

**Papio-Missouri River Natural Resources District
Board of Directors Meeting
Suggested Resolutions/Recommendations
February 12, 2015**

***Agenda Item 4 - Agenda**

BE IT RESOLVED that the agenda be adopted.

***Agenda Item 5 – Consent Agenda**

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

Agenda Item 3.A.

BE IT RESOLVED that the absence of the following Director(s) from the February 12, 2015, Board of Director Meeting is excused:

Tim Fowler
Rich Tesar

Agenda Item 7. A.

BE IT RESOLVED that the January 8, 2015, Papio-Missouri River NRD Board Meeting minutes and the January 14, 2015, Dakota County Rural Water Advisory Board Meeting minutes are approved as printed.

***Agenda Item 9.A. – Ad Hoc Consultant Selection Subcommittee for the Big Papio Levee Culverts Project**

BE IT RESOLVED that the minutes of the January 15, 2015, meeting of the Ad Hoc Consultant Selection Subcommittee for the Big Papio Levee Culverts Project are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Consultant Selection Interviews: It is recommended that FYRA Engineering be ranked first for the Big Papio Levee Culverts Project and that they be asked to prepare a detailed scope of services and cost estimate for the project; and that JEO Consulting be ranked second.

***Agenda Item 9.B. – Ad Hoc Consultant Selection Subcommittee for the WP6 and WP7 Regional Detention Basins Project**

BE IT RESOLVED that the minutes of the February 10, 2015, meeting of the Ad Hoc Consultant Selection Subcommittee for the WP6 and WP7 Regional Detention Basins Project are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Initial Screening of Proposals for Consultant Selection Interviews: It is recommended that the Subcommittee request interviews with FYRA Engineering, HDR, Inc., and Olsson Associates in the order presented.

***Agenda Item 9.C. – Personnel, Legislative, and Public Affairs Subcommittee**

BE IT RESOLVED that the minutes of the February 10, 2015, meeting of the Personnel, Legislative, and Public Affairs Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. 2015 Legislative Bills: It is recommended that the Board of Directors of the Papio-Missouri River Natural Resources District officially ratifies the 2015 NARD Summary of Legislative Bills and directs the General Manager and the Government Relations Consultant to take such appropriate action to support and or oppose the positions identified as such through the legislative process,

***Agenda Item 9.D. – Programs, Projects and Operations Subcommittee**

BE IT RESOLVED that the minutes of the February 10, 2015, meeting of the Programs, Projects and Operations Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Bid Opening for the Construction of the Thompson Creek Sewer Relocation Project: Recommendation that the General Manager be authorized to accept Valley Corporation's bid of \$460,721.70 for reinforced concrete sewer pipe for the construction of the Thompson Creek Levee Improvement Project Sanitary Sewer Relocation.
2. Big Papio Creek Levee Project Culverts Repair Interlocal Agreement with City of Omaha: Recommendation that the General Manager be authorized to execute the Big Papio Creek Levee Channel Project Drainage Structure Interlocal Cooperative Agreement with the City of Omaha, subject to form as approved by District Legal Counsel.
3. Thompson Creek Levee Improvement Project Fire Fighter Training at House Located at 7609 S. 66th Street, LaVista: Recommendation that the General Manager be authorized to execute a waiver, release, and hold harmless agreement with City of Papillion for Thompson Creek Levee Improvement Project – House located at 7609 Street, LaVista, NE, subject to form as approved by District Legal Counsel and allow the City to conduct fire fighter training and practice burn exercise at the house.
4. Sale of District Surplus Equipment: Recommendation that the identified Walthill surplus equipment be taken to the February 19, 2015, Lee Valley Consignment Auction in Tekamah, Nebraska, to be sold as surplus equipment.

