

**Programs, Projects, and Operations Subcommittees
Meeting Minutes
February 7, 2006**

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 February 7, 2006. 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 in attendance. Chairperson John Conley announced that Director Kolowski had an excused absence for the meeting and that Director Thompson would be appointed as an alternate subcommittee member for the meeting.

Subcommittee Members Present	Subcommittee Members Absent	Other Directors Present	Others in Attendance
John Conley	Rich Kolowski *	Dorothy Lanphier	Norm Hanson, Douglas Co.
Fred Conley		Rich Jansen	Jason Mead, Olsson
Joe Neary		Jon Schwope	Steve Oltmans
Rich Tesar			Marlin Petermann
Jim Thompson **			Trent Heiser
			Paul Woodward
			Terry Schumacher
			Ralph Puls
			Emmett Egr
			Jim Becic
			Gerry Bowen
			See Attached Attendance List

* excused absence

** alternate voting member

Adoption of Agenda

- **It was moved by Fred Conley, seconded by Neary, that the agenda be adopted.**

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

Voting yes:	John Conley, Fred Conley, Neary, Tesar, Thompson
Voting no:	none
Abstain:	none
Excused Absence:	Kolowski
Absent:	Kolowski

Proof of Publication: Public notice of the meeting was posted at all District offices and in the Omaha World-Herald on February 2, 2006.

Village of Kennard Wastewater Project Interlocal Agreement:

Woodward noted that the Village of Kennard requested NRD assistance to close their municipal wastewater lagoon and pump the wastewater to the City of Blair for treatment. The attached interlocal agreement formalizes the duties of the parties. The Village would transfer title of the existing 18 acre treatment lagoon site to the District. For its part, the District would contribute \$250,000 to the project.

Wayne Dreessen addressed the Subcommittee.

- **It was moved by Fred Conley, seconded by Thompson, that the Subcommittee recommend to the Board that the General Manager be authorized to execute for and on behalf of the District the proposed interlocal agreement with the Village of Kennard to provide a grant in the amount of \$250,000 to support the regionalization of their wastewater treatment system, as presented to the meeting and with such amendments as are 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:	John Conley, Fred Conley, Neary, Tesar, Thompson
Voting no:	none
Abstain:	none
Excused Absence:	Kolowski
Absent:	Kolowski

Papio Dam Site 13 Project Agreements:

Woodward noted that there had been several delays in the construction of the structure. The original agreement with Dial Realty called for Dial and or the SID to pay the District \$1 million by December 15, 2005. The structure was not complete and Dial's payment had not yet been received by the District. The agreement with SID #521 to pay the District the \$1 million, plus interest of \$35,000, for a total of \$1,035,000 once construction of the dam is completed was distributed.

In addition, the sale of a 4 acre portion of the former Lyman Richey parcel to Dial was delayed due to the delay in the District's acquisition of the parcel. An Addendum to the Purchase Agreement with Dial for this parcel was also needed to change the closing date from September 23, 2005 to March 15, 2006. The addendum also calls for Dial and the District to equally share the legal fees resulting from the Japp vs. NRD lawsuit.

Tim Dreessen and Mike Larimore addressed the Subcommittee.

- **It was moved by Fred Conley, seconded by Tesar, that the Subcommittee recommend to the Board that the General Manager be authorized to execute for and on behalf of the District an Interlocal Cooperation Act agreement with Sanitary & Improvement District #521 to secure a \$1,035,000 contribution to the District, and authorized to execute the First Addendum to Purchase Agreement with Dial Realty Corporation, both as presented to the meeting and such amendments and**

other documents, approved as to form by District Legal Counsel, as deemed necessary by the General Manager.

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

Voting yes: John Conley, Fred Conley, Neary, Tesar, Thompson
Voting no: none
Abstain: none
Excused Absence: Kolowski
Absent: Kolowski

Wetlands Mitigation Bank Land Acquisition

Oltmans noted that the District has a Wetlands Mitigation Bank Investment and a site at Rumsey Station. The proposed purchase of land at 132nd and State would enhance the existing wetland bank. It was proposed that the District purchase 62.099 acres for the appraised price of \$9,287 per acre from the Horgan Development Company. The site is located downstream from Douglas County's former landfill site. The proposed agreement is an update to that approved by the Board last month.

