was moved by Director Bonnett and seconded by Director Japp  
**Call the Question** to call the question.

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

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

- **MOTION NO. 6.c.** It was moved by Director Tesar and seconded by Director Woodle  
**Amended Motion** to amend the original motion and adopt Budget Option 2, adding line item 01-06-260-4195 in the amount of \$84, 196 for the City of Bennington Bridge and Trail and reducing line item 02-04-520-4195 Urban Conservation Assistance Program by \$84,196.

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

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

- **MOTION NO. 6.d.** It was moved by Director Bonnett and seconded by Director Tesar  
**Call the Question** to call the question.

Roll call was taken to call the question. The motion carried on a vote of 6-yea and 4-nay.

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

- **MOTION NO. 6.e.** It was moved by Director Leahy and seconded by Director  
**Amended Motion** Thompson to amend the original motion and adopt Budget Option 2, adding line item 01-06-260-4195 in the amount of \$84, 196 for the City of Bennington Bridge and Trail, reducing line item 02-04-520-4195 Urban Conservation Assistance Program by \$42,098

and reducing line item 01-02-828 Information and Education Public Information Campaigns by \$42,098.

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

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

- **MOTION NO. 6.f.** It was moved by Director Japp and seconded by Director Frost  
**Amended Motion** to amend the original motion and adopt Budget Option 2, and to add an additional \$100,000 to the Conservation Assistance Program.

Roll call was held on the amended motion. The motion failed on a vote of 2-yea, 7-nay, and 1-abstention.

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

- **MOTION NO. 6.g.** It was moved by Director Japp and seconded by Director Frost  
**Amended Motion** to transfer \$1,300,000 into account 01-03-548 Western Sarpy/Clear Creek.

Roll call was held on the amended motion. The motion failed on a vote of 2-yea, 7-nay, and 1-abstention.

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

- **MOTION NO. 6.h.** It was moved by Director F. Conley and seconded by Director  
**Call the Question** Tesar to call the question.

Roll call was taken to call the question. The motion carried on a vote of 7-yea, 2-nay, and 1-abstention.

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

Absent - Fowler

- **MOTION NO. 6.i.** Chairperson Klug directed the roll call vote on the FY 2015 Budget Option 2, as amended and approved by roll call vote in motion number 6.e.

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

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

**TREASURER'S REPORT:**

- **MOTION NO. 7** It was moved by Director John 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 July, 2014, 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 Supply Project, 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 July, 2014, 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 the motion. The motion carried on a vote of 8-yea and 2-nay.

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



**CHAIRPERSON’S REPORT:**

- **MOTION NO. 8** It was moved by Director F. Conley and seconded by Director J. Conley that the following resolution be adopted:

BE IT RESOLVED that Standing Subcommittee appointments, presented by the Chairperson and shown in the District’s files relating to this meeting, are hereby approved.

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

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

**GENERAL MANAGER'S REPORT:** GM Winkler reviewed the GM Report with the Board and noted that the report had been posted to the website. Director Thompson updated the Board on Mayor Stothert’s decision to eliminate the City’s position of Bicycle and Pedestrian Coordinator and encouraged District employees to continue to work with the City’s Department(s) that will have the added responsibility. Director John Conley asked that an update be provided next month on the use of gasoline bicycles on trails.

**INFORMATIONAL ITEMS:**

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

August 28, 2014	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
August 28, 2014	LPRCA 2014 Water Quality Open at Quarry Oaks Golf Course, 11:00 a.m. check-in
September 6, 2014	World of Water at Chalco Hills noon – 4:00 p.m.
September 9-11, 2014	Husker Harvest Days, Wood River, Nebraska
September 9, 2014	P-MRNRD Subcommittee Meetings
September 11, 2014	P-MRNRD Board Meeting in Dakota City
September 22-23, 2014	NARD Annual Conference, Kearney, Nebraska
October 7, 2014	P-MRNRD Subcommittee Meetings
October 9, 2014	P-MRNRD Board Meeting

October 11, 2014

Market to Market Relay 2014 5:00–9:40 a.m. start time  
beginning from Memorial Park

B. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on September 11, 2014, at the Dakota City Field Office.

