



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
June 10, 2010**

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 St., Omaha, NE on June 10, 2010. The meeting was called to order by Chairperson Jim Thompson at 7:00 p.m.

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

Larry Bradley	Dave Klug
Fred Conley	Rick Kolowski
John Conley	Dorothy Lanphier
Tim Fowler	Rich Tesar
Scott Japp	Jim Thompson

ADOPTION OF AGENDA:

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

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

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

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Fred Conley and seconded by Director John Conley 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 absence of the following Director from the May 13, 2010, Board of Directors Meeting is excused:

John Schwope

Agenda Item 7. A, B, C.

BE IT RESOLVED that

- A. The May 13, 2010 Papio-Missouri River NRD Board meeting minutes are approved as printed.
- B. The June 7, 2010 Executive Subcommittee meeting minutes are approved as printed.
- C. The May 25, 2010 Washington County Rural Water #2 Advisory Board meeting minutes are approved as printed.

Director Lanphier requested that agenda item 7.B. be pulled from the items on the Consent Agenda. Chairperson Thompson determined that Agenda Item 7.B. – Approval of June 7, 2010 Executive Subcommittee Meeting Minutes be addressed separately.

Roll call vote was held on motion (to include Agenda Item 3.A. and 7.A.and C.). The motion carried unanimously.

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

- **MOTION NO. 3:** It was moved by Director Klug and seconded by Director Kolowski that the minutes of the June 7, 2010 meeting of the Executive Subcommittee be approved as printed.

Director Lanphier stated that she did not feel that the NRCS lease should have been handled as an emergency situation by the Executive Subcommittee and that this should have been brought before the Board for full discussion. Chairperson Thompson indicated that the District had to have the signed leased for the new Blair office facility to the NRCS by June 7, 2010. The District had requested an extension to no avail. Pursuant to District Policy 6.3 the Executive Subcommittee is empowered to provide approval of emergency responses to District crises. The following resolution was approved by the Executive Subcommittee:

WHEREAS, John Winkler, General Manager, reported to the Executive Subcommittee that, in order for the District's proposed lease of space to USDA in the District's new Blair office facility to be acceptable by United States Department of Agriculture ("USDA"), it is necessary that, on or before June 7, 2010, such lease be duly executed by the District; and,

WHEREAS, District Policy 6.3 provides that the Executive Subcommittee is empowered to provide approval of emergency responses to District crises; and,

NOW, THEREFORE, the Executive Subcommittee hereby determines that it is necessary that USDA be preserved as a tenant of the District's new Blair office facility; that potential loss of USDA as a tenant in such facility as a result of a District failure to execute such lease constitutes a District crisis within the meaning of Policy 6.3; and, that John Winkler, General Manager, should be, and is hereby, authorized and directed to execute such District-proposed lease, for and on behalf of the District, in the form as proposed to USDA, together with such amendments as the General Manager determines necessary and District legal counsel approves as to form.

Roll call vote was held on motion. The motion carried on a vote of 8-yea and 2-nay.

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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on June 3, 2010. The District's April, 2010, expenditures were published in the Burt County Plaindealer on June 2, 2010. 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: Neil Jensen, NRCS District Conservationist, briefed the Board on NRCS activities for the past month to include the Conservation Stewardship Program. He also reported that Blaine Gaer, Soil Conservation Tech at the Walthill Office, had retired and that Vern Dean from the Dakota City Office, will be reassigned to the Walthill office. Also Jeremy Bowers, Resource Conservationist at the Tekamah Field Office, has accepted a position in the Lincoln State Office.

B. Nebraska Association of Resources Districts: Director Tesar reported that the NARD Board would be meeting on June 21, 2010 in Lincoln. The NRD Platte River Basin Tour will be held on June 21-22, 2010. Marlin Petermann, Assistant General Manager, will be participating in the tour.

C. Lower Platte River Corridor Alliance Report: Megan Sittler, LPRCA Coordinator, submitted a written report. It is posted to the District's website.

SUBCOMMITTEE REPORTS:

A. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on June 8, 2010, and gave a brief recap of the meeting. He noted that the Subcommittee had considered a City of Omaha request for funding for the Levi Carter Park Trail. The request failed, so there was no recommendation for the Board consideration.

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

PPO Recommendation #2: Extension of ENWRA Inter-Local Agreement - Recommendation that the General Manager be authorized to approve amendment #3 to the interlocal cooperative agreement funding ENWRA subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

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

Voting Yea	-	Bradley, Conley (Fred), Conley (John), Fowler, Japp, Klug, Kolowski, Lanphier, Tesar, Thompson
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Schwoppe
Absent	-	Schwoppe

- **MOTION NO. 5** It was moved by Director John Conley that the following recommendation be adopted:

PPO Recommendation #3: Nebraska Department of Roads Agreement – Mopac Trail (Hwy 50 to Chalco) – Recommendation that the General Manager be authorized to execute the Agreement with NDOR on the Mopac Trail (Hwy. 50 to Chalco Hills) Project in the form as presented to the Subcommittee meeting.

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

Voting Yea	-	Bradley, Conley (Fred), Conley (John), Fowler, Japp, Klug, Kolowski, Lanphier, Tesar, Thompson
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Schwoppe
Absent	-	Schwoppe

- **MOTION NO. 6** It was moved by Director John Conley that the following recommendation be adopted:

PPO Recommendation #4: Lake Dredging Program – West Bay Woods (SID #439) Request – Recommendation that the application from SID #439 (West Bay Woods) be approved under the Lake Dredging Program in the amount of \$42,000, subject to funds being included in the FY 2011 Budget.

