



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
October 9, 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 October 9, 2003. The meeting was called to order by the Chairperson, Fred Conley, at 8:05 p.m.

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

John Conley	Peter Rubin
Melissa Gardner	Rich Tesar
Rich Jansen	Jim Thompson
Joe Neary	Fred Conley
Barb Nichols	

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

ADOPTION OF AGENDA:

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

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Jansen and seconded by Director Nichols 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 October 9, 2003, Board of Directors Meeting:

Dick Connealy
Tim Fowler

Agenda Item 6 A.:

BE IT RESOLVED that the September 11, 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), Gardner, Jansen, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Connealy, Fowler
Absent	-	None

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on October 2, 2003. The District's August, 2003, expenditures were published in the Papillion Times on October 2, 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. Natural Resources Conservation Service Report: Don Doty, District Conservationist at the NRC 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 Report: Director Rubin reported on the NARD Annual Conference held September 21-23, 2003 in Kearney, NE. He thanked District Directors and staff for participating in the conference. He also noted that over \$2,200 was raised for the NARD Foundation from the NRD Golf Tournament and the Silent Auction. He also stated that the Water Quality Task Force would be presenting their findings to the Legislature in December.

SUBCOMMITTEE REPORTS:

A. Platte River Trail (Hwy 50 to Lied Bridge) Ad Hoc Consultant Selection Subcommittee: Director Jansen reported that the Ad Hoc Subcommittee had met on October 7, 2003 and gave a brief recap of the meeting.

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

Ad Hoc Recommendation #1: Selection of Consulting Firms to be Interviewed:

Recommendation that interviews for the Platte River Trail project be conducted with Ehrhart Griffin & Associates, Lamp Rynearson & Associates, and The Schemmer Associates.

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

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

B. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee had met on October 7, 2003 and gave a brief recap of the meeting

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

PPO Recommendation #1: Washington County Rural Water Study Supplemental Report: Recommendation that:

- * The Supplemental Feasibility Report for the rural water study in Washington County be accepted and recommendations implemented, and that a Public Meeting be held to disseminate the information of the report to rural residents;
- * The District Staff initiate discussions with the City of Blair regarding the purchase of water from that community and to initiate discussions with the Washington County Board of Supervisors concerning the cost of over-sizing some of the proposed water distribution routes, all for consideration by the Board prior to proceeding with design, and;
- * The hookup fee be increased \$700.00 (from \$2,800.00 to \$3,500.00) effective July 1, 2004.

Director Gardner asked if the EPA standards on mercury would affect this issue. It was pointed out that the District would be purchasing water from the City of Blair. Blair's water supply is surface water and this would not be a problem. Dick Sklenar stated that District reps had met with the City of Blair and we should have a Water Purchase Agreement by December. Mr. Sklenar also reported that a public meeting to discuss the findings of the supplemental feasibility study would be held on October 28, 2003 at the Ft. Calhoun High School.

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

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

Director John Conley reported that the PPO Subcommittee considered Amendment No. 1 to Papillion Creek Watershed State II Study Agreement with HDR Engineering, Inc., to develop a "needs assessment" for stormwater management on behalf of the Papillion Creek Watershed Partnership. He noted that there was no Subcommittee recommendation.

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

Recommendation that the General Manager, on behalf of the Papillion Creek Watershed Partnership, be authorized to execute Amendment No. 1 to the Papillion Creek Watershed Study Stage II Contract with HDR Engineering and increase the maximum fee from \$335,000 to \$370,000.

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

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

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

PPO Recommendation #3: P-MRNRD Long Range Implementation Plan: Recommendation that the FY 2004 Long Range Implementation Plan be approved.

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

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

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

PPO Recommendation #4: Walnut Creek Camping Fees: Recommendation that the camping fee for the Walnut Creek Campgrounds be increased to \$14.00 per night.

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

Voting Yea - Conley (John), Gardner, Jansen, Neary, Nichols, Thompson, Conley (Fred)
Voting Nay - Rubin, Tesar
Abstaining - None
Excused Absence - Connealy, Fowler
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 #5: Elk Creek Stabilization Structure Bids:– Recommendation that the General Manager be authorized to execute a contract with Western Contracting Corp. for the construction of a grade stabilization structure on Elk Creek in Dakota County for the base bid amount of \$96,365.20 and that the District staff be authorized to approve any change orders not exceeding 15% of the base bid price.

Director Gardner asked why the staff authorization for change orders was not to exceed 15% when the Policy Manual states that the limitation is not to exceed 10%. Dick Sklenar noted that the District’s Engineering Consultant, Sundquist Engineering, had recommended a change in the gauge of the sheet pile. A thicker 3/8” gauge is being recommended to reduce the likelihood of buckling. The estimated increase would be approximately \$11,826 which is over 10%. That is why the recommendation was 15%. He also stated that no other change orders were anticipated. Director Gardner stated that these changes need to be made prior to the bidding process.

