



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
April 12, 2007
MINUTES**

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 Street, Omaha, NE on April 12, 2007. The meeting was called to order by Chairperson Jim Thompson at 8:00 p.m.

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

Fred Conley	Dorothy Lanphier
Dick Connealy	Rick Patterson
Tim Fowler	John Schwope
David Klug	Rich Tesar
Rick Kolowski	Jim Thompson

ADOPTION OF AGENDA: Chairperson Thompson noted that Director Tesar needed to leave the meeting early and had asked that the PPO Subcommittee report be moved up on the agenda.

- **MOTION NO. 1:** It was moved by Director Connealy and seconded by Director Fowler that Agenda Item 9.D., Programs, Projects and Operations Subcommittee Report be moved to 9.A. and that the agenda be adopted with that amendment.

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

Voting Yea	-	Conley (Fred), Connealy, Fowler, Klug, Kolowski, Lanphier, Patterson, Schwope, Tesar, Thompson
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	John Conley
Absent	-	John Conley

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Connealy and seconded by Director Fowler 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 has an excused absence from the April 12, 2007, Board of Directors Meeting:

John Conley

Agenda Item 7 A.:

BE IT RESOLVED that the March 8, 2007, Papio-Missouri River NRD Board meeting minutes and the March 14, 2007, Dakota County Rural Water Advisory Board meeting minutes be approved as printed.

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

Voting Yea	-	Conley (Fred), Connealy, Fowler, Klug, Kolowski, Lanphier, Patterson, Schwoppe, Tesar, Thompson
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	John Conley
Absent	-	John Conley

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on April 5, 2007. The District's February, 2007, expenditures were published in the Dakota County Star on April 5, 2007. 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: Verlon Barnes, District Conservationist at the Omaha NRCS office, reported on NRCS activities for the past month. A copy of his report is posted to the website. Verlon showed a PowerPoint presentation regarding the Nebraska Natural Resources Conservation Office Business Analysis. The analysis proposes that 4 NRCS offices be closed statewide.

B. Nebraska Association of Resources Districts Report:

1. NARD Washington DC Conference - Directors Kolowski, Thompson and GM Winkler and Assistant GM Petermann reported on the NARD Washington DC Trip held March 12-14, 2007. It was noted that the major issue discussed was the Farm Bill and the 25 x 25 Initiative (reduce use of foreign oil by 25% by 2025).

2. NARD Board Meeting – Director Tesar reported that the next NARD Board Meeting would be held on June 18, 2007 at the Embassy Suites in Lincoln, NE.

3. Lower Platte Basin Tour – Director Tesar announced that the Lower Platte Basin Tour would be held June 18-19, 2007. The tour will be leaving from Embassy Suites immediately following the NARD Board meeting. The tour will be visiting project sites in the Lower Platte South NRD, Lower Platte North NRD and the Papio-Missouri River NRD.

C. Lower Platte River Corridor Alliance Report: Rodney Verhoeff, LPRCA Coordinator, reported on Alliance activities. Rodney announced that the LPRCA Quarterly meeting would be held on April 24, 2007 at 9:30 a.m. in the Valley City Office, 230 N. Spruce, Valley, NE.

SUBCOMMITTEE REPORTS:

A. Programs, Projects and Operations Subcommittee: Director Tesar reported that the PPO Subcommittee met on April 10, 2007 and gave a brief recap of the meeting.

•• **MOTION NO. 3** It was moved by Director Tesar that the following recommendation be adopted:

PPO Recommendation #1 Papio Trails Project – User Survey – Recommendation that the General Manager be authorized to execute an interlocal agreement with the National Park Service, the City of Omaha, and the Nebraska Trails Foundation providing for the performance of a trial user survey/study in the Omaha Metropolitan area, and providing for a total District cost-share of \$1,500.

