

**Papio-Missouri River Natural Resources District
Board of Directors Meeting
Suggested Resolutions/Recommendations
January 10, 2019**

***Agenda Item 5 - Agenda**

BE IT RESOLVED that the agenda be adopted.

***Agenda Item 6 – Consent Agenda**

BE IT RESOLVED that the following resolutions on the consent agenda are hereby adopted.

Agenda Item 4.A.

BE IT RESOLVED that the absences of the following Director(s) from the January 10, 2019 Board of Director Meeting are excused:

None to date.

Agenda Item 8.A.

BE IT RESOLVED that the December 13, 2018 Papio-Missouri River NRD Board Meeting minutes are approved as printed.

***Agenda Item 10.A. – Personnel, Legislative and Public Affairs Subcommittee**

BE IT RESOLVED that the minutes of the January 8, 2019 meeting of the Personnel, Legislative and Public Affairs Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. 2019 Affirmative Action Policy: Recommendation that the amendments to the Papio-Missouri River NRD's Affirmative Action Policy for 2019 be adopted and incorporated in the District's Policy Manual.

***Agenda Item 10.B. – Programs, Projects and Operations Subcommittee**

BE IT RESOLVED that the minutes of the January 8, 2019 meeting of the Programs, Projects and Operations Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Informational Report from Nebraska Rural Water Association on Lakeland Connection Project Initial Financial Managerial Water System Assessment: This was an information report. No action was taken by the Subcommittee.
2. Update on the West Papillion Levees: This was a project update. No action was taken by the Subcommittee.
3. Amendment No. 3 to Professional Services Contract with Benesch for Glacier Creek Stream and Wetland Mitigation Bank Project: Recommendation that the General Manager be authorized to execute the proposed Professional Services Agreement Amendment No. 3 with Alfred Benesch & Company for the Glacier Creek Stream and Wetland Mitigation Bank Project, bringing the total not-to-exceed contract amount to \$261,399, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.
4. Platte River Bridge Trail Project Program Agreement with NDOT: Recommendation that the General Manager be authorized to execute the proposed Local Public Agency Program Agreement – Federal-Aid Funds with the Nebraska Department of Transportation for the Platte River Bridge Trail Project, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

***Agenda Item 10.C. – Finance, Expenditure and Legal Subcommittee**

BE IT RESOLVED that the minutes of the January 8, 2019 meeting of the Finance, Expenditure and Legal Subcommittee, as amended by the Subcommittee; are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Land Rights for West Papillion Regional Basin Number 7 (WP7), Account 02-01-557-4430, Over 110%: Recommendation that the account for WP7 Land Rights (02-01-557-4430) be allowed to exceed the budgeted amount up to \$200,000 without further approval by the Board.
2. Land Acquisition for Missouri River R613/R616 Levee Improvement Project:
 - A. Peter Ciaccio Living Trust - R-613 Tracts 29, 30: Recommendation that the General Manager be authorized to execute a permanent easement purchase agreement with Peter Ciaccio Living Trust Dated June 1, 2007, in the amount of \$20,106 for an area containing 4.772 acres of land for the Missouri River R613/R616 Levee Improvement Project, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.
 - B. PCS Nitrogen Fertilizer – R-613 Tracts 6 and 7: Recommendation that the General Manager be authorized to execute a purchase agreement with PCS Nitrogen Fertilizer Limited Partnership, a Delaware limited partnership in the amount of \$186,623 for an area containing 37.532 acres of land for the Missouri River R613/R616 Levee Improvement Project, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.
 - C. Arcadian Fertilizer LP (now owned by PCS Nitrogen) – R-613 Tract 8: Recommendation that the General Manager be authorized to execute a purchase agreement with Arcadian Fertilizer LP, a Delaware limited partnership, now owned by

PCS Nitrogen Fertilizer Limited Partnership, a Delaware limited partnership, in the amount of \$115,877 for an area containing 23.716 acres of land for the Missouri River R613/R616 Levee Improvement Project, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

- D. Eric S. Dawson – R-616 Tracts 13, 14, and 15: Recommendation that the General Manager be authorized to execute a purchase agreement with Eric S. Dawson in the amount of \$243,106.20 for an area containing 22.675 acres of land for the Missouri River R613/R616 Levee Improvement Project, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

***Agenda Item 11. A.-J. – Treasurer’s Report**

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (l) claims listed in the December 2018 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 Washington County, Dakota County, and Thurston County Water Supply System, the Elkhorn Breakout Project, the Elkhorn River Stabilization Project, the Elk/Pigeon Creek Drainage Project, the Western Sarpy Drainage Project, the Papillion Creek Watershed Partnership, and the Southern Sarpy Watershed Partnership project bills listed on the December 2018 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.

***Agenda Item 12. – Take from the Table and Consideration of Amendments to District Policies proposed at the Board of Directors Meeting on December 13, 2018:**

- 2.7 Terms of Directors
- 15.0 through 15.9 Purchasing

BE IT FURTHER RESOLVED that such amendments are hereby adopted and ordered to be incorporated in the District’s Policy Manual.

***Agenda Item 13.A. – Appointment of P-MRNRD Standing Subcommittees**

BE IT RESOLVED that the Standing Subcommittee appointments, as presented by the Chairperson, be approved.

***Agenda Item 13.B. – Election of P-MRNRD Treasurer and Appointment of Assistant Treasurer**

BE IT RESOLVED that the following named person be and is hereby elected as Treasurer of the Board of Directors of the Papio-Missouri River Natural Resources District for the coming year and

until a successor has been elected:

Larry Bradley, Treasurer

BE IT FURTHER RESOLVED that the Treasurer's written designation of Tim Fowler as Assistant Treasurer is concurred by the Board of Directors.

***Agenda Item 13.C. – Appointment of MAPA Representative**

BE IT RESOLVED that Fred Conley is hereby appointed as the District's representative to the Metropolitan Area Planning Agency Council of Elected Officials.

***Agenda Item 13.D. – Notification of Resignation of Director Patrick Leahy to Fill Vacancy in Subdistrict #7**

Chairman's Resolution Regarding Board Vacancy

BE IT RESOLVED that the following resolution is hereby adopted and approved.

Process for Filling the Board Vacancy Created by the Resignation of Director Patrick Leahy:

1. The General Manager is hereby authorized and directed to contact newspapers serving Subdistrict #7 with the text of a public notice of the board vacancy and to request publication of said notice on January 14th and 21st, 2019. The notice is to include a request for interested persons to submit applications to fill said vacancy on or before January 31, 2019.
2. The General Manager is hereby authorized and directed to provide official written notice of the board vacancy to the Secretary of State as provide by law.
3. It is hereby further resolved that this process and schedule is necessary to avoid an undue burden on the board, the citizens of Subdistrict #7 and the taxpayers of the Papio-Missouri River NRD in that this process provides time for public notice of the vacancy, time for applications from interested persons to fill the vacancy, and will avoid the undue burden and expense of holding a special board meeting just days prior to the next regular board meeting on February 14, 2019.