



**Papio-Missouri River Natural Resources District
Board of Directors Meeting
Suggested Resolutions/Recommendations
November 16, 2006**

***Agenda Item 4 - Agenda**

BE IT RESOLVED that the agenda be adopted.

***Agenda Item 5 – Consent Agenda**

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 November 16, 2006, Board of Directors Meeting:

Tim Fowler

Agenda Item 7 A.:

BE IT RESOLVED that the October 12, 2006, Papio-Missouri River NRD Board meeting minutes and the October 11, 2006 Dakota County Rural Water Advisory Board meeting minutes be approved as printed.

***Agenda Item 9.A. – MoPac Trail (Hwy 50 to Chalco Hills) Ad Hoc Subcommittee**

BE IT RESOLVED that the minutes of the October 26, 2006, MoPac Trail (Hwy 50 to Chalco Hills) Ad Hoc Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee is hereby adopted and approved.

1. Selection of Firm to be Hired – Recommendation that the Acting General Manager be authorized to negotiate a proposed professional services contract with Lamp Rynearson and Associates (“LRA”) for design of the MOPAC Trail (Highway 50 to Chalco Hills) Project, and if a proposed agreement satisfactory to the Acting General

Manager cannot be reached with LRA, that he be authorized to conduct such negotiations with HGM and Associates, Inc., the second choice of the Ad Hoc Subcommittee.

***Agenda Item 9.B. – Personnel, Legislative and Public Affairs Subcommittee**

BE IT RESOLVED that the minutes of the November 14, 2006, Personnel, Legislative and Public Affairs Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee is hereby adopted and approved.

1. Participation in NARD Flexible Benefits Plan – Recommendation that the Acting General Manager be authorized to execute the proposed Participation Agreement between the Nebraska Association of Resources Districts and the Papio-Missouri River NRD; that the District participate in all three options of the plan; that the effective date for P-MRNRD participation be January 1, 2007; and, that the resolution provided by the NARD, providing as follows, be and is hereby adopted, to-wit:

RESOLVED, that the amendment and restatement of the existing Section 125 cafeteria plan of the NRD in its entirety as a Participating Employer of the Nebraska Association of Resources Districts Flexible Benefits Plan (the “NARD Plan”), effective as of January 1, 2007, is hereby authorized and approved.

RESOLVED FURTHER, that the Plan Year of the NARD Plan as the 12-month period commencing on January 1st of each year and ending on December 31st of each year, effective as of January 1, 2007, is hereby authorized and approved.

RESOLVED FURTHER, that the officers and management of the NRD are hereby authorized and directed to establish such reasonable, non-discriminatory, and uniformly applied rules and regulations for the administration of the NARD Plan as they deem appropriate from time to time, such rules in all cases are to be consistent with the provisions of the NARD Plan document and applicable laws;

RESOLVED FURTHER, that the officers and management of the NRD be, and they hereby are authorized and directed to take such actions as may be necessary or appropriate to fully implement the foregoing Resolutions including, but not limited to the selection of the programs in the NARD Plan that the NRD shall participate in, the execution of the Participation Agreement and any other necessary documentation, the preparation and distribution of proper notices, and the preparation and distribution of explanatory booklets and materials to participants and beneficiaries;

RESOLVED FURTHER, that any and all actions taken and documentation executed by the management or the officers of the NRD to effectuate the foregoing Resolutions and the transactions described therein be, and they are hereby are, approved and ratified.

***Agenda Item 9.C. – Finance, Expenditures and Legal Subcommittee**

BE IT RESOLVED that the minutes of the November 14, 2006, Finance, Expenditures and Legal Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. City of Blair Request Regarding Compensation for Damages from Pospichal Construction, Inc., for Washington County Rural Water #2 – Recommendation that the Acting General Manager be authorized to execute a Settlement Agreement with the City of Blair, HGM Associates, Inc., and Pospichal Construction Co., calling for Pospichal Construction Co to pay to the City of Blair the sum of \$3,290.00 and the NRD to pay to HGM Associates, Inc. the sum of \$1,710, in settlement of claims pertaining to construction of a 12-inch water main, including a pump station with pressure-reducing valve, at Highway 30 and Davis Street in the City, part of the Washington County Rural Water #2 Project, in the form as negotiated by the Acting General Manager and approved as to form by District Legal Counsel.
2. Mopac Trail (Hwy 50 to Lied Bridge) Right-of Way Acquisition (Heisner Tract; Smith Tract and Lehan Tract – Recommendation that the Acting General Manager be authorized to execute purchase agreements with Albert Heisner, Jr., and Sherry Simmons, with Lanny and Linda Smith, and with Richard and Suzanne Lehan to acquire right-of-way for the Mopac Trail (Hwy. 50 to Lied Bridge) Project, in the forms as presented to the Subcommittee.
3. Purchase Agreements for Floodway Properties – Lot 32, and Part of Lot 38, Q Street Acres, Omaha, NE – Recommendation that the Acting General Manager be authorized to execute the Agreement with Parkway Properties, LLC, providing for the District's purchase of Lot 38 and part of Lot 37 Q Street Acres (1.55 acres) for the sum of \$118,000, in the form as presented to the Subcommittee with an additional provision satisfactory to the Acting General Manager and approved as to form by District Legal Counsel, allowing the present owner to remain in possession until November 30, 2007.
4. Audit Committee for Review of FY 2006 Audit – No recommendation.

Agenda Item 9.D. - Programs, Projects and Operations Subcommittee

BE IT RESOLVED that the minutes of the November 14, 2006, Programs, Projects and Operations Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Proposed Plan for Elkhorn River Public Access at West Dodge Road – Recommendation that the proposed conceptual plan for the Elkhorn River Public Access site at West Dodge Road be approved.

2. Little Papio Channel (Maple to Pratt Streets) Drainage Project Bids – Recommendation that the Acting General Manager be authorized to execute a contract with Dostals Construction Company, Inc., providing for its construction of Little Papio Channel Drainage Project (Maple to Pratt) improvements, for its total base bid of \$33,179.
3. Report on Staff Investigation of Flooding in Forrest Run Subdivision, Gretna, NE - No recommendation.

***Agenda Item 10. A.-I. - Financials**

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (1) claims listed in the October, 2006, 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 October, 2006, 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.

/pt/board/september/2006/nov06_resolutions