

**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
June 10, 2004**

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 10, 2004. The meeting was called to order by the Chairperson, Fred Conley, at 8:00 p.m.

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

John Conley	Joe Neary
Tim Fowler	Barb Nichols
Melissa Gardner	Rich Tesar
Rich Jansen	Jim Thompson
	Fred Conley

ADOPTION OF AGENDA:

- **MOTION NO. 1:** It was moved by Director Jansen and seconded by Director Nichols that the agenda 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), Fowler, Gardner, Jansen, Neary, Nichols, Tesar, Thompson, Conley (Fred)
Voting Nay	-	None
Abstaining	-	None
Absent	-	Connealy
Absence Excused	-	Connealy

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director John Conley and seconded by Director Tesar 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 June 10, 2004 Board of Directors Meeting:

Dick Connealy

Agenda Item 6 A.& B.:

BE IT RESOLVED that the May 13, 2004, Papio-Missouri River NRD Board meeting minutes be approved as printed; and that the May 12, 2004, Dakota 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 (John), Fowler, Gardner, Jansen, Neary, Nichols, Tesar, Thompson, Conley (Fred)
Voting Nay - None
Abstaining - None
Absent - Connealy
Absence Excused - Connealy

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on June 3, 2004. The District's April, 2004, expenditures were published in the Papillion Times on June 3, 2004. The Chairperson ordered the Proof 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: Don Doty, District Conservationist at the NRCS office, reported on NRCS activities for the past month. His report is posted to the District's website.

B. Nebraska Association of Resources Districts: Director Tesar reported that the NARD Board meeting will be held June 21, 2004 in South Sioux City. In conjunction with the meeting, the NARD is sponsoring a Missouri River Basin Tour on June 21-22, 2004. The tour leaves from South Sioux City immediately following the NARD meeting.

C. Lower Platte River Corridor Alliance Report: Rodney Verhoeff, Alliance Coordinator, was unable to attend the meeting. A copy of his monthly report was distributed. It was pointed out that the Platte River Airboat Tour is scheduled for Friday, July 23, 2004.

D. Nebraska Natural Resources Commission Report: Beverly Donaldson, Metropolitan Area Member of the Commission reported on the May 20, 2004 Commission meeting. She noted that LB 962 was passed by the Legislature and signed by the Governor and would become effective July 16, 2004. This legislation addresses recommendations of the Water Policy Task Force. \$2.5 million was appropriated to implement this legislation. She also indicated that the Commission voted to increase the Natural Resources Development Fund allocation for the Western Sarpy/Clear Creek Project by \$1,530,918. The total allocation is \$4,686,118. She also reported that she had been elected Chair of the Commission.

SUBCOMMITTEE REPORTS:

A. Dakota County Service Center Ad Hoc Subcommittee: Director John Conley reported that the Ad Hoc Subcommittee had met on June 8, 2004 and gave a brief recap of the meeting.

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

Ad Hoc Recommendation #1 Natural Resources Center Project Design Development Phase – Recommendation that the Design Development Phase for the Dakota County Natural Resources Center be approved and that the Proposed Schedule for the Dakota County Resources Center be approved.

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

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

B. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee had met on June 8, 2004 and gave a brief recap of the meetings.

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

PPO Recommendation #1 Agreement with SID 296 to Provide Rural Water Service – Recommendation that the General Manager be authorized to execute an agreement to provide rural water service to Sanitary

Improvement District 296, subject to approval as to form by District Legal Counsel.

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

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

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

PPO Recommendation #2 P-MRNRD/MUD Fourth Amendment to Water Purchase Agreement – Recommendation that the General Manager be authorized to execute the addendum between the Metropolitan Utilities District and the Papio-Missouri River NRD for emergency water to the City of Blair.

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

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

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

PPO Recommendation #3 Western Sarpy/Clear Creek Flood Reduction Project – Structure Flood Mitigation (Design/Build Cabin Raise) Agreement – Recommendation that the General Manager be authorized to execute the proposed Design/Build Agreement with W. Boyd Jones Construction Co. for the Western Sarpy/Clear Creek Flood Reduction Project Structure Flood Mitigation providing for guaranteed maximum prices cumulating \$1,183,000 and survey expense reimbursement of \$8,400, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

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

Voting Yea - Conley (John), Fowler, Gardner, Jansen, Nichols, Tesar, Thompson, Conley (Fred)

Voting Nay - Neary
Abstaining - None

Absent - Connealy
Absence Excused - Connealy

C. Finance, Expenditure and Legal Subcommittee: Director Gardner reported that the FEL Subcommittee had met on June 8, 2004 and gave a brief recap of the meeting.

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

FEL Recommendation #1 Account(s) Over 110% - Acct #01 05 00 4485 – Water Quality Monitoring – Recommendation that Account #01 05-00 4485 – Water Quality Monitoring be allowed to exceed 110% of the budgeted amount of \$41,500.

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

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

•• **MOTION NO. 8** It was moved by Director Gardner and seconded by Director Conley (John) that the following recommendation be adopted:

FEL Recommendation #2 Payment to Retain 7 Fee Title Tracts (Big Papio – Center to Blondo) from the Nebraska Small Watershed Flood Control Fund – Recommendation that the General Manager be authorized to reimburse the Nebraska Department of Natural Resources in the amount of \$16,262.50 (50% of the total appraised value), to enable the District to retain seven fee title tracts (24, 26, 34, 38, 42, 43 and 51A) that were acquired for the Big Papillion Creek Flood Control Channel and Recreation Trail Project with financial assistance from the Nebraska Small Watershed Flood Control Fund.

