



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING  
September 15, 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 Dakota County Natural Resources Center, 1505 Broadway, Dakota City, NE on September 15, 2005. The meeting was called to order by the Chairperson, Rich Jansen, at 8:00 p.m.

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

Fred Conley	John Schwope
Tim Fowler	Rich Tesar
Rick Kolowski	Jim Thompson
Joe Neary	Rich Jansen

Chairperson Rich Jansen noted that Directors John Conley, Dick Connealy and Dorothy Lanphier had excused absences.

**ADOPTION OF AGENDA:**

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

**ADOPTION OF CONSENT AGENDA:**

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

Agenda Item 3.A.:

BE IT RESOLVED that the following Director(s) have excused absences from the September 15, 2005 Board of Directors Meeting:

John Conley  
Dick Connealy  
Dorothy Lanphier

Agenda Item 6 A.:

BE IT RESOLVED that the August 11, 2005, Papio-Missouri River NRD Board meeting minutes and the August 10, 2005, 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), Fowler, Kolowski, Neary, Schwope, Tesar, Thompson, Jansen  
Voting Nay - None  
Abstaining - None  
Excused Absence - Conley (John), Connealy, Lanphier  
Absent - Conley (John); Connealy, Lanphier

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on September 8, 2005. The District's July, 2005, expenditures were published in the Papillion Times on September 6, 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 Report: Verlon Barnes, District Conservationist at the NRC in Omaha, reported on NRCS activities for the past month. A copy of the NRCS report was posted to the District's website.

B. Nebraska Association of Resources Districts Report: Director Tesar reported that the NARD Annual Conference would be held September 25-27, 2005 in Kearney, NE. The following will be representing the P-MRNRD at the conference: Directors Tesar and Lanphier; and, staff members Steve Oltmans, Marlin Petermann, Gerry Bowen, Emmett Egr, Christine Jacobsen, Ralph Puls and Terry Schumacher.

C. Report on South Sioux City Activities: Lance Hedquist, City Administrator, welcomed the Board to the Siouxland area. He stated that the District should be proud of the new facility and the commitment to provide better customer services through the joint cooperation of the offices located in this facility. He noted that there is a projected \$100 million in new construction in our area. He stated that this would not happen if we did not have good quality of life and quality environment and the NRD is an integral part of helping us to improve the environment and quality of life in Dakota County. He reported that Crystal Cove, a \$1.6 million Corps of Engineers Section 514 project, is underway and that the Crystal Lake restoration project is now in the planning stages. He then detailed several other projects in which the City is involved.

GM Oltmans noted that South Sioux City will be dedicating a building in honor of Mr. Hedquist and stated that it was a well-deserved tribute.

D. Report on Dakota City Activities: Bob Peters, City Administrator, welcomed the Board to Dakota City. He stated that the highlight of the year for Dakota City was the completion of the Natural Resources Center. He reported that 8 permits for new houses were issued and that Tyson Foods has announced an expansion of their facilities. The valuation in Dakota City has increased 12.7% over last year. He also reported that Dakota City had hosted the Lewis and Clark Exposition and their return at Cottonwood Cove Park. He thanked the Board for cost sharing in the signage and plantings in the highway corridor. He then reported on the other accomplishments of the people of Dakota City.

E. 25 Years of Rural Water Service: Bill Haafke, Chairperson of the Dakota County Rural Water Advisory Committee and staff member Randy Hummel, gave a presentation regarding the history of the Dakota County Rural Water Supply Improvement Project.

F. Nebraska Environmental Trust Fund Report: Vince Kramper reported that the Environmental Trust Fund Board had received 85 new applications, totaling approximately \$35 million with \$9 million to award. He noted that he was on the Grant Selection Committee. He also pointed out that the Soil and Water Conservation Society presented the Merit Award to Nebraska Environmental Trust Board. Their next meeting will be a special meeting on September 23<sup>rd</sup> and the next regular meeting will be held November 3, 2005.

G. Nebraska Natural Resources Commission Report: Vince Kramper reported that there was \$3.6 million in the Resource Development Fund for new projects. The Commission has established a revolving fund base for FY 05-06 for the Small Watershed Flood Control Fund and set the base at \$700,000. The next Commission meeting will be September 27, 2005, in Kearney.

### **SUBCOMMITTEE REPORTS:**

A. Programs, Projects and Operations Subcommittee: Director Tesar reported that the PPO Subcommittee met on September 13, 2005 and gave a brief recap of the meeting

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

*PPO Recommendation #1:* Mentored Youth Hunting Agreement with NE Game and Parks Commission: Recommendation that the General Manager be authorized to execute the proposed revised agreement with the Nebraska Game and Parks Commission to allow for mentored youth hunting and fishing on the Glasshoff Tract at Vencil's Island.

