

**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
June 8, 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. 154th Street, Omaha, NE on June 8, 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	Dorothy Lanphier
Fred Conley	John Schwope
Dick Connealy	Rich Tesar
Tim Fowler	Jim Thompson
Rick Kolowski	Rich Jansen

ADOPTION OF AGENDA:

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

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

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

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Connealy and 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 2.A.:

BE IT RESOLVED that the following Director(s) have an excused absence from the June 8, 2006, Board of Directors Meeting:

None

Agenda Item 6 A&B.:

BE IT RESOLVED that the May 18, 2006, Papio-Missouri River NRD Board meeting minutes, the May 23, 2006, Washington County Rural Water #1 Advisory Board meeting minutes and the May 24, 2006 Thurston 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), Conley (John), Connealy, Fowler, Kolowski, Lanphier, Schwoppe, Tesar, Thompson, Jansen
Voting Nay	-	None
Abstaining	-	None
Absent	-	None

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on June 2, 2006. The District's April, 2006, expenditures were published in the Douglas County Gazette on May 30, 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: Verlon Barnes, NRCS District Conservationist at the NRC office in Omaha, reported on Natural Resources Conservation Service activities for the past month. The NRCS Report is posted to the District website.

B. Nebraska Association of Resources District Report: Director Tesar reported that the NARD Board would be meeting on June 19, 2006 in Sidney, NE. He also reported that the NARD is sponsoring a Basin Tour of the western reaches June 19-21, 2006. The tour will be leaving from Sidney immediately following the NARD Board meeting.

C. Lower Platte River Corridor Alliance Report: Chairperson Jansen reported that Rodney Verhoeff was ill and there would be no LPRCA report.

D. Nebraska Natural Resources Commission Report: Beverly Donaldson, NNRC Commissioner reported that the NNRC had met on May 24 and 25, 2006. She reported that the Legislature had appropriated \$3.2 million to the Resources Development Fund which is administered by the NNRC. She then reviewed with the Board the process to apply for RDF

funds. She reported that the Commission is looking into re-evaluating the guidelines to determine recreational benefits on projects. The next NNRC meeting will be held July 13-14, 2006 in Ogallala, NE.

E. Nebraska Environmental Trust Fund Report: Vince Kramper invited Directors to his farm prior to the September Board meeting to be held in Dakota City. He then reported on activities of the Nebraska Environmental Trust Fund. He indicated that 150 applications were received this year. Seventy-nine new projects were approved for \$11 million. He noted that the P-MRNRD had received approval for a \$440,000 grant for the Missouri River Wetland Reserve Program. He pointed out that this is the 13th year for the NETF and over \$100 million has been awarded thus far.

SUBCOMMITTEE REPORTS:

A. Finance, Expenditures and Legal Subcommittee: Director Connealy reported that the FEL Subcommittee met on June 6, 2006 and gave a brief recap of the meeting.

- **MOTION NO. 4** It was moved by Director Schwope and seconded by Director Fred Conley that the following recommendation be adopted:

FEL Recommendation #1 Amendments to Agreement for Missouri River Trail Crossing Bridge: Recommendation that the Assistant General Manager be authorized to execute the proposed FIRST AMENDMENT TO AGREEMENT FOR MISSOURI RIVER TRAIL CROSSING BRIDGE.

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

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

Director Connealy reported that the Subcommittee reviewed the first draft of the FY 2007 budget and that no Board action was required at this time. He then reviewed the following dates to remember for the P-MRNRD FY 2007 budget:

- Public Input Meeting at July 13, 2006 Board Meeting
- Budget Hearing and Adoption of FY 2007 Budget at August 10, 2006 Board Meeting
- Set Tax Levy for FY 2007 at September 14, 2006 Board Meeting

- **MOTION NO. 4** It was moved by Director Kolowski and seconded by Director Fred Conley that the following recommendation be adopted:

FEL Recommendation #2.a. 1% Increase to the Budgeted Restricted Funds for Lid Calculation for FY 2007 Budget – Recommendation that the following resolution be adopted:

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

It was noted that this motion required a super majority of the Board or 9 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 (Fred), Conley (John), Connealy, Kolowski, Jansen
Voting Nay	-	Fowler, Lanphier, Schwope, Tesar, Thompson
Abstaining	-	None
Absent	-	None

- **MOTION NO. 5** It was moved by Director Schwope and seconded by Director Fred Conley that the following recommendation be adopted:

FEL Recommendation #3.a. Accounts Over 110%:

- a. Acct. 01 01-00 4333 – Office Equipment Maintenance – Recommendation that Acct#-01 01-00 4333 – Office Equipment Maintenance 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), Connealy, Fowler, Kolowski, Lanphier, Schwope Tesar, Thompson, Jansen
Voting Nay	-	None
Abstaining	-	None
Absent	-	None

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

FEL Recommendation #3.b. Accounts Over 110%:

- b. Acct. 01 01-00 4570 – Salaries: Administrative – Recommendation that Acct#-01 01-00 4570 – Salaries: Administrative 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), Connealy, Fowler, Kolowski, Lanphier, Schwope, Tesar, Thompson, Jansen
 Voting Nay - None
 Abstaining - None
 Absent - None

•• **MOTION NO. 7** It was moved by Director Schwope and seconded by Director Fowler that the following recommendation be adopted:

FEL Recommendation #4. Purchase Agreement for Floodway Buyout at Elbow Bend – Recommendation that the Acting General Manager be authorized to execute the purchase agreement with WM Specialty Mortgage for the purchase price of \$70,000 to acquire Lot 10 in Schneider’s Missouri River Park Replat I, subject to changes deemed necessary by the Acting General Manager and approval 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), Connealy, Fowler, Kolowski, Lanphier, Schwope, Tesar, Thompson, Jansen
 Voting Nay - None
 Abstaining - None
 Absent - None

B. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on June 6, 2006 and he gave a brief recap of the meeting. He indicated that the Subcommittee was briefed on Pigeon/Jones Recreation Site #15 regarding the status of the Resources Development Fund application and the project schedule.

