



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
July 10, 2008**

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 July 10, 2008. 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	Rick Patterson
Dick Connealy	Rich Tesar
Tim Fowler	Jim Thompson
Dave Klug	

ADOPTION OF AGENDA:

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

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

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

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Patterson and seconded by Director Klug 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 July 10, 2008, Board of Directors Meeting:

John Conley
Rick Kolowski
Dorothy Lanphier
John Schwope

Agenda Item 7 A.,B., and C.:

BE IT RESOLVED that the June 12, 2008, Pappio-Missouri River NRD Board meeting minutes, the June 11, 2008 Dakota County Rural Water Advisory Board meeting minutes, and the June 24, 2008 Washington County Rural Water #2 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, Patterson, Tesar, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - Conley (John), Kolowski, Lanphier, Schwope
Absent - Conley (John), Kolowski, Lanphier, Schwope

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on July 3, 2008. The District's May, 2008, expenditures were published in the Blair Pilot-Tribune on July 1, 2008. 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, reported on NRCS activities for the past month. He also showed slides on the damage from the June 27, 2008 storms.

B. Nebraska Association of Resources Districts Report: Director Rich Tesar reported that the NARD Board met on June 16, 2008 in Columbus. Marlin Petermann then showed several slides taken on the Loup River Basin Tour held June 16-17, 2008.

C. Lower Platte River Corridor Alliance Report: Rodney Verhoeff, LPRCA Coordinator reported that they had hired Ryan Bjerke as an intern. He reminded Directors that the Airboat Tour would be held on Friday, July 18, 2008. The next LPRCA Quarterly meeting would be

held on October 7, 2008 at the Department of Natural Resources in Lincoln, NE at 9:00 a.m.

D. Nebraska Natural Resources Commission Report: Beverly Donaldson, NNRC Commissioner, reported that the NNRC would meet on July 16-17, 2008 in Ord, NE. She indicated that one of the main topics of discussion would be to determine if the job credentials for the Director of Nebraska Natural Resources Department should be changed to eliminate the current requirement that the Director be a professional engineer. Some feel that more emphasis should be placed in administrative, negotiating and public relation skills. She also noted that the Commission would be reviewing the rules on component approval and obligations for the Nebraska Resources Development Fund.

E. Platte River Riparian Vegetative Management Demonstration Project: Russ Schultz, Lancaster County Weed Management Director, briefed the Board regarding the Lower Platte Weed Management Area and work that has been done to date. He then explained the proposed Lower Platte River Riparian Vegetative Management Plan to address the three major threats from upstream: phragmites, saltcedar and purple loosestrife. He indicated that the projected cost to implement the plan was \$372,100 that would include helicopter application, ground application and survey, monitoring and follow-up control. Partners in the plan are: County Weed Control Authorities, airboat operators, landowners, Lower Platte North NRD, Lower Platte South NRD and the Papio-Missouri River NRD. The projected cost share for the P-MRNRD is \$200,000.

PUBLIC COMMENT AND INPUT ON P-MRNRD FY 2009 BUDGET: General Manager John Winkler reviewed the proposed FY 2009 Budget. He point out that there are still several unknowns, i.e., final revenues/expenditures, cash on hand, Treasurer's balance, valuations, final IPA budgets, etc. The floor was opened to the public. The following individuals addressed the Board:

- ➔ Shawn Melotz, 10404 N. 132nd St., Omaha, NE
- ➔ Tyler Mohr, 12101 Pawnee Road, Omaha, NE

SUBCOMMITTEE REPORTS:

A. Finance, Expenditures and Legal Subcommittee: Director Fowler reported that the FEL Subcommittee met on July 8, 2008 and gave a brief recap of the meeting.

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

FEL Recommendation #1 Review of FY 2009 Budget – Recommendation that the FY 2009 budget, as presented, be forwarded for review at the August 14, 2008, Budget Hearing with the provision that the General Manager be authorized to make necessary adjustments once final figures are available to achieve compliance of state statutes regarding the lid.

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

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

TREASURER'S REPORT:

- **MOTION NO. 4:** 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 June 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 June, 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.

