



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
May12, 2011**

**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> St., Omaha, NE on May 12, 2011. The meeting was called to order by Chairperson Rick Kolowski at 7:00 p.m.

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

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

**ADOPTION OF AGENDA:**

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

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

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

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2:** It was moved by Director Fred Conley and seconded by Director Fowler 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 12, 2011, Board of Directors Meeting is excused:

Dorothy Lanphier

Agenda Item 7. A and B.

BE IT RESOLVED that the April 14, 2011 Papio-Missouri River NRD Board meeting minutes; and the April 13, 2011 Dakota County Rural Water Advisory Board meeting minutes are approved as printed.

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

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

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on May 6, 2011. The District's March, 2011, expenditures were published in the Burt County Plaindealer on May 3, 2011. The Chairperson ordered the Proofs of Publication recorded in the minutes of this meeting.

**AGENCY AND ASSOCIATION REPORTS:**

A. Natural Resources Conservation Service Report: Neal Jensen, NRCS District Conservationist, briefed the Board on NRCS activities for the past month.

B. Nebraska Association of Resources Districts: Director Tesar reported that the next NARD Board meeting would be held on June 13, 2011 in Alliance, NE. He also noted that the NRD Basin June 13-15, 2011, departing a after the NARD meeting and returning to Alliance at approximately 3:00 p.m., on June 15<sup>th</sup>.

C. Legislative Report: Tim Gay, Husch Blackwell Sanders, briefed the Board on the following bills being tracked for the District. He also distributed a copy of LR218 which will study all possible sources of revenue that could be used to establish a dedicated funding source for water management activities in Nebraska.

D. Lower Platte River Corridor Alliance Report: There was no report.

**SUBCOMMITTEE REPORTS:**

A. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on May 10, 2011 and he gave a brief recap of the meeting.

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

*PPO Recommendation #1:* Lower Platte River Corridor Alliance Proposed FY 2012 Budget – Recommendation that the Fiscal Year 2012 Budget for the Lower Platte River Corridor Alliance in the amount of \$212,104.00 be approved, subject to funds being included in the District’s FY 12 Budget.

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

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

Director John Conley reported that the Subcommittee was briefed on the Eastern Nebraska Water Resources Assessment and the USGS Groundwater Quality Monitoring.

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

*PPO Recommendation #4:* Silver Creek Watershed Structure Site 11 Bids – Recommendation Board that the General Manager be authorized to execute a contract with Dixon Construction Company for the construction of Silver Creek Watershed Site #11 in the amount of \$1,267,735.30 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 - Bradley, Conley (Fred), Conley (John), Erickson, Fowler, Japp, Klug, Tesar, Thompson, Kolowski  
Voting Nay - None  
Abstaining - None  
Excused Absence - Lanphier  
Absent - Lanphier

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

*PPO Recommendation #5* HRD Engineering Contract Amendment #1 for West Papillion Regional Basin No. 5 – Recommendation that the General Manager be authorized to execute the proposed Professional Services Agreement Amendment #2 between the District and HDR Engineering, Inc. for the WP5 project, bringing the total not to exceed contract amount to \$1,437,440, 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 - Bradley, Conley (Fred), Conley (John), Erickson, Fowler, Klug, Tesar, Thompson, Kolowski  
Voting Nay - Japp  
Abstaining - None  
Excused Absence - Lanphier  
Absent - Lanphier

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

*PPO Recommendation #6:* Cost Share Agreement with UNO for the Expansion of Allwine Prairie – Recommendation that that the General Manager be authorized to enter into an interlocal agreement with the University of Nebraska at Omaha to contribute matching funds of not more than \$370,000 for the proposed land acquisition to expand Allwine Prairie Preserve-Glacier Creek Project.

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

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

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

*PPO Recommendation #7:* Professional Engineering Services by HDR for Big Papio Channel Gabion Repair Project (105<sup>th</sup> and Pacific Streets) – Recommendation that the District waive its consultant selection procedures and the General Manager be authorized to execute a professional engineering services agreement for the Big Papio

Channel Gabion Repair Project with HDR Engineering with a maximum not to exceed cost of \$110,322 subject to charges deemed necessary 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 - Bradley, Conley (Fred), Conley (John), Erickson, Fowler, Klug, Tesar, Thompson, Kolowski  
Voting Nay - Japp  
Abstaining - None  
Excused Absence - Lanphier  
Absent - Lanphier

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

*PPO Recommendation #8:* Update of the District's Flood Warning System – Recommendation that Account # 01 03 536 4410 Flood Preparedness – Construction be allowed to exceed 110% of the budgeted amount and that the General Manager be authorized to execute a contract with High Sierra Electronics in the amount of \$142,428.00 for equipment to update the District's floodwarning system.

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

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

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

*PPO Recommendation #9:* FY 2012 Equipment Requirements – Recommendation that the FY 2012 Equipment Requirements, as presented to the Subcommittee, be approved subject to funding in the FY 2012 Budget.