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

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

Absent - None

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

PPO Recommendation #6: West Papio Trail (36th to 72nd Street) Bids: Recommendation that the General Manager be authorized to execute a contract with Hawkins Construction Company in the amount of \$983,642.56 for construction of the West Papio Trail Project (Papillion to Bellevue).

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

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

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

PPO Recommendation #7A&B: FY 2004 Vehicle and Equipment Bids:

- * **Bid Item A. - 2004 SUV (1):** Recommendation that the lowest and best bid of \$15,714 from Gregg Young be accepted with the trade-in of the District's 1996 Chevy Blazer.

- * **Bid Item B. - 2004, 1 Ton 4x4 Chassis Cab Trucks (2):** Recommendation that the lowest and best bid of \$29,545 from Lee Sapp be accepted with trade-in of the District's 1999 Ford F350 and 1997 Ford F350.

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

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

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

PPO Recommendation #7.C.: FY 2004 Vehicle and Equipment Bids:

- * **Bid Item C. - Hydraulic Excavator (1):** Recommendation that the bids be voided and that the District re-bid this item as a straight purchase with payments spread over 4 years and a full warranty and maintenance contract covering those years.

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

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

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

PPO Recommendation #7.D.: FY 2004 Vehicle and Equipment Bids:

- * **Bid Item D. - Agricultural Tractor (1):** Recommendation that the lowest and best bid of \$38,800 from Missouri Valley Implement be accepted with trade-in of the District's 1991 John Deere 4455 tractor.

Director Jansen stated that he had done some additional research and found that the shipping weight for the Case tractor was 12,000 pounds and the shipping weight for the John Deere was 17,000 pounds. He stated that he felt that the greater weight of the John Deere was a safety benefit on levee and channel side slopes and the Board should reconsider and purchase a John Deere tractor.

Amendment No. 1 to It was moved by Director Jansen and seconded by Director
Nichols
Motion No. 12 that the motion be amended to reflect that the bid of \$49,890 from Platte Valley Implement for a John Deere 7820 tractor be accepted with the trade-in of the District's 1991 John Deere 4455 tractor

Marlin Petermann pointed out that the low bidder for a John Deere tractor would be Cass County Implement at \$40,585 instead of the Platte Valley Implement bid of \$49,890.

Director Jansen stated that he would like to change his amendment to Cass County Implement instead of Platte Valley Implement. Director Nichols agreed to change her second to the changed amendment.

The changed amendment would read as follows:

Amendment No. 1 to Nichols It was moved by Director Jansen and seconded by Director
Motion No. 12 (CHANGED) that the motion be amended to reflect that the bid of \$40,585 from Cass County Implement for a John Deere 7820 tractor be accepted with the trade-in of the District's 1991 John Deere 4455 tractor

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

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

The amended motion would read as follows:

PPO Recommendation #7.D.: FY 2004 Vehicle and Equipment Bids:

* **Bid Item D. - Agricultural Tractor (1):** Recommendation that the bid of *\$40,585 from Cass County Implement for a John Deere 7820 tractor* be accepted with trade-in of the District's 1991 John Deere 4455 tractor.

Roll call vote was held on Motion No. 12 as amended. The amended motion carried on a vote of 8-yea and 1-nay.

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

C. Personnel, Legislative and Public Affairs Subcommittee: Director Barb Nichols reported that the PLPA Subcommittee had met on October 7, 2003 and gave a brief recap of the meeting.

•• **MOTION NO. 13** It was moved by Director Nichols and seconded by Director Jansen that the following recommendation be adopted:

PLPA Recommendation #1: Changes in GM's Insurance Policy and Annuity Plan:

* Recommendation that the changes as presented in the letter to

Chairperson Fred Conley from Gary Clatterbuck be approved.

- * Recommendation that the GM's life insurance policy be converted to a paid up status pursuant to accomplishing the transfers of the policy's cash value as set forth in the above recommendation.

