

**Agenda Item 11. Take from the Table and Consideration of Revisions to District Policies proposed at the Board of Directors Meeting on June 9, 2022.**

**PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT  
DIRECTORS POLICY MANUAL INDEX**

- 1.0 Policy Manual - Index (this paragraph)
- 1.1 Policy Manual - Definitions
- 1.2 Policy Manual - Authority
- 1.3 Policy Manual - Effect of Policies
- 1.4 Policy Manual - Construction of Policies
- 1.5 Policy Manual - Amendment
  
- 2.0 Directors - Attendance
- 2.1 Directors - Vacancies
- 2.2 Directors - Malpractice Indemnity
- 2.3 Directors - Compensation and Expenses
- 2.4 Directors - Indemnification
- 2.5 Directors - Code of Conduct for NRD Board of Directors
- 2.6 Directors - Handling Inappropriate Behavior
- 2.7 Directors – Terms of Directors
  
- 3.0 Officers - Appointment
- 3.1 Officers - Term
- 3.2 Officers - Duties
- 3.3 Officers - NARD Director and Alternate Director
  
- 4.0 Board Meetings - Regular Monthly Meetings
- 4.1 Board Meetings - Special Meetings
- 4.2 Board Meetings - Emergency Meetings
- 4.3 Board Meetings - Agenda
- 4.4 Board Meetings - Notices of Meetings and Expenditures
- 4.5 Board Meetings - Conduct of Meetings
- 4.6 Board Meetings - Rules of Order
- 4.7 Board Meetings - Minutes
- 4.8 Board Meetings - Right to Speak
- 4.9 Board Meetings - Meeting Materials Distribution
- 4.10 Board Meetings - Agenda Distribution
  
- 5.0 Subcommittees - Appointment
- 5.1 Subcommittees - Term
- 5.2 Subcommittees - Officers
- 5.3 Subcommittees - Notice of Meetings

- 5.4 Subcommittees - Conduct of Meetings
- 5.5 Subcommittees - Rules of Order
- 5.6 Subcommittees - Minutes
- 5.7 Subcommittees - Bad Weather Postponement of Meetings
- 5.8 Subcommittees - Authority
- 5.9 Subcommittees - Meeting Materials Distribution

6.0 Executive Subcommittee - Appointment

- 6.1 Executive Subcommittee - Term
- 6.2 Executive Subcommittee - Officers
- 6.3 Executive Subcommittee - Emergency Jurisdiction

6.4 Executive Subcommittee - Meetings

~~6.4~~6.5 Executive Subcommittee – General Manager Jurisdiction

7.0 Finance, Expenditures and Legal Subcommittee - Appointment

- 7.1 Finance, Expenditures and Legal Subcommittee - Term
- 7.2 Finance, Expenditures and Legal Subcommittee - Officers
- 7.3 Finance, Expenditures and Legal Subcommittee - Jurisdiction
- 7.4 Finance, Expenditures and Legal Subcommittee - Meetings
- 7.5 Finance, Expenditures and Legal Subcommittee - Budgetary Oversight

8.0 Personnel, Legislative and Public Affairs Subcommittee - Appointment

- 8.1 Personnel, Legislative and Public Affairs Subcommittee - Term
- 8.2 Personnel, Legislative and Public Affairs Subcommittee - Officers
- 8.3 Personnel, Legislative and Public Affairs Subcommittee - Jurisdiction
- 8.4 Personnel, Legislative and Public Affairs Subcommittee - Meetings

9.0 Programs, Projects and Operations Subcommittee - Appointment

- 9.1 Programs, Projects and Operations Subcommittee - Term
- 9.2 Programs, Projects and Operations Subcommittee - Officers
- 9.3 Programs, Projects and Operations Subcommittee - Jurisdiction
- 9.4 Programs, Projects and Operations Subcommittee - Meetings

10.0 Conflict of Interest

11.0 Ad Hoc Subcommittees - Appointment

- 11.1 Ad Hoc Subcommittees - Term
- 11.2 Ad Hoc Subcommittees - Officers
- 11.3 Ad Hoc Subcommittees - Duties
- 11.4 Ad Hoc Subcommittees - Meetings

12.0 General Manager - Employment

- 12.1 General Manager - Term
- 12.2 General Manager - Duties
- 12.3 General Manager - Authority
- 12.4 General Manager - Delegation of Authority
- 12.5 General Manager - Performance Review
- 12.6 General Manager - Assistant General Manager
- 12.7 General Manager - Monthly Report
  
- 13.0 District Staff - Employment
- 13.1 District Staff - Duties
- 13.2 District Staff - Discharge
- 13.3 District Staff - Promotion
- 13.4 District Staff - Compensation
- 13.5 District Staff - Grievances
- 13.6 District Staff - Insurance
- 13.7 District Staff - Retirement
- 13.8 District Staff - Malpractice Indemnity
- 13.9 District Staff - Safety Program
  
- 14.0 Financial - Depositories
- 14.1 Financial - Investments
- 14.2 Financial - Disbursements
- 14.3 Financial - Accounting
- 14.4 Financial - Reports
- 14.5 Financial - Fidelity Bonds
- 14.6 Financial - Recognition Dinners
- 14.7 Financial - Beverages and Meals Provided at Public Meetings
- 14.8 Financial - Awards
  
- 15.0 Purchasing - Real Property and Management Authority for Annual Cropping Leases
- 15.1 Purchasing - Construction Services
- 15.2 Purchasing - Professional Services
- 15.3 Purchasing - Personal Property
- 15.4 Purchasing - Emergency Purchasing Authority
- 15.5 Purchasing - Repair Services
- 15.6 Purchasing - Competitive Bidding
- 15.7 Purchasing - Bid Bonds
- 15.8 Purchasing - Performance Bonds
- 15.9 Purchasing - Cost-Shared Projects
  
- 16.0 District Property - Construction and Maintenance Equipment
- 16.1 District Property - Insurance
- 16.2 District Property - Surplus Personal Property
- 16.3 District Property - Repair and Maintenance
- 16.4 District Property - Nebraska Clean Air Act Designations
- 16.5 District Property - Use of NRC Meetings Rooms

- 16.6 District Property - Sales and Grants of District Real Property
- 16.7 District Property - Donation Recognition
- 16.8 District Property - Vehicle Replacement Schedule
- 16.9 District Property - NRD Historical Remains Discovery Policy
  
- 17.0 District Programs – Urban Conservation Assistance Program
- 17.1 District Programs - Urban Conservation Program
- 17.2 District Programs - [Reserved]
- 17.3 District Programs - Conservation Assistance Program
- 17.4 District Programs - Nebraska Soil and Water Conservation Program
- 17.5 District Programs - Information and Education Program
- 17.6 District Programs - Flood Plain Management Program
- 17.7 District Programs - [Reserved]
- 17.8 District Programs - [Reserved]
- 17.9 District Programs - Equipment Rental and Sales Program
- 17.10 District Programs - [Reserved]
- 17.11 District Programs - Emergency Dike Protection, Fortification, Repair Assistance Program
- 17.12 District Programs - Lands for Conservation Program
- 17.13 District Programs - P.L. 46 Assistance Program
- 17.14 District Programs - Stream Crossing Grade Control Program
- 17.15 District Programs - Erosion and Sediment Control Act Program
- 17.16 District Programs - Urban Stormwater Management Program
- 17.17 District Programs - Urban Drainageway Program
- 17.18 District Programs - Emergency Floodwarning Program
- 17.19 District Programs - Stream Staff Gauge Program
- 17.20 District Programs - Rain Gauge Program
- 17.21 District Programs - Groundwater Management Program
- 17.22 District Programs - Chemigation Certification Program
- 17.23 District Programs - Celebrate Trees Program
- 17.24 District Programs - [Reserved]
- 17.25 District Programs - Project Operation and Maintenance Assistance Program
- 17.26 District Programs - [Reserved]
- 17.27 District Programs - Recreation Area Development Program
- 17.28 District Programs - [Reserved]
- 17.29 District Programs - [Reserved]
- 17.30 District Programs - Floodplain Purchase Program
- 17.31 District Programs - Ice Jam Removal
- 17.32 District Programs - Well Abandonment Program
- 17.33 District Programs - Solid Waste/Recycling
- 17.34 District Programs - [Reserved]
- 17.35 District Programs - Wetlands and Stream Mitigation Banking
- 17.36 District Programs - Lower Platte River Corridor Alliance
- 17.37 District Programs - Small Flood Control and Water Quality Structure Program
- 17.38 District Programs - Conservation Easement Program
- 17.39 District Programs - Flood Mitigation Planning and Mapping Assistance Program
- 17.40 District Programs - Trails Assistance Program
- 17.41 District Programs - Stormwater Best Management Practice Program
- 17.42 District Programs - Lake Dredging Program
- 17.43 District Programs - Rural Acreage Wildlife Habitat Improvement Program

- 17.44 District Programs - Flood Mitigation Assistance Program
- 17.45 District Programs - Private/Public Levee Repair Assistance Program
  
