

**Programs, Projects, and Operations Subcommittees
Meeting Minutes
October 11, 2005**

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, Nebraska, on October 11, 2005. The meeting was called to order by Vice Chairperson Rich Tesar at 7:30 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
Rich Tesar	John Conley *	Dorothy Lanphier	Steve Oltmans
Jim Thompson **		John Schwope	Marlin Petermann
Fred Conley		Dick Connealy	Gerry Bowen
Rick Kolowski		Tim Fowler	Paul Woodward
Joe Neary		Rich Jansen	Dick Sklenar
			Jim Becic
			Bill Warren
			Jean Tait
			Trent Heiser
			Paul Peters
			Larry Shackman
			Ione Werthman
			Dave Sands
			Rick Bay
			Brett Anderson
			Nancy Gaarder
			Tom Bentley
			See attendance list

- * Excused Absence
- ** Alternate Voting Member

ADOPTION OF AGENDA

◆ **It was moved by Director Fred Conley and seconded by Director Thompson that agenda be adopted.**

Roll call was taken on the motion. The motion carried on a vote of five (5) to Zero (0).

Voting Yea: Thompson, Tesar, Conley (Fred), Kolowski, Neary
 Voting Nay: None
 Abstaining: None
 Excused Absence: Conley (John)
 Absent: Conley (John)

PROOF OF PUBLICATION: Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on October 6, 2005.

NEBRASKA LAND TRUST PRESENTATION: Dave Sands presented the various needs and benefits which can be realized through conservation easements to protect valuable land uses such as forests, wetlands, and prairies. He explained that the Nebraska Land Trust was established in 2001 to help establish more conservation easements in a state where 97% of the land is under public ownership. Sands also stated that their priority was to protect areas that are developing, which has led to a focus on the Lower Platte River Corridor.

VILLAGE OF ARLINGTON WATER QUALITY GRANT: Steve Oltmans compared this proposal to the recent success of the City of Valley pumping its waste water to Fremont. He explained that upgrading Arlington's current plant, which sits in the floodway of Bell Creek, would cost \$1 million to be paid over 20 years, but that for another \$350,000, the Village could pump its sewage to Fremont. Rick Bay, Nebraska Department of Environmental Quality, explained that the \$1 million needed to update the existing treatment plant would be supplied through a State Revolving Fund (SRF) loan at 2% over 20 years. This is a monthly cost per customer of around \$25. The village doesn't wish to increase rates beyond this amount and could not afford to loan all the funds needed for the pump system to Fremont. Therefore, they are awaiting the NRD's decision prior to moving forward with any final designs or funding commitments.

HERON HAVEN – MANAGEMENT AGREEMENT WITH THE FRIENDS OF HERON HAVEN: Jim Becic reviewed the history of the Heron Haven site and the previous involvement of the Audubon Society which had helped pay for half of the land and raised around \$1 million for improvements over the last 13 years. He explained that the Audubon Society recently decided to vacate the site and building, but that individuals already heavily involved with Heron Haven had formulated a group known as Friends of Heron Haven and were willing to assume the continued operation and maintenance of the site. Ione Werthman and Larry Shackman, representing Friends of Heron Haven, addressed the subcommittee in support of the new management agreement.

- ◆ **It was moved by Director Thompson and seconded by Director Fred Conley, that the General Manager be authorized to enter into the Management Agreement between the Papio-Missouri River Natural Resources District and the Friends of Heron Haven for the Heron Haven Wetlands Project, as presented to this meeting, subject to changes deemed necessary by the General Manager and approval as to form by the District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of five (5) to Zero (0).

Voting Yea: Thompson, Tesar, Conley (Fred), Kolowski, Neary
Voting Nay: None
Abstaining: None
Excused Absence: Conley (John)
Absent: Conley (John)

SECOND ADDENDUM TO PAPIO DAM SITE 13 PURCHASE AGREEMENT WITH LYMAN RICHEY CORPORATION: Paul Woodward reviewed the approval of the original purchase agreement and First Addendum as of last month. He noted that revisions to the agreement revolved around final purchase price and new or revised easement language.

