

**Papio-Missouri River Natural Resources District
Board of Directors Meeting
Suggested Resolution
May 12, 2005**

Agenda Item 3:

BE IT RESOLVED that the agenda be adopted.

Agenda Item 4:

BE IT RESOLVED that the following resolutions on the consent agenda are hereby adopted.

Agenda Item 3.A.:

BE IT RESOLVED that the following Director(s) have an excused absence from the May 12, 2005 Board of Directors Meeting:

Dick Connealy
Tim Fowler
Joe Neary

Agenda Item 6 A.:

BE IT RESOLVED that the April 14, 2005, Papio-Missouri River NRD Board meeting minutes and the April 13, 2005, Dakota County Rural Water Advisory Committee meeting minutes be approved as printed.

Agenda Item 8.A.:

BE IT RESOLVED that the May 10, 2005, Finance, Expenditures and Legal Subcommittee are accepted, incorporated in these minutes, and the following recommendations of the Subcommittee are hereby adopted or approved.

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– Recommendation that the District deposit \$86,000 with the Clerk of the Sarpy County Court, allow such \$86,000 to be withdrawn by Condemnee Dittus, and not appeal to the District Court from the Award of Appraisers in the eminent domain proceedings for fee simple title to the Dittus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.

Agenda Item 8.B.:

BE IT RESOLVED that the May 10, 2005, Programs, Projects and Operations Subcommittee are accepted, incorporated in these minutes, and the following recommendations of the Subcommittee are hereby adopted or approved.

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.

Agenda Item 8.C.:

BE IT RESOLVED that the May 10, 2005, West Branch Tributary Crossings Ad Hoc Consultant Selection Subcommittee are accepted, incorporated in these minutes, and the following recommendation of the Subcommittee are hereby adopted or approved.

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.

Agenda Item 9. A.-I.:

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (1) claims listed in the April 2005, financial report; and, (2) any claims made prior to the next Board meeting for (a) earned salaries of District employees, (b) withholding taxes, (c) social security payments, (d) retirement program contributions, (e) utilities, (f) registration fees and expenses for upcoming meetings and conferences, (g) certified completed CAP and Special Project Area applications, (h) invoices which offer a credit or discount for payment made prior to the next Board meeting, (i) postage, and, (j) building and grounds contract expenses.

BE IT FURTHER RESOLVED that the Treasurer is authorized to pay, from the respective operating accounts of the Dakota County, Thurston County and Washington County #1 and Washington County #2 rural water supply projects, the Elkhorn River Bank Stabilization Project, the Elkhorn Breakout Project, the Elk/Pigeon Creek Drainage Project, and the Western Sarpy/Clear Creek Project, the project bills listed on the April 2005, financial report, and future claims for project utilities.

BE IT FURTHER RESOLVED that the financial reports be affixed to and made a part of the minutes.

Agenda Item: 10.A.:

BE IT RESOLVED that consideration of the following District policy additions and amendments, as presented to this meeting, be taken from the table

- 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

BE IT RESOLVED that the following District policy additions and amendments as presented to this meeting be approved and incorporated in the P-MRNRD Policy Manual.

- 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