



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
June 12, 2003**

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, Nebraska, on June 12, 2003. Public notice of the meeting was posted at all District offices. The meeting was called to order by the Chairperson, Fred Conley, at 8:02 p.m.

QUORUM CALL: Quorum call was taken. The following Directors were in attendance:

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

Chairperson Conley noted that Directors Melissa Gardner and Rich Tesar had excused absences.

ADOPTION OF AGENDA:

- ◆ **MOTION NO. 1:** It was moved by Jansen and seconded by Connealy 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, Thompson,
Conley (Fred)
Voting Nay - None
Abstaining - None
Excused Absence - Gardner, Tesar
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 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 12, 2003, Board of Directors Meeting:

Melissa Gardner
Rich Tesar

Agenda Item 7:

BE IT RESOLVED that the May 8, 2003, Papio-Missouri River NRD Board meeting minutes and the May 14, 2003, Dakota County Rural Water Advisory Board meeting minutes are hereby approved.

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, Tesar

Absent - None

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on June 5, 2003. The District's April 2003 expenditures were published in the Papillion Times on June 5, 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.)

AGENCY AND ASSOCIATION REPORTS:

A. Natural Resources Conservation Service Report: Don Doty, District Conservationist at the Douglas/Sarpy County NRCS 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 Pete Rubin reported that the next NARD Board meeting would be held June 16-17, 2003 in Holdrege, NE and that a tour of the Republican basin would be held in conjunction with the meeting. He also stated that he had attended the Water Policy Task Force meeting on June 8-9, 2003 in Kearney, NE.

C. Lower Platte River Corridor Alliance Report: Rodney Verhoeff, LPRCA Coordinator, reported to the Board that his primary goal as the LPRCA Coordinator was to increase and improve communications. He noted the following events: Water Quality Open on September 4, 2003 and that the tentative date for the Platte River Air Boat Tour was July 18th. He also pointed out that the next quarterly meeting of the LPRCA would be held in the P-MRNRD Board Room on June 24, 2003 and invited Directors to attend.

SUBCOMMITTEE REPORTS:

A. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee had met on June 10, 2003, and he gave a brief recap of the meeting

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

Recommendation #1: Contribution to Lewis and Clark Signature Site at Fort Atkinson, Fort Calhoun, NE – Recommendation that the District contribute \$25,000 (approximately 5% of total cost) for the Lewis and Clark Signature Site at Fort Atkinson, Fort Calhoun, NE.

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

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

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

Recommendation #2.a.: Lower Platte River Issues:

- a. Update on Pallid Sturgeon/Sturgeon Chub Task Force and Action on Cumulative Impact Study – Recommendation that the General Manager be authorized to execute an interlocal agreement on behalf of the District for Phase I of the Lower Platte River Cumulative Impact Study, for a total District contribution of \$2,000, subject to approval as to form by the District Legal Counsel.

Roll call vote was held on the motion. The motion carried on a vote of 5-yea and 4-nay.

Voting Yea - Conley (John), Connealy, Neary, Rubin, Conley (Fred)

Voting Nay - Fowler, Jansen, Nichols, Thompson

Abstaining - None

Excused Absence - Gardner, Tesar

Absent - None

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

Recommendation #2.b.: Lower Platte River Issues:

- b. Lower Platte River Corridor Alliance Budget – Recommendation that the Lower Platte River Corridor Alliance’s FY 2004 Budget request be approved in the amount of \$27,700.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea and 2-nay.

Voting Yea - Conley (John), Connealy, Fowler, Neary, Nichols, Thompson, Conley (Fred)

Voting Nay - Jansen, Rubin

Abstaining - None

Excused Absence - Gardner, Tesar

Absent - None

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

Recommendation #2.c.: Lower Platte River Issues:

- c. Western Sarpy/Clear Creek Project Professional/Construction Services for Cabin Raise-Voluntary Buyout: Recommendation that the General Manager be authorized to execute contracts with W. Boyd Jones Construction Co., with a maximum cost of \$47,500; the Schemmer Associates, with a maximum cost of \$12,047; Valuation Services with a maximum cost of \$49,400; and Midwest ROW Services, Inc., with a maximum cost of \$60,630 all for the Western Sarpy/Clear Creek Flood Reduction Project Structure (Cabin) Raise, in the form as determined by the General Manager and approved by District Legal Counsel.

