

**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING  
February 9, 2006  
MINUTES**

**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. 154<sup>th</sup> Street, Omaha, NE on February 9, 2006. The meeting was called to order by Chairperson Rich Jansen at 8:00 p.m.

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

John Conley	John Schwope
Fred Conley	Rich Tesar
Tim Fowler	Jim Thompson
Dorothy Lanphier	Rich Jansen
Joe Neary	

**ADOPTION OF AGENDA:**

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

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

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

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2:** It was moved by Director Fred Conley and seconded by Director Neary 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 February 9, 2006 Board of Directors Meeting:

Dick Connealy  
Rick Kolowski

Agenda Item 6 A.:

BE IT RESOLVED that the January 12, 2006, Papio-Missouri River NRD Board meeting minutes be approved as printed.

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

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

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on February 2, 2006. The District's December, 2005, expenditures were published in the Douglas County Gazette on January 31, 2006. 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: There was no verbal report. The NRCS Report is posted to the District website.

B. Nebraska Association of Resources District Report: Director Tesar reported that the NARD Legislative Conference was held January 24-25, 2006 at the Embassy Suites in Lincoln, NE and thanked Directors for their attendance. He also pointed out the next NARD Board meeting would be held on March 13, 2006 at the Lower Platte South NRD office in Lincoln.

C. National Association of Conservation District Annual Meeting: Director Tesar and I&E Coordinator Emmett Egr attended the NACD Annual Meeting, January 30 – February 2, 2006 in Houston, TX. Mr. Egr noted that 25 people from Nebraska attended the conference and that NARD Executive Director Dean Edson gave a presentation on water issues in Nebraska to include the Republican River Basin. Director Tesar stated that he felt that Nebraska was 30 years ahead of other states. He indicated that the State of Nebraska, with the establishment of Natural Resources Districts with taxing authority, is a leader in the country in addressing

conservation and water issues.

D. Lower Platte River Corridor Alliance Report: Rodney Verhoeff, LPRCA Coordinator, distributed copies of the LPRCA monthly report. He reminded Directors that the next LPRCA Quarterly meeting would be held on February 28, 2006 at 9:30 a.m. at the Lower Platte South NRD offices in Lincoln. He also reported that the 8<sup>th</sup> Biennial River Manager Symposium and the 10<sup>th</sup> Annual Missouri River Natural Resources Conference would be held jointly on May 9-12, 2006 in South Sioux City, NE. He urged Directors to attend.

**SUBCOMMITTEE REPORTS:**

A. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on February 7, 2006 and gave a brief recap of the meeting.

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

*PPO Recommendation #1* Village of Kennard Waste Water Project Interlocal Agreement - Recommendation that the General Manager be authorized to execute for and on behalf of the District the proposed Interlocal Cooperation Act agreement with the Village of Kennard to provide a grant in the amount of \$250,000 to support the regionalization of their wastewater treatment system, in the form as presented to the meeting and with such amendments as are 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), Fowler, Lanphier, Neary, Schwoppe Tesar, Thompson, Jansen
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Connealy, Kolowski
Absent	-	Connealy, Kolowski

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

*PPO Recommendation #2:* Papio Dam Site 13 Project Agreements – Recommendation that the General Manager be authorized to execute for and on behalf of the District an Interlocal Cooperation Act agreement with Sanitary & Improvement District #521 to secure a \$1,035,000 contribution to the District, and authorized to execute the First Addendum to Purchase Agreement with Dial Realty Corporation, both as presented to the meeting, and such amendments and other documents, approved as to form by District Legal Counsel, as deemed necessary by the General Manager.

There was discussion. Paul Peters explained the amendments to the original contract.

The following individuals addressed the board:

- ➔ Shawn Melotz, 10404 N. 132<sup>nd</sup> St., Omaha, NE
- ➔ Jennifer Andersen, 7272 Co. Road 25, Kennard, NE
- ➔ Tyler Mohr, 12101 Pawnee Rd., Omaha, NE 68142

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

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

At that point Chairperson Jansen had to leave the meeting. He turned the Chair over to Vice-Chairperson Jim Thompson.

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

*PPO Recommendation #3:* Land Acquisition for Enhancement of District's Wetland Bank – Recommendation that the following resolution be adopted:

BE IT RESOLVED that the Board of Directors of the Pappio-Missouri River Natural Resources District does hereby approve the proposed agreement with Horgan Development Company for the purchase by the District of a parcel of land, legally described therein, comprising 62.099 acres in the NE¼ of Section 25, Township 16 North, Range 11 East of the 6<sup>th</sup> P.M., Douglas County, Nebraska, for the approved appraised price of \$576,731.00, using general funds of the District; does hereby find that such purchase will be for the general benefit of the District with only an incidental special benefit, and will enhance the District's Wetlands Mitigation Bank program; and, the Board of Directors does hereby authorize the General Manager of the District to execute such purchase agreement for and on behalf of the District, together with amendments and other documents, approved as to form by District Legal Counsel, as the General Manager determines necessary to effectuate the District's purchase of such parcel.

