



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
March 13, 2008**

**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. 154<sup>th</sup> Street, Omaha, NE on March 13, 2008. The meeting was called to order by Chairperson Jim Thompson at 8:00 p.m.

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

Fred Conley	Rick Kolowski
John Conley	Dorothy Lanphier
Dick Connealy	Rick Patterson
Tim Fowler	Rich Tesar
Dave Klug	Jim Thompson

**ADOPTION OF AGENDA:**

- **MOTION NO. 1:** It was moved by Director John Conley and seconded by Director Connealy 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, Klug, Kolowski, Lanphier, Patterson, Tesar, Thompson
Voting Nay	-	None
Abstaining	-	None
Excused Absence:		Schwoppe
Absent	-	Schwoppe

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2:** It was moved by Director Connealy 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 March 13, 2008, Board of Directors Meeting:

John Schwope

Agenda Item 7 A. and B.:

BE IT RESOLVED that the February 14, 2008, Papio-Missouri River NRD Board meeting minutes and the February 13, 2008, 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 (Fred), Conley (John), Connealy, Fowler, Klug, Kolowski, Lanphier, Patterson, Tesar, Thompson
Voting Nay	-	None
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 February 28, 2008. The District's January, 2008, expenditures were published in the Blair Pilot-Tribune on March 4, 2008. 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. Report on Douglas County Stream Project: Emily Hotzclaw, CH2MHILL, gave a power point presentation showing the findings of the stream inventory that was conducted in Douglas County and parts of Washington and Sarpy Counties. She indicated that the majority of streams assessed were impaired or degraded. She indicated that if these streams are to be protected, the time to act is now before the whole county is developed.

B. Natural Resources Conservation Service Report: Verlon Barnes, NRCS District Conservationist at the Omaha NRCS office, reported on NRCS activities for the past month.

C. Nebraska Association of Resources Districts Report:

1. NARD Board of Directors Meeting, March 3, 2008: Director Tesar noted that he was unable to attend the NARD meeting in Holdrege. He reported that Dan Steinkruger had been elected as the NARD President and Mary Ann Wortmann was elected Vice-President.

2. NARD Washington DC Trip: Directors John Conley and Dave Klug and Marlin Petermann reported on the NARD Washington DC Trip held March 8-12, 2008. Director Conley stated that he felt it was a good meeting yet somewhat disappointing in that most everything is on hold, including the Farm Bill, due to the upcoming elections. Director Klug expressed concern regarding the amount of dollars budgeted for technical assistance to implement conservation measures. He then showed some slides that he had taken including a slide of a rain garden project. Marlin reported that as a result of meetings held during the trip, the District was able to secure additional funding for the Glacier Creek Project.

D. National Association of Conservation Districts Annual Meeting: Director Fowler reported he attended the NACD Annual Conference, February 10-13, 2008, in Reno, NV. He noted that the major topics of discussion were the Farm Bill, urban conservation and a study regarding drought that was prepared by the University of Nebraska. The next NACD Annual Meeting will be held February 1-5, 2008 in New Orleans, LA. He then showed a presentation entitled, "Conservation – Our Purpose. Our Passion. Our Partnership," produced by the NRCS.

E. Lower Platte River Corridor Alliance Report: Rodney Verhoeff reported that the coffee shop meetings held in Yutan and Morse Bluff were successful. He noted that there are 15 other meetings planned. He also noted the following events:

- July 18, 2008 – Airboat Tour
- September 4, 2008 – Water Quality Open
- November 6, 2008 – Lower Platte River Summit at Camp Calvin Crest

F. Legislative Report: Rich Lombardi reported that there were 18 legislative days left until the April 17<sup>th</sup> adjournment of the 100<sup>th</sup> Legislature, Second Session. He stated that the Legislature had passed legislation that made changes to the open meetings law whereby you cannot prevent someone from speaking at a meeting if they have not signed in to address the meeting. He indicated that the Natural Resources Committee advanced LB 880 from Committee on February 13<sup>th</sup> and that Senator Kopplin had designated it as his priority bill. A Stakeholders Meeting regarding LB 880 will be held on Monday, March 17<sup>th</sup>, to discuss amendments to the bill, i.e., public access, low-impact development best management measures, eminent domain, etc. Mr. Lombardi noted that Senator Flood had assured Senator Kopplin that if floor discussion on amendments to the bill can be minimized, time will be set aside for the Legislature to discuss LB 880.

**SUBCOMMITTEE REPORTS:**

A. Finance, Expenditures and Legal Subcommittee: Director Connealy reported that the FEL Subcommittee met on March 6, 2008 and gave a brief recap of the meeting.

- **MOTION NO. 3** It was moved by Director Connealy that the following recommendation be adopted:

*FEL Recommendation #1* Property Purchase for New Blair Office – Recommendation that the General Manager be authorized to negotiate and execute a purchase agreement, approved as to form by Legal Counsel, providing for the purchase from the Blair YMCA of an approximately 1.8 acre parcel of property for a new District field office at the northwest corner of 10<sup>th</sup> and Wilbur Streets, in Blair, Nebraska, for the price of \$100,000 plus closing costs.

Director Lanphier expressed her concern regarding the timing of this expenditure in that the Board had not yet received the FY 2008 audit. There was discussion.

