

**Programs, Projects, and Operations
Subcommittee Meeting Minutes
December 8, 2015**

A meeting of the Papio-Missouri River Natural Resources District’s Programs, Projects, and Operations Subcommittee was held at the Natural Resources Center, 8901 South 154th Street, Omaha, NE, on December 8, 2015. The meeting was called to order by Chairperson John Conley at 6:35 p.m.

QUORUM CALL: Quorum call was taken. The following subcommittee members were in attendance.

Subcommittee Members Present	Subcommittee Members Absent	Other Directors Present	Others in Attendance
Patrick Bonnett **	Fred Conley *	Curt Frost	John Winkler
Tim Fowler **	Patrick Leahy *	Scott Japp	Marlin Petermann
Rich Tesar		Ron Woodle	Dave Newman
Jim Thompson, Vice-Chairperson		David Klug	Jean Tait
John Conley, Chairperson			Martin Cleveland
			Amanda Grint
			Lori Laster
			Zach Nelson
			Eric Williams
			Paul Woodward
			Other staff members
			Chris Hobza, USGS
			John Krager, HGM
			Brian Henkel, FYRA

- * Absence
- ** Alternate Voting Member

ADOPTION OF AGENDA:

- **It was moved by Director Fowler and seconded by Director Thompson that the agenda be adopted.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea and 0-nay.

Voting Yea: P. Bonnett, T. Fowler, R. Tesar, J. Thompson, J. Conley
 Voting Nay: None
 Abstaining: None
 Excused Absence: F. Conley, P. Leahy
 Absent: F. Conley, P. Leahy

PROOF OF PUBLICATION: Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on December 3, 2015. The proof of publication affidavit is included with the file copy of these minutes.

1. Review and Recommendation on West Papio Trail HGM, Additional Construction Administration Services – Eric Williams and John Krager, HGM Associates:

Eric Williams briefed the subcommittee on the extension of the West Papio Trail. The project began in March 2015 and was scheduled to be completed by July 1, 2015. However, excessive rain during construction extended the completion date to August 1, 2015. HGM Associates, the design and construction administration firm for the project, incurred additional expenses due to the delay in construction. There were also expenses for additional services requested by the District to repair a low flow crossing along West Papio Creek and relocate a traffic signal at 108th Street and Giles Road. These items were not in the original scope of work. HGM Associates is requesting an additional \$8,869.20 to bring their total contract amount to \$167,472.49.

- **It was moved by Director Thompson and seconded by Director Bonnett that the Subcommittee recommends to the Board of Directors that the General Manager be authorized to execute Amendment #2 to the contract with HGM Associates for professional services on the West Papio Trail in the amount of \$8,869.20, bringing the total maximum not to exceed amount of the contract to \$167,472.49, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 4-yea and 1-nay.

Voting Yea: P. Bonnett, T. Fowler, J. Thompson, J. Conley
Voting Nay: R. Tesar
Abstaining: None
Excused Absence: F. Conley, P. Leahy
Absent: F. Conley, P. Leahy

2. Review and Recommendation on Renewal of USGS Maintenance Agreement for Papio Floodwarning System Gages – Amanda Grint:

Amanda Grint reviewed the annual maintenance agreement with the USGS for the Papillion Creek Watershed Flood Warning System. The USGS provides maintenance for 22 gages in the Papillion Creek Watershed, as well as a stream gage on Omaha Creek at Homer and a groundwater/surface water gage at Waterloo. The total District contribution for 2016 is \$119,810.

- **It was moved by Director Fowler and seconded by Director Tesar that the Subcommittee recommends to the Board of Directors that the General Manager be authorized to execute a proposed contract with the USGS in the amount of \$119,810 in District funds for the operation of the District’s floodwarning system for 2016 subject to changes deemed necessary by the General Manager.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea and 0-nay.

Voting Yea: P. Bonnett, T. Fowler, R. Tesar, J. Thompson, J. Conley
Voting Nay: None
Abstaining: None
Excused Absence: F. Conley, P. Leahy
Absent: F. Conley, P. Leahy

3. Review and Recommendation on the Water Sustainability Fund Applications for the West Papillion Regional Basins WP6 and WP7 – Amanda Grint:

Amanda Grint briefed the subcommittee on the development of an application to the Water Sustainability Fund for the WP-6 and WP-7 projects. The application will request a 60% cost share of approximately \$8,000,000 in eligible project costs.