The following individuals addressed the Board:

- ➔ Robert Miller, Thiele Geotech, Inc., 13478 Chandler Road, Omaha, NE

➔ Dale Jacobson, Jacobson Helgoth Consultants, 10838 Old Mill Road, Omaha, NE

- ➔ Lynn Moorer, 404 S. 27<sup>th</sup> St., Lincoln, NE, representing Mike Ryan of 11130 Jackson St., Omaha, NE
- ➔ Dennis Andersen, Thiele Geotech, Inc., 13478 Chandler Road, Omaha, NE

**SUBSTITUTE  
MOTION NO. 5**

It was moved by Director Tesar and seconded by Director Fowler that the following motion be substituted for Motion No. 5

BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District that further consideration of the District's purchase of the Horgan Development Company parcel should be postponed for a reasonable period of time; and that, in the interim, Management should perform a staff-level survey, with assistance of such consultants as the General Manager determines necessary, for the purpose of identifying a number of comparable, privately-owned, unimproved parcels of land in the Papillion Creek Watershed that appear to be potentially and equivalently adaptable by the District for wetland and channel mitigation banking, and that also appear to be potentially available for voluntary purchase.

There was discussion.

Roll call vote was held on the Substitute Motion. The motion carried on a vote of 5-yea and 3-nay.

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

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

*PPO Recommendation #4:* Mopac Trail (Highway 50 to Lied Bridge) Supplementary Agreement with Nebraska Department of Roads – Recommendation that the General Manager be authorized to execute the Supplemental Agreement with the Nebraska Department of Roads for the Mopac Trail (Highway 50 to Lied Bridge) Project, as presented to the meeting.

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

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

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

*PPO Recommendation #5:* Silver Creek Watershed Bids on Sites 6, 30, 31 and 36 – Recommendation that the General Manager be authorized to execute the proposed contract with Camden Excavating in the amount of \$410,675.19 for construction of Silver Creek Structures 6, 30, 31 and 36.

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

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

- **MOTION NO. 8** It was moved by Director John Conley that the following recommendation be adopted:

*PPO Recommendation #6:* Account Over 110% - Acct # 07 08 4430 – Missouri River Land Rights – Recommendation that Account #07-08-4430 Missouri River Land Rights, be allowed to exceed 110% of the budgeted amount.

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

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

B. Personnel, Legislative and Public Affairs Subcommittee: Director Fred Conley reported that the PLPA Subcommittee met on February 7, 2006 and gave a brief recap of the meeting. The Subcommittee was briefed on the P-MRNRD benefit program as compared to the information from the 2005 Nebraska State Salary Survey.

- **MOTION NO. 9** It was moved by Director Fred Conley that the following recommendation be adopted:

*PLPA Recommendation #2.a:* P-MRNRD Wage and Salary Administration Program for 2006

- a. Wage and Salary Pay Ranges (Midpoints) – Recommendation that the wage and salary pay ranges for SG 2 through SG 5 remain at CY 2005 levels and that pay

ranges for SG 6 through SG 21 be adjusted to the proposed ranges, as presented, and that the changes be effective January 1, 2006.

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

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

- **MOTION NO. 10** It was moved by Director Fred Conley that the following recommendation be adopted:

*PLPA Recommendation #2.b:* P-MRNRD Wage and Salary Administration Program for 2006

- b. Adjustment Guide Revisions ("n" Factor): Recommendation that an "n" Factor of 3.1% (average increase in midpoint values) be used to compute Adjustment Factors for Calendar Year 2006 and that the resulting Adjustment Guide be effective January 1, 2006.

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

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

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

*PLPA Recommendation #3:* Legislative Update – Recommendation that the District continue to support positions taken on legislation by the Nebraska Association of Resources Districts.

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

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





**TREASURER'S REPORT:**

- **MOTION NO. 12:** It was moved by Director John Conley and seconded by Director Fowler 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 January, 2006, 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 January, 2006, 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, Kolowski, Lanphier, Schwope Tesar, Thompson, Jansen
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Conley (Fred), Neary
Absent	-	Conley (Fred), Neary

**CHAIRPERSON'S REPORT:**

A. P-MRNRD 2006 Elections: Chairperson Thompson reported that the deadline for incumbents to file for re-election was February 15, 2006. The deadline for non-incumbents is March 1, 2006.

**GENERAL MANAGER'S REPORT:** GM Oltmans noted that his report had been posted to the website and asked Directors to contact him if there were any questions. A video clip from Channel 6 regarding financial problems at Dam Site 6 (Newport Landing) was shown.

**INFORMATIONAL ITEMS:**

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

February 15, 2006	Incumbent Deadline for Filing for Re-Election
February 20, 2006	President's Day – P-MRNRD Offices Closed
February 28, 2006	Lower Platte River Corridor Alliance Quarterly Meeting, 9:30 a.m., Lower Platte South NRD Office, Lincoln, NE
March 1, 2006	Non-Incumbent Deadline for Filing as Candidate
March 7, 2006	P-MRNRD Subcommittee Meetings
March 9, 2006	P-MRNRD Board Meeting
March 13, 2006	Nebraska Association of Resources District Board Meeting, LPSNRD Offices, Lincoln, NE
March 27-29, 2006	Nebraska Association of Resources Districts Washington DC Conference (Directors John Conley and John Schwope will be representing the District.)
April 11, 2006	P-MRNRD Subcommittee Meetings
April 13, 2006	P-MRNRD Board Meeting

B. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on March 9, 2006, at the NRC.

**ADJOURNMENT:** Being no further business, the meeting adjourned at 9:55 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 February 9, 2006, 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