- ◆ It was moved by Director Kolowski and seconded by Director Fred Conley, that the Subcommittee recommend to the Board that the following resolution be adopted:

WHEREAS, on November 18, 2004, this Board of Directors determined that the District's project for purchase of rights-of-way and construction of a multi-purpose flood control dam and reservoir at the site of the formerly-proposed Corps of Engineers' Papillion Creek and Tributaries Lakes Project Dam Site 13, between Dodge and Blondo Streets and west of 192nd Street in Douglas County, would be of general benefit to the District, with only an incidental special benefit, and that such Dam Site 13 project should be carried out with general funds of the District; and,

WHEREAS, on December 9, 2004, this Board of Directors authorized the execution of a purchase agreement with Lyman Richey Corporation providing for the District's voluntary purchase of approximately 25 acres of land for such project, and providing for the exchange of certain easements, for a purchase price to be paid to Lyman-Richey Corporation in the sum of \$1,286,000, such purchase agreement being executed by the parties on or about March 1, 2005; and,

WHEREAS, on September 15, 2005, this Board of Directors authorized the execution of a First Addendum to Purchase Agreement, extending the closing of such purchase to October 28, 2005; and,

WHEREAS, additional modifications to the Purchase Agreement are necessary; and, therefore, a Second Addendum to Purchase Agreement, in the form as presented to this meeting, containing such modifications, including a reduction in the purchase price to be paid Lyman Richey Corporation to \$1,264,056.45, should be authorized and executed.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Papio-Missouri River Natural Resources District hereby confirms that the District's Dam Site 13 project, including, without limitation, the purchase of lands from and an exchange of easements with Lyman-Richey Corporation, will be of general benefit to the District, with only an incidental special benefit, and that such Dam Site 13 project should be carried out with general funds of the District; and, accordingly, resolves that the General Manager should be, and is hereby, authorized and directed to execute for and on behalf of the District the proposed Second Addendum to Purchase Agreement between the District and Lyman-Richey Corporation together with such other and further documents, approved as to form by District legal counsel, that are either part of such Purchase Agreement as modified by such First Addendum and such Second Addendum, or are documents that the General Manager

determines necessary to effectuate the transactions called for by such purchase agreement, as modified by such First Addendum and such Second Addendum.

Roll call was taken on the motion. The motion carried on a vote of five (5) to zero (0).

Voting Yea: Thompson, Tesar, Conley (Fred), Kolowski, Neary
Voting Nay: None
Abstaining: None
Excused Absence: Conley (John)
Absent: Conley (John)

HDR ENGINEERING, INC., PROFESSIONAL SERVICES CONTRACT FOR PAPIO

DAM SITE 13: Paul Woodward reviewed the status of the HDR contract for the design and construction observation of Dam Site 13. He noted that services needed to support the 404 permitting process had exceeded the original scope and that approximately \$20,000 of additional services had already been provided by HDR. However, at this time, management is optimistic that construction observation services will be under budget and that an increase in the contract amount will not be necessary. Therefore, there was no recommendation or action needed at this time.

AERIAL PHOTOGRAPHY AGREEMENT WITH MAPA OF PAPIO WATERSHED IN WASHINGTON COUNTY:

Paul Woodward reviewed the District's previous agreement with MAPA for aerial photography and topography which was recently completed and delivered. He also explained that LiDAR topography had not been obtained in Washington County under the past MAPA contract with Horizons due to the additional funding needed to meet FEMA standards for floodplain mapping. Woodward also noted that the District would be paying the full price for the new topography, as it had the primary interest in the data due to future projects including floodplain mapping, Dam Sites 1 & 3C evaluation, and the overall watershed study. Jennifer Andersen addressed the subcommittee and questioned if the \$56,175 cost was part of the \$625,000 budget for the Dam Site 1 & 3C study. Steve Oltmans responded that it was part of the budgeted cost.

