



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
September 9, 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 Dakota County Service Center, 1505 Broadway, Dakota City, NE on September 9, 2010. The meeting was called to order by Vice-Chairperson, Dave Klug, at 7:00 p.m.

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

Larry Bradley	Scott Japp
Fred Conley	Jim Thompson
John Conley	Dave Klug
Gus Erickson	

ADOPTION OF AGENDA:

- **MOTION NO. 1:** It was moved by Director Thompson and seconded by Director Fred Conley that the meeting agenda be adopted.

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

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

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Erickson and seconded by Director Fred Conley 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 September 9, 2010, Board of Directors Meeting are excused:

Tim Fowler
Rick Kolowski
Dorothy Lanphier
Rich Tesar

Agenda Item 7. A.&B.

BE IT RESOLVED that the August 12, 2010 Papio-Missouri River NRD Board meeting minutes, and the August 11, 2010 Dakota County Rural Water Advisory Board meeting minutes, are approved as printed.

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

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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on September 2, 2010. The District's July, 2010, expenditures were published in the Burt County Plaindealer on August 25, 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.)

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 to include the Wildlife Habitat Incentive Program. He also distributed copies of the Cooperative Working Agreement between the NRCS and the Papio-Missouri River NRD for review.

B. Nebraska Association of Resources Districts: Director Klug noted that the NARD Annual Meeting will be held September 26-28, 2010 in Kearney, NE. Directors Tesar, Erickson and Thompson; and staff members John Winkler, Gerry Bowen, Emmett Egr, Marlin Petermann, Dick Sklenar and Brian Henkel will be representing the District.

C. Lower Platte River Corridor Alliance Report: The LPRCA Report was distributed to the Board.

D. Report on South Sioux City Activities: Lance Hedquist and Joe Johnson welcomed the Board to the Dakota County area. They thanked the District for partnering with South Sioux City to complete the Silver Lake Drainage Project to provide flood control to the northwest portion of the City. They reported that the project worked flawlessly during the recent rain events. They also noted that the NRD had helped to fund trails, rain gardens and recreation development projects that have enhanced the quality of life for the people of South Sioux City.

E. Report on Dakota City Activities: Bob Peters, City Administrator, thanked the Board for meeting in Dakota City. He noted that the City and the District has a unique, positive relationship. He indicated that the rural water system had experienced some water quality issues and that the District and the City had been responsive and worked together to resolve the problem.

F. Environmental Trust Fund Report: Vince Kramper reported that the Nebraska Environmental Trust Fund had awarded \$15 million in grant dollars this year. He also noted that the P-MRNRD had been awarded \$977,000 in 2009; \$823,650 in 2010 and \$660,000 in 2011 for a total of \$2.4 million for the Pigeon/Jones Project. The next meeting will be held on November 9, 2010 at the Ferguson House in Lincoln.

G. Nebraska Natural Resources Commission Report: Vince Kramper reported that the Commission had last met June 16-17, 2010 in Lincoln. He noted that the Commission had approved a request for an allocation increase of Resources Development Funds of \$1,666,770 for the Western Sarpy/Clear Creek Project. \$954,764.50 was approved for 2010 and the remaining \$712,005.50 will be requested in FY 2012. The total allocation for the project is \$7,435,994.50. Mr. Kramper then advised the Board that he was retiring from the Nebraska Natural Resources Commission after 28 years of service.

H. Report on the Omadi Drainage District: Dick Sklenar showed a map of the Omadi Drainage District and showed slides of the area. Bryce Andersen, Omadi Drainage District Board Member, reviewed the history of the drainage district and noted that they have experienced severe problems over the years. He stated that the Omadi Drainage District would be submitting a formal request to the NRD to study the area and hopefully come up with an appropriate solution.

PUBLIC HEARING – Set Property Tax Request for FY 2011 Budget:

Chairperson Klug appointed GM Winkler as the Hearing Officer. GM Winkler called the hearing to order at 7:45 p.m. Hearing Officer Winkler submitted the following exhibits for the record.

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| Exhibit 1 | Agenda |
| Exhibit 2 | Proof of Publication of Hearing Notice |
| | ◆ Dakota County Star – September 2, 2010 |
| | ◆ Omaha World-Herald - September 4, 2010 |
| Exhibit 3 | Fact Sheet - FY 2011 Budget |

- Exhibit 4** Pie Charts – FY 2011 Adopted Revenues and Expenditures
- Exhibit 5** FY 2011 Budget Worksheets
- Exhibit 6** Resolution to Set Property Tax Request for FY 2011 at \$16,728,178.86 with a tax levy of 0.032753/\$100

Mr. Winkler noted that the Board adopted the FY 2011 budget at its August 12, 2010, meeting which called for a property tax request of \$16,728,178.86 with a tax levy of 0.032753/\$100. This is a decrease of 0.000003 over last year’s tax levy of 0.033756. Mr. Winkler opened the floor to the public. There were no comments. Hearing Officer Winkler closed the Public Hearing at 7:48 p.m. and returned the floor to Chairperson Klug.

SUBCOMMITTEE REPORTS:

A. Programs, Projects and Operations Subcommittee: Director John Conley reported that the PPO Subcommittee met on September 7, 2010, and gave a brief recap of the meeting.