**ADJOURNMENT**: Being no further business, at 8:28 p.m. the Chairperson declared that the meeting was adjourned.

**NOTE**: These minutes reflect the actions and votes taken at the August 14, 2014, 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 the meeting of the Board of Directors of the District held on August 14, 2014; 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

**Agenda Item #10(B)(2) // FY 2015 Proposed Budget – Draft 1**

As I review the proposed budgets, I am disappointed that the Papio NRD staff is incapable of presenting a budget that reduces the FY 2015 Property Tax Requirement. I believe this Board should line item reductions to the proposed budgets and provide taxpayers the reductions they deserve. As such I offer the following recommendations:

Change in <u>Tax Req.</u> \$(35,000)	<u>Page 3, Insurance-Employee Health (Acct #4151)</u> Reduce to FY2014 Actual x 10% increase to \$655,000. See note on page 5 regarding Acct #4151: "Premium for FY2015 reflects a projected 2.5% decrease."
\$(50,000)	<u>Page 4, Special Projects (Acct #4398)</u> Eliminate Special Projects for Papio Watershed Projects. From \$50,000 to \$0.
\$(60,000)	<u>Page 4, Special Projects (Acct #4398)</u> Eliminate Special Projects for Other Special Projects. From \$60,000 to \$0.
\$(130,000)	<u>Page 4, Building Maintenance-NRC (Acct #4630)</u> Eliminate costs associated with NRC Entry Tower, Employee Parking, and Parking/Engineering. (As noted in Draft 1 - Option 2). From \$130,000 to \$0.
\$(100,000)	<u>Pages 6-9, Information &amp; Education</u> Reduce budgeted total to \$200,000. This adjusts budget to the equivalent of FY 2013 Actual (\$199,500) and FY 2014 Actual (\$197,029).
\$(30,000)	<u>Page 15, Maintenance, Dams (Accts #4400 &amp; #4479)</u> Remove items noted as "Other". In reviewing prior year budgets, it should be noted that: FY 2014 Budget was \$127,574 more than Actual. FY 2013 Budget was \$109,163 more than Actual. FY 2012 Budget was \$166,973 more than Actual. Therefore, based on historical information, the removal of \$30,000 from this account is reasonable
\$(30,000)	<u>Page 16, Maintenance, Channels &amp; Levees (Accts #4400 &amp; #4479)</u> Remove items noted as "Other". In reviewing prior year budgets, it should be noted that: FY 2013 Budget was \$862,815 more than Actual. FY 2012 Budget was \$1,941,479 more than Actual. Therefore, based on historical information, the removal of \$30,000 from this account is reasonable
\$(76,124)	<u>Page 18, Urban Conservation Assistance Program (Acct #4195)</u> Set a maximum of \$100,000 for this Program; change budget from \$176,124 to \$100,000. In reviewing prior year actual expenditures, it should be noted that: FY 2014 Actual was \$49,500; FY 2013 Actual was \$1,800; and FY 2012 Actual was \$13,547. Therefore, based on historical information, \$100,000 exceeds prior year actual expenditures.
\$(100,000)	<u>Page 20, LPRCA Alliance (Acct #4195)</u> Reduce budgeted total for Projects and Studies to \$58,301. This adjusts budget to the equivalent of FY 2014 Actual (\$84,826) plus a 16.5% increase. Change total budget from \$198,835 to \$98,835.
\$(147,552)	<u>Page 24, Recreation Area Development (Acct #4195)</u> Eliminate cost shares associated with all "New Applications" totaling \$147,552. Change total budget from \$246,325 to \$98,773.
\$(1,432,000)	<u>Page 30, Glacier Creek Mitigation (Acct #4410)</u> Eliminate funding this program. Change total budget from \$1,432,000 to \$0.
<b><u>\$(2,190,676)</u></b>	<b>Total property tax savings</b>

**Papio-Missouri River NRD**  
Board Meeting  
August 14, 2014

Shawn Melotz  
10404 North 132<sup>nd</sup> Street  
Omaha, NE 68142

Page 2 of 2

These few SIMPLE proposed adjustments to the FY 2015 Budget would change the budgeted amounts as follows:

- Total Budgeted Expenditures from \$85,144,190 to \$82,953,514
- Total Property Tax Requirement from \$19,815,993 to \$17,603,410 (11% decrease)
- Tax Levy from .036141 to 0.032111. (A decrease from FY 2014)

Thus lowering both the FY 2015 Property Tax Requirement AND the Tax Levy.

In conclusion, I ask this Board to take the time to thoroughly review the FY 2015 Budget, and consider the suggestions presented. The taxpayers of this District should be respected as this Budget is finalized.

I respectfully request that a copy of my testimony be attached to the recorded written minutes of the August 2014 Board meeting.

Thank you.

Shawn Melotz