



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
November 10, 2011**

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. 154th St., Omaha, NE on November 10, 2011. The meeting was called to order by Chairperson Rick Kolowski at 7:00 p.m. The Chairperson noted that tomorrow is Veterans' Day and thanked service members, past and present, for their service.

QUORUM CALL: The following Directors were present for the Quorum Call:

Fred Conley	David Klug
John Conley	Dorothy Lanphier
Tim Fowler	Rich Tesar
Gus Erickson	Jim Thompson
Scott Japp	Rick Kolowski

ADOPTION OF AGENDA:

- **MOTION NO. 1:** It was moved by Director Klug and seconded by Director Fowler 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	-	Conley (Fred), Conley (John), Erickson, Fowler, Klug, Lanphier, Tesar, Thompson, Kolowski
Voting Nay	-	None
Abstaining	-	Japp
Excused Absence	-	Bradley
Absent	-	Bradley

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Fowler and seconded by Director Klug 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 absences of the following Directors from the November 10, 2011, Board of Directors Meeting are excused:

Larry Bradley

Agenda Item 7. A.

BE IT RESOLVED that the October 13, 2011 Papio-Missouri River NRD Board meeting minutes are approved as printed.

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

Voting Yea - Conley (Fred), Conley (John), Erickson, Fowler, Klug, Lanphier, Tesar, Thompson, Kolowski
Voting Nay - Japp
Abstaining - None
Excused Absence - Bradley
Absent - Bradley

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on November 3, 2011. The District's expenditures from September 9 – October 13, 2011 were published in the Papillion Times on October 26, 2011. 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, briefed the Board on NRCS activities. His written report is posted to the website. He also noted that November has been designated as National Native American Heritage Month.

B. Nebraska Association of Resources Districts: Director Tesar reported that the NARD Board met on November 6-7, 2011 in Gothenburg, NE. He reported that the NARD was looking to build a hardened structure on rented property in Kearney, Nebraska in which to hold an annual, three-day event of Husker Harvest Days. He asked our Board to vote on a resolution to oppose the building of such a structure and further asked that no Papio-Missouri River Natural Resources District funds be made available to support this project.

•• **MOTION NO. 3** It was moved by Director John Conley and seconded by Director

Lanphier that the following resolution be adopted:

BE IT RESOLVED that the Papio-Missouri River NRD Board of Directors oppose the building of a hardened structure in support of the annual, three-day event of Husker Harvest Days, and furthermore; restrict any use of the Papio-Missouri River Natural Resources Districts' funds in support of this project.

Roll call vote was held on the motion. The motion carried 9 – yea and 1 – abstention.

Voting Yea - Conley (Fred), Conley (John), Erickson, Fowler, Klug, Lanphier, Tesar, Thompson, Kolowski
Voting Nay - None
Abstaining - Japp
Excused Absence - Bradley
Absent - Bradley

Director Tesar also reported that the NARD Legislative Conference will be held on January 24-25, 2012 in Lincoln, Nebraska.

C. Legislative Update: Steve Grasz, from Husch Blackwell Sanders gave the Legislative Report.

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 8, 2011 and he gave a brief recap of the meeting. He stated the Subcommittee received an update on the Keystone East Trail Project.

•• **MOTION NO. 4** It was moved by Director John Conley and seconded by Director Klug that the following recommendation be adopted:

PPO Recommendation #1: Renewal Agreement with Nebraska Game and Parks on Mentored Youth Hunting – Recommendation that the General Manager be authorized to execute a Memorandum of Understanding with the Nebraska Game and Parks Commission to allow for mentored youth hunting and fishing District property on Vencil's Island, in the form as presented to the Subcommittee meeting together with any 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 unanimously.

Voting Yea - Conley (Fred), Conley (John), Erickson, Fowler, Japp, Klug, Lanphier,

Tesar, Thompson, Kolowski
Voting Nay - None
Abstaining - None
Excused Absence - Bradley
Absent - Bradley

- **MOTION NO. 5** It was moved by Director John Conley and seconded by Director Erickson that the following recommendation be adopted:

PPO Recommendation #2: Contract with USGS to Maintain and Monitor Floodwarning System – Recommendation that the General Manager be authorized to execute a contract with the USGS in the amount of \$114,950.00 for the operation of the District’s floodwarning system.

Roll call vote was held on the motion. The motion carried on a vote of 5 – yea, 4 – nay and 1 – abstention.

Voting Yea - Conley (Fred), Conley (John), Erickson, Tesar, Kolowski
Voting Nay - Fowler, Japp, Klug, Thompson
Abstaining - Lanphier
Excused Absence - Bradley
Absent - Bradley

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

PPO Recommendation #3: Development of a Voluntary Integrated Management Plan for the Lower Platter River Basin – Recommendation that the General Manager be authorized to develop a voluntary integrated management plan for the portion of the District in the Lower Platte River Basin.

