

**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING  
March 10, 2005**

**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. 154<sup>th</sup> Street, Omaha, NE on March 10, 2005. 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:

Fred Conley	Joe Neary
John Conley	John Schwope
Tim Fowler	Rich Tesar
Rick Kolowski	Jim Thompson
Dorothy Lanphier	Rich Jansen

**ADOPTION OF AGENDA:**

- **MOTION NO. 1:** It was moved by Director Fred Conley and seconded by Director John Conley 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 (Fred), Conley (John), Fowler, Kolowski, Lanphier, Neary, Schwope, Tesar, Thompson, Jansen
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Connealy
Absent	-	Connealy

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2:** It was moved by Director John Conley and seconded by Director Kolowski 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 March 10, 2005 Board of Directors Meeting:

Dick Connealy

Agenda Item 6 A.:

BE IT RESOLVED that the February 10, 2005, Papio-Missouri River NRD 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), Fowler, Kolowski, Lanphier, Neary, Schwope, Tesar, Thompson, Jansen  
Voting Nay - None  
Abstaining - None  
Excused Absence - Connealy  
Absent - Connealy

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on March 3, 2005. The District's January, 2005, expenditures were published in the Douglas County Gazette on March 1, 2005. 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: Lynn Heng, NRCS District Conservationist at the NRC office, reported on Natural Resources Conservation Service activities for the past month. The NRCS Report is posted to the District website. He showed a PowerPoint presentation regarding "Aging Watershed Infrastructure Rehabilitation Legislation – The Small Watershed Rehabilitation Amendments of 2000." He pointed out that P-MRNRD projects in the planning process were Papio Sites S-27, S-31 and S-32 and that there were 3 proposed sites – Turtle Creek #2, Papio Sites W-3 and D-4.

B. Nebraska Association of Resources District Report: Director Tesar reported that the NARD Board met on March 7, 2005 in Lincoln. He distributed information regarding the meeting. The NARD Board took action to increase the employee/employer retirement contribution levels for the NARD Retirement Plan over the next 2-years as follows:

	<u>Current</u>	<u>Starting 7/1/05</u>	<u>Starting 7/1/06</u>
Employee %	4.6%	5.0%	5.5%
Employer %	<u>5.1%</u>	<u>5.5%</u>	<u>6.0%</u>
TOTAL	9.7%	10.5%	11.5%

The NARD Board also reviewed the first draft of the 2006 budget.

C. Lower Platte River Corridor Alliance Report: Chairperson Jansen noted that Rodney Verhoeff was unable to attend the meeting. The LPRCA Monthly Report and a summary of the LPRCA Retreat 2005 held on January 21, 2005 at YMCA Camp Kitaki 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 March 8, 2005, and gave a brief recap of the meeting.

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

*PPO Recommendation #1*      Washington County Rural Water #2

- a. City of Blair Request to Extend Distribution System – Recommendation that the District investigate the feasibility of the City of Blair's request for extending the distribution system for the Washington County Rural Water #2 Project by conducting a survey of residences along the proposed route.

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

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

Director Conley stated that the PPO Subcommittee discussed the HGM Associates contract for professional services for Washington County Rural Water #2. No action was taken by the Subcommittee.

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

*PPO Recommendation #2*      Lease Agreement for Amphitheater at Walnut Creek Recreation Area – Recommendation that the General Manager be authorized to execute the Amphitheater Lease Agreement and that construction commence in accordance with the provisions of the Agreement, 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 unanimously.

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

Director John Conley reported that the Subcommittee was briefed on the Draft Papillion Creek Watershed Partnership Stage III Professional Services Contract with HDR Engineering. No action was taken by the Subcommittee.

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

*PPO Recommendation #4*      Application for Federal Assistance through NRCS for Watershed Rehabilitation Assistance on Turtle Creek PL 566 Structure #2 and Papio Creek PL 566 Structure #W-3 and D-4 – Recommendation that the General Manager be authorized to execute applications for Federal Assistance and Memoranda of Understanding for rehabilitation of Papio Creek Watershed Dam sites #W-3, D-4 and Turtle Creek Watershed #2.

