



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES**

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**APRIL 10,2003**

**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 Street, Omaha, Nebraska, on April 10, 2003. The meeting was called to order by the Chairperson, Fred Conley, at 8:00 p.m.

**OUORUM CALL:**

John Conley	Barb Nichols
Dick Connealy	Pete Rubin
Tim Fowler	Rich Tesar
Melissa Gardner	Jim Thompson
Joe Neary	Fred Conley

**ADOPTION OF AGENDA:**

- **MOTION NO. 1:** It was moved by Dick Connealy and seconded by Conley (John) that the following resolution be adopted:

BE IT RESOLVED that the agenda be adopted.

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

Voting Yea - Conley (John), Connealy, Fowler, Gardner, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)

Voting Nay - None

Abstaining - None

Excused Absence - Jansen

Absent - None

**ADOPTION OF CONSENT AGENDA:**

- **MOTIONN0.2:** It was moved by Connealy and seconded by Rubin that the following resolution be adopted:

BE IT RESOLVED that the following resolutions on the consent agenda are hereby adopted.

Agenda Item 2.A.

BE IT RESOLVED that the following Director(s) have an excused absence from the April 10, 2003, Board of Directors Meeting:

Rich Jansen

Agenda Item 7:

BE IT RESOLVED that the March 13, 2003, Papio-Missouri River NRD Board meeting minutes are hereby approved.

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

Voting Yea - Conley (John), Connealy, Fowler, Gardner, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)

Voting Nay - None

Abstaining - None

Excused Absence - Jansen

Absent - None

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on April 3, 2003. The District's February 2003 expenditures were published in the Papillion Times on April 3, 2003. 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: Don Doty, District Conservationist at the Douglas/Sarpy County NRCS office, reported on NRCS activities for the past month. A copy of his report is attached to the file copy of these minutes.

B. Nebraska Association of Resources Districts Report: Directors Barb Nichols and John Conley reported on the NARD Washington, D.C., Legislative Conference. It was noted that it was an excellent trip with 45 participants from 12NRDs.

C. Report on Nebraska Loess Hills RC&D: Director Barb Nichols reported on activities of the Nebraska Loess Hills RC&D. Some of the project highlights for 2002 were: Lewis & Clark Scenic Byway Website, AiKiRuti Healing Garden; used printer and toner cartridge recycling program and scrap tire collection.

**SUBCOMMITTEE REPORTS:**

A. Elkhorn River Access Study Ad-Hoc Consultant Selection Subcommittee Meeting: Director Rich Tesar reported that the Ad-Hoc Subcommittee met on April 1, 2003, and gave a brief recap of the meeting.

- **MOTION NO. 3:** It was moved by Tesar and seconded by Conley (John) that the following recommendation be adopted:

*Recommendation #1:* Selection of Consulting Firm: Recommendation that the order of preference for hiring a firm to do the Elkhorn River Public Access Study is: (1) Ciaccio Dennell Group, (2) Big Muddy Workshop, and (3) Schemmer & Associates.

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

Voting Yea - Conley (John), Connealy, Fowler, Gardner, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)

Voting Nay - None

Abstaining - None

Excused Absence - Jansen

Absent - None

B. Program and Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on April 8, 2003 and gave a brief recap of the meeting.

- **MOTION NO. 4:** It was moved by Conley (John) and seconded by Nichols that the following recommendation be adopted:

*Recommendation #1.a.:* Sarpy County Wastewater/Water Study - Recommendation that the General Manager be authorized to submit an application for EPA funding for a study of wastewater and water supply needs in Southern and Western Sarpy County.

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

Voting Yea - Conley (John), Connealy, Fowler, Gardner, Nichols, Rubin, Tesar, Thompson, Conley (Fred)

Voting Nay - Neary

Abstaining - None

Excused Absence - Jansen

Absent - Tesar

Director John Conley noted that the Subcommittee had discussed a Cumulative Impact Study Interlocal Agreement to study the cumulative environmental impact of development and other activities along the Lower Platte River. No action was taken.

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

*Recommendation #1.c.:* Western Sarpy/Clear Creek Flood Reduction Project – Interlocal Agreement with Nebraska Army National Guard, Lower Platte North NRD and Lower Platte South NRD – Recommendation that the General Manager be authorized to execute an Interlocal Agreement with the Nebraska Army National Guard, Lower Platte North NRD and Lower Platte South NRD for the Western Sarpy/Clear Creek Flood Reduction Project, subject to 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 on a vote of 9-yea and 1-nay.