The following individual addressed the Board:

➤ Linda Ryan, 11130 Jackson St., Omaha, NE

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

Voting Yea - Conley (Fred), Connealy, Fowler, Klug, Kolowski, Lanphier, Patterson, Schwope, Tesar, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - John Conley
Absent - John Conley

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

PPO Recommendation #2 Recreation Area Development – City of Omaha Standing Bear Lake Trail Project – Recommendation that the Board approve the City of Omaha’s request to utilize District funds previously allocated to the City to pay for moving a trail bridge to Standing Bear Lake and Recreation Area, for other trail construction work at such facility.

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

Voting Yea - Conley (Fred), Connealy, Fowler, Klug, Kolowski, Lanphier, Patterson, Schwope, Tesar, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - John Conley
Absent - John Conley

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

PPO Recommendation #3 Interlocal Agreement with Newport Hill (SID 544) for Trail and Storm Sewer Connections to Prairie View – Recommendation that the General Manager be authorized to execute an interlocal agreement with Douglas County SID 544 (Newport Hill) providing for the installation by SID 544 of a trail and storm sewer outlets in the Prairie View Recreation Area, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

The following individual addressed the Board:

- Mike Ryan 11130 Jackson St., Omaha, NE

There was discussion. It was noted that the conceptual plan had not yet been approved by Douglas County and that the District should work with Douglas County to ensure that appropriate low impact conservation development strategies are included in the plan.

- **MOTION NO. 6** It was moved by Director Lanphier and seconded by Director Kolowski that the approval of the interlocal agreement with Douglas County SID 544 (Newport Hill) be laid over until Douglas County is satisfied with the developer’s detention facilities and staff has approved the plan.

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

Voting Yea - Conley (Fred), Connealy, Fowler, Klug, Kolowski, Lanphier, Patterson, Schwope, Tesar
Voting Nay - Thompson
Abstaining - None
Excused Absence - John Conley
Absent - John Conley

No vote was taken on Motion No. 5.

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

PPO Recommendation #4 Urban Cost Share Program Applications – Recommendation that the Subcommittee recommend to the Board that the applications for the following programs be approved, all subject to funding in the FY 2008 budget:

- Recreation Area Development Program - City of Papillion for \$19,649, and the City of Omaha for \$50,000, for a total of \$69,649
- Trails Assistance Program - City of Omaha for \$200,000, the City of South Sioux City All American Trail for \$104,418, and the City of South Sioux City 26th Street Trail for \$8,092, for a total of \$312,510
- Urban Drainageway Program - Omaha Tribe for \$99,150
- Urban Conservation Assistance Program - City of South Sioux City for \$25,000

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

Voting Yea - Conley (Fred), Connealy, Fowler, Klug, Kolowski, Lanphier, Patterson, Schwope, Tesar, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - John Conley
Absent - John Conley

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

PPO Recommendation #5 Agreement with MAPA for Aerial Photography – Recommendation that the General Manager be authorized to execute an Interlocal Agreement with the Metropolitan Area Planning Agency calling for the District to pay \$50,000 of the cost of obtaining digital map products, subject to changes deemed necessary by the General Manger and approved to form by District Legal Counsel.

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

Voting Yea - Conley (Fred), Connealy, Fowler, Klug, Kolowski, Lanphier, Patterson, Schwope, Tesar, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - John Conley
Absent - John Conley

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

PPO Recommendation #6 Bids for Dam Site 13 Mitigation Planting – Recommendation that the General Manager be authorized to execute a contract with Lanoha Nursery for the Dam Site 13 404 Permit Tree Mitigation, for Lanoha Nursery's total base bid of \$96,600.

The following individual addressed the Board:

➤ Mike Ryan 11130 Jackson St., Omaha, NE

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

Voting Yea - Conley (Fred), Connealy, Fowler, Klug, Kolowski, Lanphier, Patterson, Schwope, Tesar, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - John Conley
Absent - John Conley

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

PPO Recommendation #7 Resolution regarding FSA Office Relocation – Recommendation that staff respond to the USDA Review Plan Proposal by expressing concern about the proposed closure of the Sarpy/Douglas County FSA office.