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

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

Director Gardner reported that the Subcommittee reviewed the first draft of the FY 2005 budget. She noted that the draft budget included a 1 cent tax increase to establish a sinking fund for future major flood control sites in the Papio watershed. No action was required at this time.

Director Gardner also stated that the Subcommittee was updated on the Western Sarpy/Clear Creek Project regarding the Sarpy County side riverside cabins purchase agreements. No action was required at this time.

D. Personnel, Legislative and Public Affairs Subcommittee: Director Nichols reported that the PLPA Subcommittee had met on June 8, 2004 and gave a brief recap of the meetings.

- **MOTION NO. 9** It was moved by Director Nichols and seconded by Director Jansen that the following recommendation be adopted:

PLPA Recommendation #1: GM Evaluation for FY 2004 – Recommendation that the General Manager’s evaluation be accepted.

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

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

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

PLPA Recommendation #2: Establish GM Goals for FY 2005 – Recommendation that the General Manager’s goals (based on the evaluation) be prepared and submitted for review at the July PLPA Subcommittee meeting.

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

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

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

PLPA Recommendation #3: Staff Development of State Legislation (referred to PLPA Subcommittee at May 13, 2004 Board of Directors Meeting) – Recommendation that the General Manager and District Legal Counsel draft a policy to guide staff development of state legislation at the July PLPA Subcommittee meeting.

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

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

TREASURER'S REPORT:

- **MOTION NO. 12:** It was moved by Director John Conley and seconded by Director 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 May, 2004, 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 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, 2004, 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), Fowler, Gardner, Jansen, Neary, Nichols, Tesar, Thompson, Conley (Fred)
Voting Nay - None
Abstaining - None
Absent - Connealy
Absence Excused - Connealy

CHAIRPERSON’S REPORT:

A. Joint P-MRNRD/LPSNRD Board Meeting: Chairperson Fred Conley reported that a joint meeting of the P-MRNRD/LPSNRD will be held on July 14, 2004 at 6:30 p.m. at Mahoney State Park. Director Neary suggested that an update on trail progress on both sides of the Lied Bridge be added to the agenda.

B. Election of Board Offices: Chairperson Fred Conley reminded Directors that pursuant to District Policy 3.0, election of Board Offices would be held at the July 8, 2004 Board meeting.

GENERAL MANAGER'S REPORT: GM Oltmans noted that his report had been posted to the website. The following items were distributed:

- GM Oltmans distributed a spreadsheet showing a breakdown of NRD Board Member Elections by individual district prepared by the NARD. GM Oltmans indicated that the “one person/one vote” issue would more than likely be addressed in the next legislative session.
- GM Oltmans reported that a Special Workshop to review the Multi-Reservoir Analysis of the Papillion Creek Watershed has been scheduled for the Board of Directors on June 29 and 30, 2004 at the Peter Kiewit Institute. Dr. Bing Chen, Professor and Chair of the Department of Computer and Electronics Engineering, will be hosting the workshops. He will be giving a presentation of Nebraska’s economic stimulus plan entitled, “Silicon Prairie.” Directors need to RSVP by June 25th.

INFORMATIONAL ITEMS:

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

June 15, 2004	Water Wellness Workshop, Valley City Office, 210 N. Locust St., Valley, NE, 6:30 – 9:00 p.m.
June 21, 2004	NARD Board Meeting, June 21, 2004 at the Cardinal Inn and Suites, South Sioux City, NE
June 21-22, 2004	NARD Missouri River Basin Tour (tour will leave from South Sioux City following the NARD Board Meeting.)
June 29 & 30, 2004	Special Directors’ Workshop – Review of Multi-Reservoir Analysis for the Papillion Creek Watershed, Peter Kiewit Institute, 1110 S. 67 th St., Room 207, at 6:30 p.m.
July 6, 2005	P-MRNRD Subcommittee Meetings
July 8, 2004	P-MRNRD Board Meeting (Public Input Meeting for FY 2005 Budget)

July 14, 2004	Joint P-MRNRD/LPSNRD Board Meeting, Mahoney State Park at 6:30
August 10, 2004	P-MRNRD Subcommittee Meetings
August 12, 2004	P-MRNRD Board Meeting (Public Hearing and Adoption of FY 2005 Budget)
September 7, 2004	P-MRNRD Subcommittee Meetings
September 9, 2004	P-MRNRD Board Meeting (Public Hearing to Set Tax Levy)

B. Other Information Items:

Director Jim Thompson reported that he had attended the Dedication of the Children’s Lewis and Clark Art Wall on May 22, 2004. He then presented the Chairperson with a piece of glass artwork that the District was given for their contribution to the project.

Director Melissa Gardner then gave a brief review of Earth Day Omaha that was held on May 23rd. She noted that it was originally scheduled for Saturday May 22nd but was re-scheduled due to bad weather. She reported that approximately 5,000 people and 50 exhibitors participated in the event and the District distributed 2,000 trees. The District contributed \$5,000 to the event.

C. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on July 8, 2004 at the NRC.

ADJOURNMENT: Being no further business, the meeting adjourned at 8:55 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 10, 2004, 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