Voting Yea - Conley (John), Connealy, Fowler, Gardner, Nichols, Rubin, Tesar, Thompson, Conley (Fred)

Voting Nay - Neary

Abstaining - None

Excused Absence – Jansen

Absent - None

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

*Recommendation #2.:* Urban Cost Share Applications for FY 2004: Recommendation that the following applications be approved, subject to funding in the FY 2004 budget:

City of Gretna	35,000
City of Bellevue	46,000
City of Blair	24,443
Village of Arlington	50,000
City of Omaha	50,000
City of Gretna	22,500
TOTAL	223,943

City of Fort Calhoun *	135,296
City of Elkhorn **	86,430
City of Elkhorn	75,632
City of LaVista	102,570
City of Omaha	122,300
TOTAL	522,228

\* installment 3 of 3

\*\* 2003 approval

City of La Vista	8,100
TOTAL	8,100

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

Voting Yea - Conley (John), Connealy, Fowler, Gardner, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)

Voting Nay - None

Abstaining - None

Excused Absence – Jansen

Absent - None

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

*Recommendation #3.* Approval of Water Purchase Agreement with Pender, NE – Recommendation that the General Manager be authorized to execute the Water Supply Renewal Agreement with the Village of Pender subject to minor modifications that the General Manager determines are necessary and District Legal Counsel approves as to form.

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

Voting Yea - Conley (John), Connealy, Fowler, Gardner, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)

Voting Nay - None

Abstaining - None

Excused Absence – Jansen

Absent - None

- **MOTION NO. 8:** It was moved by Conley (John) and seconded by Rubin that the following recommendation be adopted:

*Recommendation #6.* Cooperating Technical Partners Agreement with Federal Emergency Management Agency (FEMA) – Recommendation that the General Manager be authorized to execute a Cooperative Technical Partners Partnership Agreement with FEMA in order to update and modernize flood maps for the District, subject to approval as to form by District Legal Counsel.

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

Voting Yea - Conley (John), Connealy, Fowler, Gardner, Neary, Nichols, Rubin, Thompson, Conley (Fred)

Voting Nay - Tesar

Abstaining - None  
Excused Absence – Jansen  
Absent - None

- **MOTION NO. 9:** It was moved by Conley (John) and seconded by Rubin that the following recommendation be adopted:

*Recommendation #5.:* Bids for Front Rotary Mower – Recommendation that the low bid of \$14,000 for a new front rotary mower, submitted by Bennington Implement, Inc., be accepted.

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

Voting Yea - Conley (John), Connealy, Fowler, Gardner, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)  
Voting Nay - None  
Abstaining - None  
Excused Absence – Jansen  
Absent - None

- **MOTION NO. 10:** It was moved by Conley (John) and seconded by Rubin that the following recommendation be adopted:

*Recommendation #6.:* P-MRNRD Paperless Project Issues – Recommendation that the following policy concerning internet/printing needs be adopted:

**Printing** – Each Director shall be given a choice of using his or her own printer, or using a printer supplied by the District. If the Director uses his or her own printer the Director can be reimbursed \$.05 per copy for any copies made pertaining to District business. This expense will be submitted as part of the Director’s monthly expense claim form.

**Internet Services** – Each Director shall be allowed a reimbursement of up to \$25.00 per month for reimbursement of the cost of internet service. This expense will be submitted as part of the Director’s monthly expense claim form. Receipt must be provided.

**Internet Services (Out of Town – Hotel Visits)** – While conducting District business while out of town, each Director may be reimbursed up to \$10 per day for the cost of internet connections.

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

Voting Yea - Conley (John), Connealy, Fowler, Gardner, Neary, Nichols, Rubin, Tesar, Conley (Fred)  
Voting Nay - Thompson  
Abstaining - None

Excused Absence – Jansen  
Absent - None

Director John Conley reported that the Subcommittee considered the California Bend Project Eminent Domain appeal involving Wright Investments, Inc.'s farm tenant (Brent Arp/Willie Arp Farms, Inc.). He noted that a motion recommending that District Legal Counsel negotiate a settlement of the District's appeal in the eminent domain case failed. Therefore, there was no recommendation.

- **MOTION NO. 11:** It was moved by Tesar that staff settle the case at \$10,500 plus legal fees.

**The motion died due to lack of a second.**

C. Personnel, Legislative and Public Affairs Subcommittee: Director Barb Nichols reported that the PLPA Subcommittee met on April 8, 2003 and gave a brief recap of the meeting.

- **MOTION NO. 12:** It was moved by Nichols and seconded by Connealy that the following recommendation be adopted:

*Recommendation #1. : Affirmative Action Plan – Recommendation that the proposed revisions to the P-MRNRD Affirmative Action Plan be adopted.*

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

Voting Yea - Conley (John), Connealy, Fowler, Gardner, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)  
Voting Nay - None  
Abstaining - None  
Excused Absence – Jansen  
Absent - None

Director Nichols noted that the Subcommittee was briefed on the P-MRNRD Benefit Program and indicated that no changes were proposed for calendar year 2003.