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

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

CHAIRPERSON'S REPORT:

A. Appointment of Whitted Creek Ad Hoc Consultant Selection Subcommittee – Chairperson Thompson advised the Board that he had appointed the following Directors to serve on the Whitted Creek Ad Hoc Consultant Selection Subcommittee:

John Schwope, Chairperson
Dave Klug, Vice-Chairperson
John Conley
Rick Kolowski
Tim Fowler
Alternate: Rich Tesar

B. Report on Saddle Creek Road Flooding – Chairperson Thompson showed several slides of flooding that occurred on June 27, 2008 on Saddle Creek Road. He also distributed a July 6, 2008 article from the Omaha World Herald entitled, “People feel like flood terms get them in over their heads.” He noted that use of terms such as 100-year flood or 500-year flood was misunderstood and could give the public a false sense of security. He stated that he hoped that the flood terminology would be changed to deal more with probabilities rather than time.

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. He reported that Jack Lawless, District Accountant, had retired from his position as of June 27, 2008. We are in the process of hiring both a District Accountant position and the Senior Accounting position. In the meantime, Roxanne Pfeiffer will be filling in the accounting department. Paul Woodward briefed the Board on the annual review of the Papillion Creek Watershed Partnership Agreement. GM Winkler also indicated that the District had been notified that our overall premium for FY 2009 is \$141,707 - down \$2,326 from FY 2008. This does not include the separate aviation (non-owner) policy which will be renewed in April, 2009. Also, the Workers Comp estimated renewal is \$74,057 which is down \$4,630 from last year. Once again, District employees are to be commended for practicing established safety rules and guidelines in our O&M facilities, job sites and offices.

- Platte River Vegetation Management Resolution – GM Winkler noted that the Board had been briefed on the Platte River Riparian Vegetative Management Demonstration Project by Russ Schultz and asked that the Board consider entering into an Interlocal Cooperation Act Agreement to implement the project.

- **MOTION NO. 5** It was moved by Director Tesar and seconded by Director Fowler that the following resolution be adopted:

BE IT RESOLVED that the following resolution be adopted to grant the Papio Missouri River NRD the authority to enter into an interlocal agreement in order to execute the Platte River Riparian Vegetative Management Plan

Whereas, the lower Platte River corridor has become subject to serious infestation by *Phragmites australis*, that tends to deplete water in a channel, and, after growing copiously in dry river channels, tends to bond with winter ice formations and impede the natural discharge of broken ice floes from such channels, aggravating spring flooding; and,

Whereas, Neb. Rev. Stat. § 2-3229, authorizes natural resources districts to “develop and execute plans, facilities,

works, and programs relating to . . . (2) prevention of damages from flood water and sediment, (3) flood prevention and control, . . . [and] (6) development, management, utilization, and conservation of ground water and surface water”; and,

Whereas, it has been proposed that the Papio-Missouri River Natural Resources District, the Lower Platte North Natural Resources District, the Lower Platte South Natural Resources District and the Nebraska counties of Douglas, Lancaster, Sarpy and Saunders, enter into an Interlocal Cooperation Act agreement, with parties and terms to be negotiated by the General Manager, providing for the initiation, implementation and financing of an inter-jurisdictional demonstration project, administered by the District, to evaluate the feasibility of employing aerial application of herbicide as a method of eradicating and controlling Phragmites and other invasive vegetation in the streambed and banks of the lower Platte River; in the reach of the lower Platte River southerly of Nebraska State Highway 77 and northerly of the north boundary line of Sarpy County; and,

Whereas, this Board finds that such a project would be for general benefit of the District, with only an incidental special benefit, and that the District should enter into such an agreement providing for such a project,

NOW, THEREFORE, be it resolved by the Board of Directors of the Papio-Missouri River Natural Resources District that the General Manager of the District should be, and hereby is, authorized to negotiate and execute for and on behalf of the District an Interlocal Cooperation Act agreement with those natural resources districts and counties along the lower Platte River corridor who are willing to cooperate with the District in the initiation, implementation and financing of a project substantially as described in the draft proposed agreement presented to this meeting, containing such amendments thereto as the General Manager of the District determines necessary and District legal counsel approves as to form; and that the General Manager of the District should be, and hereby is, further authorized to negotiate and execute for and on behalf of the District such other and further documents as the General Manager determines necessary to effect such agreement and expeditiously advance such project; all such authorities to be subject to and on condition that such agreement shall provide that the District’s ultimate share of the cost of such project shall not exceed the budgeted amount.