- 18.0 District Projects - Papio Creek Watershed P.L. 566 Project
- 18.1 District Projects - Turtle Creek Watershed P.L. 566 Project
- 18.2 District Projects - [Reserved]
- 18.3 District Projects - [Reserved]
- 18.4 District Projects - Buffalo Creek Watershed Project
- 18.5 District Projects - Papio Creek and Tributaries Project
- 18.6 District Projects - Chalco Hills Recreation Area
- 18.7 District Projects - Papio Channel Maintenance Project
- 18.8 District Projects - R-613 Levee Project
- 18.9 District Projects - R-616 Levee Project
- 18.10 District Projects - Union Dike Project
- 18.11 District Projects - Platte River Landing Recreation Area
- 18.12 District Projects - No Name Dike Project
- 18.13 District Projects - Missouri River Corridor Project
- 18.14 District Projects - Tekamah/Mud Creek Watershed P.L. 566 Project
- 18.15 District Projects - [Reserved]
- 18.16 District Projects - [Reserved]
- 18.17 District Projects - Elkhorn Crossing Recreation Area
- 18.18 District Projects - Papio Trails System
- 18.19 District Projects - Walnut Creek Lake and Recreation Area
- 18.20 District Projects - Heron Haven Wetland
- 18.21 District Projects - Rumsey Station Wetland
- 18.22 District Projects - Papio Dam Site 6/Newport Landing Project
- 18.23 District Projects - Silver Creek Watershed Project
- 18.24 District Projects - Little Papio Channel Project
- 18.25 District Projects - Western Sarpy Dike Project
- 18.26 District Projects - Prairie View Recreation Area
- 18.27 District Projects - Dam Site 13/Youngman Lake
- 18.28 District Projects - Shadow Lake/Midland Lake Project
- 18.29 District Projects - Dam Site WP-5/Prairie Queen Recreation Area Project
- 18.30 District Projects - Pigeon/Jones Site 15/Danish Alps Recreation Area – Kramper Lake
- 18.31 District Projects - West Maple Elkhorn River Access Area
- 18.32 District Projects - Elkhorn River Access at Graske Crossing
- 18.33 District Projects - Waterford Recreation Area
- 18.34 District Project - Wehrspann Wetland
- 18.35 District Project - Zorinsky Basin 3
- 18.36 District Project - Zorinsky Basin 1
- 18.37 District Project - Pigeon/Jones Creek Watershed Project
- 18.38 District Project - Papio Dam Site 15A/Flanagan Lake
- 18.39 District Project - Glacier Creek Project
- 18.40 District Project - Whitted Creek Rehabilitation Project
- 18.41 District Project - [Reserved]
- 18.42 District Project - WP-6/Portal Recreation Area
- 18.43 District Project - WP-7/Big Elk Lake
- 18.44 District Project - Zorinsky Basin 2

- 18.45 District Project - WP-1 Project
- 18.46 District Project - WP-2 Project
- 18.47 District Project - WP-4 Project
- 18.48 District Project - Papio Dam Site 7
- 18.49 District Project - Papio Dam Site 12
- 18.50 District Project - Papio Dam Site 19
  
- 19.0 Improvement Projects - Washington County Rural Water System #1 & #2
- 19.1 Improvement Projects - Elkhorn River Project
- 19.2 Improvement Projects - [Reserved]
- 19.3 Improvement Projects - Dakota County Rural Water System
- 19.4 Improvement Projects - Thurston County Rural Water System
- 19.5 Improvement Projects - Elk/Pigeon Creek Drainage Program
- 19.6 Improvement Projects - Elkhorn River Breakout Project
- 19.7 Improvement Projects - Western Sarpy Drainage Project
- 19.8 Improvement Projects - [Reserved]
  
- 20.0 Public Hearings - Procedure
  
- 21.0 [Reserved]
  
- 22.0 Miscellaneous - Dissemination of Confidential Material
- 22.1 Miscellaneous - Papio-Missouri River NRD Paperless Project
- 22.2 Miscellaneous - Public Record Availability
- 22.3 Miscellaneous - District Grant Acknowledgement
- 22.4 Miscellaneous - Public Agency Coordination Policy

## Appendices

Updated: July 14, 2022

**1.1 Policy Manual - Definitions.** As used in these policies, the following definitions shall apply:

“Administrative Coordinator”	Staff member designated by the General Manager
“Assistant General Manager”	Staff member designated by the General Manager
“Assistant Treasurer”	Member of the Board designated by the Treasurer
“Authorized Program”	A program authorized by these policies
“Authorized Projects”	A project authorized by these policies
“Board”	Board of Directors of the District
“Chairperson”	Chairperson of the Board
“Commission”	Nebraska Natural Resources Commission
“Director”	Member of the Board
“District”	Papio-Missouri River Natural Resources District
“ <del>Senior District</del> Accountant”	Staff member designated by the General Manager
“General Manager”	General Manager of the District
“Legal Counsel”	Attorney retained by the Board
“Management”	General Manager and delegated staff
“Officers”	Officers of the Board
“Secretary”	Secretary of the Board
“Staff”	District employees
“These Policies”	The policies set out herein
“Treasurer”	Treasurer of the Board
“Vice-Chairperson”	Vice-Chairperson of the Board

[December 5, 1986; June 8, 2006; July 14, 2022]

**1.2 Policy Manual - Authority.** The general authority for these policies is Section 2-3228(6), R.R.S., 1943.

[December 5, 1986]

**1.3 Policy Manual - Effect of Policies.** Except as otherwise provided by law, or otherwise authorized, provided or necessarily implied by a subsequent resolution of the Board, these policies, including the appendices to these policies, shall govern the activities and administration of the District, superseding all prior resolutions of the Board in conflict herewith.

[December 5, 1986; May 12, 2005]

**1.4 Policy Manual - Construction of Policies.** In case of ambiguity in these policies which, in the opinion of the General Manager, must be resolved prior to the next regularly scheduled meeting of the Board, the Chairperson is empowered to exercise his or her sole discretion to construe and resolve such ambiguity by the issuance of an order to the General Manager in writing, upon which writing Management may rely; provided that, a copy of each such order shall be mailed to the Directors at the time of its issuance and the subject of the ambiguity placed upon the agenda for the next regular meeting of the Board.

[December 5, 1986]

**1.5 Policy Manual - Amendment.** The Policies may be amended, or repealed, or new policies may be adopted by majority resolution of the Board. Any such proposed resolution may be moved and debated, and amendments germane thereto may be offered and adopted, at any regular meeting of the Board; provided that,

- A. except in the case of corrections of ambiguities in these policies, the full text of any proposed resolution amending or repealing a policy or adopting a new policy shall be submitted in writing to the Board with the meeting notice.
- B. in the case of Policies 1.1 through 16.9 the vote on the question of the final adoption of such resolution shall be postponed until the next regular meeting of the Board, at which time further amendment of such resolution shall not be in order
- C. if public notice or a public hearing are required by law prior to the adoption or revision of a policy (such as in the case of erosion and sediment control rules and regulations) the vote on the question of the final adoption or revision of such policy shall not be in order until such requirements have been satisfied; and,
- D. Legal Counsel shall prepare working drafts of policy manual changes and additions, and further other services, requested by any Director with notice to the Chairperson, and shall mail copies of resulting work product to the Chairperson and to the General Manager for their information.

[December 5, 1986; July 9, 1987; December 14, 1989; February 14, 2013]



**3.0 Officers - Appointment.** The officers of the Board shall be a Chairperson, Vice-Chairperson, Secretary, and Treasurer, each of whom shall be elected by secret ballot by the Board at its July monthly meeting of each year, and an Assistant Treasurer, who, at such meeting, shall be designated by the Treasurer, with the concurrence of the Board. **The results of the secret ballot will be announced to the Board.**

[December 5, 1986; July 14, 2022]

**3.1 Officers - Term.** Each officer shall serve at the pleasure of the Board and hold office until his or her successor has been elected or until he or she resigns, or becomes incapacitated, as determined by the Board.

[December 5, 1986]

**3.2 Officers - Duties.**

A. The **Chairperson** shall be the principal officer of the Board. It is the duty of the Chairperson of the Board to:

1. open the meeting at the appointed time by taking the chair and calling the meeting to order;
2. announce in proper sequence the business that comes before the Board in accordance with the adopted agenda;
3. recognize members who are entitled to the floor;
4. to state and to put to vote all questions that legitimately come before the Board as motions or that otherwise arise in the course of proceedings and to announce the result of each vote, or, if a motion that is not in order is made, to rule it out of order;
5. enforce the rules relating to debate and to order and decorum within the Board;
6. expedite business in every way compatible with the rights of Directors;
7. decide all questions of order, subject to appeal – unless when in doubt, prefers to submit such a question to the Board for decision;
8. respond to inquiries of Directors relating to parliamentary procedure or factual information bearing on the business of the Board; and,
9. declare the meeting adjourned when the Board so votes.

The Chairperson shall assist the General Manager by interpreting and clarifying the actions, intent, and decisions of the Board between meetings as may become necessary to carry out the works, policies, and intents of the Board, as provided by Policy 1.4. In general, the Chairperson shall perform all duties incident to the office and such other duties as may be prescribed by the Board from time to time.