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

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

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

*PPO Recommendation #5*      Western Douglas County Trails Project Interlocal Agreement – Recommendation that the proposed Western Douglas County Trails Project Interlocal Agreement between the District, Douglas County, the City of Elkhorn, City of Valley, and the Village of Waterloo be approved, 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 unanimously.

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

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

*PPO Recommendation #6.*      Bennington Trail Interlocal Agreement – Recommendation that the General Manager be authorized to execute the proposed Interlocal Agreement with the City of Bennington and the Bennington School District for the Bennington Trail Project, 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 unanimously.

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

●●      **MOTION NO. 8**      It was moved by Director John Conley and seconded by Director Neary that the following recommendation be adopted:

*PPO Recommendation #7*      Resolution to the Nebraska Department of Roads Transportation Enhancement Program for the Platte River Trail Phase 3; Platte River Trail Phase 1; and, Missouri River Trail Phase 1 – Recommendation that the proposed resolution, as presented, be approved and that the General Manager be authorized to execute the proposed agreements for the Platte River Trail Phase 3; the Platte River Trail Phase 1; and the Missouri River Trail Phase 1, for submittal to the Nebraska Department of Roads Transportation Enhancement Program.

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

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

●● **MOTION NO. 9** It was moved by Director John Conley and seconded by Director Schwope that the following recommendation be adopted:

*PPO Recommendation #8.* Interlocal Cooperation Agreement for the Bellevue Riverfront Development – Recommendation that the General Manager be authorized to execute the proposed Interlocal Cooperation Act Agreement between the City of Bellevue, Nebraska, and the Papio-Missouri River NRD for Bellevue Riverfront Development, which provides for a commitment of District cost share funds, not to exceed \$1,250,000 over a four year period.

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

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

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

*PPO Recommendation #9.* Additional Services for West Papillion Creek and Tributaries Flood Plain Remapping – Recommendation that the General Manager be authorized to execute the proposed amendment to the professional services contract with HDR Engineering, Inc., for the West Papio Watershed Flood Plain Mapping Project which provides for an increase in the maximum fee to \$410,480, 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 unanimously.

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

Excused Absence - Connealy  
Absent - Connealy

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

*PPO Recommendation #10.:* Papio Creek Bank Stabilization Project Contract for Rock Riprap Installation – Recommendation that the General Manager be authorized to execute a contract for rock rip-rap stabilization work at eight (8) sites along the Little and West Branch Papillion Creeks with Midwest Dumpers, Inc., for their base and alternative additive bid of \$461,899.

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

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

B. Personnel, Legislative and Public Affairs Subcommittee: Director Fred Conley reported that the PLPA Subcommittee met on March 8, 2005, and gave a brief recap of the meeting.

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

*PLPA Recommendation #1.* P-MRNRD Affirmative Action Plan: Recommendation that the proposed revisions to the P-MRNRD Affirmative Action Plan be adopted.

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

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

- **MOTION NO. 13** It was moved by Director Fred Conley and seconded by Director John Conley that the following recommendation be adopted:

*PLPA Recommendation #2.a.* P-MRNRD Wage and Salary Administration Program for CY2005:  
a. Wage and Salary Pay Ranges - Recommendation that the wage

and salary pay range midpoints be adjusted by 3.3%, effective January 1, 2005.

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

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

•• **MOTION NO. 14** It was moved by Director Fred Conley and seconded by Director Lanphier that the following recommendation be adopted:

*PLPA Recommendation #2.b. P-MRNRD Wage and Salary Administration Program for CY2005:*

b. Wage and Salary Administration Guide - Recommendation that an “n” factor of 3.3% be used to compute Adjustment Factors for Calendar Year 2005.

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

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

Director Conley reported that GM Oltmans updated the PLPA Subcommittee on Legislative issues of interest to the District. No action was taken by the Subcommittee.

