

**Joint Programs, Projects & Operations and
Finance, Expenditures and Legal
Subcommittee Meeting
January 11, 2005
7:00 p.m.
Agenda**

Programs, Projects & Operations:

John Conley, Chairperson
Rich Jansen, Vice-Chairperson
Tim Fowler
Joe Neary
Rich Tesar

Finance, Expenditures and Legal:

Dick Connealy, Vice-Chairperson
John Conley
Barb Nichols
Jim Thompson

Alternate Member: Dick Connealy

Alternate Member: Joe Neary

Staff Liaison: Gerry Bowen
Jerry Herbster
Ralph Puls
Paul Woodward

Staff Liaison: Jim Becic
Martin Cleveland
Jack Lawless
Dick Sklenar *
Trent Heiser

1. Meeting Called to Order – Chairperson John Conley
2. Quorum Call
3. Adoption of Agenda
4. Proof of Publication of Meeting Notice
5. Review and Recommendation on Missouri River Trail – N.P. Dodge Park to Washington County Line – Bob Naumann, HGM; and Jim Becic
6. Review and Recommendation on Pigeon/Jones Site 15 Recreation Area Concept Plan – Mike Sotak, Olsson and Associates; and Ralph Puls
7. Request by Judith L. Adler to Allow Horseback Riding at Prairie View Rec Area (West side of 180th Street between Hwy 36 and Bennington Road) – Judith Adler and Jerry Herbster
8. Review and Recommendation of NRCS/NARD/NRD Interlocal Agreement for TSP Grant Funds – Director Tesar and Ralph Puls

9. Review and Recommendation on Floodway Property Purchase in Sarpy County – Paul Woodward
10. Review and Recommendation on Washington County Rural Water #2 Reimbursement Resolution – Dick Sklenar
11. Review and Recommendation on West Branch Channel Project (96th St. to Giles Road) OPPD Power Pole Relocation – Martin Cleveland
12. Review and Recommendation on West Branch Channel Project (2nd Street to Giles Road), Tracts #17 and #18 (Glen L. Gosch) Right of Way Acquisition [*Executive Session, if needed*] – Carl Hibbeler, Midwest Right-of-Way Services, Inc.; and Martin Cleveland
13. Review and Recommendation on Western Sarpy/Clear Creek Flood Reduction Project County Court Award by Board of Appraisers on Tract 2L (Hansen) Easement Right of Way Acquisition [*Executive Session, if needed*] – Paul Peters and Steve Oltmans
14. Other Items of Interest
15. Adjourn

Agenda Item: 5.

missouri river trail - n.p. dodge to the washington county line

Date: 1/6/2005

To: Programs, Projects and Operations Subcommittee

From: Jim Becic

RE: Missouri River Trail – First Phase Report & Recommendations

The engineering and consulting firm, HGM, was selected by the Board in April of 2004, to provide professional engineering services necessary to plan and design the approximately 2.8 mile Missouri River Trail – following John J. Pershing Road and North River Drive from N.P. Dodge Park, north to the Washington county Line at Dutch Hall Road.

Phase one of this 10 ft wide trail was to analyze and evaluate right-of-way options and costs and to determine the best location for the trail. Phase two will be for the final design, right of way acquisition, and construction phase services.

As part of this phase one agreement, HGM contacted all of the affected landowners and various city and county departments as well as completed wetland determinations, geotechnical services, structural analyses, historical/archeological determinations and other studies on various design and location options.

For funding and construction purposes, this 2.8 mile trail was divided into two roughly equal segment lengths. The first segment extends from N.P. Dodge Park north to approximately Ponca Road. The second segment - which has several potential location options - continues north up the hill along North River Drive to the Washington County Line – where it would connect to the recently completed Boyer Chute Trail.

It should also be noted that the Nebraska Department of Roads has recently awarded, (14 December, 2004), a \$500,000 grant to assist the P-MRNRD to engineer and construct this first segment.

Following a detailed analysis of the several trail location options, it was felt that the entire trail length should be located on the east side of the roadway.

Therefore, it is the staff recommendation that the Programs, Projects and Operations Subcommittee recommend to the Board that the District construct the entire length of the Missouri River Trail on the east side of the roadway from N.P. Dodge Park north to the Washington County line (Phase Two - Option “A”) and to direct staff to negotiate an agreement with HGM Associates Inc. to complete the final design, right of way acquisition and construction services for the project for consideration by the Board in February, 2005.

