



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
October 9, 2008**

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. 154th St., Omaha, NE on October 9, 2008. The meeting was called to order by Chairperson Jim Thompson at 8:00 p.m.

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

Fred Conley	Dorothy Lanphier
John Conley	Rick Patterson
David Klug	Rich Tesar
Rick Kolowski	Jim Thompson

ADOPTION OF AGENDA:

- **MOTION NO. 1:** It was moved by Director Tesar and seconded by Director Kolowski that the agenda be adopted.

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

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

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Kolowski and seconded by Director Klug 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, 2008, Board of Directors Meeting:

Dick Connealy
John Schwope

Agenda Item 7 A. &B.:

- A. BE IT RESOLVED that the September 11, 2008, Papio-Missouri River NRD Board meeting minutes be approved as printed.
- B. BE IT RESOLVED that the September 10, 2008, Dakota County Rural Water Advisory 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), Klug, Kolowski, Lanphier, Patterson, Tesar, Thompson
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Connealy, Schwope
Absent	-	Connealy, Fowler, Schwope

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on October 2, 2008. The District's August, 2008, expenditures were published in the Washington County Enterprise on September 30, 2008. 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: Verlon Barnes, NRCS District Conservationist at the Omaha NRCS office, reported on NRCS activities for the past month. He also noted that Jeremy Bowes had been hired as the new DC in Tekamah NRCS office.

B. Nebraska Association of Resources Districts Report: Director Tesar reported that the NARD Annual Meeting was held September 28-30, 2008 at the Holiday Inn at Kearney, NE. The following represented the P-MRNRD at the conference: Directors Tesar, Fowler, Lanphier and Thompson; and staff members John Winkler, Gerry Bowen, Emmett Egr, Heather Guthridge and Marlin Petermann. He stated that it was a good conference and that all of the proposed NARD resolutions passed.

C. Nebraska Innovation Zone Commission Report: Kathy McKillip, NIZC Executive Director, briefed the Board on the activities of the Nebraska Innovation Zone Commission. She noted that the Commission was created in 2005 as a result of LB 546. She reported that the Commission contracted with HDR, RDG Planning and Design and Olsson Associates to lead a regional planning process for Cass, Douglas, Lancaster, Sarpy, Saunders and Washington counties and the Omaha and Lincoln metropolitan areas. She then distributed CDs of the Phase I Study of the NIZC Regional Comprehensive Plan and reviewed the findings with the Board.

SUBCOMMITTEE REPORTS:

A. Whitted Creek Restoration Project Ad Hoc Consultant Selection Subcommittee: Director Klug reported that the Ad Hoc Subcommittee met on October 7, 2008 and he gave a brief recap of the meeting.

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

Ad Hoc Recommendation #1: Contract with CH2MHill to provide engineering services for the Whitted Creek Restoration Project – Recommendation that the General Manager be authorized to execute a professional services contract with CH2MHill to provide design and construction administration services for Whitted Creek Stream Restoration Project for a maximum fee of \$298,560, 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 (Fred), Conley (John), Klug, Kolowski, Lanphier, Patterson, Tesar, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - Connealy, Schwope
Absent - Connealy, Fowler, Schwope

B. Washington County Flood Plain Mapping Project Ad Hoc Consultant Selection Subcommittee: Director Patterson reported that the Ad Hoc Subcommittee met on October 7, 2008 and gave a brief recap of the meeting.

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

Ad Hoc Recommendation #1: Contract with Kirkham Michael/AMEC to provide engineering services for the Washington County Flood Plain Mapping Project – Recommendation that the General Manager be authorized to execute a professional services contract with Kirkham Michael to prepare floodplain maps for Washington County for a not to exceed fee of \$204,483.00, 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 (Fred), Conley (John), Klug, Kolowski, Lanphier, Patterson, Tesar, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - Connealy, Schwope
Absent - Connealy, Fowler, Schwope

C. Programs, Projects and Operations Subcommittee: Director Tesar reported that the PPO Subcommittee met on October 7, 2008 and he gave a brief recap of the meeting.

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

PPO Recommendation #1: City of Omaha Master Plan Environmental Element Request for Assistance - Recommendation that the District contribute \$25,000 to the City of Omaha and “Omaha by Design” to complete the development of the Environmental Element of the City’s Master Plan.

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

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

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

PPO Recommendation #2 Bids for Two – 2009, Compact/Mid-Size Extended Cab, 4WD, Pickup Trucks – Recommendation that the bid from Woodhouse Ford for two Chevrolet Colorado trucks in the amount of \$29,406.00 be accepted with trade-in of the District’s 2003 Ford Ranger and 2005 Chevrolet Colorado.

Roll call vote was held on the motion. The motion carried on a vote of 5 yea and 3 nay.

Voting Yea - Conley (Fred), Conley (John), Klug, Kolowski, Lanphier
Voting Nay - Patterson, Tesar, Thompson
Abstaining - None

Excused Absence - Connealy, Schwope
Absent - Connealy, Fowler, Schwope

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

PPO Recommendation #3 Contract Award for Elk Creek Levee Repairs – Recommendation that the bid submitted by K&L Landscaping and Construction, Inc. in the amount of \$264,070.00 be rejected and that new bids be sought for the Elk Creek Stabilization Project #3.

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

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

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

PPO Recommendation #4. HDR Stage IV Contract Addendum to Provide Engineering Services for the Papio Creek Watershed Partnership through July 2009 – Recommendation Board that the General Manager be authorized to execute the Stage IV contract amendment with HDR Engineering, Inc. on behalf of the Papillion Creek Watershed Partnership, increasing the total not-to-exceed amount of the contract to \$466,400.00, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

The following individuals addressed the Board:

- ➔ Shawn Melotz, 10404 N. 132nd St., Omaha, NE
- ➔ Scott Japp, 4752 County Road 15, Arlington, NE

There was some concern expressed regarding the deletion of some of the tasks, i.e., the final summary public forums (subtask 230.3) and Refine Hydrologic Evaluation (subtask 360.1). There was discussion.

