



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING  
March 11, 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. 154<sup>th</sup> Street, Omaha, NE on March 11, 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	Barb Nichols
Dick Connealy	Pete Rubin
Tim Fowler	Rich Tesar
Melissa Gardner	Jim Thompson
Rich Jansen	Fred Conley
Joe Neary *	

\* Not present for quorum call, but attended meeting.

**ADOPTION OF AGENDA:**

- **MOTION NO. 1:** It was moved by Director Jansen 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 (John), Connealy, Fowler, Gardner, Jansen, Nichols, Rubin, Tesar, Thompson, Conley (Fred)
Voting Nay	-	None
Abstaining	-	None
Absent	-	Neary

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2:** It was moved by Director Jansen 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 following Director(s) have an excused absence from the March 11, 2004 Board of Directors Meeting:

None to Date

Agenda Item 6 A. & B.:

BE IT RESOLVED that the February 12, 2004, 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 (John), Connealy, Fowler, Gardner, Jansen, Nichols, Rubin, Tesar, Thompson, Conley (Fred)
Voting Nay	-	None
Abstaining	-	None
Absent	-	Neary

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on March 5, 2004. The District's January, 2004, expenditures were published in the Papillion Times on March 4, 2004. 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: Don Doty, District Conservationist at the 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: Director Rubin reported that the NARD Board met on March 8, 2004 in Lincoln. He reported there would be no dues increase for the next fiscal year. He also reported that the NARD Washington DC trip will be held March 22-24, 2004. Directors Tim Fowler and Joe Neary and GM Oltmans and Assistant GM Marlin Petermann will represent the District.

C. Lower Platte River Corridor Alliance Report: Rodney Verhoeff, Alliance Coordinator, noted that he and representatives of the P-MRNRD, LPNNRD and LPSNRD traveled to Washington DC to present information and request funding for Sandy Creek (Lake Wanahoo), Antelope Valley and Western Sarpy/Clear Creek. He indicated that it was a very productive trip. He also pointed out that the next meeting of the Lower Platte River Corridor Alliance was Tuesday, April 27, 2004 at 9:30 a.m. at the LPSNRD offices in Lincoln.

**SUBCOMMITTEE REPORTS:**

A. River Ice Coordination Ad Hoc Subcommittee: Director Jansen reported that the Ad Hoc Subcommittee had met on February 19, 2004 and gave a brief recap of the meetings. Marlin Petermann then updated the Directors on current ice conditions. He reported that the ice in the Platte River, Elkhorn River and Lower Platte River had broken up and moved out of the area. Director Tesar stated that he would like to congratulate the staff on a job well done.

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

BE IT RESOLVED that the February 19, 2004, minutes of the River Ice Coordination Ad Hoc Subcommittee are accepted and incorporated in the file copy of the minutes.

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

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

B. Missouri Riverfront Trail (NP Dodge Park to Washington County Line) Ad Hoc Consultant Selection Subcommittee: Director Neary reported that the Ad Hoc Subcommittee met on March 4, 2004 and gave a brief recap of the meeting.

- **MOTION NO. 4** It was moved by Director Neary and seconded by Director Jansen that the following resolution be adopted:

BE IT RESOLVED that the March 4, 2004, minutes of the Missouri Riverfront Trail (NP Dodge Park to Washington County Line) Ad Hoc Consultant Selection Subcommittee, indicating that the firm of HGM Associates, Inc., is the first choice with which to negotiate a contract for professional services for the project, that Schemmer Associates be second, and that Ehrhart Griffin & Associates be third, are accepted and incorporated in the file copy of the minutes.

Roll call vote was held on the motion. The motion carried on a vote of 10-yea and 1-nay.

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

C. Personnel, Legislative and Public Affairs Subcommittee: Director Nichols reported that the PLPA Subcommittee met on March 9, 2004 and gave a brief recap of the meeting.

•• **MOTION NO. 5** It was moved by Director Tesar and seconded by Director Jansen that the following recommendation(s) be adopted:

*FEL Recommendation #1:* Affirmative Action Plan – Recommendation that the proposed revisions to the P-MRNRD Affirmative Action Plan for Calendar Year 2004 be adopted.

*FEL Recommendation #2:* P-MRNRD Benefit Comparison (pursuant to 2003 State Salary Survey) – Recommendation that no changes be made to the P-MRNRD benefit package at this time.

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

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

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

*FEL Recommendation #3:* P-MRNRD Wage and Salary Administration Program for Calendar Year 2003 (Based on 2003 Nebraska Department of Personnel State Salary Survey)

- a. Pay Range Revisions (Midpoints): Recommendation that the wage and salary pay ranges (midpoints) be adjusted, as presented to the Subcommittee, effective January 1, 2004.
- b. “n” Factor: Recommendation that an “n” factor of 3.7% be used to compute adjustment factors for Calendar Year 2004 and that the resulting Adjustment Guide become effective January 1, 2004.
- c. Salary Grade Schedule for CY 2004: Recommendation that the updates to the Salary Grade Schedule, as presented, be accepted.

- d. Employee Health Insurance Funding: Recommendation that the P-MRNRD contribute \$500 per participating employee to the Nebraska Association of Resources District's Insurance Fund.

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

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

Director Nichols reported that the Subcommittee was briefed on legislative issues and that no action was required at this time.

D. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee had met on March 9, 2004 and gave a brief recap of the meeting.

