

Final: May 11, 2005

Papio-Missouri River
Natural Resources District
Board of Directors Meeting
May 12, 2005
8:00 p.m.

AGENDA

* = Board action required

** = Items to be approved with adoption of Consent Agenda

PLEDGE OF ALLEGIANCE

1. **Meeting Called to Order** – Chairperson Rich Jansen
2. **Quorum Call**
 - ** A. Excused Absences
- *3. **Adoption of Agenda**
- *4. **Adoption of Consent Agenda** (All agenda items indicated by a double asterisk will comprise the consent agenda and will be acted on in a single motion. Items may be deleted from the consent agenda by request of any Board member.)
5. **Proofs of Publication of Meeting Notice**
- **6. **Approval of Minutes:**
 - A. Approval of April 14, 2005, Board Meeting Minutes
 - B. Approval of April 13, 2005, Dakota County Rural Water Advisory Committee Minutes
7. **Agency and Association Reports:**
 - A. Natural Resources Conservation Service Report – Robert Hall, Resource Conservationist

- B. Nebraska Association of Resources Districts Report – Director Tesar
- C. Nebraska Natural Resources Commission Report – Vince Kramper
- D. Lower Platte River Corridor Alliance Report – Rodney Verhoeff

8. **Subcommittee Reports:**

*A. Finance, Expenditures and Legal Subcommittee (May 10, 2005) – Director Connealy

1. Transfer of Lands at Boyer Chute National Wildlife Refuge to the Fish and Wildlife Service – Recommendation that the General Manager be authorized to sign the Agreement for the Purchase of Lands transferring ownership to the United States Fish and Wildlife Service of the 250 acre Nathan’s Lake site, the 400.17 acre Stratbucker property, the 40.43 acre Nebraska Board of Educational lands and Funds parcel and the 19.96 acre Roger’s tract, more or less, for the price of \$54,000, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.
2. G&G Property Donation to P-MRNRD for Elkhorn River Public Access Site – Recommendation that the General Manager be authorized to execute the restricted covenant and accept donated property from G&G Manufacturing Co. for the future establishment of a West Dodge Road public access site to the Elkhorn River.
3. Deposit of Condemnation Award in Sarpy County Court for West Branch Channel Project ROW (Dittus) [Executive Session, if needed] – Recommendation that the District deposit \$86,000 with the Clerk of the Sarpy County Court, allow such \$86,000 to be withdrawn by Condemnee Dittus, and not appeal to the District Court from the Award of Appraisers in the eminent domain proceedings for fee simple title to the Dittus Tract #5 for the West Branch Channel Project; and, that the General Manager is authorized to execute an agreement to sell the District’s 1.07 acres of adjacent former railroad right of way to Condemnee Dittus for \$21,400 if no appeal is filed by such Condemnee.

*B. Programs, Planning and Operations Subcommittee (May 10, 2005) – Director John Conley

1. Equestrian Use of Existing Mo-Pac Trail from Springfield South to Louisville – Recommendation that this issue be tabled for 60 days.
2. Interlocal Agreement with the City of Papillion on Operation and Maintenance of Walnut Creek Recreation Area – Recommendation that the General Manager be authorized to execute the proposed Interlocal Cooperation Act Agreement for Operation and Maintenance of Walnut Creek Lake and Recreation Area (Dam Site 21) with the City of Papillion, and such other and further documents as necessary to effectuate such agreement, including a provision that surplus

District equipment from the site be donated to the City, all subject to approval by the Nebraska Natural Resources Commission and also subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

3. Development Agreement with SID 267 and SID 264 and City of Papillion for Shadow Lake Flood and Sediment Control Projects – Recommendation that the General Manager be authorized to execute the proposed Development Agreement with the City of Papillion, 370 L.L.C., SID 267, Shadow Lake Development L.L.C., and SID 264 for the Shadow Lake Flood and Sediment Control Projects, and such other and further documents as necessary to effectuate such agreement, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.
4. Letter of Agreement with Corps of Engineers for District Flood Hazard Mitigation Plan – Recommendation that the General Manager be authorized to execute a \$155,000 Sub-Grant Award Agreement with NEMA and a lump sum \$206,667 Professional Services Agreement with the U.S. Army Corps of Engineers for preparation of a Regional Multi-Hazards Mitigation Plan for the entire District, both subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.
5. Equipment Purchases/Replacements for FY 2006 – Recommendation that the Board approve the FY 2006 Equipment Requirements, as presented, subject to FY 2006 budget.
6. Discussion of Directors Lanphier's Request that Staff Provide Two Alternatives to Compensate for Not Using Competitive Bidding on Cost Share Projects, pursuant to Proposed Policy 15.9 – Purchasing – Cost Shared Project – No action taken.