B. The **Vice-Chairperson** shall perform the duties of the Chairperson in the absence of the Chairperson, or in the event of the Chairperson's inability or refusal to act. When so acting, the Vice-Chairperson shall have all the powers of and be subject to, all the restrictions upon the Chairperson. The Vice-Chairperson shall perform such other duties as from time to time may be assigned by the Chairperson of the Board.

C. The **Secretary** shall keep, or cause to be kept, accurate minutes of the Board meetings, and perform all the duties incident to the office of Secretary and such other duties as from time to time may be assigned to the Secretary by the Chairperson or the Board.

D. The **Treasurer** shall perform all duties incident to the office of Treasurer and such other duties as from time to time may be assigned by the Chairperson or the Board. The Treasurer shall at all times follow regulations as established by law and by these policies.

E. The **Assistant Treasurer** shall act on behalf of the Treasurer in accordance with the written authorization signed by the Treasurer filed with the Secretary. When so acting, the Assistant Treasurer shall have all the power of and be subject to, all the restrictions imposed upon the Treasurer.

[December 5, 1986]

### **3.3 Officers - Nebraska Association of Resources Districts Director and Alternate Director.**

At each July Board of Directors meeting, the Board shall elect a Nebraska Association of Resources Districts Director and Alternate Director. The two Board members elected will serve as the voting delegate and alternate voting delegate at all NARD meetings. If both are unable to attend an NARD meeting, the Chairperson shall designate the voting delegate.

[March 2, 1988; March 9, 1989]

**4.0 Board Meetings - Regular Monthly Meetings.** Unless otherwise designated by the Board, the regularly scheduled monthly meeting of the Board shall be held on the second Thursday of each month, at the principal office of the District. Each meeting shall begin at 4:00 p.m. unless otherwise designated. If, prior to the meeting time the General Manager and the Chairperson determine that weather conditions are or will be dangerous for travel to and from the meeting, the regularly scheduled monthly meeting shall be postponed ~~to a date and time determined by the Board Chairperson until 4:00 o'clock p.m. on the Thursday following such scheduled meeting date, or, if such date is a legal holiday, until 4:00 p.m. on the second Thursday following such scheduled meeting date.~~ The General Manager shall cause every reasonable effort to be made to notify each director of such postponement.

Regularly scheduled monthly meetings may be conducted by virtual conferencing subject to the requirements of Sections 84-1411(2)(b) and 84-1412 of the Open Meetings Act. The Chairperson can elect to hold Board meetings through virtual conferencing on his or her own motion or shall be called by the Chairperson upon the request of three other directors. It is the District's preference to conduct all Board meetings in person and virtual conferencing be only used when the health and safety of the directors, NRD Management, NRD staff and general public are at risk.

[December 5, 1986; December 8, 1988; July 9, 2009; December 12, 2019; July 14, 2022]

**4.1 Board Meetings - Special Meetings.** Special meetings of the Board may be called from time to time as follows:

A. As used herein, the term "special meeting" shall mean all meetings of the Board, requiring a quorum, other than the regularly scheduled monthly meetings.

B. Special meetings may be called on the Chairperson's own motion or shall be called by the Chairperson upon the request of three other directors.

C. The action of the Chairperson in calling such special meeting, and the specification of the date and time and the subjects to be acted upon at such special meeting shall be expressed by oral or written communications to the General Manager, who upon receiving such communications, shall make a memorandum thereof and within 24 hours (exclusive of weekends and NRD holidays) transmit by e-mail to each Director, at his or her last known e-mail address, a notice advising the date and time when such special meeting shall convene pursuant to the call. Such notice shall further contain an agenda of the subjects to be acted upon at such special meeting, which agenda may only be modified at such public meeting to include items of an emergency nature unknown at the time the call for such meeting was made. Meeting agenda and related materials will be posted to the web site at least 3 days prior to the meeting date.

D. In addition to transmitting e-mail notice to all Directors, the General Manager shall cause two attempts to be made to communicate notice of the special meeting to each Director by telephone, such calls shall originate during the District's normal business hours and shall be made to the Director's number shown in the current telephone directory, or to such telephone number as a Director may specify in writing delivered to the General Manager for this purpose.

E. Special meetings may be called to convene on not less than the third day (exclusive of weekends and NRD holidays) after the day that e-mail notice to Directors of such meeting and may be called to convene only at the principal office of the District and between the hours of 8:00 a.m. and 8:00 p.m. on a day other than Saturday, Sunday, or an NRD holiday.

F. Special meetings may be conducted by virtual conferencing subject to the requirements of Sections 84-1411(2)(b) and 84-1412 of the Open Meetings Act. The Chairperson can elect to hold Board meetings through virtual conferencing on his or her own motion or shall be called by the Chairperson upon the request of three other directors. It is the District's preference to conduct all Board meetings in person and virtual conferencing be only used when the health and safety of the directors, NRD Management, NRD staff and general public are at risk.

[December 5, 1986; November 18, 1999; October 9, 2003; July 14, 2022]

**4.2 Board Meetings - Emergency Meetings.** (Governed by Section 84-1411(5) R.R.S., 1999.) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of Section 84-1411(4) R.R.S., 1999, shall be complied with in conducting emergency meetings, i.e., reasonable efforts shall be made to provide advance notification to the news media of the time, place and subject of the emergency meeting. Minutes specifying the nature of the emergency and any formal action taken will be available to the public no later than the end of the next regular business day.

[December 5, 1986; May 12, 2005]

**4.3 Board Meetings - Agenda.** Except for items of an emergency nature, the agenda for regular meetings of the Board shall be finalized ~~31~~24 hours prior to the hour of the meeting.

[December 5, 1986; January 8, 2015; July 14, 2022]

**4.4 Board Meetings - Notice of Meetings and Expenditures.** Public Notice of the regular Board meeting shall be e-mailed to the six offices of the District, the Board and news media at least 6 days prior to the meeting. The Public Notice shall contain the time, place and date of the meeting and a statement that, "The agenda for each such meeting shall be kept continually current and shall be readily available for public inspection at the principal office of the Papio-Missouri River NRD at 8901 South 154<sup>th</sup> Street, Omaha, NE, during normal business hours." The notice of the District's regular Board of Directors meeting shall be published in the Omaha World-Herald. The District's monthly expenditures shall be published in the least expensive legal newspaper in each of the six counties on a yearly basis.

[December 5, 1986; October 9, 2003]

**4.5 Board Meetings - Conduct of Meetings.**

A. For the sake of accuracy, a recording shall be made of Board meetings, with a secretary also present to record the minutes of the meeting.

B. Each member of the Board, including the Chairperson, shall have one vote upon each matter submitted to a vote at a meeting of the Board.

C. Voting on any motion or resolution before the Board shall be by roll call vote in open session. Roll calls of Directors shall be made in rotating alphabetical order. The record shall state how each Director voted, or if the Director was absent or not voting.

D. Pursuant to statute, a majority of the voting members of the Board shall constitute a quorum, and the concurrence of a majority of a quorum shall be sufficient to take action and make recommendations (Sec. 2-3219, R.R.S., 1943). Such provision is hereby construed as requiring the concurrence of a majority of the Directors present for the passage of a motion (if such majority is a quorum) and, therefore, Directors present but abstaining on a motion should be counted as voting and such votes regarded as having the same effect as negative votes.

[December 5, 1986; December 12, 2002; January 8, 2015]

**4.6 Board Meetings - Rules of Order.** Unless superseded by law, by these policies, or by prior or future resolution, Robert's Rules of Order, Newly Revised, will govern the conduct of all meetings of the Board.

[December 5, 1986]

**4.7 Board Meetings - Minutes.** Minutes of all Board meetings showing the time, place, members present and absent, the action taken, and the vote thereon, shall be prepared.

[December 5, 1986]

**4.8 Board Meetings - Right to Speak.** The following rules and regulations shall govern the conduct and privilege to speak of persons attending open meetings of the District:

- A. Prior to the convening of the meeting, the General Manager shall post an agenda at the door of the meeting room.
- B. A Request to Address the Board sheet shall be posted with the agenda and citizens wishing to speak at the meeting shall so indicate on this sheet and specify the agenda item or items on which they desire to be heard.
- C. During the consideration of each agenda item the Chairperson shall call upon citizens who have indicated a desire to be heard on such item, in the order in which the Chairperson shall determine. The Chairperson, in his or her discretion, may also allow other citizens to be heard after all those who have given prior indication of a desire to speak have been heard on such item.
- D. Every citizen speaking at the meeting shall begin his or her remarks by stating his or her name and postal address.
- E. All citizens' remarks shall be directed to the Chairperson who shall determine by whom any appropriate response shall be made.
- F. The Chairperson may limit or allot the time allowed for the remarks of citizens called upon to be heard and may rule any such citizen out of order for exceeding such limitation, or for remarks which are repetitious or irrelevant.

[December 5, 1986]

#### **4.9 Board Meetings - Meeting Materials Distribution.**

A. Meeting materials for the Board Meetings will be posted to the District web site at [www.papionrd.org](http://www.papionrd.org). pursuant to the following:

Board Meeting Information: Draft Board agenda and other available information will be posted to the website at least 5 days prior to the meeting date. Draft agenda will be e-mailed to Directors at least 5 days prior to the meeting date.

