



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING  
November 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 November 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
Dick Connealy	Rich Tesar
Tim Fowler	Jim Thompson
Dorothy Lanphier	Rich Jansen

**ADOPTION OF AGENDA:**

- **MOTION NO. 1:** It was moved by Director Schwope and seconded by Director Tesar that the agenda be adopted with the addition of Agenda Item 10.B. – Platte River Obstruction Removal Project.

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

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

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2:** It was moved by Director Connealy and seconded by Director Thompson that the following resolution be adopted:

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

Agenda Item 2.A.:

BE IT RESOLVED that the following Director(s) have an excused absence from the November 10, 2005 Board of Directors Meeting:

Rick Kolowski

Agenda Item 6 A.:

BE IT RESOLVED that the October 13, 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), Connealy, Fowler, Lanphier, Neary, Schwoppe, Tesar, Thompson, Jansen
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Kolowski
Absent	-	Kolowski

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on November 3, 2005. The District's September, 2005, expenditures were published in the Douglas County Gazette on November 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: Robert Hall, NRCS Resource Conservationist at the NRC office in Omaha, reported on Natural Resources Conservation Service activities for the past month. He then gave a PowerPoint presentation on the federal programs that were available to constituents living in the District. The NRCS Report is posted to the District website.

B. Nebraska Association of Resources District Report: Director Tesar reported that the NARD Board met on November 6-7, 2005 at Norfolk, NE. Major topics of discussion were the 10/50 Water Allocation Plan and changes to the Employee Retirement Plan. He also informed Directors that the NARD Legislative Conference would be held on January 24-25, 2006 and urged Directors to attend.

**SUBCOMMITTEE REPORTS:**

A. Papio Dam Sites 3C and 1 Preliminary Design Ad Hoc Consultant Selection Subcommittee: Director Fowler reported that the Ad Hoc Subcommittee met on October 27, 2005 and he gave a recap of the meeting.

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

*Ad Hoc Recommendation #1* Firm to be Hired for Papio Dam Sites 3C and 1 Preliminary Design: Recommendation that HDR Engineering, Inc. be ranked first and that Olsson Associates be ranked second for negotiation of a professional services contract for the Papio Dam Site 3C and 1 Preliminary Design.

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

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

B. Finance, Expenditures and Legal Subcommittee: Director Connealy reported that the FEL Subcommittee met on November 8, 2005 and he gave a recap of the meeting.

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

*FEL Recommendation #1* P-MRNRD 2005 Audit - Recommendation that the FY 2005 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.

Shawn Melotz, 10404 N. 132<sup>nd</sup> Street, Omaha, NE addressed the Board with several questions regarding the management letter. A copy of her comments is attached to the file copy of these minutes.

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

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

Absent - Kolowski

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

*FEL Recommendation #2:* Account(s) Over 110% - Acct #01 01 00 4636 – Dakota County Service Center: Recommendation that Account #01 01 00 4636 be allowed to exceed 110% of the budgeted amount.

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

Voting Yea - Conley (Fred), Conley (John), Connealy, Fowler, Lanphier, Neary, Schwope, Tesar, Thompson, Jansen

Voting Nay - None

Abstaining - None

Excused Absence - Kolowski

Absent - Kolowski

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

*FEL Recommendation #3* Lower Decatur Bend Purchase Agreements – Recommendation that the General Manager be authorized to execute purchase agreements providing for the District’s acquisition of the Tobin, Williams and Olson tracts for the Lower Decatur Bend Project for purchase prices in the amounts of \$113,248.00, \$38,655.00 and \$119,432.00, respectively, together with such other and further documents necessary to effectuate such transactions, approved as to form by District Legal Counsel.

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, Neary, Schwope, Tesar, Thompson, Jansen

Voting Nay - Connealy, Lanphier

Abstaining - None

Excused Absence - Kolowski

Absent - Kolowski

C. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on November 8, 2005 and he gave a brief recap of the meeting.

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

*PPO Recommendation #1* Final Report on Biological Surveys and Site Master Plan for Rumsey Station – Recommendation that the report submitted by the Consulting Arborist Group be accepted.

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

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

Director John Conley indicated that the Subcommittee received an extensive briefing from Virginia McGuire, United State Geological Service, regarding water quality samplings from irrigation wells and well nests throughout the District. No action required on this item.

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

*PPO Recommendation #3* Request from Village of Arlington for Water Quality Grant of \$350,000 – Recommendation that a grant in the amount of \$350,000, from FY 07 funds, be offered to the Village of Arlington for construction of a regional sewage line to the City of Fremont; and, that the General Manager be and is authorized to execute an Interlocal Cooperation Act agreement, approved as to form by District Legal Counsel, providing for said grant.

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

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

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

*PPO Recommendation #4* Silver Creek Sites 23, 24 and 25 Bids – Recommendation that the General Manager be authorized to execute a contract with Taylor Excavating of Nebraska, Inc., in the amount of \$283,879.26 for the construction of Silver Creek Watershed Dam Sites 23, 24 and 25.