- **It was moved by Director Bonnett and seconded by Director Fowler that the Subcommittee recommends to the Board of Directors that the General Manager be authorized to execute and**

submit a Water Sustainability Fund application for 60% of the eligible project costs for the WP6 and WP7 projects, subject to changes deemed necessary by the General Manager.

Roll call was taken on the motion. The motion carried on a vote of 5-yea and 0-nay.

Voting Yea: P. Bonnett, T. Fowler, R. Tesar, J. Thompson, J. Conley
Voting Nay: None
Abstaining: None
Excused Absence: F. Conley, P. Leahy
Absent: F. Conley, P. Leahy

4. Review and Recommendation on the Water Sustainability Fund Application for the Modifications of the Missouri River Levee Systems R-613 and R-616 – Paul Woodward:

Paul Woodward briefed the subcommittee on the development of an application to the Water Sustainability Fund for the Missouri River R-613 and R-616 Levee Certification Project. The application will request a 60% cost share on approximately \$25,000,000 of eligible project costs.

- **It was moved by Director Bonnett and seconded by Director Fowler that the Subcommittee recommends to the Board of Directors that the General Manager be authorized to execute and submit a Water Sustainability Fund application in the amount of 60% of eligible project costs for the Missouri River R-613 and R-616 Levee Certification Project, subject to changes deemed necessary by the General Manager.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea and 0-nay.

Voting Yea: P. Bonnett, T. Fowler, R. Tesar, J. Thompson, J. Conley
Voting Nay: None
Abstaining: None
Excused Absence: F. Conley, P. Leahy
Absent: F. Conley, P. Leahy

5. Review and Recommendation on the Water Sustainability Fund Application and the NDNR INSIGHT Data Enhancement Program Application for the Platte and Elkhorn River Valley Integrated Water Monitoring Project – Paul Woodward and Chris Hobza, U.S. Geological Survey:

Paul Woodward briefed the subcommittee on the development of an application to the Water Sustainability Fund and the NDNR INSIGHT Data Enhancement Program for the Platte River and Elkhorn River Valley. This project will receive funding from USGS, Nebraska Department of Natural Resources, Lower Platte North NRD, and the District. The application will request a \$64,200 from the Water Sustainability Fund.

- **It was moved by Director Tesar and seconded by Director Fowler that the Subcommittee recommends to the Board of Directors that the General Manager be authorized to execute and submit a NDNR INSIGHT Data Enhancement Program (IDEP) funding application in the amount of \$72,000 and a Water Sustainability Fund application in the amount of 60% of eligible project costs for the Platte and Elkhorn River Valley Integrated Water Monitoring Project with the understanding that the U.S. Geological Survey will be contracted to perform the project under a future Joint Funding Agreement and Lower Platte North NRD will enter into a future Interlocal Agreement to cost-share with the District, subject to changes deemed necessary by the General Manager.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea and 0-nay.

Voting Yea: P. Bonnett, T. Fowler, R. Tesar, J. Thompson, J. Conley
Voting Nay: None
Abstaining: None
Excused Absence: F. Conley, P. Leahy
Absent: F. Conley, P. Leahy

6. Review and Recommendation on the Water Sustainability Fund Application for the AEM Southwestern Sarpy County Dakota Aquifer Mapping Project – Paul Woodward and Brian Henkel, FYRA Engineering:

Paul Woodward briefed the subcommittee on the development of an application to the Water Sustainability Fund for the AEM Southwestern Sarpy County Dakota Aquifer Mapping Project. The application will request a 60% cost share on approximately \$400,000 of eligible project costs.

- **It was moved by Director Bonnett and seconded by Director Fowler that the Subcommittee recommends to the Board of Directors that the General Manager be authorized to execute and submit a Water Sustainability Fund application in the amount of 60% of eligible project costs for the AEM Southwestern Sarpy County Dakota Aquifer Mapping Project, subject to changes deemed necessary by the General Manager.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea and 0-nay.

Voting Yea: P. Bonnett, T. Fowler, R. Tesar, J. Thompson, J. Conley
Voting Nay: None
Abstaining: None
Excused Absence: F. Conley, P. Leahy
Absent: F. Conley, P. Leahy

7. Review and Recommendation on Changes to the District’s Policy Manual – Marlin Petermann:

Marlin Petermann discussed proposed changes to the District’s Policy Manual. Policy 15.4 would be revised to exempt price limitations and bonding requirement for projects that are informally bid under Emergency Purchasing Authority. Policy 15.5 would be revised to increase the requirement for Performance Bonds to \$50,000 which is consistent with requirements for Bid Bonds.