- **AMENDMENT:  
NO. 1 TO  
MOTION NO. 9** It was moved by Director Thompson and seconded by Director Erickson that 2008 flatbed truck and the Chevy Colorado be removed from the FY 2012 Equipment Requirements.

Roll call vote was held on the amendment. The amendment failed on a vote of 3-yea and 7-nay.

Voting Yea - Erickson, Thompson, Kolowski  
Voting Nay - Bradley, Conley (Fred), Conley (John), Fowler, Japp, Klug, Tesar

Abstaining - None  
Excused Absence - Lanphier  
Absent - Lanphier

- **AMENDMENT:** It was moved by Director Japp that the power washer for the Blair  
**NO. 2 TO** NRC be removed from by 2012 Equipment Requirements.  
**MOTION NO. 9**

The amendment failed due to lack of a second.

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

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

B. Finance, Expenditures and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on May 10, 2011 and he gave a brief recap of the meeting.

- **MOTION NO. 10** It was moved by Director Tesar that the following recommendation be adopted:

*FEL Recommendation #1:* Refinancing Debt Service for Washington County Rural Water #2  
– Recommendation that the Board of Directors adopt the resolutions presented to the FEL Subcommittee.

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

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

- **MOTION NO. 11** It was moved by Director Tesar that the following recommendation be adopted:

*FEL Recommendation #2:* Account Over 110% of Budget – Acct #0103 551 4400 – Flood Mitigation and Mapping Program Professional Services – Recommendation that Account # 01-03-551-4400 – Flood Mitigation and Mapping Program – Professional Services be allowed to exceed 110% of the budgeted amount.

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

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

•• **MOTION NO. 12** It was moved by Director Tesar that the following recommendation be adopted:

*PPO Recommendation#3a:* Purchase Agreement with Omaha LCC for a Parcel of Land at the Heron Haven Wetland Restoration Project and Transfer of Funds to COE for Construction – Recommendation that the General Manager be authorized to fully execute the proposed Purchase Agreement with 11402 Evans Omaha LLC to acquire 3.34 acres for the Heron Haven Wetland Restoration Project for the appraised amount of \$35,100.00.

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

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

•• **MOTION NO. 13** It was moved by Director Tesar that the following recommendation be adopted:

*FEL Recommendation #3b:* Purchase Agreement with Omaha LCC for a Parcel of Land at the Heron Haven Wetland Restoration Project and Transfer of Funds to COE for Construction – Recommendation that the General Manager be authorized to make payment in the amount of \$304,325.50 to the U.S. Army Corps of Engineers, Omaha District for the Heron Haven Wetland Restoration Project.

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

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

Director Tesar noted that the Subcommittee took no action on the Pigeon/Jones Site 15 Project ROW.

**TREASURER'S REPORT:**

- **MOTION NO. 14:** 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 April, 2011, 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 April, 2011, 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.

Director Japp had questions regarding payments.

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

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

**CHAIRPERSON'S REPORT:** Director Thompson reported that he had attended the dedication on Youngman Lake on Sunday, May 1, 2011. He stated that the District should be proud of this project and the partnership formed with the City of Omaha and others to complete this project. Chairperson Kolowski noted that he had attended the Water for Food Conference on May 2-3, 2011 in Lincoln. Over 500 people from 25 countries attended the conference.



**GENERAL MANAGER'S REPORT:** GM Winkler reviewed the GM Report with the Board and noted that the report had been posted to the website. He also informed the Board that Terry Schumacher had been hired as the Land and Water Programs Coordinator. He also reminded Directors of the P-MRNRD Strategic Planning Session scheduled for Saturday, May 14<sup>th</sup> at Mahoney State Park. He also noted that LR247 was adopted which will study the flood control needs of Omaha and the greater Omaha metro area and examine the resources that are available.

**INFORMATIONAL ITEMS:**

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

May 14, 2011	P-MRNRD Strategic Planning Session, Mahoney State Park, Nebraska Abel Room, 10:00 a.m. – 5:00 p.m.
May 26, 2011	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
May 30, 2011	Memorial Day, P-MRNRD Offices Closed
June 7, 2011	P-MRNRD Subcommittee Meetings
June 9, 2011	P- MRNRD Board Meeting
June 13, 2011	NARD Board Meeting, Alliance, NE
June 13-15, 2011	NRD Basin Tour, (Departing after the NARD Board meeting and returning to Alliance at approximately 3:00 p.m. on June 15th)
July 4, 2011	4 <sup>th</sup> of July, P-MRNRD Offices Closed
July 12, 2011	P-MRNRD Subcommittee Meetings
July 14, 2011	P-MRNRD Board Meeting
July 28, 2011	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 June 9, 2011 at 7:00 p.m. at the NRC.

**ADJOURNMENT:** Being no further business, the Chairperson declared that the meeting was adjourned at 8:35 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 12, 2011, 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