Director John Conley reported that the Subcommittee discussed the Papillion Creek Watershed Partnership and proposed amendments to District Policy 17.16. Director Kolowski stated that he felt there should be further opportunity for the Board to get all their questions and concerns addressed.

•• **MOTION NO. 8** It was moved by Director Kolowski and seconded by Director Fred Conley that this item be tabled for one month and that another workshop be held on the PWCP and amendments to District Policy 17.16.

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

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

- **MOTION NO. 9** It was moved by Tesar and seconded by Schwope that the adoption of changes to District Policy 17.16, Section B, be laid over for 90 days.

The floor was opened for Directors' comments. Director Tesar read a statement to the Board. (A copy of Director Tesar's statement is attached to the file copy of the minutes.) Director Lanphier also read a statement. (A copy of Director Lanphier's statement is attached to the file copy of the minutes.)

There was extended discussion. Director Fred Conley pointed out that if the Board laid this item over for 90 days there should be specific tasks identified to achieve during the 90 day period. Director Tesar stated that he wanted to amend his motion as follows:

- MOTION NO. 9:** It was moved by Tesar and seconded by Schwope that the question of the adoption of changes to District Policy 17.16, Section B, be laid over for 90 days to enable individual Directors to meet with staff to address questions and concerns, receive more public input and communicate with other governmental agencies.
- RESTATED**

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

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

- **MOTION NO. 10** It was moved by Director John Conley and seconded by Director Schwope that the following recommendation be adopted:

PPO Recommendation #3: Contract for Master Meter Vault for Ft. Calhoun – Recommendation that Neuvirth's Construction be awarded the contract for the master meter vault project for the City of Ft. Calhoun in the amount of \$53,498.62.

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

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

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

PPO Recommendation #4: Review of District Vehicle Use Policy – Recommendation that staff conduct a survey of other natural resources districts regarding vehicle use and report back to the Subcommittee within 60 days.

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

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

C. Personnel, Legislative and Public Affairs Subcommittee: Director Fred Conley reported that the PLPA Subcommittee met on June 6, 2006 and he gave a brief recap of the meeting.

●● **MOTION NO. 12** It was moved by Director Fred Conley and seconded by Director Connealy that the following recommendation be adopted:

PLPA Recommendation #1: GM Job Description – Recommendation that the job description for General Manager, as presented, be approved.

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

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

Director Kolowski then reported that the Ad Hoc General Manager Selection Subcommittee had met prior to the meeting and discussed the process for hiring a General Manager for the District. He reported that the Subcommittee discussed several options including the use of a consulting firm; and, that the District would advertise the position in several Midwest-based papers and by electronic means starting June 18th. The deadline for submitting applications is close of business on July 14, 2006.

TREASURER'S REPORT:

●● **MOTION NO. 13:** 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 May, 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 May, 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.

Director Lanphier pointed out that financial statements for the improvement project areas had not been posted on the District website. Pat Teer indicated that the IPA financial statements had been posted Thursday afternoon. The statements were not available before that because bank statements had not yet been received.

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

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

CHAIRPERSON’S REPORT:

A. Final Consideration of Policy Amendments:

- **MOTION NO. 14:** It was moved by Director Thompson and seconded by Director Kolowski that the following resolution be adopted:

BE IT RESOLVED that the following amendments to District policies as presented to this meeting be taken from the table, approved and incorporated in the P-MRNRD Policy Manual.

- ➔ 1.1 Policy Manual - Definitions
- ➔ 2.3 Directors – Compensation and Expenses
- ➔ 14.1 Financial – Investments
- ➔ 14.2 Financial – Disbursements
- ➔ 14.3 Financial – Accounting
- ➔ 14.5 Financial – Fidelity Bonds

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

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

Chairperson Jansen noted that Director Tesar had previously mentioned a meeting with Washington County Commissioners to discuss the Papillion Creek Watershed Partnership on June 26th. In addition to himself he asked the following Directors to attend: Directors Tesar, Connealy, Fowler, and Fred Conley. The time of the meeting will be determined.

GENERAL MANAGER'S REPORT: Acting GM Petermann noted that his report had been posted to the website and asked Directors to contact him if there were any questions.

INFORMATIONAL ITEMS:

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

June 19, 2006	NARD Board Meeting, Holiday Inn, Sidney, NE
June 19-21, 2006	NARD/NRDs Basin Tour – Western Reaches (departing immediately following the NARD Board Meeting)
June 22, 2006	Reservoir Sites 1 & 3C Preliminary Study Steering Committee Meeting, 7:00 p.m. at Blair City Offices
June 27, 2006	Pigeon/Jones Recreation Site 15 Public Meeting, 7:00 p.m., Dakota County NRC, Dakota City, NE
July 4, 2006	4 th of July Holiday – P-MRNRD Offices Closed
July 11, 2006	P-MRNRD Subcommittee Meetings
July 13, 2006	P-MRNRD Board Meeting
July 14, 2006	LPRCA Platte River Airboat Tour
July 18-20, 2006	Nebraska Water Tour, Missouri River Upstream of Omaha
August 8, 2006	P-MRNRD Subcommittee Meetings
August 10, 2006	P-MRNRD Board Meeting
August 17, 2006	Reservoir Sites 1 & 3C Preliminary Study Steering Committee Meeting, 7:00 p.m. at Blair City Offices

B. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on July 13, 2006, at the NRC.

ADJOURNMENT: Being no further business, at 9:43 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 June 8, 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.

Richard Tesar
District Secretary