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

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

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

*PPO Recommendation #2* Agreements for Papio Dam Site 13 Project

- a. Interlocal Agreement with City of Omaha and City of Elkhorn: Recommendation that the General Manager be authorized to execute the proposed Interlocal Agreement between the District, the City of Omaha and the City of Elkhorn for Dam Site 13 Improvements, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.
- b. Addendum to Purchase Agreement with Lyman-Richey Corporation: Recommendation that the following resolution be adopted:

WHEREAS, on December 9, 2004, this Board of Directors authorized the execution of a purchase agreement with Lyman Richey Corporation providing, among other things, for the purchase of approximately 25 acres of land for the Dam Site 13 Project, and providing for a closing on September 16, 2005; and,

WHEREAS, due to the inability of Lyman-Richey to accomplish all pre-closing conditions, it is necessary that such closing be postponed briefly,

NOW, THEREFORE, BE IT RESOLVED that the General Manager is hereby authorized to execute an addendum to such Purchase Agreement, in the form approved by District legal

counsel, extending the closing date for such purchase to no later than October 28, 2005.

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

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

Director Tesar reported that the Subcommittee had been briefed regarding a request from the Village of Kennard for a \$200,000 grant for pumping wastewater to the City of Blair for treatment. No action is required at this time.

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

*PPO Recommendation #4* Grant Application for MoPac Equestrian Trail Improvements: Recommendation that the General Manager be authorized to submit a grant application to the Recreation Trails Program administered by the Nebraska Game and Parks Commission for the Mopac Equestrian Trail; and, that the resolution presented to the Subcommittee be adopted.

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

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

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

*PPO Recommendation #5:* Western Sarpy Clear/Creek Project Cabins Demolition Services Contract: Recommendation that the General Manager be authorized to execute the proposed contract with Brown Excavating/Warren Corporation for \$14,700 for the Western Sarpy/Clear Creek Project Cabin Demolition (Tracts 5L and 6L).

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

Voting Yea - Conley (Fred), Fowler, Kolowski, Neary, Schwope, Tesar, Thompson, Jansen

Voting Nay	-	None
Abstaining	-	None

Excused Absence - Conley (John), Connealy, Lanphier  
Absent - Conley (John); Connealy, Lanphier

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

*PPO Recommendation #6:* Elk Creek Channel Grade Stabilization Structure #2 Project Bids: Recommendation that the General Manager be authorized to execute the proposed contract with L.A. Carlson Contracting, Inc., for \$165,085.25 for the Elk Creek Channel Grade Stabilization Structure #2 Project.

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

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

B. Finance, Expenditures and Legal Subcommittee: Director Thompson reported that the FEL Subcommittee met on September 13, 2005 and gave a brief recap of the meeting

**PUBLIC HEARING – Set Property Tax Request for Fiscal Year 2006:**

Chairperson Jansen appointed General Manager Oltmans as Hearing Officer. Hearing Officer Oltmans submitted the following exhibits for the record.

- Exhibit 1** Agenda
- Exhibit 2** Proof of Publication of Hearing Notice
  - ◆ Omaha World-Herald - September 10, 2005
  - ◆ Sioux City Journal - September 9, 2005
- Exhibit 3** Fact Sheet - FY 2006 Budget
- Exhibit 4** P-MRNRD FY 2006 Expenditures/Revenues Pie Chart
- Exhibit 5** 2005 Tax Levy Comparisons
- Exhibit 6** FY 2006 Budget Worksheets
- Exhibit 7** Resolution to Set Property Tax Request for FY 2006 at \$15,730,410.58 with a tax levy of 0.039094/\$100

Mr. Oltmans noted that State Statute 77-1601.02 requires the Board to hold a public hearing to set the property tax request for FY 2006 if the amount requested is different from the property tax request for FY 2005. It was noted that the Board adopted the FY 2006 budget at its August 11, 2005, meeting which called for a property tax request of \$15,730,410.58 and a tax levy of 0.039094/\$100. Mr. Oltmans then reviewed specific District programs and projects.

Mr. Oltmans opened the floor to the public. There were no comments. Mr. Oltmans then relinquished the floor to Director Thompson.