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

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

Excused Absence - Kolowski  
Absent - Kolowski

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

*PPO Recommendation #5* 2006 Long Range Implementation Plan – Recommendation that the Fiscal Year 2006 Long Range Implementation Plan, in the form as presented to the November 8, 2005, Programs, Projects and Operations Subcommittee meeting, be adopted.

Shawn Melotz, 10404 N. 132<sup>nd</sup> Street, Omaha, NE addressed the Board with several questions regarding the LRIP. A copy of her comments is attached to the file copy of these minutes.

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

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

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

*PPO Recommendation #6* Flood Mitigation Planning and Mapping Assistance Agreement with Village of Homer (Omaha Creek, Dakota County) – Recommendation that the General Manager be authorized to execute the proposed Agreement with the Village of Homer for Flood Mitigation Planning and Mapping Assistance, calling for the District to pay 50% of the local share of the cost of such work, but such payment not to exceed \$8,500.

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

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

- **MOTION NO. 12** It was moved by Director John Conley that the following recommendation be adopted:

*PPO Recommendation #7* Elkhorn River Easement – Changes to Allbery Tract Easement – Recommendation that the General Manager be authorized to

execute the proposed Amendment to the Elkhorn River Bank Stabilization Demonstration Project Agreement and Easement Agreement – Allbery Farms, Inc., in the form as presented to the November 8, 2005, Programs, Projects and Operations Subcommittee meeting.

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

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

**TREASURER'S REPORT:**

- **MOTION NO. 13:** It was moved by Director John Conley and seconded by Director Fowler 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 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 October 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), Connealy, Fowler, Lanphier, Neary, Schwope, Tesar, Thompson, Jansen  
Voting Nay - None

Abstaining - None  
Excused Absence - Kolowski  
Absent - Kolowski

**CHAIRPERSON'S REPORT:**

A. Attendance at Upcoming Meetings: Chairperson Jansen pointed out that the NACD Annual Conference was scheduled for January 29 - February 2, 2006 in Houston, TX; and the NARD Washington, D.C., Conference would be held March 27-29, 2006. Any Director interested in attending these meeting should contact Chairperson Jansen.

B. Recommendation on Platte River Obstruction Removal: Gerry Bowen reported that the Lower Platte South NRD opened bids for the Platte River Obstruction Removal Project on November 8<sup>th</sup>; therefore, this information was not available for the PPO Subcommittee meeting. The low bid was submitted by Roloff Construction for a total bid with amendments of \$449,212. The District has budgeted \$60,000 for its cost share of this project. Staff recommended that the District increase its contribution by \$27,500 for a total of \$87,500 for the project.

•• **MOTION NO. 14** It was moved by Director Tesar and seconded by Director John Conley that the following resolution be adopted:

BE IT RESOLVED that the District's contribution toward the costs of the Platte River Obstruction Removal Project be increased from \$60,000 to \$87,500 notwithstanding that such increased expenditure may result in Budget Account #01 05 00 4450 being exceeded by more than 10%.

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

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

**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. He distributed a letter from Senator Ben Nelson indicating that the following projects were included in the FY06 Energy and Water Appropriations: Western Sarpy/Clear Creek - \$1,500,000; Heron Haven - \$186,000; and, Lower Decatur Bend Environmental Improvement Project - \$194,000. The following news clips were then shown: Channel 6 – Concerns regarding Sewage Treatment Plant Located Near the Elkhorn River; Channel 7 – Western Sarpy/Clear Creek Project; and, Channel 7 – Cunningham Lake Rehab Press Conference

**INFORMATIONAL ITEMS:**

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



the Directors:

November 11, 2005	Veteran's Day – P-MRNRD Offices Closed
November 15, 2005	Lower Platte River Corridor Alliance Quarterly Meeting, 9:30 a.m., Lower Platte North NRD Office, Wahoo, NE
Nov. 24-25, 2005	Thanksgiving Holiday – P-MRNRD Offices Closed
December 6, 2005	P-MRNRD Subcommittee Meetings
December 8, 2005	P-MRNRD Board Meeting
December 26, 2005	Christmas Holiday – P-MRNRD Offices Closed
January 2, 2006	New Years Holiday – P-MRNRD Offices Closed
January 10, 2006	P-MRNRD Subcommittee Meetings
January 12, 2006	P-MRNRD Board Meeting
January 16, 2006	Martin Luther King Day – P-MRNRD Offices Closed
January 24-25, 2006	Nebraska Association of Resources Districts Legislative Conference, Lincoln, NE
Jan 29 – Feb 2, 2006	National Association of Conservation Districts Annual Conference, Houston, TX
February 7, 2006	P-MRNRD Subcommittee Meetings
February 9, 2006	P-MRNRD Board Meeting
February 20, 2006	President's Day – P-MRNRD Offices Closed
March 7, 2006	P-MRNRD Subcommittee Meetings
March 9, 2006	P-MRNRD Board Meeting
March 27-29, 2006	Nebraska Association of Resources Districts Washington DC Conference

B. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on December 8, 2005, 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 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 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