



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
July 10, 2003
MINUTES**

PLEDGE OF ALLEGIANCE

MEETING CALLED TO ORDER: A regular meeting of the Papiro-Missouri River Natural Resources District Board of Directors was held at the Natural Resources Center, 8901 S. 154th Street, Omaha, NE, on July 10, 2003. The meeting was called to order by the Chairperson, Fred Conley, at 8:05 p.m.

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

John Conley	Barb Nichols
Dick Connealy	Peter Rubin
Tim Fowler	Rich Tesar
Rich Jansen	Jim Thompson
Joe Neary	Fred Conley

Chairperson Fred Conley noted that Director Gardner had an excused absence.

ADOPTION OF AGENDA:

- **MOTION NO. 1:** It was moved by Jansen 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, Jansen, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Gardner
Absent	-	None

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Connealy and seconded by Rubin that the following resolution be adopted:

BE IT RESOLVED that the following resolution(s) 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, 2003, Board of Directors Meeting:

Melissa Gardner

Agenda Item 6:

BE IT RESOLVED that the June 12, 2003, Papio-Missouri River NRD Board meeting minutes; the June 11, 2003 Dakota County Rural Water Advisory Board meeting minutes; the June 23, 2003, Washington County Rural Water Advisory Board meeting minutes; and the June 24, 2003, Thurston County Rural Water Advisory Board meeting minutes are hereby approved as printed.

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

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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on July 3, 2003. The District's May 2003, expenditures were published in the Papillion Times on July 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.)

PUBLIC COMMENTS AND INPUT ON P-MRNRD FY 2004 BUDGET: General Manager Oltmans reviewed the proposed FY 2004 P-MRNRD budget and showed a power point presentation. He noted that the total operating budget was approximately \$24.04 million with a projected tax levy of 0.030729 (the same tax levy as FY 2003). He noted that the tax levy is contingent on final valuations from the counties. The total property tax requirement is approximately \$10.70 million compared to \$10.19 million in the FY 2003 budget. GM Oltmans then reviewed the major items in the budget. A copy of the fact sheet is attached to the file copy of the minutes.

The following individual(s) addressed the Board regarding the FY 2004 Budget:

- ◆ **Johan Deppe**, representing the League of Women Voters stated that she was pleased to see that the District was addressing concerns relating to water quality. She also thanked the Board for their support of Earth Day.

AGENCY AND ASSOCIATION REPORTS:

A. Natural Resources Conservation Service Report: Don Doty, District Conservationist at the NRC 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: Director Rubin reported that he had attended the NARD Board meeting held June 16-17, 2003 at Holdrege, NE. He reported that the NARD budget was passed and that there was no dues increase for the coming year. He also pointed out that the NARD Annual Conference is scheduled for September 21-23, 2003 in Kearney, NE and urged Directors to attend.

SUBCOMMITTEE REPORTS:

A. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee had met on July 8, 2003 and gave a brief recap of the meeting

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

PPO Recommendation #1: Request for Proposals for Development of Storm Water Fee System for the Omaha Metropolitan Area (Papillion Creek Watershed Partnership) – Recommendation: not to accept the staff recommendation.

Staff Recommendation: Recommendation that the Chairperson appoint an Ad-Hoc Subcommittee to select a consultant to develop a Stormwater Fee System for the Omaha Metro area in Douglas and Sarpy County, NE on behalf of the Papillion Creek Watershed Partnership.

The following individuals addressed the Board regarding this item:

- ◆ **Bob Sink**, representing the City of Omaha, asked that the Board reconsider the Subcommittee's recommendation.
- ◆ **Kent Holms**, representing Douglas County, asked that the Board reconsider the Subcommittee's recommendation.
- ◆ **Randy Lenhoff**, concurred with the Subcommittee's recommendation. He stated that he was opposed to LB 32 and felt the study is ahead of where we actually are. He questioned the need to set up another taxing authority.
- ◆ **Mick Mines**, Nebraska State Senator – District 18, stated that he opposed LB 32. He stated that LB 32 was unfair because ag lands were exempt. He stated that this would

be addressed during the next Unicameral Session.

There was further discussion.

Roll call vote was held on the motion. The motion carried on a vote of 6-yea and 4-nay.