MEMORANDUM

TO: Joint Finance, Expenditures and Legislative Subcommittee/Programs, Project and Operations Subcommittee

FROM: Ralph Puls, Land and Water Programs Coordinator

SUBJECT: Pigeon/Jones Creek Watershed Site 15 Pre-Feasibility Study Report and Natural Resources Development Fund (NRDF) Project Proposal.

DATE: January 6, 2005

Attached for the Subcommittee's review and recommendation are the Pigeon/Jones Creek Watershed Site 15 Pre-Feasibility Report and the Natural Resources Development Fund (NRDF) Project Proposal developed by Olsson Associates. Dam Site 15 is the proposed multi-purpose flood control/recreation structure identified in the Pigeon/Jones Watershed plan developed by the Natural Resources Conservation Service (NRCS) and the P-MRNRD. Twenty potential structure sites were identified and included in the work plan, with Site 15, located on Jones Creek just Southeast of Hubbard, NE., being the largest. Since the approval of the Pigeon/Jones Special Watershed Plan by the Pappio-Missouri River NRD Board of Directors, local support for the Project has been expressed by the Dakota County Board of Supervisors and the Village of Hubbard, both of which formally approved the Plan.

Prior to the preparation of this Report several meetings were held with landowners and others who have an interest in the Watershed Plan including two recent meetings with the Pigeon/Jones Creek Advisory Committee. This is a group of about 20 Dakota County residents who have expressed an interest in the Site 15 Plans. Included in this group are landowners who own land within the Site 15 project area. The Advisory Committee has reviewed and commented on the draft plan and their input is reflected in the Pre-Feasibility Study.

Pending the review and approval by the Joint Subcommittee, the Natural Resources Development Fund (NRDF) Project Proposal would be submitted to the Department of Natural Resources for review at their January 26, 2005 meeting.

Management recommends that the Subcommittee recommends to the P-MRNRD Board of Directors that the Pigeon/Jones Creek Site 15 Pre-Feasibility Study be accepted and that the Natural Resources Development Fund Project Proposal be submitted to the Department of Natural Resources for their consideration.

Agenda Item: 7.

MEMORANDUM

TO: Programs, Projects and Operations Subcommittee

FROM: Jerry Herbster, Park Superintendent

SUBJECT: Horseback Riding at Prairie View Recreation Area

DATE: January 4, 2005

It has been requested by Ms. Judith Adler, Bennington, NE, that the horseback riding restrictions at Prairie View Recreation Area be again reviewed by the Papio NRD Board of Directors. Ms. Adler met with the PPO Subcommittee in September of 2004 at which time the Subcommittee was to take the request under advisement, with no action taken.

Prior to Ms. Adler's second request, staff reviewed the policies and procedures set out for horseback riding and equestrian trails with the Nebraska Game and Parks Commission, Omaha Parks and Recreation, and the National Park Service. It was the general consensus of these agencies that three things determined the placing of an equestrian trail in a recreation site. Those three criteria were:

1. Size of the recreation area (is there ample space?)
2. The ability to keep separation of users, (i.e. hikers, bikers, horse riders)
3. Safety, (is there enough of the first two criteria to do the activity safely and without disruption of other recreation activities?)

After reviewing the information obtained from other agencies and again looking at our situation at Prairie View Recreation Area, staff stands by its original recommendation not to allow horseback riding or an equestrian trail at the Prairie View Recreation Area. The reasons being: lack of ample space, not being able to allow ample separation of park users, and the safety of all park users if this were allowed.

Prairie View Recreation Area Facts:

84 acre site (42 land acres, 42 acres of water)
Boat ramp (1)
Picnic Area (1)
Restrooms (1)
Parking lot (1)
2.5k limestone hiking trail
3 pedestrian bridges (steel grate deck)

Agenda Item: 8.

MEMORANDUM

TO: Joint Programs, Projects and Operations Subcommittee, and
Finance, Expenditures and Legislative Subcommittee

FROM: Ralph Puls, Land and Water Programs Coordinator

SUBJECT: Interlocal Agreement between NARD and P-MRNRD

DATE: January 6, 2005

Attached for the Subcommittees review and recommendation is the proposed Interlocal Agreement between the Nebraska Association of Resources Districts (NARD) and the Papio-Missouri River, an Agreement that all 23 NRDs are being asked to approve. At the request of the Natural Resources Conservation Service (NRCS), they and the NARD recently entered into a Cooperative Agreement that calls for the NARD to serve as a facilitator for USDA programs, in particular to administer USDA-NRCS funds for the Technical Service Providers Program. (The Cooperative Agreement between the NRCS and NARD is similar in nature to the one that the P-MRNRD and the NRCS entered into for the design and construction of the Silver Creek Watershed Structures.) In the Interlocal Agreement that the Subcommittee is considering, the NARD will serve as a facilitator in the process of assisting the NRCS with the administration of programs. It will administer the flow of funds both to and from the NRCS and streamline the coordination and reporting of services throughout the state (See Item E in the Recitals section of the proposed Agreement).