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

*PPO Recommendation #1:* PL 566 Program:

- a. Update on Papio Creek Watershed PL 566 Structures S-27, S-31 and S-32 Rehab Assistance – No action required.
- b. Proposal for Papio Creek Watershed PL 566 Structure W-3 and Turtle Creek Watershed PL 566 Structure #2 Breach Analysis Assistance: Recommendation that the District request that the NRCS conduct a breach analysis for Papio Creek Site #W-3 and Turtle Creek Site #2 to determine if they are eligible for the NRCS Rehabilitation Program.

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

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

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

*PPO Recommendation #2:* Western Douglas County Trails Plan – Recommendation that the Western Douglas County Trails Plan, prepared by RDG Crose Gardner Shukert, be adopted.

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

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

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

*PPO Recommendation #3.:* Savanna Shores/Walnut Creek Project – Recommendation that the General Manager be authorized to execute an amendment to the Savanna Shores/Walnut Creek Interlocal Agreement to provide an additional 1.5 acres of NRD property for wetland mitigation upon payment of \$50,000 by the SID/Developer, 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 (John), Connealy, Fowler, Gardner, Jansen, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)  
Voting Nay - None  
Abstaining - None  
Absent - None

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

*PPO Recommendation #4.:* Mopac Trail Engineering Fees – Contract with E&A Consulting Group – Recommendation that the maximum compensation due under contract with E&A Consulting Group for engineering services on the Mopac Trail Project be increased by \$10,995.58, from \$217,507 to \$228,502.58.

It was noted that the total fees increase requested was \$27,306.86. Of that \$10,955.58 was for additional services (which the Subcommittee recommended); \$10,379.29 for increased hourly rates and \$5,931.99 for inflation. The Subcommittee did not recommend the last two items.

**AMENDMENT  
NO. 1 TO  
MOTION NO. 10** It was moved by Director Jansen and seconded by Director Neary that the compensation amount be increased by \$5,000.00, for a total increase of \$15,995.58.

Mr. Jeff Elliott, E&A Consulting Group, addressed the Board to explain the need for the increased fees. Director John Conley pointed out that there was no documentation to justify the increases noted for hourly rates and inflation. He suggested that a cash flow statement be prepared and submitted to the Subcommittee for further consideration.

Roll call vote was held on the amendment to Motion No. 10. The amendment failed on a vote of 4-yea and 7-nay.

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

Roll call vote was held on the original motion. The motion carried on a vote of 10-yea and 1-nay.

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

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

*PPO Recommendation #5.:* Elkhorn River Access Feasibility Study – Recommendation that the Elkhorn River Access Study be accepted and implemented, and that a proposal for professional services be negotiated with BCDM for design and construction of the West Maple Road public access site.

District Legal Counsel, Paul Peters, suggested that the following statement be added to the recommendation, “and the Board finds that the project will be of general benefit to the District, with only an incidental special benefit.” Director John Conley, who made the motion, agreed to add the statement. Director Jansen, who seconded the motion, agreed to add the statement. The motion will read as follows:

*PPO Recommendation #5.:* Elkhorn River Access Feasibility Study – Recommendation that the Elkhorn River Access Study be accepted and implemented, and that a proposal for professional services be negotiated with BCDM for design and construction of the West Maple Road public access site and the Board finds that the project will be of general benefit to the District, with only an incidental special benefit.

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

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

**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: (l) claims listed in the February, 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 February, 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), Connealy, Fowler, Gardner, Jansen, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)  
Voting Nay - None  
Abstaining - None  
Absent - None

**CHAIRPERSON'S REPORT:**

A. P-MRNRD Candidate List for 2004 Primary Election: Chairperson Fred Conley distributed a listing of candidates for the upcoming primary election.

**GENERAL MANAGER'S REPORT:** GM Oltmans noted that his report had been posted to the website.

- ◆ The following news clips were shown:
  - Channel 42 – Ice Jam Flooding
  - Channel 6 – West Branch Floodplain Mapping



◆ The following material was distributed:

- Letter to Major General Carl Strock from the Iowa, Kansas, Missouri and Nebraska fish and wildlife agencies regarding the Corps of Engineers proposed implementation of habitat restoration projects on the Missouri River.

**INFORMATIONAL ITEMS:**

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

March 22, 2004	Cunningham Lake Watershed Community Based Watershed Management Planning Public Meeting, 7:00 p.m., Northwest High School, 8204 Crown Point Ave.
March 22-24, 2004	NARD Washington DC Conference (Directors Fowler and Neary and GM Oltmans and Assistant GM Petermann will be participating on behalf of the District.)
April 12, 2004	Cunningham Lake Watershed Community Based Watershed Management Planning Public Meeting, 7:00 p.m., Northwest High School, 8204 Crown Point Ave.
April 13, 2004	P-MRNRD Subcommittee Meetings
April 15, 2004	P-MRNRD Board Meeting
April 22, 2004	Earth Day
April 27, 2004	Lower Platte River Corridor Alliance Quarterly Meeting, Lower Platte South NRD Offices at 9:30 a.m.
April 23-24, 2004	ACTivate Omaha at Qwest Center [P-MRNRD will be co-sponsoring a booth with Rotary Club]
April 30, 2004	<b>Arbor Day – Plant Trees!!!</b>
May 4-5, 2004	Water Works, Schramm Park State Recreation Area <b>Directors are welcome!!!!</b>
May 11, 2004	P-MRNRD Subcommittee Meetings
May 13, 2004	P-MRNRD Board Meeting
May 22, 2004	Earth Day - Omaha

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 15, 2004 at the NRC.

**ADJOURNMENT**: Being no further business, the meeting adjourned at 9:05 p.m. by acclamation.

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 March 11, 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.

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Barbara A. Nichols  
District Secretary