

**Programs, Projects, and Operations Subcommittees
Meeting Minutes
October 10, 2006**

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 October 10, 2006. The meeting was called to order by Chairperson John Conley at 7:05 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 | Fred Conley* | John Schwope | Marlin Petermann, NRD |
| Rich Tesar | | Richard Connealy | Martin Cleveland, NRD |
| Rick Kolowski | | Dorothy Lanphier | Paul Peters, NRD Legal |
| Rich Jansen*** | | Richard Patterson | Trent Heiser, NRD |
| Jim Thompson** | | Tim Fowler | Dick Sklenar, NRD |
| | | | Emmett Egr, NRD |
| | | | Paul Woodward |
| | | | Gerry Bowen, NRD |
| | | | Dave Ciaccio, BCDM |
| | | | Mike Sotak, Olsson |
| | | | Ralph Puls, NRD |
| | | | Mike Ryan, Shawn Melotz |
| | | | Jen Andersen, Tyler Mohr |
| | | | Barb Nichols |

- * Excused Absence
- ** Alternate Voting Member
- *** Arrived after Quorum Call, but attended the meeting.

ADOPTION OF AGENDA

❖ **It was moved by Director Thompson and seconded by Director Tesar that agenda be adopted.**

Roll call was taken on the motion. The motion carried on a vote of 4 to 0.

Voting Yea: J. Conley, Tesar, Kolowski, Thompson
 Voting Nay: None
 Abstaining: None
 Absent: R. Jansen
 Excused Absence: F. Conley

PROOF OF PUBLICATION: Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on October 6, 2006.

REPAIRS TO RAMP AT WEST MAPLE PUBLIC ACCESS SITE/ELKHORN RIVER:

Dick Sklenar indicated that the recently installed boat ramp on the West Maple Access Site to the Elkhorn River was partially undermined by the current. Dave Ciaccio and Tom Bentley of BCDM explained the proposed ramp modifications and their proposal to pay 50% of the ramp repair cost (\$11,245). Directors questioned why BCDM shouldn't pay 100% of repair costs due to their design choices. There was further discussion.

- ❖ **It was moved by Director Kolowski and seconded by Director Thompson that the Subcommittee recommend to the Board that Management be authorized to retain Dostal Construction, Inc., to repair the project, according to the repair plans proposed by BCDM, for the firm price of \$22,490; and, that Management be authorized to accept from BCDM a contribution in the amount of \$ 11,245.00 as BCDM's share of the cost of the repairs, provided that BCDM also agrees to provide, at no cost to the District, all engineering and observation services needed to effect such repairs.**

Roll call was taken on the motion. The motion failed on a vote of 0 to 5.

Voting Yea: None
Voting Nay: J. Conley, Tesar, Kolowski, Thompson, R. Jansen
Abstaining: None
Absent: None
Excused Absence: F. Conley

REQUEST FROM OLSSON ASSOCIATES FOR ADDITIONAL ENGINEERING FEES FOR SILVER CREEK WATERSHED:

Ralph Puls explained the history of the construction of the most recent seven sites in the Silver Creek Watershed project and associated engineering fees. He noted that construction delays on three of these sites contributed to increased engineering fees and that the contractor will be required to pay liquidated damages of \$20,621.13. That will offset some of the additional \$78,491.24 requested by Olsson Associates to administer the construction at these sites and design and administer construction on the remaining two sites. This would increase their total contract to \$495,233.24. Mike Sotak, Olsson Associates handed out a cost breakdown memo to the Board.

- ❖ **It was moved by Thompson, and seconded by Tesar, that the Subcommittee recommends to the Board that the maximum, not to exceed, amount for professional services contract with Olsson Associates for the Silver Creek Watershed Project be increased to \$495,233.24.**

Roll call was taken on the motion. The motion carried on a vote 5 to 0.

Voting Yea: J. Conley, Tesar, Kolowski, Thompson, R. Jansen
Voting Nay: None
Abstaining: None
Absent: None
Excused Absence: F. Conley

PURCHASE OF THE 2007 MACK DUMP TRUCK: Jean Tait explained the history of the equipment budget and associated notes about budgeting for a Mack Dump Truck. She noted that there was evidently some confusion about what the Subcommittee/Board had agreed to purchase. Bill Warren discussed the NRD's experience with Mack trucks and why a Mack was specified. Director John Conley also expressed that in the future, when staff feels it needs to request equipment as a sole source item, that staff bring a written request and justification to the Subcommittee for approval, prior to the bid process.

- ❖ **It was moved by Director Tesar and seconded by Director Thompson that the Subcommittee recommends to the Board that the District reject all dump truck bids and re-advertise for the purchase of a dump truck with Mack truck specifications or their equivalents.**

Roll call was taken on the motion. The motion carried on a vote 5 to 0.

Voting Yea: J. Conley, Tesar, Kolowski, Thompson, R. Jansen
Voting Nay: None
Abstaining: None
Absent: None
Excused Absence: F. Conley

FISCAL YEAR 2007 LONG RANGE IMPLEMENTATION PLAN: Gerry Bowen reviewed the draft LRIP for FY 2007 with the Subcommittee and answered questions from Director Lanphier about the groundwater management plan component.

- ❖ **It was moved by Director Kolowski and seconded by Director Thompson that the Subcommittee recommends to the Board that the Fiscal Year 2007 Long Range Implementation Plan, in the form as presented to the Subcommittee meeting, be approved.**

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

Voting Yea: J. Conley, Tesar, Kolowski, Thompson, R. Jansen
Voting Nay: None
Abstaining: None
Absent: None
Excused Absence: F. Conley

PURCHASE AGREEMENT FOR WETLAND BANK SITE SW OF 132ND AND STATE STREET : Paul Woodward explained the project history and existing proposal to acquire 59.5 acres near 132nd and State Streets for a District wetland bank site. Mike Ryan addressed the Subcommittee of his concerns. Directors also expressed concerns about potential future landfill runoff/seepage at this site, due to proximity to former State Street Landfill.