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

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

PPO Recommendation #2: Public Canoeing Access at Boyer Chute – Recommendation that the General Manager be authorized to write the U.S. Fish and Wildlife Service requesting that they resolve the issue of the use of boats on Boyer Chute.

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

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

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

PPO Recommendation #3: Extend Washington County Rural Water Study Deadline – Recommendation that the deadline for accepting hookup fee deposits and applications regarding the Washington County Rural Water Study be extended until August 15, 2003, and that the hookup fee deposit accompanying each application for rural water service submitted to the District after that date shall be increased by \$200 (from \$2,600 to \$2,800).

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

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

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

PPO Recommendation #4: Bids for Pigeon/Jones Creek Watershed Site #3 (Hubbard) – Recommendation that the General Manager be authorized to execute a contract for construction of Pigeon/Jones Watershed Dam Site #3 with Jensen Construction, D.T., Inc., in the amount of \$190,864.45.

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

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

C. Finance, Expenditures and Legal Subcommittee: Director Connealy reported that the FEL Subcommittee had met on July 8, 2003 and gave a brief recap of the meeting.

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

FEL Recommendation #1: West Branch Channel Project (84th to 96th Street) Property Exchange with Bellino Properties LLC – Recommendation that staff be directed to obtain an update of the June 2001 appraisal for the two parcels and present the results at the August 12, 2003 Subcommittee meeting.

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

- **MOTION NO. 8:** It was moved by Connealy and seconded by Jansen that the following recommendation be adopted:

FEL Recommendation #2.: P-MRNRD Insurance Coverage for FY 2004 – Recommendation that the Dunbar-Peterson proposal of \$244,486 for insurance coverage for FY 2004 be accepted.

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

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

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

FEL Recommendation #3.: Additional of District Policy 16.8 – District Property – Recommendation that District Policy 16.8 District Property – Vehicle Replacement Schedule be tabled for one month pursuant to District Policy 1.5 with final consideration at the August 14, 2003 Board meeting and that such policy be effective for FY 2005.

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

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

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

FEL Recommendation #4.: FY 2004 Budget – 1% Increase to the Budgeted Restricted Funds for Lid Calculation for FY 2004 Budget – Recommendation that the following resolution be adopted:

BE IT RESOLVED that the Board of Directors of the Papio-Missouri NRD approves an additional increase of 1% in the Total 2002-2003 Funds Subject to Limitation, pursuant to Neb. Rev. State. §§ 13-518 through 13-522.

It was noted that this motion required a super majority or 8 affirmative votes to pass.

Roll call vote was held on the motion. The motion failed on a vote of 5-yea and 5-nay.

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

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

- **MOTION NO. 11** It was moved by Nichols and seconded by Rubin that the following recommendation be adopted:

PLPA Recommendation #1: Review of GM Evaluation – Recommendation that the GM’s FY03 appraisal be approved and entered into the GM’s personnel file, including all comments received and the category summary sheets.

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

TREASURER'S REPORT:

- **MOTION NO. 12:** It was moved by Conley (John) and seconded by Jansen 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, 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 Breakout Project, the Elk/Pigeon Creek Drainage Project, and the Western Sarpy/Clear Creek operating accounts the project bills listed on the June, 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, Jansen, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)
Voting Nay - None

Abstaining - None
Excused Absence - Gardner
Absent - None

CHAIRPERSON'S REPORT: Chairperson Fred Conley noted that due to the acceptance of the PPO recommendation regarding the Papio Creek Watershed Partnership Stormwater Fee study, the issue of appointing an Ad-Hoc Subcommittee was moot and did not require Board consideration.

GENERAL MANAGER'S REPORT: GM Oltmans noted that Directors had received a copy of his written report. He distributed a fact sheet regarding the Metro Area Trails Marking Project and information regarding pine wilt. The following news clips were then shown:

Channel 7 – Fighting the Trail (Memorial Park Trail)
Channel 6 – Flood Buyout – Cole Creek
Channel 6 – Household Hazardous Waste Facility

ELECTION OF P-MRNRD OFFICERS:

A. Chairperson: The floor was opened for nominations for Chairperson. Directors Rich Jansen and Fred Conley were nominated. Secret ballot election was held. The vote was Fred Conley – 5 and Director Jansen – 5. A second ballot was taken. The results were the same, Conley – 5 and Jansen -5.