*C West Branch Tributary Crossings Ad Hoc Consultant Selection Subcommittee
(May 10, 2005) – Director Kolowski

1. Selection of Consulting Firms to be Interviewed – Recommendation that the firms of Schemmer Associates, Kirkham Michael Associates and Ehrhart Griffin Associates be interviewed for the West Branch Tributary Crossing design.

* 9. **Treasurer's Report** – Director John Conley

- A. District
- B. Dakota County Rural Water Supply
- C. Washington County Rural Water Supply #1
- D. Washington County Rural Water Supply #2
- E. Thurston County Rural Water Supply
- F. Elkhorn River Bank Stabilization Project
- G. Elkhorn Breakout Project
- H. Elk/Pigeon Creek Drainage Project
- I. Western Sarpy/Clear Creek Project

10. **Chairperson's Report** – Chairperson Jansen

*A Take from the Table and Final Consideration of Amendments/Addition to District Policies:

- 1.3 Policy Manual – Effect of Policies
- 4.0 Board Meetings – Regular Monthly Meetings
- 4.2 Board Meetings – Emergency Meetings
- 15.9 District Property – Cost Shared Projects
- 16.9 District Property – Geocaching Regulations on All Properties Open for Public Use and Operated by P-MRNRD

11. **General Manager's Report** – GM Steve Oltmans

A. I&E Report

1. Report on P-MRNRD Educational Activities – Christine Jacobsen

B. Personnel/Miscellaneous Items

C. Report On Purchases – Construction Services, Professional Services, Personal Property

D. Current and On-Going Programs – P-MRNRD Legal Counsel

E. Draft Supplemental Watershed Plan/Environmental Assessment for Rehab of Papio Creek Watershed Structures S-27, 31 and 32

F. News Clips

12. **Informational Items:**

A. Future Meetings:

May 19, 2005	Watershed Field Day at Chalco Hills Rec Area (King Science Center Water Festival)
May 18-19, 2005	Nebraska Natural Resources Commission Meeting, Lower Platte North NRD Offices, Wahoo, NE
May 20-21, 2005	Nebraska Trails Conference, South Sioux City, NE
May 22-25, 2005	9 th Annual Missouri River Natural Resources Conference, Pierre, SD
May 26, 2005	West Branch Tributary Crossings Ad Hoc Consultant Selection Subcommittee at 7:00 p.m., NRC

May 27, 2005	Lower Platte River Corridor Alliance Quarterly Meeting, 9:30 a.m., NRC
June 4, 2005	National Trails Day
June 7, 2005	P-MRNRD Subcommittee Meetings
June 9, 2005	P-MRNRD Board Meeting
June 13-14, 2005	National Association of Conservation Districts Northern Plains Region Leaders Meeting, Hays, KS
June 20, 2005	NARD Board Meeting, York, NE
June 20-21, 2005	Blue River Basin Tour (departing from York, immediate following the NARD Board Meeting)

B. Other Informational Items

C. Next Meeting – June 9, 2005

13. **Adjournment**

**PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT
BOARD MEETINGS
RIGHT TO SPEAK**

The following rules and regulations shall govern the conduct and privilege to speak of persons attending open meetings of the District:

- A. Prior to the convening of the meeting, the General Manager shall post an agenda at the door of the meeting room.
- B. A Request to Address the Board sheet shall be posted with the agenda and citizens wishing to speak at the meeting shall so indicate on this sheet and specify the agenda item or items on which they desire to be heard.
- C. During the consideration of each agenda item the Chairperson shall call upon citizens who have indicated a desire to be heard on such item, in the order in which the Chairperson shall determine. The Chairperson, in his or her discretion, may also allow other citizens to be heard after all those who have given prior indication of a desire to speak have been heard on such item.
- D. Every citizen speaking at the meeting shall begin his or her remarks by stating his or her name and postal address.
- E. All citizens remarks shall be directed to the Chairperson who shall determine by whom any appropriate response shall be made.
- F. The Chairperson may limit or allot the time allowed for the remarks of citizens called upon to be heard, and may rule any such citizen out of order for exceeding such limitation, or for remarks which are repetitious or irrelevant.

Papio-Missouri River Natural Resources District Directors' Policy Handbook
Operations Policy 4.8 Board Meetings - Right to Speak
[December 5, 1986]