- **MOTION NO. 13:** It was moved by Nichols and seconded by Connealy that the following recommendation be adopted:

*Recommendation #3.: P-MRNRD Wage and Salary Administration Program for 2003 (Based on 2002 State Salary Survey, prepared by the Nebraska Department of Personnel):*

- **Pay Range Revisions (Midpoints):** Recommendation that the wage and salary pay ranges be adjusted to the proposed ranges, as presented to the Subcommittee, with an effective date of January 1, 2003.

- ★ **“n” Factor:** Recommendation that an “n” Factor of 2.8% be used to compute Adjustment Factors for 2003 and that the resulting Adjustment Guide be effective as of January 1, 2003.

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

Voting Yea - Conley (John), Connealy, Fowler, Gardner, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)

Voting Nay - None

Abstaining - None

Excused Absence – Jansen

Absent - None

**TREASURER’S REPORT:**

- **MOTION NO. 14** It was moved by Conley (John) and seconded by Nichols 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 March, 2003, 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 Dakota County, Thurston County and Washington County rural water supply project and the Elkhorn River Bank Stabilization Project, the Elkhorn River Breakout Project, the Elk/Pigeon Creek Drainage Project and the Western Sarpy Drainage Improvement Project Area operating accounts the project bills listed on the March, 2003, 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 unanimously.

Voting Yea - Conley (John), Connealy, Fowler, Gardner, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)

Voting Nay - None

Abstaining - None

Excused Absence – Jansen

Absent - None



**CHAIRPERSON'S REPORT:** Upcoming Meetings/Events - Chairperson Fred Conley reported on the following upcoming meetings and events and urged Directors to participate:

- ❖ Discover Lewis and Clark Landing – Omaha's New River Front Park (north of Heartland of America Park, 8<sup>th</sup> and Douglas Streets), May 3,2003 at 12:00 noon – 5:00 p.m.  
Dedication at 1:00 p.m.
- ❖ 2003 Nebraska Trails Conference – Back to the River, May 16-17, 2003, Holiday Inn Central, 72<sup>nd</sup> and Grover Streets (Registration deadline – April 20,2003)
- ❖ 2003 Northern Plains Region Meeting, June 2-4, 2003, Lied Lodge and Conference Center, Nebraska City, NE (Registration deadline – May 18,2003)

**GENERAL MANAGER'S REPORT:** General Manager Oltmans noted that Directors had received a copy of his written report. He then reported on a meeting held on March 24, 2003, regarding establishing a Natural Resources Service Center in Dakota County. He also distributed a map of Nebraska showing areas that have a moratorium on new NRD well permits as of March, 2003.

**INFORMATIONAL ITEMS:**

A. Future Meetinas: The Chairperson noted the following upcoming meetings:

- |               |  |
|---------------|--|
| April 15,2003 | Public Meeting – Rural Water Study, Ft. Calhoun High School, at 7:30 p.m.  |
| April 25,2003 | Arbor Day – Plant a Tree!!!  |
| May 3,2003    | State Envirothon Competition, Niobrara State Park (Bellevue East and Bellevue West High Schools will be representing the metro area)   |
| May 3,2003    | Discover Lewis and Clark Landing – Omaha's New River Front Park, (north of Heartland of America Park, 8 <sup>th</sup> and Douglas Streets), at 12:00 noon – 5:00 p.m.<br>Dedication at 1:00 p.m. |
| May 6-7,2003  | Water Works, Schramm Park State Recreation Area<br><b>Directors are welcome!!!!</b>  |
| May 6,2003    | P-MRNRD Subcommittee Meetings  |
| May 8,2003    | P-MRNRD Board Meeting  |

May 10,2003	Earth Day Omaha Celebration, Elmwood Park, 12:00 noon – 8:00p.m.
May 16-17,2003	2003 Nebraska Trails Conference – Back to the River, Holiday Inn Central, 72nd and Grover Streets, Omaha, NE
May 22,2003	Nebraska Natural Resources Commission Meeting, Lincoln, NE at the Lower Platte South NRD Office
June 2-4,2003	2003 Northern Plains Region Meeting, Lied Lodge & Conference Center, Nebraska City, NE
June 8,2003	June Subcommittee Meetings
June 10,2003	June Board Meeting
June 16-17,2003	Nebraska Association of Resources Districts Board Meeting, Holdrege, NE at the Tri Basin NRD Office (Tour of Republican River Basin on June 16 <sup>th</sup> )

B. Other Information Items: There were none.

C. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on May 8,2003, at the NRC.

**ADJOURNMENT:**

Being no further business, the meeting adjourned at 8:50 p.m. by acclamation.

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 10, 2003, 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 for 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 W. Jansen  
District Secretary