



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
January 8, 2009**

PLEDGE OF ALLEGIANCE

OATH OF OFFICE: The Honorable Robert V. Burkhard, Douglas County District Court Judge, administered the oath of office to the following Directors elected in the November, 2008, general election:

**Larry Bradley
Scott Japp
Dorothy Lanphier**

**John Schwope
Rich Tesar**

It was noted that the oath of office was administered to Director Rick Kolowski on January 6, 2008.

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 January 8, 2009. 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:

Larry Bradley
Fred Conley
John Conley
Scott Japp
David Klug

Dorothy Lanphier
John Schwope
Rich Tesar
Jim Thompson

ADOPTION OF AGENDA:

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

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

Voting Yea - Bradley, Conley (Fred), Conley (John), Japp, Klug, Lanphier, Schwope, Tesar, Thompson

Voting Nay - None
Abstaining - None
Excused Absence: Fowler, Kolowski
Absent - Fowler, Kolowski

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Klug seconded by Director Fred Conley 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 an excused absence from the January 8, 2009, Board of Directors Meeting:

Tim Fowler
Rick Kolowski

Agenda Item 7 A.:

BE IT RESOLVED that the December 11, 2008 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 - Bradley, Conley (Fred), Conley (John), Japp, Klug, Lanphier, Schwope, Tesar, Thompson
Voting Nay - None
Abstaining - None
Excused Absence: Fowler, Kolowski
Absent - Fowler, Kolowski

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on January 2, 2009. The District's November, 2008, expenditures were published in the Washington County Enterprise on January 2, 2009. 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, NRCS District Conservationist at the Omaha NRCS office, reviewed the Cooperative Working Agreement between the NRCS, the State of Nebraska and the P-MRNRD.

B. Nebraska Association of Resources Districts Report: Director Tesar reported that the 2009 NARD Legislative Conference would be held January 27-28, 2009, at the Embassy Suites in Lincoln, NE. He noted that to date, seven Directors have registered for the conference. He urged the remaining Directors to attend. It was also noted that the NARD Washington DC Conference would be held March 21-25, 2009. Chairperson Thompson indicated that he would be attending, along with Director Lanphier, John Winkler and Marlin Petermann.

SUBCOMMITTEE REPORTS:

A. WPRB-5 Regional Detention Structure Ad Hoc Consultant Selection Subcommittee: Director Klug reported that the Ad Hoc Subcommittee met on January 6, 2009 and he gave a brief recap of the meeting.

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

Ad Hoc Recommendation #1: Contract with HDR to Provide Engineering Services for the WPRB-5 Regional Detention Structure – Be it resolved, that the General Manager be authorized to execute the proposed professional services agreement between the District and HDR Engineering, Inc., for Phase 1 Services for the WPRB-5 public flood control and recreation project, for a contract amount not to exceed \$529,000, and authorized to execute an agreement with the City of Papillion for a contribution in the amount of \$19,990, all subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel. Be it further resolved that the WPRB-5 project is hereby found and determined to be of general benefit to the District, with only an incidental special benefit.

The following individual addressed the Board:

- Shawn Melotz, 10404 N. 132nd St., Omaha, NE (A copy of her statement is attached to the file copy of the minutes.)

Director Japp had several questions regarding the contract that were answered by Paul Peters, Amanda Grint and John Engle, HDR. Director Bradley had questions regarding the geotechnical aspects of the project and the absence of an Environmental Impact Study. Mr. Engle noted that the Corps of Engineers would determine if the EIS is required. Director Lanphier expressed her concerns regarding the process the District used to award professional services contracts.

Amendment No. 1 It was moved by Director Japp and seconded by Director Lanphier
To Motion that the contract with HDR be for WPRB-5 only, eliminating
No. 3 WBPR 6 and 7, and that the contract be for the design phase only.

Roll call vote was held on Amendment No. 1 to Motion No. 3. The amendment failed on a vote of 3-yea and 7-nay.

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

Roll call vote was held on the Motion No. 3. The motion carried on a vote of 7-yea and 2-nay.

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

B. Personnel, Legislative and Public Affairs Subcommittee: Director Klug reported that the PLPA Subcommittee met on January 6, 2009 and he gave a brief recap of the meeting. He noted that GM John Winkler briefed the Subcommittee on the proposed changes to the District's Wage and Salary Administration Program. Mr. Winkler reported that the Silverstone Group was reviewing the market analysis, pay grades and compensation plan for 2009. He indicated that the Silverstone recommendations will be reviewed by staff and that the plan will be presented to the Subcommittee at the February 10, 2009 meeting. No action was taken on this item.

TREASURER'S REPORT:

- **MOTION NO. 4:** It was moved by Director John Conley and seconded by Director Klug as follows:

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (1) claims listed in the December, 2008, 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 Drainage District, the project bills listed on the December, 2008, 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.

Director Bradley referenced recent Omaha World Herald articles reporting problems being experienced with the Macy water system. He asked if there was anything the District could do to help. GM Winkler stated that he had contacted the Omaha Tribe and they are working to determine what assistance they might need.

Roll call vote was held on the Motion No. 4. The motion carried unanimously.

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

CHAIRPERSON'S REPORT:

A. Appointment of P-MRNRD Standing Subcommittees: Chairperson Thompson reported that he had updated the standing subcommittees to include Directors Bradley and Japp. He noted that changes to the standing subcommittees required Board approval.

•• **MOTION NO. 5** It was moved by Director Tesar and seconded by Director Klug that the following resolutions be adopted:

BE IT RESOLVED that Standing Subcommittee appointments, as presented by the Chairperson, are hereby approved.

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

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

GENERAL MANAGER'S REPORT: GM Winkler reviewed the GM Report with the Board and noted that the report had been posted to the website. Brian Henkel, Groundwater Management Engineer, then briefed the Board on the Nebraska Department of Natural Resources preliminary determination of fully appropriated basin for the Lower Platte River.

INFORMATIONAL ITEMS:

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

January 14, 2009	Papillion Creek Watershed Partnership Meeting, 9:00 a.m., NRC
January 19, 2009	Martin Luther King Holiday – P-MRNRD Offices Closed
January 20, 2009	Lower Platte River Corridor Alliance Quarterly Meeting, Lower Platte South NRD, Lincoln, NE at 10:00 a.m.
January 27-28, 2009	NARD Legislative Conference, Embassy Suites, Lincoln, NE
February 1-4, 2009	National Association of Conservation Districts 2009 Annual Meeting, New Orleans, LA
February 4, 2009	Sediment and Erosion Control Seminar - Holiday Inn Central, 7:30AM – 12:30PM
February 10, 2009	P-MRNRD Subcommittee Meetings
February 12, 2009	P-MRNRD Board Meeting
February 16, 2009	Presidents Day – P-MRNRD Offices Closed
March 10, 2009	P-MRNRD Subcommittee Meetings
March 12, 2009	P-MRNRD Board Meeting
March 21-25, 2009	NARD Washington, D.C., Conference

Chairperson Thompson noted that an Elected Officials Meeting had been scheduled for Saturday, February 14, 2009.

B. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on February 12, 2009 at the NRC.

ADJOURNMENT: Being no further business, at 9:10 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 January 8, 2009, 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