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

Voting Yea - Conley (Fred), Conley (John), Erickson, Fowler, Klug, Lanphier, Tesar, Thompson, Kolowski
Voting Nay - None
Abstaining - Japp
Excused Absence - Bradley
Absent - Bradley

- **MOTION NO. 7** It was moved by Director John Conley and seconded by Director Klug that the following recommendation be adopted:

PPO Recommendation #4: Cinnamon Acres Sediment Structure Outlet Repair –

Recommendation that the General Manager be authorized to execute a construction contract with McC, LLC in the bid amount of \$58,195.00 for the Cinnamon Acres Sediment Structure Outlet Repair Project.

Roll call vote was held on the motion. The motion carried unanimously.

Voting Yea - Conley (Fred), Conley (John), Erickson, Fowler, Japp, Klug, Lanphier, Tesar, Thompson, Kolowski
Voting Nay - None
Abstaining - None
Excused Absence - Bradley
Absent - Bradley

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

PPO Recommendation #5: Bids for 2012 District Vehicles and 2012, 50-Ton Lowbed Trailer - Recommendation that the following bids be accepted:

Bid Item A – 2012, Compact/Mid-Size, Extended Cab, 4WD Pickup Truck – Staff recommends that the bid of \$12,623 submitted by Gregg Young is the lowest responsible bid and should be accepted.

Bid Item B – 2012, 1 Ton, 4WD, Extended Cab, Diesel, Pickup Truck with Tow Package – Staff recommends that the bid of \$28,706 submitted by Woodhouse Ford is the lowest responsible bid and should be accepted.

Bid Item C – 2012, ¾ Ton, 4WD, Chassis-Cab, Pickup Truck – Staff recommends that the bid of \$14,725 submitted by Lee Sapp Ford is the lowest responsible bid and should be accepted.

Bid Item D – 2012, Hydraulic, Self-Lifting, Detachable, Gooseneck Triple Axle, 50-Ton Lowbed Trailer – Staff recommends that the bid of \$42,152 submitted by Nebraska Machinery is the lowest responsible bid and should be accepted.

Roll call vote was held on the motion. The motion carried unanimously.

Voting Yea - Conley (Fred), Conley (John), Erickson, Fowler, Japp, Klug, Lanphier, Tesar, Thompson, Kolowski
Voting Nay - None
Abstaining - None
Excused Absence - Bradley
Absent - Bradley

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

PPO Recommendation #6: FY 2012 Long Range Implementation Plan - Recommendation that the Fiscal Year 2012 Long Range Implementation Plan, in the form as presented to the Subcommittee's meeting, should be and is hereby adopted and approved.

Discussion was held by the Directors. Director Lanphier asked for the record that the scenarios discussed during the Director Workshop would not be included with the LRIP being submitted to the state. This was confirmed by the Chairperson and General Manager.

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

Voting Yea - Conley (Fred), Erickson, Fowler, Klug, Tesar, Thompson, Kolowski
Voting Nay - Conley (John), Japp
Abstaining - Lanphier
Excused Absence - Bradley
Absent - Bradley

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

PPO Recommendation #7: Missouri River Floodway Purchase Program – Recommendation that the General Manager be authorized to execute for and on the behalf of the District an Interlocal Cooperation Act Agreement with Douglas County and the City of Omaha which provides that the District shall sponsor and apply for FEMA Hazard Mitigation Grant Program funding for eligible floodway buyouts in Douglas County and that the District, Douglas County, and the City of Omaha shall equally share the non-federal costs of those acquisitions subject to a District maximum contribution of \$250,000, such agreement to be in the form as presented to the Subcommittee together with any changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

Discussion was held on the motion. Marlin Petermann briefed the Board on the Missouri River Floodway Buyout meeting that was held in Bellevue earlier in the week. Lori Laster discussed the rationale behind the different approaches to the Sarpy County and Douglas County buyout. The Sarpy County buyout affected far more homeowners than Douglas County, where the primary impact of flooding was to commercial properties. There was further discussion.

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

Voting Yea - Conley (Fred), Conley (John), Erickson, Fowler, Japp, Lanphier, Tesar, Kolowski
Voting Nay - Klug, Thompson

Abstaining - None
Excused Absence - Bradley
Absent - Bradley

B. Finance, Expenditures and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on November 10, 2011 and he gave a brief recap of the meeting. The Subcommittee reviewed the draft FY 2011 audit. The audit will be brought before the Subcommittee and Board for approval in December.

•• **MOTION NO. 11** It was moved by Director Tesar and seconded by Director John Conley that the following recommendation be adopted:

FEL Recommendation #1: Lake Dredging Program Account 01-05-192-4195 – Recommend reimbursement to Douglas County SID #439 in the amount of \$30,600 from account 01-05-192-4195 for dredging the water quality basin in SID #439 be approved and allowed to cause disbursements from such account to exceed 110% of the amount budgeted for such account.