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

Voting Yea - Conley (Fred), Connealy, Fowler, Klug, Kolowski, Lanphier, Patterson, Schwope, Tesar, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - John Conley
Absent - John Conley

Director Tesar reported that he had showed the PPO Subcommittee several photos that had been taken during a rainfall event at Forest Run. He noted that he, Director Klug and Rich Jansen had visited the site. Based on the performance of the Iva Street culverts and the already improved portions of the creek channel within Lyman Highlands, it was his opinion that the proposed channel enlargement within Forest Run would provide ample flood relief. No action was required.

B. Public Involvement Ad Hoc Consultant Selection Subcommittee: Director Fowler reported that the Ad Hoc Subcommittee met on April 10, 2007 to review the contract with Issues Management Solutions.

- **MOTION NO. 11** It was moved by Director Fowler that the following recommendation be adopted:

Ad Hoc Recommendation #1 Contract with Issues Management Solutions – Recommendation that the General Manager be authorized to execute a professional services contract with Issues Management Solutions for public involvement services to assist the Papillion Creek Watershed Partnership for a maximum fee of \$85,538.24, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

The following individuals addressed the Board:

- Gary Lambrecht, 4604 County Road P25, Kennard, NE, representing the Papio Valley Preservation Association. A copy of Mr. Lambrecht’s statement is attached to the file copy of the minutes.
- Mike Ryan, 11130 Jackson St., Omaha, NE
- Shawn Melotz, 10404 N. 132nd St., Omaha, NE

There was discussion. Steve Wolf, Issues Management Solution answered several questions regarding the contract. Director Lanphier expressed her concerns that the contract does not state that the P-MRNRD is acting as the agent for the PCWP.

- **Amendment No 1 to Motion No. 11** It was moved by Director Lanphier and seconded by Director Patterson that the Issues Management Solutions contract be amended to state that the Papio-Missouri River Natural Resources District is acting on behalf of the Partnership and that the Papio-Missouri River NRD is an agent for the Partnership.

Roll call vote was held on the amendment. The amendment carried on a vote of 8-yea and 1-nay.

Voting Yea	-	Conley (Fred), Fowler, Klug, Kolowski, Lanphier, Patterson, Schwope, Thompson
Voting Nay	-	Connealy
Abstaining	-	None
Excused Absence	-	John Conley Tesar
Absent	-	John Conley, Tesar

Roll call vote was held on the amended motion. The amended motion carried on a vote of 7-yea and 2-nay.

Voting Yea - Conley (Fred), Fowler, Klug, Kolowski, Patterson, Schwope, Thompson
Voting Nay - Connealy, Lanphier
Abstaining - None
Excused Absence - John Conley Tesar
Absent - John Conley, Tesar

C. Finance, Expenditures and Legal Subcommittee: Director Connealy reported that the FEL Subcommittee met on April 10, 2007 and gave a brief recap of the meeting.

•• **MOTION NO. 12** It was moved by Director Connealy that the following recommendation be adopted:

FEL Recommendation #1. Floodway Purchase Agreement for Lot 32, Beacon View, Sarpy County, NE – Recommendation that the General Manager be authorized to execute the Leasehold Purchase Agreement with David L. Buelt to acquire Lot 32 in Beacon View for the purchase price of \$60,000, 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 unanimously.

Voting Yea - Conley (Fred), Connealy, Fowler, Klug, Kolowski, Lanphier, Patterson, Schwope, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - John Conley Tesar
Absent - John Conley, Tesar

•• **MOTION NO. 13** It was moved by Director Connealy that the following recommendation be adopted:

FEL Recommendation #2. Right of Way Acquisition – MoPac Trail (Hwy 50 to Lied) – Recommendation that District Legal Counsel continue negotiations with NEBCO, Francis Kennedy and Patrick Kennedy for the purchase of MOPAC Trail Project ROW.

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

Voting Yea - Conley (Fred), Connealy, Fowler, Klug, Kolowski, Lanphier, Patterson, Schwope, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - John Conley Tesar

Absent - John Conley, Tesar

D. Zorinsky Water Quality Basin #2 Ad Hoc Consultant Selection Subcommittee: Director Kolowski reported that the Ad Hoc Subcommittee met on March 29, 2007 and gave a brief recap of the meeting.