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

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

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

Recommendation #3.: Professional Services Contract with HDR Engineering, Inc., for Papillion Creek Watershed Plan Development, Stage II – Recommendation that the General Manager be authorized to execute a professional services contract on behalf of the Papillion Creek Watershed Partnership with HDR Engineering, Inc., for the Papillion Creek Watershed Stage II Study for a maximum fee of \$335,000, in the form as presented to the Subcommittee.

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

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

◆ **MOTION NO. 8:** It was moved by Conley (John) and seconded by Connealy that following recommendation be adopted:

Recommendation #4.: Amendment to Nebraska Wildlife Rehab, Inc., Rumsey Station Wetlands Agreement – Recommendation that an addendum to the Development and Management Agreement Between Papio-Missouri River Natural Resources District and Nebraska Wildlife Rehab, Inc., for Rumsey Station Wetlands, which extends all deadlines by 12 months, be approved and that the General Manager be authorized to execute the addendum and other documents he deems necessary to effectuate the transaction, in the form as presented to the Subcommittee.

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, Tesar
Absent - None

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

Recommendation #5.: Flood Mitigation and Mapping Assistance Program Policy – Recommendation that proposed District Policy 17.39 – Flood Mitigation Planning and Mapping Assistance Program be adopted, in the form as presented to the Subcommittee.

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, Tesar
Absent - None

- ◆ **MOTION NO. 10:** It was moved by Conley (John) and seconded by Jansen that following recommendation be adopted:

Recommendation #6.: Amendment to Dam Site 6 Agreement – Recommendation that the General Manager be authorized to execute the Third Amendment to the Amended Agreement with Horgan Development Company and SID 425 for the Dam Site 6 Bennington Lake Project, in the form as presented to the Subcommittee.

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, Tesar
Absent - None

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

Recommendation #7.: Water Purchase Agreement with Ft. Calhoun – Recommendation that the General Manager be authorized to sign the Fourth Amendment to the Agreement for Sale of Water by the P-MRNRD to the City of Ft. Calhoun, NE, in the form as presented to the Subcommittee.

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, Tesar

Absent - None

- ◆ **MOTION NO. 12:** It was moved by Conley (John) and seconded by Jansen that following recommendation be adopted:

Recommendation #8.: Awarding Contract for Water Main Addition on the Washington County Rural Water System – Recommendation that Denny’s Trench, Inc., be awarded a Contract for Water Main Addition for a water main addition along 72nd Street, in the amount of \$33,135.50 and that the General Manager be authorized to execute a contract with said firm for the work, in the form as determined by the General Manager and approved by District Legal Counsel.

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, Tesar

Absent - None

B. Finance, Expenditures and Legal Subcommittee: Director Dick Connealy reported that the FEL Subcommittee had met on June 10, 2003, and he gave a brief recap of the meeting

- ◆ **MOTION NO. 13:** It was moved by Connealy and seconded by Rubin that following recommendation be adopted:

Recommendation #1.: Request from Sarpy County Agricultural Society to Cost Share on Land Rights for MoPac Trail – Recommendation that the District cost share with the Sarpy County Agricultural Society on the purchase of land for the MoPac Trail in the amount of \$20,000.

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, Tesar

Absent - None

- ◆ **MOTION NO. 14:** It was moved by Connealy and seconded by Conley (John) that following recommendation be adopted:

Recommendation #2.: Refinancing Existing Loans for the Thurston County Rural Water System – Recommendation that the General Manager be authorized to retain Ameritas Investment Corporation to arrange for refinancing of the Thurston County Rural Water System.

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, Tesar

Absent - None

- ◆ **MOTION NO. 15:** It was moved by Connealy and seconded by Nichols that following recommendation be adopted:

Recommendation #3.: West Branch Papio Channel Project (84th to 96th Street) ROW Acquisition on Sloderbeck Property – Recommendation that the 90 day time extension for correction of title problems, granted by District Legal Counsel to the Personal Representative of the Roger E. Sloderbeck Estate, be ratified and approved.

