

**Programs, Projects, and Operations Subcommittees
Meeting Minutes
May 10, 2005**

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 May 10, 2005. The meeting was called to order by Chairperson John Conley at 8:00 p.m.

QUORUM CALL: Quorum call was taken. The following subcommittee members were in attendance.

Subcommittee Members Present	Subcommittee Members Absent	Other Directors Present	Others in Attendance
John Conley		Dorothy Lanphier	Gerry Bowen
Rich Tesar		Jim Thompson**	Martin Cleveland
Fred Conley***		Rich Jansen	Paul Woodward
Rick Kolowski			Randy Lee
Joe Neary			Marlin Petermann
			Steve Oltmans
			Nancy Pridal
			Dan Hoins
			Randy Behm
			Nancy Gaarder
			John C. Allen
			Vicki Fraser
			Barb Nichols
			Shelia Dreessen

* Excused Absence

** Alternate Voting Member

*** Not present for quorum call, but attended meeting

ADOPTION OF AGENDA

◆ It was moved by Kolowski, and seconded by Tesar, that agenda be adopted.

Roll call was taken on the motion. The motion carried on a vote of five (5) to zero (0).

Voting Yea: John Conley, Kolowski, Thompson, Neary, Tesar

Voting Nay: None

Abstaining: None

Absent: Fred Conley

PROOF OF PUBLICATION: Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on May 5, 2004.

EQUESTRIAN USE OF EXISTING MO-PAC TRAIL: Gerry Bowen indicated that a site visit had been conducted by staff to evaluate the potential for an equestrian trail. He also reviewed the potential corridor on a map. Bowen further noted that staff had met earlier that day with Ms. Vicki Fraser, an equestrian advocate, to review staff recommendation. The consensus from this meeting was to recommend a 30 to 60 day layover while the equestrian group and staff consider the proposal further. Ms. Frazier spoke briefly and agreed with the need to table the issue. Tesar recommended that a tour of the trail be planned for Directors.

- ◆ **It was moved by Tesar, and seconded by Thompson, to table the Subcommittee's consideration of this issue for 60 days.**

Roll call was taken on the motion. The motion carried on a vote of five (5) to zero (0).

Voting Yea: John Conley, Kolowski, Thompson, Neary, Tesar

Voting Nay: None

Abstaining: None

Absent: Fred Conley

INTERLOCAL AGREEMENT WITH THE CITY OF PAPIILLION ON OPERATION AND MAINTENANCE OF WALNUT CREEK RECREATION AREA:

Steve Oltmans noted the past agreement for Papillion to take over the operation and maintenance of Walnut Creek Lake and Recreation Area. Dan Hoins, Papillion City Administrator noted that the transfer date to the City was set for October 1, 2007. He pointed out that although the Mayor has approved the transfer date, the City has a minor concern with the initial cost taking over maintenance might incur. Therefore, on behalf of Papillion, Hoins asked if the District would consider providing available equipment used at Walnut Creek to the City to reduce start up costs. A staff list of equipment was distributed and Oltmans noted that a final list will be negotiated with Papillion and the estimated value for the equipment is around \$87,000. He recommended that the Subcommittee include donating this equipment in their approval of staff recommendation.

- ◆ **It was moved by Kolowski, and seconded by Tesar, that Management recommends Subcommittee recommend to the Board 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.**

Roll call was taken on the motion. The motion carried on a vote of five (5) to zero (0).

Voting Yea: John Conley, Kolowski, Thompson, Neary, Tesar

Voting Nay: None

Abstaining: None

Absent: Fred Conley

DEVELOPMENT AGREEMENT FOR SHADOW LAKE FLOOD AND SEDIMENT

CONTROL PROJECTS: Paul Woodward pointed out the location of the proposed lakes on the Papillion Creek Watershed map and reviewed the need for grade and flood control on Midland Creek. He added that Midlands Lake was the previously proposed PL 566 structure S-30. Nancy Pridal reviewed each proposed dams drainage area and the flood storage provided. She noted that Midlands Lake will have about an 11 acre lake and Shadow Lake will have approximately 34 acres of lake located within a 120 acre public open space. Pridal also explained that the other partner in the agreement, Papillion Promenade, is relocating Midlands Creek downstream of Shadow Lake for a proposed shopping mall. It was also noted that, in total, developers will be contributing approximately \$5 million in land and funding to the dam projects as part of the cost share agreement.

- ◆ **It was moved by F. Conley, and seconded by Tesar, that the Subcommittee recommend to the Board 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.**

Roll call was taken on the motion. The motion carried on a vote of five (5) to zero (0).

Voting Yea: John Conley, Kolowski, Fred Conley, Neary, Tesar

Voting Nay: None

Abstaining: None

Absent: None

LETTER OF AGREEMENT WITH CORPS OF ENGINEERS FOR DISTRICT FLOOD

HAZARD MITIGATION PLAN: Paul Woodward explained the purpose of a Multi-Hazard Mitigation Plan for the entire District and reviewed the proposed services to be provided by the Corps of Engineers and the Nebraska Department of Natural Resources. Randy Behm, project manager for the Corps, added that this type of plan was required for a community/county to receive federal disaster aid under the Disaster Mitigation Act of 2000.

- ◆ **It was moved by F. Conley, and seconded by Kolowski, that the Subcommittee recommend to the Board 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 approval as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of five (5) to zero (0).

Voting Yea: John Conley, Kolowski, Fred Conley, Neary, Tesar
Voting Nay: None
Abstaining: None
Absent: None

EQUIPMENT PURCHASES/REPLACEMENTS FOR FY 2006: Jerry Herbster reviewed the list of equipment recommended by staff. Directors inquired about numerous items including vehicles and the GPS surveying system.

- ◆ **It was moved by Fred Conley, and seconded by Kolowski, that the Subcommittee recommend to the Board the approval of the FY 2006 Equipment Requirements subject to FY 2006 Budget.**

Roll call was taken on the motion. The motion carried on a vote of five (5) to zero (0).

Voting Yea: John Conley, Kolowski, Fred Conley, Neary, Tesar
Voting Nay: None
Abstaining: None
Absent: None

DISCUSSION OF DIRECTOR 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: Marlin reviewed proposed Policy 15.9 along with his memo and emails sent out concerning Director Lanphier's request. He discussed alternative methods previously used by the District when cost sharing with landowners, develops and other private cooperators including average unit costs, engineer's estimates, and non-public competitive bids. There was general discussion about this matter. Director Lanphier indicated that she still had questions and concerns and wanted to assure that there are adequate checks and balances to protect the public.

OTHER ITEMS OF INTEREST: None

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 10:00 p.m.