Details of the Agreement including the responsibilities and duties for the NARD and for the P-MRNRD are listed in the attached Agreement. Also attached is a copy of the Cooperative Agreement between the NARD and the NRCS that was noted earlier in this memo.

Staff recommends that the Subcommittee recommend to the Board of Directors that the Interlocal Agreement between the NARD and the P-MRNRD to Administer USDA-NRCS for Technical Service Providers Districts be approved.

Memorandum

To: Programs, Projects, and Operations Subcommittee
From: Paul Woodward, Water Resources Engineer
Date: January 3, 2005
Re: Floodway Property Purchase at 6101 Harrison Street

Alice Pedersen submitted the enclosed Floodway Purchase Program Application dated September 23, 2004 to request that the District consider the purchase of their property located at 6101 Harrison Street, Omaha, NE. According to the Flood Insurance Rate Map for Sarpy County, Panel 31153C 0065 F, effective January 19, 1995, the property is located in a Zone AE floodway of the Big Papillion Creek.

Following receipt of this application, the District hired Ag One Appraisal to perform an appraisal of the 2.73 acre property. In Mr. Kenneth L. Beckstrom's opinion, the market value of the property and improvements as of October 30, 2004 was \$128,000. After receiving this report, District staff and legal council prepared the enclosed purchase agreement for this property. All of these documents were forwarded to Mrs. Pedersen and her daughter, Wilma, for their consideration. They have verbally accepted the offer and are expected to execute the purchase agreement later this week.

In summary, the District is proposing to purchase the property located in the floodway of the Big Papillion Creek at 6101 Harrison Street from Alice and Wilma Pedersen for \$128,000.

Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute a Purchase Agreement with Alice and Wilma Pedersen for \$128,000 to acquire a 2.73 acre parcel in the floodway of the Big Papillion Creek, subject to changes deemed necessary by the General Manager and approved as to form by District legal counsel.

Agenda Item: 10

MEMORANDUM

TO: Finance, Expenditure and Legislative Subcommittee

FROM: Dick Sklenar

SUBJECT: Washington County Rural Water Project #2/Reimbursement Resolution

DATE: January 3, 2005

In a recent conversation with the District's bond Counsel (Richard Pederson, Baird Holm and Associates) he recommended late last month that a reimbursement resolution be passed by the Board of Directors in regard to the financing of the development of the District's Washington County Rural Water Project #2.

Essentially, authority would be given to reimburse the District for any general fund monies used in the development of this project. Although I do not anticipate the District using general fund monies to finance the project, it would be prudent to pass the resolution in the event that should occur. Currently, interim financing for the project is being provided by Wells Fargo Bank. Upon completion of construction activities, revenue bonds will be sold to repay Wells Fargo Bank.

The staff recommends that the Subcommittee recommends to the Board of Directors that the attached reimbursement resolution regarding the financing of the development of Washington County Rural Water Project #2 be approved and furthermore, that the prime interest rate in effect be charged at such time that District general fund monies are needed.

Agenda Item: 11.

MEMORANDUM

TO: Finance, Expenditure and Legal Subcommittee

FROM: Martin P. Cleveland

SUBJECT: West Branch Channel Project (96th Street to Giles Road) –Left Bank (North Side)
OPPD 69KV Transmission Line Power Pole Relocation

DATE: January 3, 2005

Attached is a letter from Omaha Public Power District (OPPD) with their estimate (\$27,000) to relocate an existing power pole located inside of the NRD's proposed channel to a point beyond the channel area. It will take up to a year to complete, as OPPD staff will fit it into their workload. Attached is a cross-section and plan map that shows the existing power pole location.

Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to contract with OPPD for the relocation of their 69KV power pole for the West Branch Papio Channel Project at an estimated cost of \$27,000.

Memo(s) for the following agenda item(s) are posted under “Confidential” on the District’s website at www.papionrd.org.

Agenda Item #12 Review and Recommendation on West Branch Channel Project (2nd Street to Giles Road), Tracts #17 and #18 (Glen L. Gosch) Right of Way Acquisition [*Executive Session*]

Agenda Item #13 Review and Recommendation on Western Sarpy/Clear Creek Flood Reduction Project County Court Award by Board of Appraisers on Tract 2L (Hansen) Easement Right of Way Acquisition [*Executive Session*]