Roll call vote was held on the motion. The motion carried on a vote of 6 yea and 2 nay.

Voting Yea - Conley (Fred), Conley (John), Klug, Kolowski, Tesar, Thompson
Voting Nay - Lanphier, Patterson
Abstaining - None

Excused Absence - Connealy, Schwope
Absent - Connealy, Fowler, Schwope

Director Tesar noted that the Subcommittee was briefed by HDR on the West Papillion Creek Levee Restoration Evaluation Report. It was noted that new hydrology and changes to FEMA requirements had made the District's levees through Papillion to Bellevue not adequate to provide flood protection. No action taken on this item.

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

PPO Recommendation #5.b. Request For Proposals for West Papillion Regional Basin 5 – Recommendation that the General Manager be authorized to distribute the proposed Request for Proposals for professional engineering services necessary to plan, permit, design and construct proposed flood control structure WPRB-5.

The following individuals addressed the Board:

- ➔ Steven Shultz, 128 S. 68th St., Omaha, NE. He distributed The Appraisal Journal article "Viewshed Analyses to Measure the Impact of Lake Views on Urban Residential Properties." It is attached to the file copy of these minutes.
- ➔ Doug Kagan, representing the Nebraska Taxpayers for Freedom. A copy of Mr. Kagan's statement is attached to the file copy of the minutes.
- ➔ Shawn Melotz, 10404 N. 132nd St., Omaha, NE A copy of Ms. Melotz' statement is attached to the file copy of the minutes.
- ➔ Scott Japp, 4752 County Road 15, Arlington, NE
- ➔ Marian Maas, 13305 S. 33rd Circle, Bellevue, NE 68123. A copy of Dr. Maas' statement is attached to the file copy of the minutes.

There was discussion.

Roll call vote was held on the motion. The motion carried on a vote of 7 yea and 1 nay.

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

TREASURER'S REPORT:

- **MOTION NO. 10:** It was moved by Director John Conley and seconded by Director Kolowski:

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (l) claims listed in the September 2008,

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 September, 2008, 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), Klug, Kolowski, Lanphier, Patterson, Tesar, Thompson
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Connealy, Schwope
Absent	-	Connealy, Fowler, Schwope

CHAIRPERSON'S REPORT:

A. Appointment of WPRB-5 Regional Detention Structure Ad Hoc Consultant Selection Subcommittee – Chairperson Thompson advised the Board that he had appointed the following Directors to serve on the WPRB-5 Regional Detention Structure Ad Hoc Selection Subcommittee:

David Klug, Chairperson
Tim Fowler
Rick Kolowski
Rich Tesar
Jim Thompson
Alternate: Fred Conley

B. MAPA Annual Dinner – Chairperson Thompson reported that the MAPA Annual Dinner was held on October 8, 2008 at the Embassy Suites in LaVista. He noted that he and Directors Fred Conley and John Conley, and staff member Gerry Bowen attended the dinner.

C. Bridge Lighting Ceremony – Chairperson Thompson noted that the Bob Kerrey Pedestrian Bridge Lighting Ceremony was held on September 13, 2008. He displayed a token of appreciation presented to the District for its partnership in making the bridge a reality. A new P-MRNRD PSA featuring the Pedestrian Bridge was then shown.

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 asked Directors to contact him if there were any questions.

Director Tesar showed slides of the spraying of an aquatic-safe herbicide by helicopter to eradicate phragmites and other invasive species along the Platte River. The spraying was done as part of the Platte River Riparian Vegetative Management Demonstration Project. A Channel 6 news clip regarding the spraying was also shown.

The following individual addressed the Board:

Larry Bradley, 6068 Country Club Oaks Place, Omaha, NE

Director Patterson stated that he would like the Board to revisit the agreement the Board approved last month with Green Hearts to make sure that theirs is the best use of District property at the Rumsey Station Wetlands. After discussion, it was determined that this item will be placed on the next PPO agenda.

INFORMATIONAL ITEMS:

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

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| October 18, 2008 | Omaha Bicycle Summit, 8:00 a.m. – 2:00 p.m. at the National Park Service, Omaha |
| October 23, 2008 | Clean Solutions for Omaha Community Meeting, 6:30 – 8:00 p.m., Metropolitan Community College, South Campus, Mahoney Building – Room 534-A, 2909 Edward Babe Gomez Ave. |
| October 30, 2008 | Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC |
| November 4, 2008 | ELECTION DAY |
| November 6, 2008 | Lower Platte River Summit, 12:00 noon – 8:00 p.m.at Camp Calvin Crest (near Fremont). |
| November 6, 2008 | P-MRNRD Subcommittee Meetings |

November 11, 2008 Veterans' Day – P-MRNRD Offices Closed
November 13, 2008 P-MRNRD Board Meeting
November 27-28, 2008 Thanksgiving Holiday – P-MRNRD Offices Closed
December 9, 2008 P-MRNRD Subcommittee Meetings
December 11, 2008 P-MRNRD Board Meeting
December 25, 2008 Christmas Holiday – P-MRNRD Offices Closed

B. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on November 13, 2008 at the NRC.

ADJOURNMENT: Being no further business, at 10:40 p.m. the Chairperson declared that the meeting was adjourned.

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 October 9, 2008, 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.

Richard Tesar
District Secretary