Final agenda, Subcommittee minutes, etc., will be posted to the website by 4:00 p.m. the day prior to the Board Meeting. Final agenda will be e-mailed to Directors by 4:00 p.m. the day prior to the meeting date.

B. Except with the consent of two-thirds of the entire Board of Directors, and with the exception of matters related to litigation, the Board at a non-emergency meeting (see 84-1411(3), R.R.S., 1943) shall not consider personnel matters or give initial consideration to a new project unless the available informational materials relating thereto are e-mailed to the Directors and posted to the web site at least five days prior to the day of the meeting.

[December 5, 1986; September 8, 1994; October 9, 2003]

**4.10 Board Meetings - Agenda Distribution.** The draft agenda will be posted to the web site ([www.papionrd.org](http://www.papionrd.org)) at least 5 days prior to the meeting date. The final agenda will be posted to the web site and e-mailed to Directors by 4:00 p.m. the day prior to the Board Meeting.

[December 5, 1986; October 9, 2003]

**6.0 Executive Subcommittee - Appointment.** The regular members of the Executive Subcommittee shall consist of the Chairperson, Vice Chairperson, Secretary and the Treasurer (or the Assistant Treasurer in the absence of the Treasurer) of the Board. The Chairperson of that standing Subcommittee of the Board which the Chairperson of the Board determines has primary jurisdiction over the principal subject of an Executive Subcommittee meeting shall be an ad hoc voting member of the Executive Subcommittee for that meeting. In the case of District emergency, the Chairperson, or the Vice Chairperson in the absence of the Chairperson from the District, may appoint other members of the Board to serve as substitutes for members of the Executive Subcommittee who may be absent from the District or otherwise temporarily unable to serve.

[December 5, 1986; April 13, 1989; March 12, 1992; August 12, 1993]

**6.1 Executive Subcommittee - Term.** Members of the Executive Subcommittee shall serve during their term as officers.

December 5, 1986; April 13, 1989; March 12, 1992]

**6.2 Executive Subcommittee - Officers.** The officers of the Board shall be the officers of the Executive Subcommittee.

[December 5, 1986]

**6.3 Executive Subcommittee - Emergency Jurisdiction.** The Executive Subcommittee is empowered to provide approval of emergency responses to legislative initiatives, natural disasters and other District crises; provided that, a report of each such approval shall be mailed to the Directors at the time of such approval.

[December 5, 1986; March 12, 1992; July 13, 1995]

**6.4 Executive Subcommittee - Meetings.** Meetings of the Executive Subcommittee shall be called by the Chairperson.

[December 5, 1986]

**6.5 Executive Subcommittee – General Manager Jurisdiction.** The Executive Subcommittee is responsible for the periodic review of the General Manager Employment Agreement.

[July 14, 2022]

**7.0 Finance, Expenditure and Legal Subcommittee - Appointment.** (See Policy 5.0)

[December 5, 1986; March 12, 1992]

**7.1 Finance, Expenditure and Legal Subcommittee - Term.** (See Policy 5.1)

[December 5, 1986; March 12, 1992]

**7.2 Finance, Expenditure and Legal Subcommittee - Officers.** (See Policy 5.2)

[December 5, 1986; March 12, 1992]

**7.3 Finance, Expenditure and Legal Subcommittee - Jurisdiction.** The Finance, Expenditure and Legal Subcommittee shall have jurisdiction with respect to:

- A. The annual budget of the District;
- B. the District's periodic financial reports and annual audit;
- C. deposits and investments of District funds;
- D. review of District bills and recommendations for disbursement of District funds;
- E. acquisition and disposal of land, easements or rights-of-way;
- F. litigation involving the District; and,
- G. the District's insurance coverage.

[December 5, 1986; March 12, 1992; August 12, 1993]

**7.4 Finance, Expenditure and Legal Subcommittee - Meetings.** Meetings of the Finance, Expenditure and Legal Subcommittee shall be called by the Chairperson or by the Subcommittee Chairperson. Meetings of the Finance, Expenditure and Legal Subcommittee for the purpose of reviewing bills or making recommendations for disbursements of District funds shall be called by the Chairperson or by the Subcommittee Chairperson at the request of any member or such Subcommittee and held during the hour prior to the regular monthly meeting of the Board when those bills or disbursements will be discussed.

[December 5, 1986; March 12, 1992; August 12, 1993]

**7.5 Finance, Expenditure and Legal Subcommittee - Budgetary Oversight.** If, at any time during the fiscal year, the District expenditures from any budgetary account, for which more than ~~\$20,000~~~~10,000~~ was budgeted for that fiscal year, exceed the amount budgeted by more than 10%, the Chairperson of the Finance, Expenditure and Legal Subcommittee may call a meeting of such Subcommittee to consider recommendations to the Board with respect to such account.

[July 9, 1992; July 14, 2022]



**12.0 General Manager - Employment.** (Governed by the provisions of the General Manager Employment Agreement, Appendix A.)

[December 5, 1986]

**12.1 General Manager - Term.** (Governed by the provisions of the General Manager Employment Agreement, Appendix A.)

[December 5, 1986]

**12.2 General Manager - Duties.** (Governed by the provisions of the General Manager Employment Agreement, Appendix A.)

[December 5, 1986]

**12.3 General Manager - Authority.** Except as otherwise directed by the provisions of the General Manager Employment Agreement (Appendix A), within the limitations of the Nebraska Budget Act (Sec. 23-921, R.R.S., 1943), and within any limitations set by these policies, the General Manager, on behalf of the District, shall approve program applications, enter into contracts, employ staff (within the limits of the adopted budget for personnel for the fiscal year), authorize the commitment of District funds, and take such other actions as the General Manager determines reasonable and necessary to carry out the authorized programs and authorized projects of the District.

[December 5, 1986]

**12.4 General Manager - Delegation of Authority.** Whenever these policies call for the performance by the General Management of a duty or act, the General Manager may delegate such responsibility to Staff. (See Policy 1.1, "Management").

[December 5, 1986]

**12.5 General Manager - Performance Review.** (Governed by the provisions of the General Manager Employment Agreement, Appendix A.)

[December 5, 1986]

**12.6 General Manager - Assistant General Manager.** The General Manager may appoint an Assistant General Manager.

[December 5, 1986]

**12.7 General Manager - Monthly Report.** The General Manager shall report to the Board monthly, such report to include the following:

A. Information/Education Report

B. A personnel report, to include personnel development, ~~i.e., conferences/seminars attended by staff,~~ promotions, and the hiring of new employees.,~~etc.~~

C. A report on the authorized programs and projects of the District.

D. A report on construction services, professional services and personal property purchases authorized by management.

~~E. A report on state legislative proposals contemplated or recommended by Management.~~

[December 5, 1986; November 9, 1993; December 12, 2002; August 12, 2004; July 14, 2022]

**14.0 Financial - Depositories.** The Board of Directors ~~Wells Fargo Bank Nebraska, N.A., and Dakota County Bank or their successors~~ shall approve depositories in which the funds of the District may be kept ~~deposited~~ in demand deposit (checking) accounts.

[December 5, 1986; January 11, 1990; December 12, 2002; July 14, 2022]

**14.1 Financial - Investments.** The Treasurer of the District be, and is hereby authorized and directed to hold the funds of the District in the following manner:

A. The amount necessary for the immediate needs of the District shall be maintained on deposit in an FDIC-insured checking account at the ~~named depositories Wells Fargo Bank Nebraska, N.A., or F & M Bank,~~ or their successors.

B. The remainder of the funds of the District shall be maintained in one or more of the following investment accounts, in such proportions or amounts as may be determined by the Treasurer, subject to the limitations hereinafter provided, to-wit:

1. In insured time certificates of deposit issued by any bank within the District.
2. In United States treasury notes or bonds, on the best terms as may be obtainable and in such multiples, amounts and maturities as may be available on the open market. The Treasurer is authorized to hold such notes or bonds until the maturity thereof, or sell the same when he or she shall determine that the proceeds thereof shall be necessary for the payment of District obligations or when a greater return to the District can be obtained by investing said proceeds in one or more other investments authorized by these rules and regulations.
- ~~2.3. In the Nebraska Public Agency Investment Trust.~~

C. No funds of the District accumulating in an amount in excess of the applicable FDIC insurance coverage shall be maintained on deposit or in certificates of deposit of any bank unless the excess is secured in the same manner as provided by statute for the deposit of public funds.

D. The Treasurer and General Manager, jointly; the Treasurer and the Assistant General Manager, jointly; the Assistant Treasurer and the General Manager, jointly; or the Assistant Treasurer and the Assistant General Manager, jointly, are authorized to issue written orders for the transfer of District funds between District deposit and investments accounts, issue checks against the District deposit accounts without prior approval of this Board for the purchase of such U.S. Treasury notes or bonds or time certificates of deposit as may be made by the Treasurer of the District pursuant hereto; and, redeem such instruments, and endorse such instruments for deposit in District deposit accounts.

