



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
June 9, 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 June 9, 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	Scott Japp
Fred Conley	Dave Klug
John Conley	Rich Tesar
Tim Fowler	Jim Thompson
Curt Frost	Ron Woodle

ADOPTION OF AGENDA:

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

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, Fowler, Frost, Tesar, Thompson, Woodle, Klug
Voting Nay	-	Japp
Abstaining	-	None
Excused Absence	-	None
Absent	-	None

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2** It was moved by Director Fred Conley and seconded by Director Tesar 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 June 9, 2016, Board of Directors Meeting:

None to date.

Agenda Item 7.A.:

BE IT RESOLVED that the May 12, 2016, Papio-Missouri River NRD Board Meeting minutes be approved as printed.

Director Leahy arrived at 7:02 p.m. prior to the roll call vote. 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 June 2, 2016. The District's April 15-May 12, 2016 expenditures were published in the Burt County Plaindealer on May 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 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 will be participating in basin tour.

C. Legislative Report – Husch Blackwell: Steve Grasz, District Legal Counsel stated he had nothing to report.

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

E. USGS 2015 Groundwater Quality Monitoring Presentation: Amanda Flynn, USGS

Nebraska Water Science Center gave a presentation on the 2015 Groundwater Quality Monitoring Project. There was discussion by the Directors. Amanda, Ginny McGuire – USGS Lincoln, and staff members Paul Woodward and Marlin Petermann answered a variety of questions regarding the 2015 monitor results, well site locations, pumps, and pesticide detection.

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 June 2, 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. to Millard* Big Muddy Workshop/JEO Consulting Group, be ranked first for the West Papio Trail, Giles Road to Millard Project Professional Services and that they be asked to prepare a detailed scope of services and cost estimate for the project and that Ehrhart Griffin & Associates be ranked second.

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. Ad Hoc Consultant Selection Subcommittee for the Little Papio Channel Stabilization Project: Director Patrick Leahy reported that the Ad Hoc Consultant Selection Subcommittee for the Little Papio Channel Stabilization Project met on June 7, 2016, and gave a brief recap of the meeting.

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

Ad Hoc Recommendation #1: Little Papio Channel Stabilization Project – It is recommended that *Little Papio Channel Stabilization Project* EA Engineering, HDR Engineering and JEO Consulting Group be interviewed by the Subcommittee in the order as presented, on July 7, 2016, at 6:00 p.m.

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

After the roll call vote, Chairman Klug appointed John Conley as the Vice-Chairperson of the Little Papio Channel Stabilization Project Ad Hoc Subcommittee in the event that Director Leahy is unable to attend the scheduled July 7, 2016, Selection Subcommittee interviews.

C. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on June 7, 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: Bids for the Hell Creek Grade Stabilization Project – It is recommended that that the General Manager be authorized to execute a contract with Valley Corporation for construction of the Hell Creek Grade Control Stabilization Project in a not-to-exceed bid amount of \$754,653.37, 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. 6** It was moved by Director John Conley that the following recommendation be adopted:

PPO Recommendation #2: Bids for Aerial Application of Herbicide for the Lower Platte Weed Management Program – It is recommended that the General Manager be authorized to execute the proposed contract with Provine Helicopters for the aerial application of herbicide by helicopter in the Lower Platte and Elkhorn Rivers and Tributaries, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

Director John Conley asked why the amount of the contract wasn't included in the recommendation. Paul Woodward explained that the dollar amount is based on the actual acres sprayed and hours worked. Currently staff does not know what that amount will be.

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. 7** It was moved by Director John Conley that the following recommendation be adopted:

PPO Recommendation #3: Papio Hydrology Contract with FYRA Engineering – It is recommended that the General Manager be authorized to waive District Policy 15.2 and execute the proposed contract with FYRA Engineering for an update of the Papillion Creek Watershed hydrology, in a not-to-exceed amount of \$167,000, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

The following individual addressed the Board:

- Shawn Melotz, 10404 N 132nd Street, Omaha, NE (a copy of her testimony is attached to the file copy of the meeting minutes)

General Manager Winkler addressed questions regarding the Papio Hydrology Study and stated that the District will not execute the agreement unless FEMA gives their approval. He added that it is the District’s responsibility to provide the most current information to FEMA for their use in floodplain mapping. It could make a huge difference in whether a home is determined to be in a floodplain or not. Amanda Grint explained the study information that FEMA currently has is not wrong, however; there is new information from NOAA that reflects new rainfall distribution patterns. The District needs to pay for the Papillion Creek Watershed study because it is specific to the District’s watershed. The updated study would be submitted to FEMA for their use in the production of updated Floodplain maps. There was additional discussion.

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

D. Finance, Expenditure and Legal Subcommittee: Director Rich Tesar reported that the FEL Subcommittee met on June 7, 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 #1: FY 2017 Budget – Lid Computation (1% Resolution) – It is

recommended that the following resolution be adopted:

BE IT RESOLVED THAT the Board of Directors of the Papio-Missouri NRD approves an additional increase of 1% in the Total Restricted Funds Authority, pursuant to Neb. Rev. State. §§ 13-518 through 13-522.

Roll call was held on the motion. The motion failed on a vote of 5-yea and 6-nay.

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

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

FEL Recommendation #2: Ralston Creek Project (69th and U Street) ROW Agreement with Builders Supply Company – It is recommended that the General Manager be authorized to execute the proposed Easement Agreement with Builders Supply Company for the Ralston Creek 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 10-yea and 1-abstention.

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

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

FEL Recommendation #3: Big Papio Channel Project Street Sign License Agreement with Properties Ventures of Marin, Inc. – It is recommended that the General Manager be authorized to execute the proposed sign license agreement with Properties Ventures of Marin, Inc. for sign located at 3503 S. 84th Street on Big Papio Channel Project Right-of-Way, 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
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Voting Nay - None
Abstaining - None
Excused Absence - None
Absent - None

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: (1) claims listed in the May, 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 May, 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: Steve Grasz, District Legal Counsel, stated he had nothing to report.

CHAIRPERSON'S REPORT: Chairman Klug stated he had nothing to report.

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 informed Directors that he would be holding a Budget Workshop prior to the start of the July 12th

Subcommittee Meeting. He would like to focus the District's resources on projects we want to get accomplished. Director Japp asked about the closing on land rights for WP-6 and WP-7. Amanda Grint said the District has closed on land for WP-7 and expects to finalize the boundary line and close on the WP-6 property in the mid to late June.

INFORMATIONAL ITEMS:

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

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| 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 |
| July 4, 2016 | 4 th of July Holiday, P-MRNRD Offices Closed |
| July 12, 2016 | P-MRNRD Subcommittee Meetings |
| July 14, 2016 | P-MRNRD Board Meeting |
| July 28, 2016 | Papillion Creek Watershed Partnership Meeting, 10:00 a.m. NRC |

B. Next Meeting – July 14, 2016, at the NRC.

ADJOURNMENT: Being no further business, at 7:55 p.m. the Chairperson declared that the meeting was adjourned.

NOTE: These minutes reflect the actions and votes taken at the June 9, 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 June 9, 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