**TREASURER'S REPORT:**

•• **MOTION NO. 15:** 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 February, 2005, 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 February, 2005, 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 (Fred), Conley (John), Fowler, Kolowski, Lanphier, Neary, Schwope, Tesar, Thompson, Jansen
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Connealy
Absent	-	Connealy

**CHAIRPERSON'S REPORT:** Nothing to report.

**GENERAL MANAGER'S REPORT:** GM Oltmans noted that his report had been posted to the website and asked Directors to contact him if there were any questions. The following items were covered:

- ❖ Channel 7 news clip regarding Bellevue Riverfront Development.
- ❖ GM reported on trip to Washington DC March 9-10, 2005 with Lower Platte River Corridor Alliance representatives. The purpose of the trip was to secure federal funding for Western Sarpy/Clear Creek Project (P-MRNRD), Lake Wanahoo/Sand Creek Project (LPNDRD) and the Antelope Creek Project (LPSNRD).
- ❖ Dick Sklenar briefed the Board on fire protection on the rural water systems.
- ❖ The GM reminded Directors of the Watershed by Design Meeting on March 23, 2005 at 7:00 p.m. at the NRD. He urged all Directors to attend.

**INFORMATIONAL ITEMS:**

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

March 14-16, 2005	Nebraska Association of Resources Districts Washington DC Conference (Directors Tim Fowler and Jim Thompson representing the District)
March 23, 2005	Watershed by Design Meeting, 7:00 p.m., NRC
April 12, 2005	P-MRNRD Subcommittee Meetings
April 14, 2005	P-MRNRD Board Meeting
May 7, 2005	Nebraska State Envirothon, Halsey National Forest

May 10, 2005            P-MRNRD Subcommittee Meetings  
May 12, 2005            P-MRNRD Board Meeting  
May 20-21, 2005        Nebraska Trails Conference, South Sioux City, NE

B. Other Information Items: None.

C. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on April 14, 2005, at the NRC

**ADJOURNMENT**: Being no further business, the meeting adjourned at 8:40 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 March 10, 2005, 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.

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Richard Tesar  
District Secretary

Dakota County Rural Water Minutes March 09th, 2005

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MINUTES OF THE  
 DAKOTA COUNTY RURAL WATER  
 ADVISORY BOARD  
 MARCH 09th, 2005

The Rural Water Dakota County Advisory Committee Meeting was called to order by Chairman, Bill Haafke at 7:30 P.M. on March 09th, 2005.

MEMBERS

<u>PRESENT</u>	<u>ABSENT</u>	<u>OTHERS PRESENT</u>
Bill Haafke		Randy Hummel P-MR NRD
Kevin Chambers		Lance Olerich P-MR NRD
Dennis Kirkholm		Margie Stark P-MR NRD
Pat Green		
Bryce Anderson		
Sam Heikes		
Jim Swanson, Sr		
Mick Samuelson		
Gail Jensen		

\*Denotes excused absence

CONSIDERATION OF FEBRUARY 09TH, 2005 ADVISORY BOARD MINUTES FOR APPROVAL.

Minutes of the February 09<sup>th</sup>, Rural Water Advisory Board Meeting Minutes were reviewed.

**Motion #1** A motion was made by Sam Heikes and seconded by Jim Swanson Sr., to approve the February 09<sup>th</sup>, 2005 Rural Water Advisory Board Meeting Minutes. On roll call vote, all yes. Motion carried 9-0.

FINANCIAL REPORT/ACTION.

A. BILLS B. REVIEW REV/EXP WITH ANNUAL BUDGET

Randy gave the Financial Report for the month of January with review of the Fiscal Year Revenue and Expense with Annual Budget. Checks for the month of March (\$7,942.67) and Manual checks for February (\$1,620.45) were presented.

**Motion #2** A motion was made by Jim Swanson Sr. and seconded by Mick Samuelson to recommend to the District to accept the Financial Report and checks to be paid. On roll call vote, all yes. Motion carried. 8-0.

(Gail joined the meeting).

WATER USE REPORT/DELINQUENT ACCOUNTS

Randy Hummel gave the water use report. The water use report for January water was 68.0% with the monthly average at 68.0%. There were 27 customers on the certified/shut-off list.

CONSIDERATION OF NEW HOOK-UPS AND TRANSFERS

There was two Hook-ups: #732 Daniel L. & Cheryl A. Hutchins \$2,900.00 and #733 Joann M. Weber \$2,900.00.