Roll call vote was held on the motion. The motion carried unanimously.

Voting Yea - Conley (Fred), Conley (John), Erickson, Fowler, Japp, Klug, Lanphier, Tesar, Kolowski
Voting Nay - None
Abstaining - None
Excused Absence - Bradley
Absent - Bradley

* Director Thompson was out of the room during the discussion and voting of this agenda item.

•• **MOTION NO. 12** It was moved by Chairperson Kolowski and seconded by Director Fred Conley that the following resolution be adopted:

Whereas, it has been discovered that the MAPA redistricting Proposed Scenario 4 map, presented to the Executive Subcommittee's meeting on October 11, 2011 and adopted by the Board of Directors on October 13, 2011 as the new Board of Directors election subdistrict boundary map for the Papio-Missouri River Natural Resources District, contains clerical errors in the depiction of precinct boundaries; and,

Whereas, MAPA has produced a corrected Proposed Scenario 4 map, in the form as presented to this Board of Directors meeting (the "Redistricting - Scenario 4 (Adjusted) map"), wherein the errors in the depiction of precinct boundaries have been corrected and such depictions have been rectified with correct precinct boundaries,

Now, therefore, be it resolved by the Board of Directors of the Papio-Missouri River Natural Resources District that the "Redistricting - Scenario 4 (Adjusted) map," in the form as presented to this meeting, should be and is hereby adopted as the Board of Directors election subdistrict boundary map for the Papio-Missouri River Natural Resources District (superseding the map adopted on October 13, 2011), and incorporated in the Board's minutes and the District's files; and, that copies of the "Redistricting - Scenario 4 (Adjusted) map" should be certified to the Douglas and Sarpy County Election Commissioners on or before Friday, November 25, 2011, as

the correct Board of Directors election subdistrict boundary map for the Papio-Missouri River Natural Resources District.

Paul Mullen from MAPA briefed the Board of the error caught by the Douglas County Election Commission; the most current Douglas County precinct map was not used when the Papio-Missouri River NRD Subdistrict boundaries were set. Using the most current Douglas County Precinct Map and the scenario the Board approved on October 13, 2011, MAPA corrected the error. There was discussion by the Board primarily concerning Subdistrict #1. Subdistrict maps must be submitted by the District prior to November 25, 2011. Failure to file on time could result in a lawsuit.

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

Voting Yea	-	Conley (Fred), Conley (John), Erickson, Fowler, Klug, Lanphier, Tesar, Thompson, Kolowski
Voting Nay	-	None
Abstaining	-	Japp
Excused Absence	-	Bradley
Absent	-	Bradley

TREASURER'S REPORT:

- **MOTION NO. 13:** It was moved by Director John Conley and seconded by Director Fred Conley 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, 2011, 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 #1 and Washington County #2 rural water supply projects, the Elkhorn River Bank Stabilization Project, the Elkhorn Breakout Project, the Elk/Pigeon Creek Drainage Project, the Western Sarpy Drainage District, and the Papillion Creek Watershed Partnership, the project bills listed on the October, 2011, 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, 1 – nay and 1 – abstention.

Voting Yea - Conley (Fred), Conley (John), Erickson, Fowler, Klug, Tesar, Thompson, Kolowski
Voting Nay - Japp
Abstaining - Lanphier
Excused Absence - Bradley
Absent - Bradley

CHAIRPERSON’S REPORT – Chairperson Kolowski gave his report. He once again gave his appreciation for all the Veteran’s that are currently serving or have served.

GENERAL MANAGER'S REPORT: GM Winkler reviewed the GM Report with the Board and noted that the report had been posted to the website. Per Director Thompson’s request, the General Manager will invite the Bicycle Coordinator from the City of Omaha to attend a future Board Meeting.

INFORMATIONAL ITEMS:

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

November 11, 2011	Veteran’s Day – P-MRNRD Offices Closed
November 17, 2011	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
November 22, 2011	Heron Haven Ground Breaking, 10:00 a.m., Heron Haven
November 24-25, 2011	Thanksgiving Holiday – P-MRNRD Offices Closed
December 6, 2011	P-MRNRD Subcommittee Meetings
December 8, 2011	P-MRNRD Board Meeting
December 15, 2011	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
December 26, 2011	Christmas Holiday – P-MRNRD Offices Closed
January 2, 2012	New Year’s Holiday – P-MRNRD Offices Closed
January 10, 2012	P-MRNRD Subcommittee Meetings

January 12, 2012	P-MRNRD Board Meeting
January 16, 2012	Martin Luther King Day – P-MRNRD Offices Closed
January 24-25, 2012	NARD Legislative Conference, Lincoln, NE
Jan. 29-Feb. 1, 2012	National Association of Conservation Districts 2012 Annual Meeting, Las Vegas, NV

B. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on December 8, 2011 at 7:00 p.m. at the NRC.

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 8:17 p.m.

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 10, 2010, 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