



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
October 14, 2010**

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 14, 2010. 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	Dave Klug
Fred Conley	Dorothy Lanphier
John Conley	Rich Tesar
Tim Fowler	Jim Thompson
Gus Erickson	Rick Kolowski
Scott Japp	

ADOPTION OF AGENDA:

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

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

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

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Fred Conley 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 absences of the following Directors from the October 14, 2010, Board of Directors Meeting are excused:

None to date

Agenda Item 7. A.&B.

BE IT RESOLVED that the September 9, 2010 Papio-Missouri River NRD Board meeting minutes, and the September 8, 2010 Dakota County Rural Water Advisory Board meeting minutes, are approved as printed.

- **AMENDMENT** : It was moved by Director Japp and seconded by Director Lanphier that Agenda Item 7A and Agenda Item 7B be voted on separately.
NO. 1 TO
MOTION NO. 2

Roll call vote was held on the amendment. The amendment carried on a vote of 7-yea and 4-nay

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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on October 7, 2010. The District's August, 2010, expenditures were published in the Burt County Plaindealer on October 6, 2010. 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.)

APPROVAL OF MINUTES:

- **MOTION NO. 3:** It was moved by Director Thompson and seconded by Director John Conley that the minutes of the September 9, 2010 Board Meeting Minutes and the September 8, 2010 minutes of the Dakota County Rural Water Advisory Board be approved:

- **AMENDMENT** : It was moved by Director Japp and seconded by Director Lanphier that Motion No. 6 regarding the FY 2011 budget be removed from the September 9, 2010 Board minutes
NO. 1 TO
MOTION NO. 3

GM Winkler answered several questions from Director Japp.

Roll call vote was held on the amendment. The amendment failed on a vote of 1-yea, 9-nay and 1-abstention.

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

Director Lanphier noted that she was bringing Agenda Item 7.B., approval of September 8, 2010, Dakota County Rural Water Advisory Board Meeting Minutes, to the Board as an informational item. She noted that the Advisory Board voted to table the financial report because of questions regarding the large amount of pay outs for the month of August. Dick Sklenar explained that the expenditures included two months of water and quarterly reimbursement to the District for wages.

Roll call vote was held on Motion No. 3. The motion carried on a vote of 9-yea, 1-nay and 1-abstention.

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

AGENCY AND ASSOCIATION REPORTS:

A. Natural Resources Conservation Service Report: Neil Jensen, NRCS District Conservationist, briefed the Board on NRCS activities for the past month including the Conservation Stewardship Program. He also noted that 218 students from 9 schools participated in the 6th grade Conservation Day was held on September 29, 2010 at Summit Lake. He also stated that 300 high school students from 15 area schools participated in the East-Central Land Judging Competition was held on October 6, 2010 on the Randy Rink farm east of Pender.

B. Nebraska Association of Resources Districts: Director Tesar reported that the 2010 NARD Annual Conference was held on September 26-28, 2010 in Kearney, NE. He thanked Directors and staff who attend the conference. He noted that all of the proposed resolutions, including a late resolution submitted by the Tri-Basin NRD regarding water rights transfers for non-consumptive uses, and amendments to NARD policies were adopted. He also noted that the NARD Board would be meeting on November 8, 2010 in Crofton, NE.

C. Lower Platte River Corridor Alliance Report: The LPRCA Report will be e-mailed to Directors as soon as available.

D. Nebraska Natural Resources Commission Report: Beverly Donaldson noted that the Biennial Report to the Governor and the Legislature describing the work accomplished by the Resources Development Fund is completed. Since its beginning in 1974, the Resources Development Fund has provided state funding assistance to 70 water and related land resources

projects and has allocated more than \$97 million. She also indicated that small amount had been allocated as a bookmark for funding for the Pigeon/Jones Project.

SUBCOMMITTEE REPORTS:

A. Finance, Expenditures and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on October 12, 2010 and he gave a brief recap of the meeting.