- ❖ **It was moved by Director Jansen and seconded by Director Kolowski, that the Subcommittee recommends to the Board that the Acting General Manager be authorized to execute an Agreement with LOHO, LLC, providing for the District's purchase of a parcel of land in the NE ¼ of Section 25, Township 16, Range 11 E of the 6th P.M, Douglas County Nebraska for enhancement of the District's Wetland Mitigation Bank, in the form as presented to the Subcommittee meeting, but with**

the revised acreage of 59.486, with the revised purchase price of \$511,670, and with such other conditions as deemed necessary by the Acting 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 3 to 2.

Voting Yea: J. Conley, Kolowski, Thompson

Voting Nay: Tesar, Jansen

Abstaining: None

Absent: None

Excused Absence: F. Conley

PAPILLION CREEK WATERSHED PARTNERSHIP POLICIES (P-MRNRD POLICY 17.16 – DISTRICT PROGRAMS – URBAN STORMWATER MANAGEMENT PROGRAM): Paul Woodward explained the history of the policies and presented a powerpoint slide show on the watershed drainage plan. Mike Ryan, Jennifer Andersen, John Fullenkamp and Shawn Melotz addressed the Subcommittee.

- ❖ **It was moved by Tesar and seconded by Jansen, that the Subcommittee recommends to the Board that amendments, as presented, to District Policy 17.16 District Programs – Urban Stormwater Management Program be tabled.**

Roll call was taken on the motion. The motion failed on a vote of 2 to 3.

Voting Yea: Tesar, R. Jansen

Voting Nay: J. Conley, Kolowski, Thompson

Abstaining: None

Absent: None

Excused Absence: F. Conley

- ❖ **It was moved by Thompson and seconded by Kolowski that that District policy 17.16 District Programs – Urban Stormwater Management Program be amended, as follows, to incorporate proposed Papillion Creek Watershed Partnership Stormwater Management Policies:**

17.16 District Programs - Urban Stormwater Management Program. The Urban Stormwater Management Program is an authorized program of the District. To promote the health, safety and well-being of the public, it is the present and long range intent of the District to:

A. Serve as a regional coordination and management agency for major urban drainage and flood control systems which are those systems that involve open channels where the drainage area is more than approximately 200 acres. Coordination of actions affecting these systems is necessary to achieve the best possible results in the District.

B. Develop Urban Drainage Master Plans which define policies and outline plans for the development, financing, implementation and continued maintenance of urban drainage and flood control systems in each basin. This will be done with the assistance of and in consultation with other local governmental agencies. The master

plan will be presented for adoption to each local governmental agency identified as responsible for implementing all or portions of the plan.

In accordance with this policy, Stormwater Management Policies (hereinafter referred to as the “Policies”) were developed through a community-based process known as Watershed By Design involving the development community, Papillion Creek Watershed Partnership members, public agencies, non-profit organizations, other stakeholder groups and the general public. The Policies developed through the WBD process consist of six (6) Policy Groups, headed as follows:

- #1 Stormwater Management Financing
- #2 Peak Flow Reduction
- #3 Pollution Control
- #4 Landscape Preservation, Restoration, and Conservation
- #5 Erosion and Sediment Control and Other BMPs
- #6 Floodplain Management

These Policies are attached hereto as Appendix “S” and incorporated herein by reference, and provide guidance for a comprehensive approach to stormwater quality and quantity, subject to the following:

- As outlined in Policy Groups 1 and 2, the District intends to implement construction of Regional Detention and Water Quality Basins proposed in the conceptual Watershed Drainage Plan, as deemed necessary by the District and subject to available funding as determined by the District.
- The District will recommend to local zoning jurisdictions that all new development or significant redevelopment be required to consider Low Impact/Conservation Development strategies or best management practices.
- The District will recommend to local zoning jurisdictions that all new development or significant redevelopment be encouraged to evaluate local basins to reduce runoff and pollutants, especially if not located above regional basins.

C. Expect and continue to reply on other local governmental subdivisions (cities, counties and SID’s) to continue to develop, finance, implement, operate and maintain urban drainage and flood control systems that involve enclosed conduits (storm sewers), road crossing and other similar appurtenant systems.

D. Assume responsibility for major urban drainage and flood control systems in the District in accordance with the Urban Drainage Master Plan. For areas where no Urban Drainage Master Plan is currently available, the District will consider the planning, development, improvement, financing, implementation and continued maintenance of existing and proposed improvements to major urban drainage and flood control systems on an individual basis.

E. Expect, concurrent with or prior to assumption of responsibility for an urban drainage and flood control system, that the local subdivision with regulatory responsibility and authority enact for existing and proposed urban development

Sediment and Erosion Control ordinances and Stormwater Management ordinances that provide for District review and concurrence of basin development proposals to ensure that they comply with Urban Drainage Master Plans if the District is expected to assume responsibility for any portion of the development plan.

F. Financing of the additional duties and responsibilities envisioned by this policy statement could be through:

1. District general tax levy revenue
2. Stormwater utility fees, and,
3. Federal, state and local funds that may be available to assist the District

[February 7, 1985; October 12, 2006].

Roll call was taken on the motion. The motion carried on a vote of 3 to 2.

Voting Yea: J. Conley, Kolowski, Thompson

Voting Nay: Tesar, R. Jansen

Abstaining: None

Absent: None

Excused Absence: F. Conley

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 9:15 p.m.

/pt/com/ppo/2006/October/oct06_ppo_minutes