E. The ~~Senior District~~ Accountant is authorized to transmit verbal or electronic orders for the transfer of District funds between District deposit and investment accounts and for the purchase, sale or redemption of U.S. Treasury notes or bonds or certificates of deposit pursuant hereto.

F. The Treasurer is authorized and directed to designate ~~the named depositories Wells Fargo Bank Nebraska N.A.,~~ or their successors as the Treasurer's agent for the safekeeping of any U.S. Treasury notes or bonds purchased pursuant to the authority granted herein.

G. The Administrative Coordinator may sign financial documents as described in subparagraphs B and D above if a vacancy exists in either the position of General Manager or the position of Assistant General Manager

[December 5, 1986; January 11, 1990; December 12, 2002; January 12, 2006; June 8, 2006; January 8, 2015; July 14, 2022]

**14.2 Financial - Disbursements.** Checks, drafts and orders for payments of District funds on deposit any District depository, shall be made only as authorized by the Board and may be signed by the Treasurer and the General Manager, Jointly; or by the Treasurer and Assistant General Manager, jointly; or by the Assistant Treasurer and the General Manager, jointly; or by the Assistant Treasurer and the Assistant General Manager, jointly. Electronic funds transfer orders, except for those authorized by 14.1, shall ~~only~~ be made upon the written or electronic approvals required for check disbursements. A copy of the approvals shall become a part of the accounting records. The Administrative Coordinator may sign financial disbursements in the manner noted above if a vacancy exists in either the position of General Manager or the position of Assistant General Manager.

[December 5, 1986; January 11, 1990; January 12, 2006; June 8, 2006; July 14, 2022]

### **14.3 Financial - Accounting.**

A. Accounting books and records for all financial transactions will be kept in accordance with generally accepted accounting principles. An audit of the District's books shall be made at the end of each fiscal year.

B. Expenses of the District employees and Directors will be reimbursed only upon the completion of an Expense Claim, Form 14.3.B., Manual of Standard Forms (Appendix E) and as necessary for the District to remain compliant with Internal Revenue Service requirements for an accountable plan.

C. An expense claim shall be submitted within sixty (60) days after the occurrence of the claimed expense. The expense claim shall itemize and describe the nature of the expense. Receipts for expenses shall be attached to the claim. The following rules apply to Expense Claim, Form 14.3.B.

1. **Description** – Record the purpose of the visit. If any amounts are included for guest meals, you should record name and title of the guests, business purpose and nature of expenditure(s), i.e., meals, etc.
2. **Lodging** – Receipts are required for all lodging expenditures, show single rate, if applicable.
3. **Transportation** – Air, Limo, Taxi, Etc. Receipts are required for all air expenditures; however, receipts are not required for normal local transportation such as taxi, subway, limousine, etc. Automobile Expenses (not to be used if you use District vehicle) – For use of personal automobile. Record number of miles driven and the amount of reimbursement. For rental car insert appropriate amount and attach copy of receipt.
4. **Tolls/Parking** - Receipts should be attached if available for parking or tolls incurred while using a District or personal vehicle for District business.

5. **Meals** – This should reflect amount expended on meals. Receipts are required for all meals if daily total exceeds \$39.00 and/or individual meal exceeds \$20.00.
6. **Telephone**: Charges should be accompanied by telephone bill which indicates business called and purpose.
7. **Other Expenses** – Other expenses such as meeting/conference registration fees, internet connection expenses, miscellaneous supplies, etc. Receipts should be attached if available.
8. **Daily Total** – The total amount of expenses (not including per diem) expended for each day should be accumulated and entered here.
9. **Per Diem** – Director per diem request should be noted here.
10. **Travel Advance** – If you have drawn a travel advance for a trip, insert the amount and calculate the balance owed to you or if the advance exceeds the expenses, return the amount due to the District.
11. **Credit Card Use** – A credit card receipt, except for fuel purchases, must be accompanied by an itemized receipt.
12. **Signature** - Sign and date and return to the NRC office.
13. If the spaces provided for explanations are not adequate, please use the space provided on the back of the form or attach additional pages as required.
14. Be sure report is completely and correctly identified and columns totaled.

D. Staff expense claims will be furnished to the **Accounting Department District Accountant** by the first workday of each month. Staff expense claims shall have the written approval of the staff member's supervisor prior to being processed for payment. The Administrative Coordinator will forward monthly expense claims to each Director for review, signature and return to the office by noon on the Tuesday of the week following the Board meeting for payment with the next payroll.

E. The General Manager's expense claims shall be reviewed by ~~the Administrative Coordinator and the Senior District Accountant and Treasurer~~. They ~~each~~ shall endorse their recommendations and indicate the completion of their reviews by initialing the claim form. The claim form shall then be submitted to the Treasurer (or Assistant Treasurer) for approval prior to processing for payment. Any General Manager expense item that the Treasurer (or Assistant Treasurer in the absence of the Treasurer) declines to approve for payment shall be deleted from the claim form, so that other items on the claim form may be processed for payment. Any of the General Manager's expense items that are disputed by the Treasurer shall be referred to the Executive Subcommittee, which shall indicate in writing its decision on payment/non-payment of the item.

F. Director expense claims shall be reviewed by the **Senior Accountant Administrative Coordinator** and by the **General Manager District Accountant**. They ~~each~~ shall endorse their recommendations and indicate the completion of their reviews by initialing the claim form. The claim form shall then be submitted to the General Manager (or Assistant General Manager) for approval prior to processing for payment. Any Director expense item that the General Manager (or Assistant General Manager) declines to approve for payment shall be deleted from the claim form, so that other items on the claim form may be processed for payment. Any Director's expense item that is disputed by the General Manager (or Assistant General Manager) shall be referred to the Executive Subcommittee, which shall indicate in writing its decision on payment/non-payment of the item.

G. Directors and District employees are eligible for a travel advance against the otherwise reimbursable expenses of any authorized out-of-District travel. The maximum amount for a travel advance shall be \$500.00. A written request for a travel advance must be submitted to the District Accountant at least five (5) days but not more than thirty (30) days prior to the date of travel. Any excess reimbursement or excess travel advance shall be returned within one hundred twenty (120) days after the expense was incurred.

H. While conducting District business, Directors and District employees shall be eligible for reimbursement for mileage. It shall be the policy of the District to pay the standard mileage rate allowed by the State of Nebraska Administrative Services Department, pursuant to Section 81-1176, R.R.S., 1943, for those Directors and District employees required to provide their own vehicles. However, while conducting District business out of the District if air travel is available, the District shall reimburse the lesser amount, i.e., if lowest available rate for air travel is \$200.00 and mileage is \$225.00 the District shall only pay \$200.00. If air travel is available and Directors or District employees choose to drive, they will be reimbursed for the reimbursable expenses for one travel day and Directors shall be paid for only one day of per diem. If air travel is available, additional housing expense will not be allowed as a reimbursable expense if road transportation is utilized as a matter of choice.

[December 5, 1986; February 4, 1988; June 8, 2006; July 14, 2022]

#### **14.4 Financial - Reports.**

A. Major changes to the District's accounting system or the replacement of the accounting system with a different system shall require the prior approval of the Board, except where required by law. Minor changes, such as adding new accounts, deleting obsolete accounts, renaming accounts, etc.; are not considered major changes and may be made with the approval of the General Manager.

B. Management shall provide to the members of the Finance, Expenditure and Legal Subcommittee such periodic written itemizations of planned and pre-authorized disbursements of District funds as such Subcommittee shall request.

[December 5, 1986; July 9, 1992; January 12, 2006]

**14.5 Financial - Fidelity Bonds.** The Treasurer, the Assistant Treasurer, the General Manager, the Assistant General Manager, the Administrative Coordinator, and the District Accountant each shall be bonded in the sum of \$100,000.00 prior to performing any such function.

[December 5, 1986; December 12, 2002; June 8, 2006]

**14.6 Financial - Recognition Dinners.** The District may hold a recognition dinner each year for the elected Directors, employees or volunteers of the District. The maximum cost per person for such dinner shall not exceed twenty-five (\$25.00) per person. An annual recognition dinner may be held separately for elected Directors or separately for employees or for volunteers, or any combination thereof.

[September 8, 1994]

**14.7 Financial - Beverages and Meals Provided at Public Meetings.** The District may provide:

A. Non-alcoholic beverages to individuals attending public meetings of the Board of Directors; and,

B. Non-alcoholic beverages and meals to:

1. Any individuals while performing or immediately after performing relief, assistance, or support in emergency situations, including, but not limited to tornado, flood, fire or accident; and,
2. Volunteers during or immediately following their participation in any activity approved by the Board, including, but not limited to, mowing parks, picking up litter, etc.

[September 8, 1994]

**14.8 Financial - Awards.** The District may provide awards to include plaques, certificates of achievement, or other items of value, not to exceed \$200.00 per award, to recognize the accomplishments of Directors, employees, volunteers and other elected officials at the discretion of the General Manager.

