

**Programs, Planning, and Operations Subcommittee  
Meeting Minutes  
February 12, 2013**

A meeting of the Papio-Missouri River Natural Resources District's Programs, Projects, and Operations Subcommittee was held at the Natural Resources Center, 8901 S. 154th Street, Omaha, Nebraska, on February 12, 2013. The meeting was called to order by Chairperson John Conley at 6:48 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
John Conley, Chairman		Woodle	John Winkler
Jim Thompson, Vice-Chairman		Japp	Marlin J. Petermann
David Klug		Bonnett	Martin Cleveland
Patrick Leahy		Frost	Emmett Egr
Rich Tesar		Fowler	Gerry Bowen
			Dick Sklenar
			Terry Schumacher
			Justin Novak
			Carey Fry
			Barb Sudrula
			Heather Borkowski
			Jean Tait
			Brian Henkel
			Penny Burch
			Amanda Grint
			John Zaugg
			Dan Dolezal, Ehrhart Griffin
			Joe Ficenec, E&A Consulting
			Shawn Melotz

**Adoption of Agenda**

**It was moved by Klug seconded by Tesar that the agenda be adopted.**

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

Voting Yes: Klug, Leahy, Tesar, Thompson, J. Conley  
 Voting No: None  
 Abstaining: None  
 Excused Absent: None  
 Absent: None

**Proof of Publication of Meeting Notice**

Public notice of the meeting was posted at all District offices and in the Omaha World-Herald on February 7, 2013. A copy of the proof of publication affidavit is included with the file copy of these minutes.

**Review and Recommendation MoPac Trail (Platte River Trail Project – Hwy 50 to Lied Bridge) Construction Engineering Agreement with Ehrhart Griffin & Associates:**

Gerry Bowen gave an update on the MoPac Trail and indicated that the project started in 2003 and had been delayed several times for different reasons, most recently due to the new process through Nebraska Department of Roads (NDOR) for projects with Federal Highway funding. Gerry noted that the project has been bid and now for consideration is an agreement with Ehrhart Griffin & Associates for the Construction Engineering. As part of the new process, NDOR requires that the proposed resolution be adopted to execute the agreement. It was noted that the land had already been acquired for this project.

**It was moved by Klug, seconded by Tesar that Management recommends that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the attached Task Order between the District and Ehrhart Griffin & Associates for Construction Engineering Services for the Mopac trail (Platte River Trail Project – Highway 50 to Lied Bridge) for actual work performed with a not-to-exceed amount of \$364,358.**

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

Voting Yes:	Klug, Leahy, Tesar, Thompson, J. Conley
Voting No:	None
Abstaining:	None
Excused Absent:	None
Absent:	None

**Review and Recommendation on Ralston Creek Outlet Drainage Structure:**

A. Ralston Creek Outlet Drainage Structure Replacement Project Bids

Martin Cleveland gave a description of the project which involves two twin 72 inch diameter pipes that convey Ralston Creek through the Big Papio levee. He noted that the existing pipes are 40 years old and in poor condition. In June 2012, E&A Consulting was hired to design a new drainage structure. He noted that the project involves removing the existing pipes, relocating a sewer line and constructing a twin 6 ft by 5 ft reinforced concrete box culvert. Bids for the project were received on January 31, 2013. Martin noted that four bids were received, all by reputable contractors, and the low bid was ME Collins Contracting Company for \$259,164.20. There was discussion on the high bid and the fact that the levee flood protection needed to be maintained during construction of the new structure.

- **It was moved by Klug, seconded by Thompson that Management recommends that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute a Contract Agreement with ME Collins Contracting Co. Inc., for the construction of the Ralston Creek Outlet Drainage Structure Replacement Project with the total base bid amount of \$259,164.20**

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

Voting Yes:	Klug, Leahy, Tesar, Thompson, J. Conley
Voting No:	None
Abstaining:	None
Excused Absent:	None

Absent: None

B. Ralston Creek Outlet Drainage Structure Replacement Project – Request for Additional Professional Services with E&A Consulting Group.

Martin Cleveland and Joe Ficenec with E&A Consulting discussed with the Subcommittee the out of scope work that had come up on the design of the new structure for the Ralston Creek Outlet through the Big Papio levee system. Martin noted that in June 2012, the original contract with E&A had been approved and an additional services contract approved in November 2012. He explained that the out of scope work included tree removal, extension of a 30 inch pipe and swale that had not been identified in the survey work, redesign of the twin box also due to incorrect/old survey data and the completion of an as built survey. These items would increase the not to exceed fee by \$12,760 for a new contract total of \$60,926.