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, Tesar
Absent - None

- ◆ **MOTION NO. 16:** It was moved by Connealy and seconded by Conley (John) that following recommendation be adopted:

Recommendation #4.: Review of First Draft of FY 2004 Budget – Recommendation that the first draft of the P-MRNRD FY 2004 budget be approved as the proposed FY 2004 budget and forwarded for public review and input at the July 10, 2003 Board meeting.

There was discussion. Director Neary expressed his desire to see some cuts in the budget so that the tax levy was less than last year's. The District's vehicle replacement schedule was also discussed. GM Oltmans stated that staff would have a written policy for consideration at next month's Subcommittee meetings.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea and 2-nay.

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

C. Personnel, Legislative and Public Affairs Subcommittee: Director Barb Nichols reported that the PLPA Subcommittee had met on June 10, 2003, and she gave a brief recap of the meeting

- ◆ **MOTION NO. 17:** It was moved by Nichols and seconded by Connealy that following recommendation be adopted:

Recommendation #1.: GM Evaluation:

- Recommendation that the General Manager evaluation be done using a format and procedure similar to that used in 2002 and that the GM goals established for FY 2003 be incorporated into the form.
- Recommendation that all Board Members be given an opportunity to fill out the form for review by the PLPA Subcommittee.
- Recommendation that the Pat Teer prepare the evaluation review form and mail the form to all board members by June 17, 2003, for return no later than June 30, 2003.

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, Tesar

Absent - None

Chairperson Conley pointed out that each Director had received a copy of the evaluation form at the meeting. He encouraged Directors to return the completed form prior to June 30th if at all possible.

Director Nichols then reported that the Subcommittee had requested that the GM submit draft goals for FY 2004 for review at the August, 2003 PLPA Subcommittee meeting. It was the consensus of the Subcommittee that next year's evaluation process and establishing goals begin at the May 2004, PLPA Subcommittee meeting. The Subcommittee also was briefed by the GM on Legislative issues of interest to the District.

TREASURER'S REPORT:

- ◆ **MOTION NO. 18:** It was moved by Conley (John) and seconded by Rubin that the following recommendation be adopted:

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (l) claims listed in the May, 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 River Breakout Project, the Elk/Pigeon Creek Drainage Project and the Western Sarpy Drainage Improvement Project Area operating accounts the project bills listed on the May, 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, Thompson, Conley (Fred)
 Voting Nay - None
 Abstaining - None
 Excused Absence - Gardner, Tesar
 Absent - None

CHAIRPERSON'S REPORT: Chairperson Fred Conley reported on the following upcoming events that Directors might be interested in attending:

1. Household Hazardous Waste Recycling and Collection Center Groundbreaking, June 16, 2003 at 2:00 p.m., 120th and F Streets
2. Dedication of Towl Park and Big Papio Trail, June 27, 2003 at 9:00 a.m.
3. Nebraska Water Conference Council's Annual Water & Natural Resources Field Trip: Local Response to Settlement of Kansas v. Nebraska, July 22-24, 2003 (Deadline for registrations – June 27th)

GENERAL MANAGER'S REPORT: GM Oltmans noted that his report had been posted to the P-MRNRD website and ask Directors to contact him if there were any questions. A video regarding elevating cabins entitled, "Above the Floods" was shown.

INFORMATIONAL ITEMS:

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

June 16, 2003	Household Hazardous Waste Recycling and Collection Center Groundbreaking, at 2:00 p.m., 120 th and F Streets
June 16-17, 2003	Nebraska Association of Resources Districts Board Meeting, Holdrege, NE at the Tri Basin NRD Office (Tour of Republican River Basin on June 16 th)
June 27, 2003	Dedication of Towl Park and Big Papio Trail at 9:00 a.m.
July 4, 2003	4 th of July Holiday - P-MRNRD Offices Closed
July 8, 2003	P-MRNRD Subcommittee Meetings
July 10, 2003	P-MRNRD Board Meeting
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

B. Other Information Items: None.

C. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on July 10, 2003, at the NRC.

ADJOURNMENT:

Being no further business, the meeting adjourned at 9:05 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 June 12, 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.

Richard W. Jansen
District Secretary