**SET PROPERTY TAX REQUEST FOR FISCAL YEAR 2006:**

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

*FEL Recommendation #1:* FY 2006 Budget: Recommendation that the following resolution be adopted:

**WHEREAS the Papio-Missouri River NRD Board of Directors at the August 11, 2005, meeting adopted the FY 2006 budget with a property tax request of \$15,730,401.58;**

**NOW THEREFORE BE IT RESOLVED that the tax levy of 0.039094/\$100 for FY 2006 be adopted and that certified copies (see below) of this resolution be forwarded to County Clerks.**

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the Papio-Missouri River NRD passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and,

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and,

WHEREAS, it is in the best interests of the Papio-Missouri River NRD that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District by a majority vote, resolved that:

1. The FY 2006 property tax request be set at \$15,730,401.58 with a tax levy of 0.039094/\$100.



2. A copy of this resolution be certified and forwarded to the County Clerks within the District prior to October 13, 2005.

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

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

C. Personnel, Legislative and Public Affairs Subcommittee: Director Tesar reported that the PLPA Subcommittee met on September 13, 2005, and gave a brief recap of the meeting

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

*PLPA Recommendation #1:* Resolutions to be Considered at the NARD Annual Conference: Recommendation that the Papio-Missouri River NRD take the following positions on resolutions to be considered at the NARD Annual Conference:

Reso #	Description	Recommended Position
2005-1	Reuse Pits, sponsored by the Upper Big Blue NRD	<b>Support</b>
2005-2	Chemigation, sponsored by the Tri-Basin NRD	<b>Support</b>
2005-3	Groundwater Use Fee, sponsored by the Upper Republican NRD	<b>Oppose</b>

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

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

**TREASURER'S REPORT:**

- **MOTION NO. 10:** It was moved by Director Kolowski and seconded by Director Fred Conley 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 August 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 August 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), Fowler, Kolowski, Neary, Schwope, Tesar, Thompson, Jansen
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Conley (John), Connealy, Lanphier
Absent	-	Conley (John); Connealy, Lanphier

**CHAIRPERSON'S REPORT:**

A. P-MRNRD Board of Directors Meeting Schedule for 2006: Chairperson Jansen pointed out to the Board the proposed meeting schedule for calendar year 2006.

•• **MOTION NO. 11** It was moved by Director Fred Conley and seconded by Director Thompson that the following resolution be adopted:

BE IT RESOLVED that the following be adopted as the schedule for Papio-Missouri River NRD Board of Directors meeting for calendar year 2006:

January 12, 2006	July 13, 2006
February 9, 2006	August 10, 2006
March 9, 2006	September 14, 2006
April 13, 2006	October 12, 2006
May 11, 2006	November 9, 2006
June 8, 2006	December 14, 2006

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

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

B. Appointment of Papio Site 3C and 1 Preliminary Design Ad Hoc Consultant Selection Subcommittee: Chairperson Jansen announced that he was appointing the following Directors to the Papio Site 3C and 1 Preliminary Design Ad Hoc Consultant Selection Subcommittee:

Tim Fowler, Chairperson  
Rich Tesar, Vice Chairperson  
Richard Connealy  
John Conley  
Jim Thompson

Alternate Voting Members: Fred Conley  
Rick Kolowski

**GENERAL MANAGER'S REPORT**: GM Oltmans noted that his GM report had been posted to the website. If there were any questions/comments, please contact him. He then gave a brief update on the California Bend Project.

**INFORMATIONAL ITEMS**:

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

September 18, 2005	World O! Water – A Water Festival for Kids and Adults, 12:00 noon – 4:00 p.m., NRC
Sept. 25-27, 2005	Nebraska Association of Resources Districts Annual Conference, Kearney, NE
September 27, 2005	Nebraska Natural Resources Commission Meeting, Kearney, NE
October 6, 2005	Public Scoping Meeting on Turtle Creek Site 2 7:00 – 9:00 p.m., NRC
October 7, 2005	Pallid Sturgeon Task Force Meeting, Lower Loup NRD Office, Ord, NE
October 11, 2005	P-MRNRD Subcommittee Meetings
October 13, 2005	P-MRNRD Board Meeting
November 8, 2005	P-MRNRD Subcommittee Meetings

November 10, 2005 P-MRNRD Board Meeting

November 11, 2005 Veteran's Day – P-MRNRD Offices Closed

Nov. 24-25, 2005 Thanksgiving Holiday – P-MRNRD Offices Closed

B. Next Meeting: The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on October 13, 2005 at the NRC.

**ADJOURNMENT:** Being no further business, the meeting adjourned at 9:15 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 September 15, 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 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.

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Richard Tesar  
District Secretary