

Final: November 17, 2004

Papio-Missouri River  
Natural Resources District  
Board of Directors Meeting  
November 18, 2004  
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 October 14, 2004, Board Meeting Minutes
  - B. Approval of October 13, 2004, Dakota County Rural Water Meeting Minutes
7. **Agency and Association Reports:**
  - A. Natural Resources Conservation Service Report – Lynn Heng, NRCS District Conservationist

- B. Lower Platte River Corridor Alliance Report – Rodney Verhoeff
- C. Nebraska Natural Resources Commission Report – Beverly Donaldson

8. **Subcommittee Reports:**

- \* A. Silver Creek Watershed Ad Hoc Consultant Selection Subcommittee (November 4, 2004) – Director Connealy
  1. Recommendation that the General Manager be authorized to negotiate a professional service contract with Olson Associates as the first choice and if an agreement cannot be reached that he be authorized to negotiate with JEO Consulting Group, Inc., as the second choice of the Ad Hoc Subcommittee.
- \*B. Western Douglas County Trails Ad Hoc Consultant Selection Subcommittee: (November 16, 2004) – Director John Conley
  1. Recommendation that the firms of Ehrhart Griffin and Associates, HGM Associates and BCDM be interviewed for the Western Douglas County Trails Project.
- \* C. Finance, Expenditures and Legal Subcommittee (November 16, 2004) – Director Connealy
  1. P-MRNRD FY 2004 Audit – Recommendation that the FY 2004 Audit Report and Management Letter, prepared by Bland and Associates, be accepted and that the General Manager be directed to file an authenticated copy of the audit report with the Nebraska Auditor of Public Accounts and the Nebraska Natural Resources Commission.
  2. Interim Financing for Washington County Rural Water #2 – Recommendation that a line of credit be obtained from Wells Fargo Bank for interim financing up to \$3.3 million of the costs of construction of Washington County Rural Water Project #2.
  3. West Branch Channel Project (90th Street to Giles Road) Right of Way Acquisition [Executive Session, if needed] – Recommendation that the General Manager be authorized to execute an exchange agreement with R.C.P., Inc., for Tract No. 6, for the amount of \$144,860 in favor of R.C.P., Inc.; an exchange agreement with Judith Frederick et al. for Tracts 2, 3, and 4, for the amount of \$230,840 in favor of Judith Frederick et al.; and, such additional documents to effectuate those transactions as deemed necessary by the General Manager and approved as to form by District Legal Counsel.
  4. Western Sarpy/Clear Creek Flood Reduction Project – Sarpy County Side Riverside Cabins Purchase Agreements [Executive Session, if needed] – Recommendation that this issue be postponed until the full Board meets on Thursday, November 18, 2004.

- \* D. Programs, Planning and Operations Subcommittee (November 16, 2004) – Director John Conley
1. Construction Bids for Washington County Rural Water #2 Pump Station for City of Blair – Recommendation that the General Manager be authorized to execute a contract with Pospichal Construction, Inc., for construction for the City of Blair of the South Reservoir Pump Station, a component of Washington County Rural Water System #2, for the contract price of \$257,646.90.
  2. Construction Bids for Washington County Rural Water #2 Distribution System Contract – Recommendation that the General Manager be authorized to execute a contract with BRB Constructors for the construction of the distribution system for Washington County Rural Water System #2 for the contract price of \$2,535,255.26.
  3. City of Omaha Urban Drainageway Request for Additional Funds for Regency Storm Sewer Project – Recommendation that the City of Omaha request for an increase in funds for the Regency Storm Sewer Project from \$122,300 to \$258,690 be approved, and that the additional \$136,390 be included in the FY 2006 Budget.
  4. Agreement with the City of Blair for Flood Mitigation Planning and Mapping Assistance – Recommendation that the General Manager be authorized to execute the Agreement with the City of Blair for Flood Mitigation and Mapping Assistance not to exceed \$25,000.
  5. Public/Private Agreement for Dam Site 13 (192<sup>nd</sup> and Dodge Streets) with Dial Realty Co. – Recommendation that the proposed Agreement between the District and Dial Realty Development Corp. for Dam Site 13 be approved.

The following detailed resolution is recommended:

#### RESOLUTION

WHEREAS, a District project has been proposed for purchase of rights-of-way for, and construction of, a multi-purpose flood control dam and reservoir at the site of the formerly-proposed Corps of Engineers' Papillion Creek and Tributaries Lakes Project Dam Site 13, on a tract of land between Dodge and Blondo Streets and west of 192<sup>nd</sup> Street in Douglas County; and,

WHEREAS, the formerly-proposed Corps of Engineers' Papiio Dam Site 13 project was planned to be an integral part of the flood control for the Papillion Creek Watershed; and,

WHEREAS, the District's proposed Papiio Dam Site 13 project will be an important part of a regional public recreation area that the City of Omaha is expected to develop, operate and maintain; and,

WHEREAS, the District's Dam Site 13 project would be accomplished pursuant to a proposed public/private partnership agreement between the District and Dial Realty Development Corp., a Nebraska corporation, presented to this meeting; and,

WHEREAS, this Board finds that such project should be carried out by the District,

NOW, THEREFORE, BE IT RESOLVED that this Board hereby determines that the District's project for purchase of rights-of-way and construction of a flood control dam and reservoir at Dam Site 13, pursuant to the proposed agreement between the District and Dial Realty Development Corp., would be of general benefit to the District, with only an incidental special benefit, and that such project should be carried out with general funds of the District; and, that the General Manager should be, and is hereby, authorized and directed to execute such proposed agreement for and on behalf of the District, together with such amendments thereto as the General Manager determines necessary and District Legal Counsel approves as to form.

\* 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 Rich Jansen

- A. Election Results

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

- A. I&E Report
- 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. Papillion Creek Watershed Partnership Report
- F. Report on 2004 United Way Campaign

G. Update on P-MRNRD “Paperless Project”

H. News Clips

12. **Informational Items:**

A. Future Meetings:

Nov. 25-26, 2004	Thanksgiving Holiday – P-MRNRD Offices Closed
Nov. 30, 2004	LPRCA Quarterly Meeting, 9:30 a.m., at the Lower Platte North NRD, Wahoo, NE
December 2, 2004	Western Douglas County Trails Ad Hoc Consultant Selection Subcommittee, 6:45 p.m., NRC
December 7, 2004	P-MRNRD Subcommittee Meetings
December 9, 2004	P-MRNRD Board Meeting
December 24, 2004	Christmas Holiday – P-MRNRD Offices Closed
December 31, 2004	New Years Holiday – P-MRNRD Offices Closed
January 11, 2005	P-MRNRD Subcommittee Meetings
January 13, 2005	P-MRNRD Board Meeting
January 17, 2005	Marlin Luther King Day – P-MRNRD Offices Closed
January 21, 2005	Lower Platte River Corridor Alliance Retreat, Camp Kitaki (east of South Bend, NE), 9:00 a.m. – 3:00 p.m. Deadline for registration is December 31, 2004. Please let Pat Teer know if you plan to attend.
Feb. 5-9, 2005	National Association of Conservation Districts Annual Meeting, Atlanta, GA
Feb 8, 2005	P-MRNRD Subcommittee Meetings
Feb. 10, 2005	P-MRNRD Board Meeting

B. Other Informational Items

C. Next Meeting – December 9, 2004

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]