**Motion #3** A motion was made by Bryce Andersen and seconded by Pat Green to recommend to the District to accept the above two Hook-ups. On roll call vote, all yes. Motion carried. 9-0.

There were six Benefit Unit Transfer: #79 Larry Hansen to Michael & Janell Norton, #252 Gregg or Lynda L. Crunickshank to Patrick & Sandy O'Halloran, #387 Shari Stork to Leonard Cain, #559 Rick R. Luft to William Davlin, #560 Larry Lange (deceased) to Verna Lange, and #624 Rick Rose to Travis Harris.

**Motion #4** A motion was made by Mick Samuelson and seconded by Jim Swanson Sr. to recommend to the District to accept the above transfers. On roll call vote, all yes. Motion carried 9-0.

#### MANAGERS REPORT

Randy Hummel gave the Manager's report. Regular maintenance was done for the month. Water leaks were found at a residence, 487 Hwy 35 and at a residence on Wiggle Creek Road. Bearing repair on pump done at the Booster Station.

Construction of the Fiddler Creek Bridge was discussed. Construction will be starting soon. Bids accepted with Albenesius Contracting to trench in the 2-mile water main extension line along a portion of -G- Avenue and Pigeon Creek crossing for \$76,878.50.

The 6.0% Sales Tax Sheets were mailed in January.

The Annual Meeting mailing was done in February.

Nominated at the Annual Advisory Board Meeting were Mick Samuelson, Pat Green and Roy Pochyla. No other nominations.

#### NO OTHER BUSINESS

#### ADJOURN

There being no other business, the Rural Water Advisory Board adjourned at 8:05 P.M.  
Margie Stark -- Rural Water, Sec.

MINUTES OF THE  
DAKOTA COUNTY RURAL WATER  
ANNUAL MEETING  
MARCH 09th, 2005

The Annual Dakota County Rural Water Meeting was called to order by Chairman, Bill Haafke at 7:00 P.M., on March 09th, 2005.

Advisory Committee members present: Bill Haafke, Pat Green, Bryce Andersen, Dennis Kirkholm, Jim Swanson Sr., Sam Heikes, Kevin Chambers and Mick Samuelson.

Absent: Gail Jensen. Rural Water Employee's present: Randy Hummel, Lance Olerich and Margie Stark.

Minutes from the March 10<sup>th</sup>, 2004 Annual Meeting were read by Randy Hummel.  
Motion #1 Motion was made by Bryce Andersen and seconded by Dennis Kirkholm to accept the Annual Meeting Minutes of March 10th, 2004. Roll call vote, all yes.  
Motion carried. 7-0.

NOMINATIONS FOR COMMITTEE ELECTION/BENEFIT UNIT CERTIFICATE HOLDERS AND COMMITTEE.

The floor was opened for nominations to fill three positions on the Committee.

Bryce Andersen nominated Mick Samuelson.

Jim Swanson Sr. nominated Pat Green.

Bryce Andersen nominated Roy Pochyla.

Roy Pochyla has been contacted and he's willing to serve on the Rural Water Advisory Board Committee.

**Motion # 2** Jim Swanson Sr., moved nominations cease and seconded by Sam Heikes. On roll call vote, all yes. Motion carried. 7-0.

Mick Samuelson joined the meeting.

RURAL WATER DISTRICT STATUS REPORT.

Randy Hummel reviewed Revenue/Expense, Water Use, Maintenance Projects and other Highlights of 2004 were given.

1. There were 698, average Active Customers on Rural Water for 2004.
2. Wiggle Creek Crossing/Bridge project was done by County.
3. Pre-construction meetings concerning re-doing the Fiddler Creek Road project.
4. So. Sioux City annexed five Rural Water Customers on 'C' Ave into the So. Sioux City water District. So. Sioux City made payment to Rural Water for \$4,823.08.
5. Moved our office into Dakota City/City Hall Office in September. Halman's Contruction progressing on building the Service Center Building.

OTHER BUSINESS.

No other business.

ADJOURN ANNUAL MEETING.

Motion #3 A motion to adjourn made by Dennis Kirkholm and seconded by Jim Swanson Sr. There being no other business the Annual Meeting adjourned at 7:30 P.M.

Margie Stark—Rural Water Secretary