

**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
November 13, 2003**

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. 154th Street, Omaha, NE on November 13, 2003. 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
Tim Fowler	Rich Tesar
Melissa Gardner	Jim Thompson
Rich Jansen	Fred Conley
Joe Neary	

Chairperson Fred Conley noted that Directors Connealy and Rubin had excused absences.

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

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:

Agenda Item: 2.A.:

BE IT RESOLVED that the following resolutions on the consent agenda are hereby adopted.

BE IT RESOLVED that the following Director(s) have an excused absence from the November 13, 2003, Board of Directors Meeting:

Dick Connealy
Pete Rubin

Agenda Item 6 A. & B.:

BE IT RESOLVED that the October 9, 2003, 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), Fowler, Gardner, Jansen, Neary, Nichols, Tesar, Thompson, Conley (Fred)
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Connealy, Rubin
Absent	-	None

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on November 1, 2003. The District's September, 2003, expenditures were published in the Papillion Times on November 6, 2003. 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. Omaha Raptor Team: Sherry Seibert thanked the Board for the opportunity to display their feathered ambassadors. She noted that the goal of the Omaha Raptor Team was to educate the public about raptors. She stated that they had given 182 programs to various groups so far this year. Chairperson Conley pointed out that the P-MRNRD had nominated the Omaha Raptor Team for recognition in the Omaha World-Herald Conservationist Awards Program. He stated that he was pleased to report that the Raptor Team was this year's recipient of an "Honorable Mention" Award for their innovative environmental education programs.

B. Natural Resources Conservation Service: Don Doty, District Conservationist at the NRCS office, reported on NRCS activities for the past month. He reported that Neil Stockfleth had been hired as the Resource Conservationist at the South Sioux City field office, starting on December 1, 2003. A copy of his report is attached to the file copy of these minutes.

C. Nebraska Association of Resources Districts: Director Tesar reported that he had attended the NARD Board meeting on November 2, 2003 at Wildcat Hills Red Center near Scottsbluff, NE. He indicated that time was spent discussing Pumpkin Creek and that there were several law suits pending regarding this issue. It was also noted that the NARD Legislative Conference would be held January 27-28, 2004 at the Embassy Suites in Lincoln.

D. Lower Platte River Corridor Alliance: Rodney Verhoeff, LPRCA Coordinator, noted that the Lower Platte River Corridor Alliance report had been posted to the District website and e-mailed to Directors. He pointed out that the Infrastructure Study Report for the Lower Platte River Utilities Board was completed. The study looked into water quality, water supply and wastewater issues in Cass County. He also reported on the Sand and Gravel Working Group – P.A.C.E. (People-Aggregate-Community-Environment), which is a cooperative group that includes sand/gravel operators, conservation organizations and governmental entities. The focus of the group is to design plans and protocol for reclamation of mining operations prior to commencement of mining.

SUBCOMMITTEE REPORTS:

A. Platte River Trail (Hwy 50 to Lied Bridge) Ad Hoc Consultant Selection Subcommittee: Director John Conley reported that the Ad Hoc Subcommittee had met on October 23, 2003 and gave a brief recap of the meeting.

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

Ad Hoc Recommendation #1: Recommendation that Ehrhart Griffin and Associates be ranked first, that The Schemmer Associates be ranked second, and that Lamp Rynearson and Associates be ranked third for the Platte River Trail Project; and that staff be directed to work with Ehrhart Griffin and Associates to develop a detailed scope of services for the project.

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

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

B. Finance, Expenditures and Legal Subcommittee: Director Gardner reported that the FEL Subcommittee had met on November 6, 2003 and gave a brief recap of the meeting.

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

FEL Recommendation #1: P-MRNRD FY2003 Audit: Recommendation that the FY2003 Audit Report and Management Letter, prepared by Bland and Associates, be accepted and that the General Manager be directed to file an authenticated copy of the audit report with the Nebraska Auditor of Public Accounts and the Nebraska Department of Natural Resources.

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

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

C. West Pappio Watershed Floodplain Mapping Project Ad Hoc Consultant Selection Subcommittee: Director Neary reported that the Ad Hoc Subcommittee had met on November 6, 2003 and gave a brief recap of the meeting

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

Ad Hoc Recommendation #1: Selection of Consulting Firms to be Interviewed: Recommendation that interviews for the West Pappio Watershed Floodplain Mapping Project contractor be conducted with HDR, CDM, PBS&J and Kirkham Michael.

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

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

D. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee had met on November 6, 2003 and gave a brief recap of the meeting.

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

PPO Recommendation #1: Request to Cost Share on Sarpy County Lewis and Clark Children’s Interpretive Art Wall Project (Back to the River Project) – Recommendation that the District contribute \$25,000 toward the Sarpy County Lewis and Clark Children’s Interpretive Art Wall Project.

State Senator Paul Hartnett informed the Board that the Bellevue City Council voted 9-0 to donate \$50,000 for the Art Wall Project. He also noted that the Sarpy County Board of Commissioners had approved a \$50,000 donation. If the Board approves the \$25,000 donation, the supporters of the project would have 50% of the funding for the project. He thanked the Board for its consideration.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea and 2-nay.

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

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

PPO Recommendation #2: Interlocal Agreement with SID #249 and Boyer Young Development Company for Savanna Shores Development – Recommendation that the General Manager be authorized to execute an Interlocal Cooperation Act Agreement with Boyer Young Development and Sarpy County SID #249 for the Savanna Shores/Walnut Creek Project, providing for a maximum District cost share in the amount of \$100,000 for trail, wetland and sediment basin improvements in the Savanna Shores Development and in Walnut Creek Recreation Area.