*Agenda Item 9.E. – Finance, Expenditures and Legal Subcommittee

BE IT RESOLVED that the minutes of the February 10, 2015, meeting of the Finance, Expenditures and Legal Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Iske Place Residential Purchase Agreements: Recommendation that the General Manager be authorized to execute for and on behalf of the District Purchase Agreements in the form presented at the meeting, providing for the purchase by the District from the following individuals, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel:
 - Robert and Peggy Stewart, the structure and leasehold interest located at 16621 Iske Place in Sarpy County, Nebraska for the purchase price of \$80,000;
 - Steve Braesch, the structure and leasehold interest located at 16414 Iske Place in Sarpy County, Nebraska for the purchase price of \$44,000;
 - Philip Drickey and Irene Sander, the structure and leasehold interest located at 16511 Iske Place in Sarpy County, Nebraska for the purchase price of \$55,000;
 - Dennis and Esther Eby Nowlin, the structure and leasehold interest located at 16401 Iske Place in Sarpy County, Nebraska for the purchase price of \$130,812;
 - Bruce Nielsen, the structure and leasehold interest located at 16801 Iske Place in Sarpy County, Nebraska for the purchase price of \$80,000;
 - Roberta Roth, the structure and leasehold interest located at 16624 or 16622 Iske Place in Sarpy County, Nebraska for the purchase price of \$26,196 or the FEMA Actual Cash Value, whichever is greater;
 - Ron Mahoney, the structure and leasehold interest located at 16505 Iske Place in Sarpy County, Nebraska for the purchase price of \$44,000;
 - Larry Strange and Robert Regnas, the structure and leasehold interest located at 16615 Iske Place in Sarpy County, Nebraska for the purchase price of \$5,000;
 - Edward Latek, the structure and leasehold interest located at 16711 Iske Place in Sarpy County, Nebraska for the purchase price of \$30,000;
 - Michael Collins, the structure and leasehold interest located at 16709 Iske Place in Sarpy County, Nebraska for the purchase price of \$44,000;
 - Thomas and Sandy Landsperger, the structure and leasehold interest located at 16409 Iske Place in Sarpy County, Nebraska for the purchase price of \$120,000.

2. Dam Site 15A Land Acquisition: Recommendation that the General Manager be authorized to execute a purchase agreement for Papio Dam Site 15A Project Tract 2 in the amount of \$1,200,864 for 57.184 acres of land, subject to terms and conditions as the General Manager deems necessary and Legal Counsel approves as to form and that District Legal Counsel be authorized to enter into a stipulation voluntarily dismissing the condemnation action, and subsequent appeal filed in the District Court of Douglas County, Nebraska.

*Agenda Item 10. A.-I. - Financials

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (1) claims listed in the January, 2015, financial report; and, (2) any claims made prior to the next Board meeting for (a) earned salaries of District employees, (b) withholding taxes, (c) social security payments, (d) retirement program contributions, (e) utilities, (f) registration fees and expenses

for upcoming meetings and conferences, (g) certified completed CAP and Special Project Area applications, (h) invoices which offer a credit or discount for payment made prior to the next Board meeting, (i) postage, and, (j) building and grounds contract expenses.

BE IT FURTHER RESOLVED that the Treasurer is authorized to pay, from the respective operating accounts of the Dakota County, Thurston County and Washington County Rural Water System, the Elkhorn River Bank Stabilization Project, the Elkhorn Breakout Project, the Elk/Pigeon Creek Drainage Project, and the Western Sarpy Drainage District, the project bills listed on the January, 2015, financial report, and future claims for project utilities.

BE IT FURTHER RESOLVED that the financial reports be affixed to and made a part of the minutes.

***Agenda Item 11. – Request for Information – Legal Bills from July 1-December 31, 2014:**

BE IT RESOLVED that the General Manager be authorized to deny Director Japp’s request for a “copy of all legal bills from July 1 to December 31” because said documents contains information protected by the attorney-client and attorney work product privileges, including but not limited to, invoices describing legal services performed for the District’s litigation in which Director Japp is the opposing party.

BE IT FURTHER RESOLVED that the Board of Directors expressly refuses to waive any privileges retained by the District, and reminds individual Directors that said privileges are those of the District and no individual is authorized to disclose any information protected by the attorney-client or attorney work product privileges without express authorization by the Board of Directors.