- ◆ **It was moved by Director Fred Conley and seconded by Director Kolowski, that the Subcommittee recommend to the Board that the General Manager be authorized to execute the Interlocal Agreement with the Metropolitan Area Planning Agency to obtain contours within the Papillion Creek Watershed in Washington County for the sum of \$56,175.00, as approved to form by District legal counsel.**

Roll call was taken on the motion. The motion carried on a vote of four (4) to one (1).

Voting Yea: Thompson, Tesar, Conley (Fred), Kolowski
Voting Nay: Neary
Abstaining: None
Excused Absence: Conley (John)
Absent: Conley (John)

FINAL DESIGN FOR THE ELKHORN RIVER/HWY 64 PUBLIC ACCESS: Dick Sklenar reviewed progress on the design of the public access site and noted that Waterloo had agreed to maintain the site. Tom Bentley with BCDM compared the preliminary design to the recommended design in a presentation. The overall cost is approximately \$224,000 with the District being responsible for about \$70,000, and the construction should be completed by spring of 2006. No action was taken.

FY 2006 VEHICLE AND EQUIPMENT BIDS:

A. Purchase of 2006 vehicles – Jean Tait reviewed the bid process and the lowest bids received as follows.

1. Compact 4X4 Extended Cab Pickup - \$12,467 from Gregg Young Chevrolet
2. ¾ Ton 4X4 Regular Cab Pickup - \$10,960.80 from Atchley Ford
3. ¾ Ton 4X4 Extended Cab Pickup - \$14,176.80 from Atchley Ford
4. ¾ Ton Chassis-Cab w/o Service Body 4X4 Utility Truck - \$11,449 from Lee Sapp Ford

◆ **It was moved by Director Thompson and seconded by Director Fred Conley, that the Subcommittee recommends to the Board the following:**

- (1.) Compact 4X4 Extended Cab Pickup – Recommendation that the bid of \$12,467 from Gregg Young Chevrolet be accepted for a 2006 Chevrolet Colorado with trade-in of the District’s 2001 Ford F-150 pickup truck.
- (2.) ¾ Ton 4X4 Regular Cab Pickup – Recommendation that the bid of \$10,960.80 from Atchley Ford be accepted for a 2006 Ford F-250 with trade-in of the District’s 2002 Chevrolet ¾ ton pickup truck.
- (3.) ¾ Ton 4X4 Extended Cab Pickup – Recommendation that the bid of \$14,176.80 from Atchley Ford be accepted for a 2006 Ford F-250 with trade-in of the District’s 2000 Ford F-250 pickup truck.
- (4.) ¾ Ton Chassis-Cab w/o Service Body 4X4 Utility Truck – Recommendation that the bid of \$11,449 from Lee Sapp Ford be accepted for a 2006 Ford F-250 with trade-in of the District’s 2001 Ford F-150 pickup truck.

Roll call was taken on the motion. The motion carried on a vote of five (5) to zero (0).

Voting Yea: Thompson, Tesar, Conley (Fred), Kolowski, Neary
Voting Nay: None
Abstaining: None
Excused Absence: Conley (John)
Absent: Conley (John)

B. Purchase of 2006 Mack Low-Boy Tractor – Bill Warren described the need for the new tractor and reviewed the bids received.

- ◆ **It was moved by Director Fred Conley and seconded by Director Neary, that the Subcommittee recommends to the Board that the bid of \$74,855 from Wise-Mack, Inc., be accepted for the purchase of a Mack Low-Boy Tractor with the trade-in of the 1980 Mack Low-Boy Tractor and the 1973 Ford flatbed truck.**

Roll call was taken on the motion. The motion carried on a vote of five (5) to zero (0).

Voting Yea: Thompson, Tesar, Conley (Fred), Kolowski, Neary

Voting Nay: None

Abstaining: None

Excused Absence: Conley (John)

Absent: Conley (John)

Jim Becic handed out newsletter, “The Landscape”, left by Dave Sands.

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 9:03 p.m.

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