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

Voting Yea	-	Conley (John), Fowler, Gardner, Jansen, Neary, Nichols, Tesar, Thompson, Conley (Fred)
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Connealy, Rubin
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 #3: Proposed OPPD Power Line along Little Papio Creek and Keystone Trail – Recommendation that the General Manager be directed to negotiate a proposed permit for the proposed OPPD transmission line on District ROW along the Little Papio Channel/Keystone Trail Project for consideration by the Programs, Projects and Operations Subcommittee at its December meeting.

There was discussion regarding the placement of the power lines. Director Gardner stated that she had two concerns: (1) visual – she stated that this takes away from anything the District has done to create a natural environment on the trails and (2) questions regarding electro-magnetic radiation from power transmission lines and its relationship to cancer. It was noted that this action would give the staff authorization to negotiate a permit. The negotiated permit would come before the Board for consideration at the December meeting.

Roll call vote was held on the motion. The motion carried on a vote of 8-yea and 1-nay.

Voting Yea	-	Conley (John), Fowler, Jansen, Neary, Nichols, Tesar, Thompson, Conley (Fred)
Voting Nay	-	Gardner
Abstaining	-	None
Excused Absence	-	Connealy, Rubin
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 #4: Bids for City Water into Walnut Creek Lake and Recreation Area – Recommendation that all bids received for the project to construct water lines in Walnut Creek Recreation Area be rejected and that the project be modified and advertised for bids in February, 2004.

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

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

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

PPO Recommendation #5: Bids for MoPac Trail – Recommendation that the General Manager be authorized to execute a contract with TAB Construction Company in the amount of \$891,486.25 for construction of the MoPac Trail Project (Springfield, NE to the Platte River).

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

Voting Yea - Conley (John), Fowler, Gardner, Jansen, Neary, Nichols, Tesar, Thompson, Conley (Fred)
Voting Nay - None
Abstaining - None
Excused Absence - Connealy, Rubin
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 #6: Hydraulic Excavator Bids – Recommendation that District accept the offer of Road Builders Machinery Co., to sell to the District a PC270LC-7 Komatsu Hydraulic Excavator for annual installments of \$47,529 to be paid over the next four years (totaling \$190,116).

There was discussion regarding the specs and the bidding process. Directors Tesar and Thompson expressed their concern about a governmental agency not accepting the low bid for a piece of equipment that met the specs.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea and 2-nay.

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

TREASURER'S REPORT:

•• **MOTION NO. 12:** It was moved by Director John Conley and seconded by Director Nichols 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 October, 2003, 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 October, 2003, 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), Fowler, Gardner, Jansen, Neary, Nichols, Tesar,
Thompson, Conley (Fred)
Voting Nay - None
Abstaining - None
Excused Absence - Connealy, Rubin
Absent - None

CHAIRPERSON'S REPORT:

A. Attendance at National Association of Conservation Districts Annual Meeting: Chairperson Fred Conley announced that Director Pete Rubin would be representing the District at the NACD Annual Meeting, February 1-5, 2004, at Big Island, Hawaii.

GENERAL MANAGER'S REPORT: GM Oltmans noted that Directors had received a copy of his written report. GM Oltmans reported that \$3 million had been included in the defense bill sent by the Senate to the President for the Nebraska National Guard camp frontage levee segment which is a part of the Western Sarpy/Clear Creek Project. Dick Sklenar then gave an update on the Washington County Rural Water #2 Project. It is anticipated that the agreement between the District/City of Blair/Washington County will be brought to the Board in December. A news clip from Channel 7 regarding a Public Meeting on the Dundee Trail was shown. Directors Gardner and Thompson related their impressions of the meeting. Marlin Petermann then gave a report on the Stormwater Management Focus Group meeting that he had attended regarding funding federal mandates for stormwater issues.

INFORMATIONAL ITEMS:

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

Nov. 27-28, 2003	Thanksgiving Holiday – P-MRNRD Offices Closed
December 2, 2003	West Papio Watershed Floodplain Mapping Project Ad Hoc Consultant Selection Subcommittee, 6:30 p.m.
December 9, 2003	P-MRNRD Subcommittee Meetings
December 11, 2003	P-MRNRD Board Meeting

December 25, 2003	Christmas Holiday – Offices Closed
January 1, 2004	News Years Holiday – Offices Closed
January 6, 2004	P-MRNRD Subcommittee Meetings
January 8, 2004	P-MRNRD Board Meeting
January 19, 2004	Martin Luther King Holiday – Offices Closed
January 27-28, 2004	NARD Legislative Conference, Embassy Suites, Lincoln
February 1-5, 2005	National Association of Conservation Districts Annual Meeting, Hawaii (Director Pete Rubin will be representing the District.)
February 10, 2005	P-MRNRD Subcommittee Meetings
February 12, 2005	P-MRNRD Board Meeting

B. Other Information Items: Director Nichols introduced Allyson, Brent, Dorothy and Carol Ann Young. She stated that Brent was working on his Boy Scout Communication Merit Badge and Allyson was working on a civics project.

C. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on December 11, 2003 at the NRC.

ADJOURNMENT: Being no further business, the meeting adjourned at 9:20 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 November 13, 2003, 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.

Barbara A. Nichols
District Secretary