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

FEL Recommendation #1: Western Sarpy Levee/Vencil's Island Reciprocal Permanent Easement Agreement with Winter Quarters Joint Venture – Recommendation that the General Manager be authorized to execute the Reciprocal Permanent Easement Agreement and Quit Claim Deed with Winter Quarters Joint Venture for the Western Sarpy-Clear Creek Levee Project, in the form as presented to the Subcommittee's meeting.

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

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

B. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on October 126, 2009 and he gave a brief recap of the meeting. He noted that the Subcommittee received an update on the bids received for the Waterloo Levee construction. No Subcommittee action was required.

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

PPO Recommendation #2: Keystone East Trail Project – Request for Increased Funding – Recommendation that the City of Omaha's request for an increase in funding from \$200,000 to \$700,000 for Phase 1 of the Keystone East Connector Trail Project be approved, and that these funds be included in the FY 12 Budget.

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

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

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

PPO Recommendation #3: Missouri River Trail – N.P. Dodge Park to Douglas/Washington County Line Professional Services Contract Amendment – Recommendation that the General Manager be authorized to execute the proposed addendum to the February 10, 2005 Amended Professional Services Agreement between the Papio-Missouri River Natural Resources District and HGM Associates Inc., in the form as presented to the Subcommittee meeting, calling for completion of final design, right of way acquisition and construction services for the Missouri River Trail (N.P. Dodge Park North to Douglas/Washington County Line) Project, for a not-to-exceed fee in the amount of \$938,304; and, further, that the General Manager be authorized to execute a supplemental agreement with NDOR, both to be subject to changes deemed necessary by the General Manager and approved as to form by the District Legal Counsel.

Ron Tekippe and Dennis Wilson of HGM answered several questions.

- **MOTION NO. 7** It was moved by Director Lanphier and seconded by Director Japp that the Missouri River Trail – N.P. Dodge Park to Douglas/Washington County Line Professional Services Contract Amendment be laid over.

Roll call vote was held on the motion. The motion failed on a vote of 3-yea and 8-nay.

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

Roll call vote was held on the original motion. The motion carried on a vote of 9-yea and 2-nay.

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

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

PPO Recommendation #4: Amendment to Olsson Associates Professional Services Contract for Pigeon/Jones Watershed Project – Recommendation that the

General Manager be authorized to execute the professional services contract amendment with Olsson Associates for the Pigeon/Jones Watershed Site #15 Project, bringing the total not-to-exceed maximum fee amount for services under the contract to \$1,213,103.00, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

Ralph Puls answered several questions from Director Japp.

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

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

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

PPO Recommendation #5: FY 2011 Long Range Implementation Plan – Recommendation that the District’s Fiscal Year 2011 Long Range Implementation Plan, be approved.

The following individual addressed the Board:

➤ Shawn Melotz, 10404 N. 132nd St., Omaha, NE.

Amanda Grint answered several questions from Director Japp.

Roll call vote was held on the motion. The motion carried on a vote of 8-yea and 3-nay.

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

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

PPO Recommendation #6: Bids for District Vehicles – Recommendation that the follow bids be accepted:

Bid Item A – 2011, Crossover, AWD Vehicle: The staff recommends that the low and best bid of \$22,733 submitted by Sid Dillon be accepted.

Bid Item B – 2011, ¾ Ton, 4WD, Extended Cab Pickup Truck with Tow Package: The staff recommends that the low and best bid of \$23,270 submitted by Woodhouse Ford be accepted.

Bid Item C – 2011, ½ Ton, 4WD, Extended Cab, Pickup Truck with Tow Package: The staff recommends that the low and best bid of \$14,936 from Sid Dillon be accepted, with trade-in of the District’s 2006, Ford, F250 Regular Cab, 4WD, Pickup Truck, VIN number 1FTNF21506EC02469.