- **MOTION NO. 14** It was moved by Director Kolowski that the following recommendation be adopted:

Ad Hoc Recommendation #1 Firm to be Hired – Recommendation that the General Manager be authorized to negotiate a professional services contract with Olsson Associates as the first choice, and if an agreement cannot be reached, that he be authorized to negotiate with HDR Engineering, Inc., as the second choice, for engineering services in connection with the Zorinsky Water Quality Basin #2 Project.

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

Voting Yea - Conley (Fred), Connealy, Fowler, Klug, Kolowski, Lanphier, Patterson, Schwoppe, Thompson

Voting Nay - None

Abstaining - None

Excused Absence - John Conley Tesar

Absent - John Conley, Tesar

TREASURER'S REPORT:

- **MOTION NO. 15:** It was moved by Director Fred Conley and seconded by Director Connealy 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, 2007, 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, and the Western Sarpy/Clear Creek Project, the project bills listed on the March, 2007, 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 (Fred), Connealy, Fowler, Klug, Kolowski, Lanphier, Patterson, Schwope, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - John Conley Tesar
Absent - John Conley, Tesar

CHAIRPERSON'S REPORT:

Chairperson Thompson stated that he had directed the GM to conduct an environmental review of the Papio-Missouri River NRD's operations, policies and practices. The following items will be included: energy audit of all NRD buildings; review the possibility of utilizing solar power for our energy needs; review possibility of utilizing wind power for energy needs; ascertain the most efficient use of vehicles; expand recycling policy; expand purchasing policy to include recycled products; prohibit burning of trees. The review is to be accomplished within 90 days.

The Chairperson also announced that Randy Lee, Park Superintendent at Walnut Creek Recreation Area, has resigned and will be leaving the District as of May 1, 2007. The Chair and several other Directors thanked Randy for his 27 years of service to the District.

GENERAL MANAGER'S REPORT:

GM Winkler noted that his report had been posted to the website and asked Directors to contact him if there were any questions. A news clip from Channel 6 regarding the electronic groundwater modeling that is being done in eastern Nebraska was shown.

Rich Lombardi then updated the Board on legislative issues of interest to the District. He distributed amendment 962 to LB 701 which would create a basin-wide management committee to address the Republican River basin issue. He noted that one of the components of the bill is bonding authority for NRDs. He also distributed amendment 879 to LB 564 which is the Recreational Liability Act. He indicated that this is a key issue and that the bill has advanced to Select File. He also noted that a legislative hearing on urban water issues was held on April 11th. He indicated that he would provide a copy of the transcript to Directors when available.

INFORMATIONAL ITEMS:

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

April 18, 2007

Omaha By Design Advisory Committee Meeting, 7:30 a.m.,
MAT Building

April 19, 2007	DS 1 and 3C Steering Committee Meeting, 7:00 p.m. at Blair City Hall
April 21, 2007	Earth Day Omaha, Elmwood Park, 12:00 noon – 6:00 p.m.
April 24, 2007	Lower Platte River Corridor Alliance Quarterly Meeting, 9:30 a.m., Valley City Hall
April 26, 2007	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC – Lower Level
April 27, 2007	Arbor Day – Plant a Tree!!!!
May 1 & 2, 2007	Water Works, Schramm Aquarium Directors are welcome!!!!
May 8, 2007	P-MRNRD Subcommittee Meetings
May 10, 2007	P-MRNRD Board Meeting
May 16, 2007	Omaha By Design Advisory Committee Meeting, 7:30 a.m., MAT Building
June 12, 2007	P-MRNRD Subcommittee Meetings
June 14, 2007	P-MRNRD Board Meeting
June 18, 2007	NARD Board Meeting, Embassy Suites, Lincoln, NE
June 18-19, 2007	Lower Platte Basin Tour (tour leaving from Embassy Suites immediately following NARD Board Meeting)
June 20, 2007	Omaha By Design Advisory Committee Meeting, 7:30 a.m., MAT Building

B. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on May 10, 2007 at the NRC.

ADJOURNMENT: Being no further business, at 10:00 p.m. the Chairperson declared that the meeting was adjourned.

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 12, 2007, 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