Changes to Policy 17.32 would increase cost share rates and increase the maximum dollar amounts for the Well Abandonment Program. The proposed changes to Policy 17.40 would remove references to federal funding for the Trails Assistance Program. Policies 18.42, 18.43, and 18.44 add new projects WP-6, WP-7, and Zorinsky Basin 2 to the Policy Manual.

- **It was moved by Director Tesar and seconded by Director Thompson that the Subcommittee recommends to the Board of Directors that the proposed amendments to District Policies 15.4 and 15.8 be tabled for consideration at the next regular meeting of the Board.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea and 0-nay.

Voting Yea: P. Bonnett, T. Fowler, R. Tesar, J. Thompson, J. Conley
Voting Nay: None
Abstaining: None
Excused Absence: F. Conley, P. Leahy
Absent: F. Conley, P. Leahy

- **It was moved by Director Thompson and seconded by Director Tesar that the Subcommittee recommends to the Board of Directors that the proposed amendments to District Policies**

17.32, 17.40, 18.42, 18.43, and 18.44 be approved and incorporated into the District's Policy Manual.

Roll call was taken on the motion. The motion carried on a vote of 5-yea and 0-nay.

Voting Yea: P. Bonnett, T. Fowler, R. Tesar, J. Thompson, J. Conley
Voting Nay: None
Abstaining: None
Excused Absence: F. Conley, P. Leahy
Absent: F. Conley, P. Leahy

8. Review and Recommendation on the Providing Notice of Breach and Authority to Terminate the Water Purchase Agreement with the City of Fort Calhoun [Executive Session – if needed] – Zach Nelson:

Zach Nelson explained the existing agreement with the City of Fort Calhoun for the District to sell water to the City. This agreement has been in place since 1978 and calls for the City to operate and maintain a water tower. The City's water tower is no longer functional and has been removed from the City's water distribution system. As the water tower is no longer in use, the City has materially breached the agreement. The District must provide the City with a 60-day notice to cure the breach or the agreement may be terminated by the District.

- It was moved by Director Tesar and seconded by Director Fowler that the Subcommittee go into Executive Session at 8:01 p.m. for the purpose of discussing pending litigation.

Roll call was taken on the motion. The motion carried on a vote of 5-yea and 0-nay.

Voting Yea: P. Bonnett, T. Fowler, R. Tesar, J. Thompson, J. Conley
Voting Nay: None
Abstaining: None
Excused Absence: F. Conley, P. Leahy
Absent: F. Conley, P. Leahy

- It was moved by Director Tesar and seconded by Director Fowler that the Subcommittee return to General Session at 8:20 p.m.

Roll call was taken on the motion. The motion carried on a vote of 5-yea and 0-nay.

Voting Yea: P. Bonnett, T. Fowler, R. Tesar, J. Thompson, J. Conley
Voting Nay: None
Abstaining: None
Excused Absence: F. Conley, P. Leahy
Absent: F. Conley, P. Leahy

- **It was moved by Director Tesar and seconded by Director Fowler that the Subcommittee recommends to the Board that the General Manager be authorized to provide Fort Calhoun and the USDA written notice of the City's material breach of the Fort Calhoun Water Purchase Agreement dated May 20, 1978 and its subsequent amendments, and that the General Manager be further authorized to terminate the Agreement should Fort Calhoun not cure the breach within sixty (60) days of receiving said notice.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea and 0-nay.

Voting Yea: P. Bonnett, T. Fowler, R. Tesar, J. Thompson, J. Conley
Voting Nay: None

Abstaining: None
Excused Absence: F. Conley, P. Leahy
Absent: F. Conley, P. Leahy

9. Review and Recommendation on Bid Opening for the Washington County Rural Water Snowdrift Lane Water Main Extension – Zach Nelson:

Zach Nelson briefed the subcommittee about a potential new connection to the Washington County Rural Water System. Informal bids were solicited for the new connection by District Staff. However, the low bid was over \$30,000 and therefore requires approval by the Board of Directors.

- **It was moved by Director Tesar and seconded by Director Bonnett that the Subcommittee recommends to the Board that the General Manager be authorized to execute a contract with Henton Trenching for the construction of the Washington County Rural Water – Snow Drift Lane Water Main Extension Project in the bid amount of \$37,988, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea and 0-nay.

Voting Yea: P. Bonnett, T. Fowler, R. Tesar, J. Thompson, J. Conley
Voting Nay: None
Abstaining: None
Excused Absence: F. Conley, P. Leahy
Absent: F. Conley, P. Leahy

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 8:29 p.m.

Minutes were prepared by Lori Laster.