

**Joint Programs, Projects, and Operations and
Finance, Expenditure, and Legal Subcommittee
Meeting Minutes**

December 7, 2004

A joint meeting of the Joint Programs, Projects, and Operations and Finance, Expenditure, and Legal Subcommittee was held on December 7, 2004 at the Natural Resources Center, 8901 South 154th Street, Omaha, Nebraska. The meeting was called to order by Chairperson John Conley at 7:00 p.m.

QUORUM CALL: Quorum call was taken. The following Subcommittee members were present.

Subcommittee Members Present	Subcommittee Members Absent	Others in Attendance
John Conley	Rich Jansen *	Dorothy Lanphier
Richard Connealy		Jon Schwope
Tim Fowler		Laurie Carrette-Zook, HDR
Joe Neary		John Engel, HDR
Barb Nichols		Bob Welstead, Dial Realty
Rich Tesar		Jon Stewart, City of Blair
Jim Thompson		Todd Anderson
		Paul Johns
		Paul Peters
		Steve Oltmans
		Marlin Petermann
		Jerry Herbster
		Jim Becic
		Paul Woodward
		Emmett Egr
		Martin Cleveland
		Trent Heiser
		Gerry Bowen

* excused absence

ADOPTION OF AGENDA

The Chairperson called for discussion of the tentative agenda.

- **It was moved by Fowler, seconded by Connealy, that the agenda be modified so that items 7 and 6 precede Item #5, and that the revised agenda be adopted.**

Roll call was taken on the motion. The motion carried on a vote of 7-0.

Voting yes: Conley, Connealy, Fowler, Neary, Nichols, Tesar, Thompson
Voting no: None
Abstaining: None
Excused Absence: Jansen
Absent: Jansen

PROOF OF PUBLICATION: Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on December 2, 2004.

CHALCO HILLS RECREATION CONSTRUCTION BIDS: Herbster described the project to improve the trail in Picnic Area A, and to rehabilitate the patio at the Natural Resources Center. He noted that 5 bids were received and the lowest and best was received from Navarro Enterprises in the amount of \$88,237.27. The Engineer's estimate for the project was \$100,368.93.

- **It was moved by Connealy, seconded by Fowler, that the subcommittee recommend to the Board that the General Manager be authorized to execute a construction contract with Navarro Enterprise in the amount of \$88,237.27 for the Chalco Hills Recreation Area Picnic "A" Trail and the Natural Resources Center Patio Improvement Project.**

Roll call was taken on the motion. The motion carried on a vote of 7-0.

Voting yes: Conley, Connealy, Fowler, Neary, Nichols, Tesar, Thompson
Voting no: None
Abstaining: None
Excused Absence: Jansen
Absent: Jansen

CALIFORNIA BEND PUBLIC ACCESS MASTER PLAN

Becic reviewed the California Bend Project with the Subcommittee. He noted that the City of Blair had requested assistance in developing a recreation master plan for the area. A draft interlocal agreement was reviewed. He also noted that the estimated cost of the study would be \$13,000, of which, the District was being asked to provide a maximum of \$6,500.

Jon Stewart, Blair City Councilman, explained that the City Council had approved the agreement on November 23, 2004, and answered questions from the subcommittee. He also noted that Washington County had been requested by the City to participate in the planning effort but declined to do so.

- **It was moved by Neary, seconded by Fowler, that the subcommittee recommend to the Board that the General Manager be authorized to execute an interlocal agreement with the City of Blair to develop a Recreational Master Plan for the California Bend Fish and Wildlife Restoration Project, and that the \$13,000 estimated cost of the Master Plan be equally split between the District and the City of Blair, with the District's share not to exceed \$6,500, subject to changes deemed necessary by the General Manager and approved as to form by the District's Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 7-0.

Voting yes: Conley, Connealy, Fowler, Neary, Nichols, Tesar, Thompson
Voting no: None
Abstaining: None
Excused Absence: Jansen
Absent: Jansen

PAPIO DAM SITE 13 – CONTRACT WITH HDR ENGINEERING, INC

Woodward described the scope of services that had been negotiated with HDR Engineering, Inc. for the Dam Site 13 Project. He noted that the project would be divided into two phases. Phase 1 involved the design of the structure, while Phase 2 dealt with construction contract administration. The total estimate cost of the services for both phases was \$426,311.

John Engel and Laurie Carrette-Zook with HDR Engineering answered questions from the subcommittee.

- **It was moved by Connealy, seconded by Fowler, that the subcommittee recommend to the Board that the General Manager be authorized to execute a professional services contract for the Dam Site 13 Project with HDR Engineering, Inc., for a maximum, not-to-exceed fee of \$426,311, 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 7-0.

Voting yes: Conley, Connealy, Fowler, Neary, Nichols, Tesar, Thompson
Voting no: None
Abstaining: None
Excused Absence: Jansen
Absent: Jansen

DAM SITE 13 – PURCHASE AGREEMENT (LYMAN-RICHEY CORP. TO NRD)
DAM SITE 13 – PURCHASE AGREEMENT (NRD TO DIAL REALTY CORP.)

- **It was moved by Connealy, seconded by Tesar, that the subcommittee enter executive session to discuss land rights acquisition on the Papio Dam Site 13 and Western Sarpy/Clear Creek Flood Reduction Projects.**

Roll call was taken on the motion. The motion carried on a vote of 7-0.

Voting yes: Conley, Connealy, Fowler, Neary, Nichols, Tesar, Thompson
Voting no: None
Abstaining: None
Excused Absence: Jansen
Absent: Jansen

The subcommittee went into executive session at 7:43 p.m.

The subcommittee meeting resumed at 8:03 p.m.

- **It was moved by Connealy, seconded by Nichols that the Subcommittee recommend to the Board that the General Manager be authorized to execute (1) a Purchase Agreement with Lyman Richey Corporation providing for the District's voluntary purchase of land and easements needed for the Dam Site 13 project for the price of \$1,286,000, and (2) a Purchase Agreement with Dial Development Corporation providing for the sale of the western 2.88 acres to Dial Development Corporation for the sum of \$544,000, 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 7-0.

Voting yes: Conley, Connealy, Fowler, Neary, Nichols, Tesar, Thompson
Voting no: None
Abstaining: None
Excused Absence: Jansen
Absent: Jansen

WESTERN SARPY/CLEAR CREEK FLOOD REDUCTION PROJECT LAND RIGHTS:

The subcommittee took no action on this item.

OTHER ITEMS OF INTEREST: None.

ADJOURNMENT: There being no further business, the meeting adjourned by acclamation at 8:07 p.m.