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

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

- **MOTION NO. 7** It was moved by Director John Conley that the following recommendation be adopted:

PPO Recommendation #5: P-MRNRD Master Plan – Recommendation that the 2010 Master Plan be approved as presented.

- **AMENDMENT NO. 1 TO MOTION NO. 7** It was moved by Director Japp and seconded by Director Lanphier that the Master Plan include how the District is going to pay for projects over the next ten years.

General Manager Winkler noted that the Master Plan was a ten year projection. The District publishes a Long Range Implementation Plan on a yearly basis that provides a better picture of our program/project financial projections.

Roll call vote was held on Amendment No. 1 to Motion No. 7. The amendment failed on a vote of 2-yea and 8-yea.

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

Roll call vote was held on the original motion. The motion carried on a vote of 8-yea and 2-abstentions.

Voting Yea - Bradley, Conley (Fred), Conley (John), Fowler, Klug, Kolowski, Tesar, Thompson
Voting Nay - None

Abstaining - Japp, Lanphier
Excused Absence - Schwope
Absent - Schwope

- **MOTION NO. 8** It was moved by Director John Conley that the following recommendation be adopted:

PPO Recommendation #6: P-MRNRD Vehicle and Equipment Needs for FY 2011 – Recommendation that the FY 2011 Equipment Requirements, as presented at the Subcommittee meeting, be approved subject to FY 2011 Budget.

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

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

B. Finance, Expenditures and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on June 8, 2010. The Subcommittee reviewed the first draft of the FY 2010 Budget. No action is required at this time. The Subcommittee also had a discussion regarding financial reports. No action was taken.

C. Personnel, Legislative and Public Affairs Subcommittee: Director Klug reported that the PLPA Subcommittee met on June 8, 2010 and gave a recap of the meeting.

- **MOTION NO. 9** It was moved by Director Klug that the following recommendation be adopted:

PLPA Recommendation #1: Legislative Representative Contract Renewal with Husch Blackwell Sanders – Recommendation that the General Manager be authorized to execute the proposed contract with Husch Blackwell Sanders, LLP, for the provision of intergovernmental and professional lobbying services per the terms and conditions outlined in the agreement presented to the Subcommittee.

Hal Daub, Husch Blackwell Sanders, provided Director Japp with answers to questions regarding LB 160.

Roll call vote was held on motion. The motion carried on a vote of 8-yea and 2-absentions.

Voting Yea - Bradley, Conley (Fred), Conley (John), Fowler, Klug, Kolowski, Tesar, Thompson
Voting Nay - None
Abstaining - Japp, Lanphier

Excused Absence - Schwope
Absent - Schwope

TREASURER'S REPORT:

- **MOTION NO. 10:** It was moved by Director John Conley and seconded by Director Fred Conley 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, 2010, 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 May, 2010, 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.

Lori Laster answered questions from Director Lanphier regarding the Papillion Creek Watershed Partnership account.

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

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

CHAIRPERSON'S REPORT:

A. Notification of Resignation of Director John Schwope and Filling Vacancy in Subdistrict #11 – Chairperson Thompson reported that Director John Schwope has resigned from the Board as of May 31, 2010. He stated that he was appointing an Ad Hoc Subcommittee to

interview candidates and select two or three candidates for Board consideration at the July 8th meeting. The tentative date of the Ad Hoc Subcommittee meeting is Thursday, July 1, 2010.

The following Directors are appointed to the Ad Hoc Subcommittee:

Jim Thompson, Chairperson
John Conley
Rick Kolowski
Rich Tesar

B. Appointment of Flood Mapping Assessment Project Ad Hoc Consultant Selection Subcommittee: Chairperson Thompson announced that he was appointing the following Directors to the Flood Mapping Assessment Project Ad Hoc Consultant Selection Subcommittee:

Dave Klug, Chairperson
Dorothy Lanphier
Rick Kolowski
Fred Conley
Larry Bradley

Chairperson Thompson then expressed his sympathy and condolences to the families of former P-MRNRD staff member Rosemary Jacobsen and Galen Jueden who was a member of the Lewis and Clark NRD staff who was killed in a trench cave in on June 4th.

GENERAL MANAGER'S REPORT: GM Winkler reviewed the GM Report with the Board and noted that the report had been posted to the website. Mr. Winkler noted that the District's bond issue was complete and that a rate of 3.58% had been set. The funds will be transferred June 16th. He noted that all signed documents would be forwarded to Directors when available. He also pointed out that the NRCS lease agreement for the new Blair office facility was signed and forwarded to the NRCS. He stated that bids will be received and brought before the Board in July or August.

INFORMATIONAL ITEMS:

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

June 21, 2010	NARD Board Meeting, Holiday Inn – Lincoln Southwest
June 21-22, 2010	NRD Platte River Basin Tour (Departing after the NARD Board meeting and returning to Holiday Inn – Lincoln Southwest at approximately 4:30 p.m. on June 22nd)
June 24, 2010	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
June 29, 2010	Dam Site 15A Public Visioning Workshop, Saddlebrook Elementary School, 14850 Laurel Ave., Omaha

July 5, 2010	Observance of 4 th of July Holiday - P-MRNRD Closed
July 6, 2010	P-MRNRD Subcommittee Meetings
July 8, 2010	P-MRNRD Board Meeting
July 22, 2010	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
August 10, 2010	P-MRNRD Subcommittee Meetings
August 12, 2010	P-MRNRD Board Meeting
August 26, 2010	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC

B. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on July 8, 2010 at 7:00 p.m. at the NRC.

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 8:08 p.m.

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 June 10, 2010, 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