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

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

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

*FEL Recommendation #2* Right of Way Acquisition at Papio Detention Basin Site WP-RB5 – Pink Family Investments Parcel – Recommendation that the following resolution be adopted:

BE IT RESOLVED that the General Manager be and is hereby authorized to execute the proposed purchase agreement presented to this meeting calling for the purchase by the District from Pink Family Investments, L.L.C., of 11.86 acres of land (Outlot A) in Pink Industrial Park 2, necessary for the emergency spillway for the proposed South Papillion Creek detention structure, and for the purchase of necessary easements, for the total purchase price of \$418,600.

BE IT FURTHER RESOLVED that the General Manager be and is hereby authorized to execute the proposed Cross-Easements Agreement attached to the proposed purchase agreement, and such other and further documents, approved as to form by the District’s legal counsel, as he determines necessary or convenient to effectuate the transaction.

BE IT FURTHER RESOLVED that the Board of Directors

hereby determines that the South Papillion Creek detention structure will be of predominantly general benefit to the District, with only an incidental special benefit.

The following individual addressed the Board:

- Mike Ryan, 11130 Jackson, Omaha, NE

Director Lanphier expressed her concern regarding the dissemination of information regarding this agenda item.

- **MOTION NO. 5** It was moved by Director Lanphier that the right of way acquisition at Papio Detention Basin Site WP-RB 5 – Pink Family Investments be tabled.

The motion died due to lack of a second.

Roll call vote was held on Motion No. 4. The motion carried by a vote of 9-yea and 1-nay.

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

B. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on March 6, 2008, and gave a brief recap of the meeting.

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

<i>PPO Recommendation #1</i>	<u>Contract for Waterline Extension for Washington County Rural Water #1</u> - Recommendation that the General Manager be authorized to accept the bid of Lan-Tel communications in the amount of \$124,711.30 for construction of a 6-inch waterline extension along Highway 75 (HGM Project No. 71613(70387) for Washington County Rural Water System #1.
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Roll call vote was held on the motion. The motion carried unanimously.

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

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

*PPO Recommendation #2* Waterloo Levee Evaluation Cost Share Agreement – Recommendation that the General Manager be authorized to execute an agreement with the Village of Waterloo providing for a District cost share of not more than \$14,956.00 for a preliminary investigation of the Village’s flood control levee, containing such terms and conditions as the General Manager determines necessary and Legal Counsel approves as to form.

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

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

**TREASURER'S REPORT:**

- **MOTION NO. 8:** It was moved by Director John Conley and seconded by Director Kolowski that the following resolution be adopted:

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (l) claims listed in the February, 2008, 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 February, 2008, 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), Connealy, Fowler, Klug, Kolowski, Lanphier, Patterson, Tesar, Thompson  
Voting Nay - None  
Abstaining - None  
Excused Absence: Schwope  
Absent - Schwope

**CHAIRPERSON'S REPORT:**

A. P-MRNRD Director 2008 Candidate List – Chairperson Thompson reviewed the list of candidates running for the P-MRNRD Board. They are:

Subdistrict 1: Scott Japp  
Kevin Propst  
Jim Jepsen

Subdistrict 3: Larry Bradley  
Michael P. Schawang

Subdistrict 5: Rich Tesar  
Shawn Mohr Melotz

Subdistrict 7: Dorothy Lanphier

Subdistrict 9: Rick Kolowski  
Gene Sladek

Subdistrict 11: John Schwope

B. Report on Draft Study of Property Values: Chairperson Thompson noted that the draft project report on “How Water Resources Limit and/or Promote Residential Housing Developments in Douglas County” was available. A copy of the report was provided to Directors.

**GENERAL MANAGER'S REPORT:**

GM Winkler noted that his report had been posted to the website and asked Directors to contact him if there were any questions. He noted that Directors had received a copy of a letter from Dave Sands, Executive Director, of The Nebraska Land Trust thanking the District for its contribution of \$5,000 for the Schramm Bluffs Preservation Project.

Director Lanphier noted that there seemed to be a lot of concrete work to be done around the Natural Resources Center. She suggested that this would be a good opportunity for a demo plot for different types of concrete.

Chairperson Thompson reminded Directors that the GM evaluation forms need to be turned in by Friday, March 14<sup>th</sup>.

**INFORMATIONAL ITEMS:**

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

March 20, 2008	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
April 8, 2008	P-MRNRD Subcommittee Meetings
April 10, 2008	P-MRNRD Board Meeting
April 29, 2008	Lower Platte River Corridor Alliance Quarterly Meeting, 9:30 p.m., Nebraska Game and Parks Commission, Lincoln, NE
May 2-3, 2008	Nebraska Trails Conference, Grand Island, NE
May 6, 2008	P-MRNRD Subcommittee Meetings
May 8, 2008	P-MRNRD Board Meeting
May 26, 2008	Memorial Day Holiday – P-MRNRD Offices Closed

B. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on April 10, 2008 at the NRC.

**ADJOURNMENT**: Being no further business, the Chairperson declared that the meeting was adjourned at 9:25 p.m.



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 13, 2008, 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.

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Richard Tesar  
District Secretary