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

PPO Recommendation #1: Dissolution of the Lower Platte Basin Coalition Interlocal Cooperative Agreement and Approval of the Lower Platte Basin Coalition II Interlocal Cooperation Agreement – Recommendation that the General Manager be authorized to execute the Dissolution Plan to dissolve the previous Lower Platte Basin Coalition and to execute the interlocal cooperation act agreement to re-form the new Lower Platte River Basin Coalition, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

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

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

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

PPO Recommendation #2: Addition to Directors Policy Manual Section 21 – Compliances – Recommendation that Policies 21.1 – ADA Compliance and 21.2 – Title VI Civil Rights Compliance, in the form as presented to the Subcommittee be adopted by the Board and placed in the District’s Policy Manual.

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

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

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

PPO Recommendation #3: Contract Amendment with Tetra Tech for Phase II of the Missouri River Levee System Units R-613 and R-616 Certification – Recommendation that the General Manager be authorized to execute the professional services contract amendment with Tetra Tech, Inc. for Phase II of the Missouri River Levee System Units R-613 and R-616 Certification Project, bringing the total not to exceed maximum amount of the contract to \$1,027,254, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

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

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

B. Finance, Expenditures and Legal Subcommittee: Director Thompson reported that the FEL Subcommittee met on September 7, 2010 and gave a brief recap of the meeting.

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

FEL Recommendation #1.: FY 2010 Budget – Set Property Tax Levy – 0.032753 and Amended Resolution – Recommendation that the following resolution be adopted:

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 held on September 9, 2010, as required by law to hear and consider comments concerning the property tax request; and,

WHEREAS, it is in the best interest 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 2011 property tax request be set at \$16,728,178.86 with a tax levy of 0.032753/\$100.
2. And, that a copy of this resolution be certified and forwarded to the County Clerks within the District prior to October 13, 2010.

And that the following amended resolution be adopted:

BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District that the attached budget document and incorporated herein by reference, showing Total Requirements of ~~\$79,073,230.06~~ **\$59,567,587.78** as follows,

Operating Budget	\$79,023,230.06 \$59,517,587.78
Uninsured Liability Sinking Fund	\$50,000.00

and Property Tax Requirement of ~~\$16,805,428.86~~ **\$16,728,178.86** should be and is hereby adopted as the Fiscal Year 2011 budget of the Papio-Missouri River Natural Resources District.

BE IT FURTHER RESOLVED that the Board of Directors of the Papio-Missouri River Natural Resources District hold a Public Hearing to set the Final Property Tax Request and Tax Levy for Fiscal Year 2011 at the September 9, 2010 Board of Directors meeting, after final valuations have been received from Douglas, Sarpy, Dodge, Washington, Burt, Thurston and Dakota Counties.

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

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

A. Personnel, Legislative and Public Affairs Subcommittee: Chairperson Klug reported that the PLPA Subcommittee met on September 7, 2010 and gave a brief recap of the meeting.

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

PLPA Recommendation #1.: Issues to be Considered at the NARD Annual Conference – Resolutions and Changes to NARD Policy Book: Recommendation that the Papio-Missouri River NRD take the following positions on resolutions and policy handbook changes to be considered at the NARD Annual Conference

Reso #	Description	P-MRNRD Position
2010-1	Resolution for Clarity in Automatic Banking Deposits, submitted by Little Blue NRD	Support
2010-2	Revise Rules to Improve Efficiency of Nebraska Soil and Water Conservation Program, submitted by Lower Elkhorn NRD	Support

Changes to NARD Policy Manual - Description	P-MRNRD Position
Correct Printing Error in Policy #2009-1 – Proactive Development and Implementation of Integrated Management Plans	Support
Create One Policy on Water Banking	Support
Place Policy #2008-3 – Governmental Subdivision Aid on Inactive Status	Support

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

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

TREASURER'S REPORT:

- **MOTION NO. 8:** It was moved by Director John Conley 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, 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 August, 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 motion. The motion carried on a vote of 6-yea and 1-nay.

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

CHAIRPERSON'S REPORT: Chairperson Klug thanked Dakota City and South Sioux City for hosting the District's Board meeting. He also thanked Vince and Dorothy Kramper for their hospitality. Chairperson Klug then expressed his appreciation to District staff for their work on this year's budget.

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 thanked Vince and Dorothy Kramper for hosting the picnic dinner at their farm. He also thanked Mr. Kramper for his 28 years of service on the Nebraska Natural Resources Commission and for all his help to the District over the years.

INFORMATIONAL ITEMS:

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

September 18, 2010	Heron Haven Wetland Festival, 1:00 – 6:00 p.m. at Heron Haven, 11809 Old Maple Rd (near 120 th and Maple Streets)
September 19, 2010	World O! Water Festival , 12:00 noon – 4:00 p.m. at Chalco Hills Rec Area

September 23, 2010	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
Sep. 26-28, 2010	NARD Annual Conference, Kearney, NE
October 12, 2010	P-MRNRD Subcommittee Meetings
October 14, 2010	P-MRNRD Board Meeting
October 22, 2010	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
November 11, 2010	Veteran's Day – P-MRNRD Offices Closed
November 16, 2010	P-MRNRD Subcommittee Meetings
November 18, 2009	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
November 18, 2010	P-MRNRD Board Meeting
November 25-26, 2010	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 14, 2010 at 7:00 p.m. at the NRC.

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 8:00 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 September 9, 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