[September 8, 1994]

**15.0 Purchasing - Real Property.** For authorized programs and projects:

A. Offers to purchase title to real property within the District may be issued by the General Manager, title to real property may be purchased or accepted, and instruments relating thereto (containing such covenants and conditions as Legal Counsel approves as to form) may be executed by the General Manager **with prior approval of the transaction by the Board.**

~~1. with prior approval of the transaction by the Board; or,~~

~~2. if the Board has previously determined the necessity for the acquisition and the consideration offered or to be paid by the District does not exceed the appraised fair market value reflected in the written report of a real estate appraiser retained by the District.~~

B. Leasehold interests in real property, in favor of the District, may be purchased or accepted, and instruments relating thereto (containing such covenants and conditions as Legal Counsel approves as to form) may be executed by the General Manager, with the prior approval of the transaction by the Board.

C. Leases of District real property to others may be granted, and instruments relating thereto (containing such covenants and condition as Legal Counsel approved as to form) may be executed by the General Manager

1. with the prior approval of the transaction by the Board;
2. if such lease is for an annual cash rental cropping lease.

D. Real property easements, permits and licenses for nominal consideration in favor of the District may be acquired, and instruments relating thereto (containing such covenants and conditions as Legal Counsel approves as to form) may be executed by the General Manager, without prior approval of the transaction by the Board.

E. Offers to purchase easements, permits and licenses over real property within the District for more than nominal consideration may be issued by the General Manager, real property easements, permits and licenses for more than nominal consideration in favor of the District may be acquired, and instruments relating thereto (containing such covenants and conditions as Legal Counsel approves as to form) may be executed by the General Manager

1. with prior approval of the transaction by the Board; or,
2. if the Board has previously determined the necessity for the acquisition and the consideration offered or to be paid by the District for the acquisition does not exceed the appraised damages reflected in the written report of a real estate appraiser retained by the District.

[December 5, 1986; June 13, 1991; November 9, 1993; September 14, 1995; January 8, 2015; **July 14, 2022**]

**15.1 Purchasing - Construction Services.** The General Manager is authorized to contract for construction services and to rent equipment for authorized programs and projects. Any such contract



shall not require Board approval when the contract price does not exceed \$100,000~~50,000~~. Construction services shall mean construction, operation, maintenance, and repair of improvements to real estate and fixtures. Contracts shall not be phased or split to avoid the limitation. The General Manager is authorized to effect change orders accumulating not more than a total of 10% of the contract amount. Contracts under this policy shall be subject to the provisions of Policy 15.6, 15.7 and 15.8.

[December 5, 1986; June 13, 1991; April 15, 1993; December 10, 1998; February 14, 2013; January 10, 2019; July 14 2022]

## **15.2 Purchasing - Professional Services.**

A. Statement of purpose. It is the purpose of this policy to provide a uniform procedure for advertising for and selecting firms for the award of contracts for professional services.

B. Definitions. As used throughout this policy, unless the context otherwise requires, the following terms shall have the following meanings:

1. Firm: Any person, partnership, association or corporation engaged in, and legally authorized to practice in the state, a professional service.
2. Professional services: Any one or more of the following services: ~~architecture, engineering, land surveying, or landscape architecture.~~ ~~or land appraisal.~~
3. Auditing Services: Auditing Services are excluded from the requirements of Policy 15.2.B.2. and shall be obtained in accordance with Policy 15.6 Purchases by Formal Competitive Bidding.” The District shall obtain bids for auditing services at a minimum of every five years.

C. Selection Committee. The Ad Hoc Selection Committee responsible for selecting and negotiating with firms for these professional services shall consist of five Directors appointed by the Chairperson.

D. Request for Services. Projects that have been determined by the General Manager as requiring professional services shall be advertised at least once in the daily newspaper having the greatest circulation in the District. Written requests for professional services (requests for proposals) shall be posted on the District’s website and may be sent by Management to a known qualified firms. Such requests for proposals shall indicate the general scope of the professional services , a uniform date by which to reply, and the name of the District staff member to contact for replies to any questions.

E. Reply by interested firms. After the firm has obtained a copy of the general scope of the professional services, then firm shall reply in writing to the General Manager, following the format outlined in the request for proposals (RFP), by the date specified in the request.

F. Method of selection. The method of selection of a firm for professional services shall be in accordance with the following estimated fees, as established by the General Manager:

1. When the fee does not exceed ~~one hundred fifty~~ thousand dollars (\$~~100,000~~), the General Manager shall select the firm directly, giving consideration to selection factors for the project which shall include, but not be limited to, the following:
  - a) Project understanding and approach,
  - b) The project organization, adequacy of available staff, location of personnel relative to the project location and the proposed schedule of completion,
  - c) Similar projects completed by the firm,
  - d) Qualifications of the professional personnel and staff members.
  
2. When the fee exceeds ~~one hundred fifty~~ thousand dollars (\$~~100,000~~), the Ad Hoc selection committee shall, where possible, select the three (3), or more at its discretion, best qualified firms in accordance with the considerations set out in subsection (1), above, and from the reply to the items set out in subparagraph E. The selection committee shall rank the firms first, second, third, etc. Where possible, the three (3) or more at its discretion, best qualified firms shall be given a time and place for a personal interview by the selection committee. After review of submittal materials and the personal interview, the selection committee shall rank the firms first, second, third, etc.

#### G. Fee negotiations.

The firm ranked as first shall be notified to appear and negotiate with Management on the fee, detailed scope and schedule for the professional services requested. If Management and the firm selected as first cannot come to an agreement regarding the fee, the negotiations with that firm shall be terminated and the firm ranked second shall be contacted. If the factors which caused them to be ranked as such have not changed, negotiations shall be initiated with them. The procedure shall be repeated until an agreement is reached if it can be reached.

Where agreement is reached, the contract in final written form shall be submitted to the Ad Hoc selection committee for approval and be awarded and executed, if approved, in accord with all applicable provisions of these policies and applicable provisions of State Statutes.

The General Manager is authorized to effect contract scope and work changes accumulating not more than a total of 10% of the contract amount, with a not-to-exceed amount of \$50,000.

I. Board authority not limited. Nothing in this policy shall be construed to abrogate, limit or amend the authority of the Board in the award or approval of contracts.

[December 5, 1986; June 13, 1991; January 9, 1992; January 12, 2006; February 14, 2013; January 10, 2019; July 14, 2022]

**15.3 Purchasing - Personal Property.** The General Manager is authorized to contract for the purchase of personal property for authorized programs and projects without Board approval whenever the contract price does not exceed \$50,000. Contracts shall not be phased or split to avoid the limitation. Each contract or order, whether written or oral, for the purchase of personal property shall be entered into in the name of the District and shall expressly or impliedly provide that good title to

such property shall be conveyed to the District free from any security interest or other lien or encumbrance. Contracts under this policy shall be subject to the provisions of Policy 15.6 and 15.7. Contracts under this policy shall not be subject to the provisions of Policy 15.8 unless otherwise required by the Board.

[December 5, 1985; June 13, 1991; December 9, 1993; December 10, 1998; February 14, 2013; January 10, 2019]

**15.4 Purchasing - Emergency Purchasing Authority.** In the event of flood or other natural disaster, or the immediate threat thereof, and ~~after consultation with all available Directors and~~ the concurrence of six (6) Directors and receipt of written authorization from the Chairperson, or the Vice-Chairperson in the Chairperson's absence from the District, regarding the nature of the emergency that exists, the infeasibility of a Board meeting, and the planned action. Management shall take the action authorized in such written authorization (Emergency Declaration, Form 15.4., Manual of Standard Forms (Appendix E)).

A. Such authorization may include the authority to take one or more of the following actions on behalf of the District:

1. Purchase or otherwise acquire easements or other interests in real estate;
2. Purchase, retain, or otherwise acquire the services of contractors or other persons using the informal bidding procedure in Policy 15.6.B., notwithstanding the maximum consideration or price limitation stated in Policy 15.6.B and the bonding requirements stated in Policies 15.7 and 15.8;
3. Purchase, lease, or otherwise acquire equipment, materials, supplies, or other personal property using the informal bidding procedure in Policy 15.6.B., notwithstanding the maximum consideration or price limitation stated in Policy 15.6.B and the bonding requirement stated in Policy 15.7;
4. Expend funds of the District, by District draft, by and with the concurrence of the Treasurer, when immediate payment if required as a pre-condition to the acquisition of necessary interests in real estate or the acquisition of necessary services or personal property; and,
5. Execute such contracts, purchase orders, leases, easements, assurances, or other covenants or documents in writing which may be required as a pre-condition to the acquisition of necessary interests in real estate or the acquisition of necessary personal services or personal property.

B. An attempt shall be made to contact each Director at the telephone number prescribed for the purpose of calling Special Board meetings as outlined in these policies. At the next regular meeting of the Board following such emergency, the General Manager shall present the written authorization and a written report of the actions taken pursuant to this resolution and recommendations as to any further action necessary to be taken by the Board with respect to such emergency.