- **It was moved by Klug, seconded by Thompson that Management recommends that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the Professional Services Additional Services Contract Agreement with E&A Consulting Group for the total contract maximum not-to-exceed amount of \$12,760 and that the overall revised engineering services contract total of \$60,926, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.**

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

Voting Yes: Klug, Leahy, Tesar, Thompson, J. Conley  
Voting No: None  
Abstaining: None  
Excused Absent: None  
Absent: None

**Review and Recommendation on Elkhorn River IPA – Operation and Maintenance Assessment:**

Gerry Bowen gave a history of the Elkhorn River IPA project and assessment, he noted that in 2010 a flood on the Elkhorn River caused extensive damage to the existing bank stabilization project. FEMA has committed disaster assistance funds that helped to reconstruct the project but in 2011 it was determined by the Board that the Operation and Maintenance Assessment should be reinstated for property owners who benefit from the protection. In 2011, the Board authorized collecting assessments in the amount of \$15,000 per year until a balance of \$250,000 was obtained. Gerry explained that each year Douglas County required a resolution by the Board in order to assess those fees to the landowners.

Director Tesar noted that with the current balance and proposed assessment it would take at least 10 years to reach the balance of \$250,000. He proposed a substitute motion to increase the annual assessment to \$20,000 in order to expedite reaching the \$250,000 balance noting that even though many areas had been repaired there were still vulnerable areas along the river and the District should be prepared protect those areas if needed.

**It was moved by Tesar, seconded by Thompson that the subcommittee recommends to the Board of Directors that a special assessment for operation and maintenance of the Elkhorn River Bank Stabilization Project be levied against benefited parcels in the total amount of \$20,000 for calendar year 2013.**

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

Voting Yes: Klug, Leahy, Tesar, Thompson, J. Conley  
Voting No: None  
Abstaining: None  
Excused Absent: None  
Absent: None

**Review and Recommendation Nebraska Department of Roads Acquisition of Controlled Access:**

Dick Sklenar explained that NDOR is preparing to expand Highway 133 to four lanes near Blair and that they have approached the District to purchase controlled access along Highway 133 where the District owns property for the Washington County Rural Water #2 water tower. Dick explained that the District has access off of County Road P26 and does not plan on any access from the highway. Dick then noted that the water tower and District owned land would be turned over to the City of Blair in 2015 and that the City was in cooperation on the sale of controlled access.

Dick then updated the Subcommittee on the history of Washington County Rural Water #2 and that it was constructed to help provide water to residents on the west side of Highway 133 that the City of Blair could not access at the time. The District then constructed the lines and water tower using revenue bonds and the City agreed to pay the District back over 10 years with interest. This agreement will be completed in 2015.

**It was moved by Klug, seconded by Tesar that management recommends that the subcommittee recommend to the Board of Directors that the General Manager be authorized to execute all necessary documents regarding the acceptance of the \$250.00 compensation for controlled access and that the attached resolution be approved.**

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

Voting Yes: Klug, Leahy, Tesar, Thompson, J. Conley  
Voting No: None  
Abstaining: None  
Excused Absent: None  
Absent: None

**Review and Recommendation NSWCP – Cost Share Rate for Underground Outlets:**

Terry Schumacher explained the District's Conservation Assistance Program (CAP) and noted that the current budget included \$800,000 for CAP programs along with any income that would be received through the NRCS Nebraska Soil and Water Conservation Program (NSWCP). He explained that the NSWCP sets rates for each conservation practice that can be used by the District for cost shares on the CAP. These rates had previously been set at County, District and even state levels however, this year the unit rates were set using regional data. Terry explained that the rates proposed by NSWCP were in line for the terracing rates but were well over what the Districts current contracts were for the installation of underground outlets, increasing the cost to \$9.35 per linear foot. He proposed that the rate for underground outlets be amended to \$6.12 per linear foot to more accurately reflect the local costs. This amended rate would be sent to NSWCP and used for the cost share rate on CAP projects. He noted that the District would accept the NSWCP proposed rate for terracing of \$1.80 per linear foot. With the amended rate for underground outlets and the NSWCP rate for terracing, it reflects an increase from last year's rates of approximately 9%.

Shawn Melotz addressed the Subcommittee and was interested in how many linear feet of terracing and underground outlets had been contracted in the last year. She asked that the Subcommittee consider increasing the amount it has budgeted for the CAP program.

Director Japp inquired whether the actual terracing costs should be proposed to the NWSCP as well and Terry explained that he believe those rates to be reasonable and only planned to amend the rates on the underground outlets.

**It was moved by Klug, seconded by Tesar that management recommends that the subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the change in the NSWCP cost share rate in the amount of \$6.12 per L.F. for underground outlets and submit the change to the Nebraska Natural Resources Commission for approval.**

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

Voting Yes:	Klug, Leahy, Tesar, Thompson, J. Conley
Voting No:	None
Abstaining:	None
Excused Absent:	None
Absent:	None

### **Adjournment**

There being no further business, the meeting adjourned by acclamation at 7:32 p.m.