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

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

ELECTION OF P-MRNRD OFFICERS:

A. **Chairperson:** The floor was opened for nominations for Chairperson. Director Jim Thompson was nominated.

- **MOTION NO. 6** It was moved by Director Connealy and seconded by Director Tesar that the nominations cease and that a unanimous ballot be cast for Director Thompson as Chairperson.

Voice vote was held on the motion. The motion carried unanimously.

B. **Vice-Chairperson:** The floor was opened for nominations for Vice-Chairperson. Director Rick Kolowski was nominated.

- **MOTION NO. 7** It was moved by Director Tesar and seconded by Director Klug that the nominations cease and that a unanimous voice vote be cast for Director Kolowski as Vice-Chairperson.

Voice vote was held on the motion. The motion carried unanimously.

C. **Secretary:** The floor was opened for nominations for Secretary. Director Rich Tesar was nominated.

- **MOTION NO. 8** It was moved by Director Fowler and seconded by Director Connealy that the nominations cease and that a unanimous voice vote be cast for Director Tesar as Secretary.

Voice vote was held on the motion. The motion carried unanimously.

D. **Treasurer:** The floor was opened for nominations for Treasurer. Director John Conley was nominated.

- **MOTION NO. 9** It was moved by Director Connealy and seconded by Director Klug that the nominations cease and that a unanimous voice vote be cast for Director John Conley as Treasurer.

Voice vote was held on the motion. The motion carried unanimously.

Chairperson Thompson noted that Treasurer John Conley had indicated that he would like to appoint Director Fred Conley as Assistant Treasurer.

ELECTION OF NARD DIRECTOR AND ALTERNATE DIRECTOR: The floor was opened for nominations for NARD Director and Alternate Director. Director Rich Tesar was nominated for NARD Director and Director Tim Fowler was nominated for Alternate Director.

- **MOTION NO. 10** It was moved by Director Connealy and seconded by Director Fred Conley that the nominations cease and that a unanimous voice vote be cast for Director Tesar as NARD Director and Director Tim Fowler as Alternate Director.

Voice vote was held on the motion. The motion carried unanimously.

- **MOTION NO. 11** It was moved by Director Patterson and seconded by Director Connealy that the following resolution be adopted:

BE IT RESOLVED that the following named persons be and are hereby elected officers of the Papio-Missouri River Natural Resources District for the coming year and until a successor has been elected: **Jim Thompson**, Chairperson; **Rick Kolowski**; Vice-Chairperson; **Rich Tesar**, Secretary; and, **John Conley**, Treasurer.

BE IT FURTHER RESOLVED that the Treasurer's written designation of **Fred Conley** as Assistant Treasurer is concurred in by the Board of Directors.

BE IT FURTHER RESOLVED that **Rich Tesar** is hereby elected the Nebraska Association of Resources Districts Director for the coming year; and, **Tim Fowler** is hereby elected the Nebraska Association of Resources Districts Alternate Director for the coming year.

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

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

INFORMATIONAL ITEMS:

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

July 18, 2008	Lower Platte River Corridor Alliance Airboat Tour 9:00 a.m. – 4:00 p.m.
July 31, 2008	Papillion Creek Watershed Partnership Meeting, 10:00 a.m. at NRC
August 12, 2008	P-MRNRD Subcommittee Meetings
August 14, 2008	P-MRNRD Board Meeting
September 1, 2008	Labor Day –District Offices Closed
September 4, 2008	Water Quality Open at Quarry Oaks Golf Course
September 9, 2008	P-MRNRD Subcommittee Meetings
September 11, 2008	P-MRNRD Board Meeting

B. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on August 14, 2008 at the NRC.

The following individuals addressed the Board regarding a public meeting to discuss the Papio Reservoir Sites 1 and 3C preliminary report prepared by HDR:

- ➔ Gary Lambrecht, 4604 County Road P25, Kennard, NE
- ➔ Kevin Probst, 19001 Greene St., Washington, NE

ADJOURNMENT: There being no further business, the Chairperson declared that the meeting was adjourned at 10:05 p.m.

I, the undersigned, Secretary of the Pappo-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 July 10, 2008, 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