- **MOTION NO. 13:** It was moved by Rubin and seconded by Nichols that the Board take a 5 minutes recess.

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

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

The Board reconvened at 9:30 p.m. At that point Director Jansen withdrew his name as a candidate for Chairperson. It was moved by Rubin and seconded by Conley (John) that a unanimous ballot be cast for Fred Conley as P-MRNRD Chairperson. The motion carried unanimously by voice vote.

B. Vice-Chairperson: The floor was opened for nominations for Vice Chairperson. Director Rich Jansen was nominated. It was moved by Rubin and seconded by Nichols that nominations cease and a unanimous ballot be cast for Rich Jansen. The motion carried unanimously by voice vote.

C. Secretary: The floor was opened for nominations for Secretary. Director Barbara Nichols was nominated. It was moved by Connealy and seconded by Rubin that nominations cease and a unanimous ballot be cast for Barbara Nichols. The motion carried unanimously by voice vote.

D. Treasurer: The floor was opened for nominations for Treasurer. Director John Conley and Director Rich Tesar were nominated. Secret ballot election was held. Director Conley won on a vote of John Conley – 7 and Rich Tesar – 3.

Treasurer John Conley appointed Jim Thompson as Assistant Treasurer.

ELECTION OF NARD DIRECTOR AND ALTERNATE DIRECTOR:

The floor was opened for nominations for NARD Director. Director Peter Rubin was nominated. It was moved by Connealy and seconded by Conley (John) that the nominations cease and a unanimous ballot be cast for Peter Rubin as NARD Director. The motion carried unanimously by voice vote.

The floor was opened for nominations for Alternate NARD Director. Director Rich Tesar was nominated. It was moved by Nichols and seconded by Jansen that the nominations cease and a unanimous ballot be cast for Rich Tesar as NARD Alternate Director. The motion carried unanimously by voice vote.

- **MOTION NO. 14:** It was moved by Conley (John) and seconded by Rubin that the following resolution be adopted:

BE IT RESOLVED that the following named persons Directors be and are hereby elected officers of the Pappio-Missouri River Natural Resources District for the coming year and until a successor has been elected: Fred Conley, Chairperson; Rich Jansen; Vice-Chairperson; Barb Nichols, Secretary; and, John Conley, Treasurer.

BE IT FURTHER RESOLVED that the Treasurer's written designation of Director Jim Thompson as Assistant Treasurer is concurred in by the Board of Directors.

BE IT FURTHER RESOLVED that the presently elected Treasurer, Director John Conley, and the presently-designated Assistant Treasurer, Director Barbara Nichols, be and are hereby authorized to serve until such time as bonding is completed on the Treasurer-elect and the Assistant Treasurer designate.

BE IT FURTHER RESOLVED that Director Pete Rubin is hereby elected the Nebraska Association of Resources Districts Director for the coming year; and, Director Rich Tesar 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 (John), Connealy, Fowler, Jansen, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)
Voting Nay - None

Abstaining - None
Excused Absence - Gardner
Absent - None

INFORMATIONAL ITEMS:

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

July 18, 2003	LPRCA Air Boat Tour
July 22-24, 2003	Nebraska Water Conference Council's Annual Water & Natural Resources Field Trip – Local Response to Settlement of Kansas v. Nebraska
August 12, 2003	P-MRNRD Subcommittee Meetings
August 14, 2003	P-MRNRD Board Meeting
Sept. 1, 2003	Labor Day, P-MRNRD Offices Closed
Sept. 4, 2003	Water Quality Open, Quarry Oaks
Sept. 9, 2003	P-MRNRD Subcommittee Meetings
Sept. 11, 2003	P-MRNRD Board Meeting
Sept. 21-23, 2003	NARD Annual Conference, Kearney, NE

B. Other Information Items: Director John Conley reported that he had requested that staff prepare a written policy regarding District grants to be brought before the Board for consideration within the next 60 days.

C. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on August 14, 2003, at the NRC.

ADJOURNMENT:

Being no further business, the meeting adjourned at 9:40 p.m. by acclamation.

I, the undersigned, Secretary of the Pappio-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, 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.

Barbara A. Nichols
District Secretary