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

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

TREASURER'S REPORT:

- **MOTION NO. 14:** It was moved by Director John Conley and seconded by Director Rubin 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 September, 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 Dakota County, Thurston County and Washington County rural water supply project and the Elkhorn River Bank Stabilization Project, the Elkhorn Breakout Project, the Elk/Pigeon Creek Drainage Project, and the Western Sarpy/Clear Creek operating accounts the project bills listed on the September, 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), Gardner, Jansen, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Connealy, Fowler
Absent	-	None

CHAIRPERSON’S REPORT:

A. Appointment of Ad-Hoc Consultant Selection Subcommittee: Chairperson Fred Conley reported that he was appointing the following Directors to serve on the following Ad-Hoc Subcommittees:

1. Dakota County Service Center Ad Hoc Consultant Selection Subcommittee:

Dick Connealy, Chairperson
John Conley
Joe Neary
Barb Nichols
Jim Thompson

2. Pigeon-Jones Creek Flood/Recreation Site #15 Ad Hoc Consultant Selection Subcommittee:

Dick Connealy, Chairperson
Fred Conley
John Conley
Tim Fowler
Rich Jansen

3. Missouri Riverfront Trail (NP Dodge Park to Washington County Line) Ad Hoc Consultant Selection Subcommittee:

Joe Neary, Chairperson
Melissa Gardner
Barb Nichols
Rich Tesar
Jim Thompson

B. Final Consideration of Amendments to District Policies (pursuant to “Paperless Project”):

- **MOTION NO. 15** It was moved by Director John Conley and seconded by Director Nichols that consideration of amendments to the District policies regarding the “Paperless Project” be taken from the table.

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

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

- **MOTION NO. 16** It was moved by Director Nichols and seconded by Director Jansen that the previously-presented amendments to the following polices be approved and incorporated in the P-MRNRD Policy Manual.

- 4.1 Board Meetings – Special Meetings
- 4.4 Board Meetings – Notice of Meetings and Expenditures
- 4.9 Board Meetings – Meeting Materials Distribution
- 4.10 Board Meetings – Agenda Distribution
- 5.3 Subcommittee – Notice of Meetings
- 5.9 Subcommittees – Meeting Materials Distribution
- 22.1 Miscellaneous – Papio-Missouri River NRD “Paperless Project”

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

Voting Yea - Conley (John), Gardner, Jansen, Neary, Nichols, Rubin, Tesar, Thompson, Conley (Fred)

Voting Nay - None

Abstaining - None

Excused Absence - Connealy, Fowler

Absent - None

C. 2003 MAPA Annual Dinner: Chairperson Fred Conley reported that the 2003 MAPA Annual Dinner would be held on October 15, 2003 at the Fontenelle Hills Country Club. He encouraged Directors to attend.

GENERAL MANAGER'S REPORT: GM Oltmans noted that Directors had received a copy of his written report. He then informed the Board of several upcoming meetings. Meetings are listed below. The GM also reminded Directors that due to Veterans’ Day falling on November 11th, Subcommittee meetings will be held on Thursday, November 6th.

INFORMATIONAL ITEMS:

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

- | | |
|------------------|---|
| October 13, 2003 | Congressman Doug Bereuter’s “Hear the Citizen” Meeting at 5:30 p.m., Papio-Missouri River NRD, NRC |
| October 15, 2003 | 2003 MAPA Annual Dinner, Fontenelle Hills Country Club, 1102 Country Club Court, Bellevue, NE
Social Hour 6:00 p.m.
Dinner 7:00 p.m.
Meeting 8:00 p.m. |
| October 20, 2003 | Happy Hollow Trail Public Meeting at 7:30 p.m., Dundee Presbyterian Church, 5312 Underwood St., Omaha, NE |

- October 23, 2003 Platte River Trail (Hwy 50 to Lied Bridge) Ad Hoc Consultant Selection Subcommittee at 7:00 p.m., NRC
- October 24, 2003 Public Meeting on Omaha LEAD Issues, 10:00 a.m. at NRC
- October 28, 2003 Western Douglas County Trails Public Meeting at 6:00 p.m. at the Valley Theater, Valley, NE
- Washington County Rural Water Supplemental Feasibility Study Public Meeting, at 7:00 p.m. at Ft. Calhoun High School Gymnasium
- October 29, 2003 Public Forum on Municipal Stormwater Management Funding Needs, sponsored by City of Omaha
- Afternoon Session: 3:30 - 5:00 p.m.
MAPA, 2222 Cuming Street, Omaha, NE
- Evening Session: 6:30 – 8:00 p.m.
Papio-Missouri River NRD, Natural Resources Center
- November 6, 2003 **P-MRNRD Subcommittee Meetings** (Regular meeting date is November 11th which is a District holiday)
- November 11, 2003 Veterans Day – P-MRNRD Offices Closed
- November 13, 2003 P-MRNRD Board Meeting at 8:00 p.m.
- Nov. 27-28, 2003 Thanksgiving Holiday – P-MRNRD Offices Closed

B. Other Information Items: The Chairperson acknowledged two students from Millard South High School attending the Board meeting as part of a civics class.

C. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on November 13, 2003 at the NRC.

ADJOURNMENT: Being no further business, the meeting adjourned at 9:10 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 October 9, 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