There were several inquiries regarding the environmental aspects of the project and purchase. Norm Hanson, Douglas County Environmental Services, addressed the environmental aspects of the property. He noted that Douglas County would be responsible for all costs for remediation that could be traced to the landfill.

There was considerable discussion.

- **It was moved by Thompson, seconded by Neary, that the following resolution be adopted by the Board:**

“Be it resolved that the Board of Directors of the Papio-Missouri River Natural Resources District does hereby approve the proposed agreement with Horgan Development Company for the purchase by the District of a parcel of land, legally described therein, comprising 62.099 acres in the NE¼ of Section 25, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, for the approved appraised price of \$576,731.00, using general funds of the District; does hereby find that such purchase will be for the general benefit of the District with only an incidental special benefit, and will enhance the District's Wetlands Mitigation Bank program; and, the Board of Directors does hereby authorize the General Manager of the District to execute such purchase agreement for and on behalf of the District, together with amendments and other documents, approved as to form by District Legal Counsel, as the General Manager determines necessary to effectuate the District's purchase of such parcel.”

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

Voting yes: John Conley, Fred Conley, Neary, Thompson
Voting no: Tesar
Abstain: none
Excused Absence: Kolowski

Absent: Kolowski

Mopac Trail (Hwy. 50 to Lied Bridge) Supplementary Agreement with NDOR: Bowen noted that the original agreement with the Nebraska Department of Roads required that the trail project be under a construction contract prior to April 30, 2006. This condition will not be met, and it is agreed that the date for construction be extended to September 1, 2006. He also noted that for convenience, all trail segments connecting Lincoln and Omaha would be named the “Mopac Trail” instead of the “Platte River Trail” as shown on the original agreement.

- **It was moved by Fred Conley, seconded by Neary, that the Subcommittee recommend to the Board that the General Manager be authorized to execute the Supplemental Agreement with the Nebraska Department of Roads for the Mopac Trail (Highway 50 to Lied Bridge) Project, as presented to the meeting.**

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

Voting yes: John Conley, Fred Conley, Neary, Tesar, Thompson
Voting no: none
Abstain: none
Excused Absence: Kolowski
Absent: Kolowski

Silver Creek Structures 6, 30, 31, and 36 Bids: Schumacher noted that two bids were received from contractors for construction of Silver Creek Sites 6, 30, 31, and 36. The lowest and best bid was received from Camden Excavating in the amount of \$410,675.19.

- **It was moved by Tesar, seconded by Fred Conley, that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed contract with Camden Excavating in the amount of \$410,675.19 for construction of Silver Creek Structures 6, 30, 31, and 36.**

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

Voting yes: John Conley, Fred Conley, Neary, Tesar, Thompson
Voting no: none
Abstain: none
Excused Absence: Kolowski
Absent: Kolowski

Missouri River Corridor Project Land Rights – Account over 110%: Becic noted that the Board had approved the purchase of parcels of land necessary for the Lower Decatur Bend Project in November, 2005. The amount necessary to purchase these parcels caused the “Missouri River Corridor Project Land Rights Account #07-08-4430 to exceed 110% of the budgeted amount for this account. Current policy requires the Board to approve the expenditure.

- **It was moved by Fred Conley, seconded by Neary, that the Subcommittee recommend to the Board that Account #07-08-4430 Land Rights, be allowed to exceed 110% of the budgeted amount.**

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

Voting yes:	John Conley, Fred Conley, Neary, Tesar, Thompson
Voting no:	none
Abstain:	none
Excused Absence:	Kolowski
Absent:	Kolowski

Adjournment

There being no further business, the meeting adjourned by acclamation at 8:30 p.m.

/pt/com/ppo/2006/February/feb06_ppo_minutes