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

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

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

PPO Recommendation #7: Request from Village of Waterloo regarding Elkhorn River Public Access – Highway 64 – Recommendation that the General Manager be authorized to execute a First Addendum to the Interlocal Cooperation Act Agreement between the Village of Waterloo and the District for the Elkhorn River Canoe Access Site, such First Addendum calling for the District to resume responsibility for operation and maintenance of the site and containing such other terms and conditions as the General Manager determines necessary and District legal counsel approves as to form.

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

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

TREASURER'S REPORT:

•• **MOTION NO. 12:** 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 September, 2010, 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, 2010, 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 on a vote of 9-yea, 1-nay and 1-abstention.

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

CHAIRPERSON'S REPORT:

A. P-MRNRD Board of Directors Meeting Schedule for 2011: Chairperson Kolowski noted that the following was the proposed schedule for calendar year 2011:

January 13, 2011	July 14, 2011
February 10, 2011	August 11, 2011
March 10, 2011	September 8, 2011
April 14, 2011	October 13, 2011
May 12, 2011	November 10, 2011
June 9, 2011	December 8, 2011

B. Change Scheduled November Subcommittee Meeting Date (November 16, 2010) and Board Meeting Date (November 18, 2010): Chairperson Kolowski noted that the November Board meeting would normally be held on November 11th, but due to Veterans' Day the meeting

had been scheduled to November. He suggested that the meeting dates be changes to Tuesday, November 9th for the Subcommittee meetings and Wednesday, November 10th for the Board meeting

- **MOTION NO. 13** It was moved by Director Thompson and seconded by Director Klug that the following resolutions be adopted:

*Agenda Item 11. A. - P-MRNRD Board of Directors Meeting Scheduled for 2011

BE IT RESOLVED that the following be adopted as the schedule for Papio-Missouri River NRD Board of Directors meetings for calendar year 2011:

January 13, 2011	July 14, 2011
February 10, 2011	August 11, 2011
March 10, 2011	September 8, 2011
April 14, 2011	October 13, 2011
May 12, 2011	November 10, 2011
June 9, 2011	December 8, 2011

*Agenda Item 11.B. – Change November Subcommittee and Board Meeting Dates

BE IT RESOLVED that the scheduled November Subcommittee Meetings (November 16, 2010) and Board Meeting (November 18, 2010) be changed to the following dates:

Subcommittee Meetings	Tuesday, November 9, 2010
Board Meeting	Wednesday, November 10, 2010

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

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

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 announced that the District would be receiving the Governor's Excellence in Wellness Award at the Sower Level at a banquet on October 21st. The award recognizes the District for planting the seed of wellness for employees and demonstrating leadership in worksite health promotion.

INFORMATIONAL ITEMS:

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

November 9, 2010	P-MRNRD Subcommittee Meetings
November 10, 2010	P-MRNRD Board Meeting
November 11, 2010	Veteran's Day – P-MRNRD Offices Closed
November 18, 2010	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
November 25-26, 2010	Thanksgiving Holiday – P-MRNRD Offices Closed
December 7, 2010	P-MRNRD Subcommittee Meetings
December 9, 2010	P-MRNRD Board Meeting
December 16, 2010	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
December 24, 2010	Christmas Holiday – P-MRNRD Offices Closed
December 31, 2010	New Year's Holiday – P-MRNRD Offices Closed
January 11, 2011	P-MRNRD Subcommittee Meetings
January 13, 2011	P-MRNRD Board Meeting
January 17, 2011	Martin Luther King Day – P-MRNRD Offices Closed
January 25-26, 2011	NARD Legislative Conference, Lincoln, NE
January 27, 2011	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
Jan 30 – Feb 2, 2011	National Association of Conservation Districts 2011 Annual Meeting, Nashville, TN

B. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on November 10, 2010 at 7:00 p.m. at the NRC.

Director Lanphier distributed an Omaha World Herald editorial, "Get Facts on Watershed Plan – Protection on the Papiro" published on September 1, 2010. She noted that there were several errors. GM Winkler noted that he was aware of this and contacted the World Herald to correct them. A retraction was published on September 6, 2010.

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 9:00 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 October 14, 2010, 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