[December 5, 1986; June 13, 1991; January 14, 2016; July 14, 2022]

**15.5 Purchasing - Repair Services.** Management is authorized to contract for maintenance and repair services consisting of the provision of parts and labor maintain and repair District office equipment, construction and maintenance equipment, vehicles and other District personal property without Board approval if the estimated cost of any instance of maintenance or repair, including parts and labor, does not exceed ~~\$20,000~~~~15,000~~. If the estimated cost of an instance of maintenance or repair exceeds ~~\$20,000~~~~15,000~~, Management shall obtain approval from the Chairperson of the Programs, Projects and Operations Subcommittee, or Vice-Chairperson of the Subcommittee in the absence of the Chairperson. Contracts shall not be phased or split to avoid the limitation. Contracts under this policy shall be subject to the provisions of Policy 15.6, 15.7 and 15.8.

[December 5, 1986; June 13, 1991; December 10, 1998; February 14, 2013; ~~July 14, 2022~~]

**15.6 Purchasing - Competitive Bidding.** The competitive bidding requirements hereinafter set forth shall not apply to the purchase of utilities, insurance policies, intangible personal property, such as bonds, bills, notes and certificates of deposit, and unique or non-competitive items, such as library books, publications and used personal property. ~~Purchases of personal property which are available from only one source due to the unique nature of the requirement, compatibility, its supplier, proprietary product or market conditions shall not be subject to the competitive bidding requirements hereinafter. Purchases of services that are of such unique nature that the consultant or contractor selected is clearly and justifiably the only practicable source to provide the service shall not be subject to the competitive bidding requirements hereinafter or within Policy 15.2.~~  
~~\*\*BM add comment about single source~~

A. Purchases Exempt from Competitive Bidding. Whenever the consideration or price for the purchase of any service or any item of personal property, or whenever the aggregate consideration or price for the purchase in one transaction of two or more similar or identical services or items of personal property, shall be ~~\$10,000~~~~5,000~~ or less, such service(s) or item(s) of personal property may be purchased from any supplier of such service(s) or item(s) without calling for competitive bids.

B. Purchasing by Informal Competitive Bidding. Whenever the consideration or price for the purchase of any service or any item of personal property, or whenever the aggregate consideration for the purchase in one transaction of two or more similar or identical services or items of personal property, shall be estimated by Management to exceed the sum of ~~\$10,000~~~~5,000~~ and be less than ~~\$100,000~~~~50,000~~, Management shall cause the following information to be communicated to at least three known suppliers of such service or item, or in the case of two or more similar or identical services or items of personal property to be purchased in one transaction, to at least three known suppliers of all of such services or items, to-wit: (a) the specifications for such service(s) or item(s), and (b) an Invitation for Informal Competitive Bids (Form 15.6.B., Manual of Standard Forms, (Appendix E)) thereon, including a notification of the final time for the reception of bids. Management shall award such contract to the supplier determined by Management to be the lowest responsible bidder whose informal written bid shall be timely received. Management shall report such contract to the Board at the next regularly scheduled meeting, unless contracting for such specific item or service was previously authorized by the Board. A written memorandum of such communications and copies of the informal bids thus received shall be made and maintained in the files of the District and available for inspection by any interested person during all normal business hours; provided, however, in the event the lowest and best informal bid thus received exceeds the sum of ~~\$100,000~~~~50,000~~, Management shall submit to the Board for its consideration and action the informal bids received by the District.

### C. Purchases by Formal Competitive Bidding.

1. Whenever the consideration or price for purchase of any service or item of personal property, or the aggregate consideration or price for the purchase in one transaction or of two or more similar or identical services or items, shall be estimated by Management to be the sum of \$~~100,000~~~~50,000~~ or more, Management shall prepare or cause to be prepared detailed written specifications for such service(s) or item(s), and an invitation for bids thereon, and the invitation for bids shall be posted on the District's website and may be sent by Management to known suppliers of such service or item, or, as determined by the General Manager, the General Manager shall cause the invitation for formal sealed competitive bids to be published once each week for two consecutive weeks in a publication having general circulation within the District, the last publication of which shall be at least one week, ~~and not more than three weeks~~, prior to the final time for reception of bids.
2. All formal sealed competitive bids received by the General Manager shall be publicly opened and read by the General Manager, or a designated representative, at the time specified in the invitation for bids. The bid opening must occur at least one week, ~~and not more than two weeks~~, prior to the next duly convened meeting of the appropriate Subcommittee of the Board.
3. Contracts for the purchase of services or items of personal property in the amount of \$~~100,000~~~~50,000~~ or more shall be awarded to the lowest responsible bidders by resolution of the Board, which reserves the right to accept or reject any and all bids in whole or part. Contracts shall not be phased or split to avoid the limitation.
4. Invitations for formal sealed competitive bids shall be drawn in accordance with Form 15.6.C., Invitation for Formal Competitive Bids, in the District's Manual of Standard Forms (Appendix E).

D. Unforeseen Requirements. In the event Management determines that there exists a need for personal property for an unforeseen need, repair, parts or materials for District projects which these regulations would normally require to be let for formal sealed competitive bids, he may use the informal bidding procedure described in Policy 15.6.B. to purchase such item or items.

[December 5, 1986; June 13, 1991; December 9, 1993; December 10, 1998; February 14, 2013; January 10, 2019; July 14, 2022]

**15.7 Purchasing - Bid Bonds.** Whenever the consideration or price for the purchase of any service or any item of personal property, or the aggregate consideration for the purchase in one transaction of two or more similar or identical services or items of personal property, shall be estimated by Management to exceed the sum of \$~~100,000~~~~50,000~~, or whenever, prior to the issuance of the invitation for bids, Management shall determine it to be in the best interests of the District, each bidder, shall be required to submit to the District a corporate surety bid bond, with at least one corporate surety authorized to be business in the State of Nebraska (or a certified check payable solely to the District as bid security) in the amount of 5% of such bidder's bid, conditioned upon execution of such contract in accordance with such bidder's bid, any such corporate surety bond to be in such form as approved by Legal Counsel.

[June 13, 1991; December 10, 1998; July 14, 2022]

**15.8 Purchasing - Performance Bonds.** Whenever the consideration or price for the purchase of any service, or the aggregate consideration for the purchase in one transaction of two or more similar or identical services shall be estimated by Management to exceed the sum of \$100,000~~50,000~~, or whenever, prior to the issuance of the invitation for bids, Management shall determine it to be in the best interests of the District, the successful bidder to whom or to which the contract for such purchase is awarded shall be required to submit bonds, with at least one corporate surety authorized to do business in the State of Nebraska, having a penalty amount equal to the amount of such contract and conditioned upon faithful performance of such contract and upon payment of labor and materials furnished in connection therewith, such bond(s) to be in such form as approved by Legal Counsel.

[June 13, 1991; February 14, 2013; January 14, 2016; July 14, 2022]

**15.9 Purchasing – Cost-shared Projects.** Paragraphs 15.0 through 15.8 of these policies shall not apply to projects constructed by other governmental agencies, developers or other cooperators in accordance with cost-sharing agreements with the District that are specifically authorized by the Board. Paragraph 15.2 of these policies shall not apply to projects engineered by other governmental agencies, developers or other cooperators in accordance with cost-sharing agreements with the District that are specifically authorized by the Board.

[May 12, 2005]

**16.0 District Property - Construction and Maintenance Equipment Rental.** Management is authorized to lease District construction and maintenance equipment to governmental entities and owners of land contiguous to District projects on a cost-reimbursable basis, where such work would be of short duration and will not materially interfere with the progress of District-sponsored projects. The rental rate to be charged is ~~from the annual FEMA Schedule of Equipment Rental Rates 77% of the monthly Blue Book Rental Rate for Construction Equipment, published by the Equipment Guide Book Company, plus operator labor.~~ District equipment will not be leased to others without operator. Operator charges will be at the regular rate of pay for the staff member operating the equipment, plus employee benefits payable by the District. There will be no charge for mobilization. Management is authorized to establish equipment rental rates for equipment if rates for such equipment are not found in the Blue Book. This policy shall not apply to unusual work such as snow removal. Management is authorized to lease equipment, with operator, to governmental entities for snow removal work at negotiated rates.

[December 5, 1986; December 12, 2002; July 14, 2022]

**16.1 District Property - Insurance.** [Reserved]

**16.2 District Property - Surplus Personal Property.** Management is authorized to declare any item of district personal property, with an estimated fair market value of \$5,000 or less, as surplus to the needs of the District, and is authorized to sell such item for the highest price obtainable after receiving oral bids from at least two persons known or believed to be potential purchasers of such items, or after publishing a newspaper advertisement for the sale of such item. Contracts for sales of such surplus property shall not be phased or split to avoid the limitation.

[February 5, 1987; February 14, 2013; July 14, 2022]

**16.3 District Property - Repair and Maintenance.** Management is authorized to contract for services to maintain and repair District headquarters, office and maintenance buildings without Board approval if the estimated cost of any instance of maintenance or repair, does not exceed ~~\$20,000~~~~15,000~~. If the estimated cost of any instance of maintenance or repair exceeds ~~\$20,000~~~~15,000~~, Management shall obtain approval from the Chairperson of the Programs, Projects and Operations Subcommittee, or Vice-Chairperson of the Subcommittee in the absence of the Chairperson. Contracts shall not be phased or split to avoid the limitation. Contracts under this policy shall be subject to the provisions of Policy 15.6, 15.7 and 15.8).

[December 5, 1986; June 13, 1991; December 12, 2002; February 14, 2013; July 14, 2022]

**16.4 District Property - Nebraska Clean Air Act Designations.** The use of tobacco products is prohibited in all District buildings, vehicles and motorized equipment with cabs. Additionally, the use of tobacco products is prohibited within a reasonable distance outside the entrances to and air intakes and operable windows of District buildings, and at such other locations as provided by laws or government regulations. Public notices of this policy shall be posted.

[December 10, 1987; May 9, 1991; March 10, 2009]

**16.5 District Property - Use of Natural Resources Center Meeting Rooms.** In scheduling the use of Natural Resources Center (NRC) meeting rooms, programs sponsored by the Papio-Missouri River NRD will receive first consideration. If not reserved for NRD purposes, the meeting rooms are available to governmental agencies, civic groups, schools, **for profit** businesses, individuals, etc. The fact that a group is permitted to meet in the NRC meeting rooms does not in any way constitute an endorsement of the group's policies or beliefs. Upon adequate notice, and for adequate reasons, the Papio-Missouri River NRD reserves the right to revoke the permission to use meeting rooms.

A. REGULATIONS:

1. A user's fee is required for use of any of the NRC meeting rooms. This user's fee is waived for other governmental agencies and non-profit groups. **For profit groups are allowed building use during normal business hours.**

<b>PROFIT ORGANIZATION MEETING ROOM FEE SCHEDULE</b>	
<b>Number of Attendees</b>	<b>Room Charge</b>
<b>25</b>	<b>\$ 75.00</b>
<b>26-50</b>	<b>\$ 100.00</b>
<b>51-75</b>	<b>\$ 125.00 VC only</b>
<b>76-100</b>	<b>\$ 150.00 VC only</b>
<b>* Non-profit senior citizen group(s) requesting room set up would follow the fee schedule for Profit Organizations.</b>	

Fee schedule is proportionate with the wear and tear on building.

2. Application form and user's fee, if applicable, must be provided to the District before the function will be scheduled.

3. Responsibility for damage to rooms or their contents rests with the user.

4. Neither the Papio-Missouri River NRD nor its employees will assume responsibility for any property of the user.

5. Normal building hours available for public group use are:



## 2015 NRC MEETING ROOM SCHEDULE

DAY OF WEEK	DAY TIME PROGRAM	EVENING PROGRAM
Monday	8:30 a.m. - 4:30 p.m.	<del>Closed</del> *6:00 p.m. – 9:00 p.m.
Tuesday***	8:30 a.m. - 4:30 p.m.	6: <del>030</del> p.m. - 9:00 p.m.
Wednesday	8:30 a.m. - 4:30 p.m.	6: <del>030</del> p.m. - 9:00 p.m.
Thursday ***	8:30 a.m. - 4:00 p.m.	6: <del>030</del> p.m. - 9:00 p.m.
Friday	8:30 a.m. - 4:00 p.m.	Closed *
Saturday**	Closed	Closed *
Sunday**	Closed	Closed *

Evening programs available only by pre-approval of NRD staff.

\* Times for “special use permits” may be varied only with approval of NRD staff. All stated times include set up time.

\*\* Weekend hours are only available to non-profits April – October unless approved by NRD staff.

\*\*\* Second Tuesday and Thursday of each month reserved for P-MRNRD use only.

6. At the end of the meeting, the NRC clean-up check list will be used to ensure all personal property is removed and the meeting room and/or NRD equipment is left neat and clean for succeeding users.

7. Room setup will be the responsibility of each user except as outlined in paragraph 1. Tables, chairs, easels, and coffee pots will be provided pending prior notification. Decorations are not to be attached to any furnishings or walls by tape, glue or tacks. Displays and other District material may not be moved unless prior approval is granted.

8. Alcoholic beverages are PROHIBITED.

9. Catered meals are permitted. No food or beverages may be prepared within the NRC except coffee. Coffee, condiments, cups or napkins will NOT be supplied by the NRD. Serving trays, coffee pots, and other items stored in the Board Room Cabinets are property of the NRD and are NOT for public use.

10. Trash containers must be emptied at the end of the program and garbage placed in the dumpster on the eastwest side of the parking lotbuilding.

11. Kitchen facilities and vending machines are not available for public use.

12. Weddings or wedding receptions, Bridal Showers, or Graduation Parties are NOT permitted in the NRC or park.

13. Meeting rooms and park facilities are not available to anyone for commercial use who sells, trades, or vends goods, products, or commodities.

14. Organized Runs/Walks are welcomed and can be arranged through NRD staff.

[December 10, 1987; June 11, 1992; December 8, 1994; December 10, 1998; April 11, 2002; January 8, 2015; July 14, 2022]

**16.6 District Property - Sales and Grants of District Real Property.** All sales and conveyances of District real property shall require prior approval by the Board; provided, however, easements and permits involving District real property which will not result in permanent paved surfaces and structures-improvements on such property and which the General Manager determines will not substantially affect its fair market value or affect its usability by the District, and containing such covenants and conditions as the General Manager determines reasonable and Legal Counsel approves as to form, may be granted by the General Manager without approval of the transaction by the Board, the grants of permits to be made for nominal consideration and the grants of easements to be made to other governmental subdivisions or agencies and to non-governmental entities for nominal consideration. ~~and to non-governmental entities for a \$200 fee~~, and provided further, that the General Manager may, without consideration, execute releases of District easements which he determines have no further District purpose and are not marketable.

[September 14, 1995; September 12, 2002; July 14, 2022]

**16.7 District Property – Donation Recognition and Naming of NRD Reservoirs, Recreation Areas and Other Property:**

It is the policy of the NRD to provide opportunities on certain projects for financial donations (non-public funds) to be recognized by the “naming” of an identifiable component in honor of the donor. Eligible projects will be those with full public access and public use, and as designated by the Board of Directors.

The NRD shall identify and describe the separable components of the project which would be appropriate for donor recognition. The NRD shall develop and estimate full implementation cost for each separable component.

Donors may select and fund separable components on a first-come basis. The Board of Directors shall, singly, or jointly if it is a project with other co-sponsors, consider each donation and the proposed “name.” Recognition shall continue permanently or for the life of the component and shall survive an assignment of the project to a successor public agency. The District and the donor shall enter into a written agreement on the terms of the donation. To the extent practicable, such agreement shall be binding on both parties.

Eligible donors shall include individuals, corporations, organizations and not-for-profit organizations, irrespective of their site of business or residence. Recognition may be for any persons, living or deceased, organizations, corporations, and the like. The Board of Directors must approve of the recognition “name.”

Naming of NRD Reservoirs, Recreation Areas and Other Property.

It shall be the general practice of the Papio-Missouri River NRD to name reservoirs, recreation areas and other District owned property and facilities that the District constructs to ensure their proper identification for public utilization. It is the policy of the NRD Board of

Directors to consider naming proposals, seek citizen input, allow input per written contracts or agreements and formally decide on proposed names of NRD constructed or to be constructed reservoirs, recreation areas and other District owned property and facilities.

A Pappio-Missouri River NRD Board member or a Board created naming ad hoc subcommittee can request the naming of a NRD reservoir, recreation area, or District owned property or facility. The request shall be submitted to the Programs, Projects and Operations (PPO) Subcommittee and the request should include the proposed name of the property or facility and a description of why the naming is being proposed. The PPO Subcommittee shall then vote, upon a motion, to recommend a proposed name of the property or facility to the Board of Directors. To ensure that sufficient opportunity exists for citizen input, the Board of Directors will review the PPO Subcommittee recommendation, allow for public comment and input, and then vote on the naming motion at the next regular Board meeting. The naming resolution shall be approved by a majority vote.

It shall be the general practice of the District to not consider politicians in this naming policy. General categories to consider:

- a. Historical Naming – Due to the historical significance to the area being evaluated.
- b. Geographic Naming – Refers to naming an area after local geographic features that are associated with the site.
- c. Individuals – Those individuals who have had a significant role in current or past accomplishments for the benefit of Nebraska and/or the District.

All naming recognition must be consistent with the NRD’s mission and role as a public entity. In this regard, due attention shall be given to both long-term and short-term appropriateness of naming.

[July 13, 2000, December 13, 2018]

**16.8 District Property – Vehicle Replacement Schedule:** It is the policy of the NRD to maintain all District-owned vehicles to keep them in the best condition possible. The District will use the following as a guideline for the replacement of District-owned vehicles:

- ◆ Gas Vehicles - 7 years or 150,000 miles
- ◆ Diesel Vehicles - 8 years or 200,000 miles

This is a guideline only. Recommendation for replacement of vehicles based on maintenance history and/or vehicle condition is at the discretion of the General Manager.

[August 14, 2003; February 14, 2013]

**16.9 District Property – ~~Reserved~~NRD Historical Remains Discovery Policy:** If any NRD personnel or its contractors discover any previously unknown historic, archeological or paleontological remains while conducting District activities they are to immediately notify the NRD General Manager or Assistant General Manager of what they have found and its location. Required federal, state or tribal coordination will be initiated to determine the appropriate course of action (i.e. if the remains warrant recovery effort and/or historic designation).

**[December 12, 2019]**