

**Programs, Projects, and Operations Subcommittees
Meeting Minutes
September 7, 2004**

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 September 7, 2004. The meeting was called to order by Chairperson John Conley at 7:00 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		Barb Nichols	Steve Oltmans
Rich Jansen			Marlin Petermann
Tim Fowler *			Martin Cleveland
Joe Neary			Paul Woodward
Rich Tesar			Terry Schumacher
Connealy **			Trent Heiser
			Jerry Herbster
			Paul Peters
			Dick Sklenar
			Ralph Puls
			Gerry Bowen
			Don Doty - NRCS
			Chuck Leinen-NRCS
			Bill Huey-Prohaska & Associates
			Joe Waxse-Terracon, Inc.
			Jeff Rawlinson, Game & Parks
			Duane Arp, Game & Parks
			Jeff Claussen, Game & Parks
			Wayne Dreessen
			Tim Dreessen
			Frank Wolf
			Charles Deldemoto

* Not present for quorum call, but attended meeting

** Alternate Voting Member

ADOPTION OF AGENDA

❖ **It was moved by Rich Jensen Seconded by Connealy that agenda be adopted.**

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

Voting Yea: John Conley, Connealy, Jensen, Neary, Tesar
Voting Nay: None
Abstaining: None
Absent: Fowler, late for meeting.

PROOF OF PUBLICATION: Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on September 2, 2004.

REQUEST BY JUDITH L. ADLER TO ALLOW HORSE BACK RIDING AT PRAIRIE VIEW RECREATION AREA:

Jerry Herbster referred the Subcommittee to the letter and petition provided by Mr. & Mrs. Adler and discussed the rules and regulations for the Prairie View Recreation Area and the lack of space and safety reasons for not allowing horseback riding the site. Judith Adler and Noel McKee (horse boarding manager) spoke in favor of amending the District's rules and regulations so that horseback riding would be allowed at the site, as there are fewer nearby places they can ride their horses as time goes on. The Chairperson indicated the Board would take this matter under advisement. No action was taken.

DRAFT COOPERATIVE AGREEMENT WITH GAME AND PARKS FOR MENTORED YOUTH HUNTING ON VENCIL'S:

Nebraska Game and Parks Commission representative, Jeff Rawlinson, explained to the Subcommittee the new Draft Interlocal Agreement following discussion at the August meeting and further outlined the Commission's Youth Mentor Hunting Program that is proposed on the Glasshoff tract at Vencil's Island.

Mr. Frank Wolf, Ducks Unlimited Representative, spoke in favor of Youth Mentor Hunting at the site. Mr. Charles Deldemoto, spoke against unlimited youth mentored waterfowl hunting, stating there are too many blinds in this small area already. However, Mr. Deldemoto indicated he could support Youth Mentored archery deer, archery turkey, youth season (2-day) waterfowl, and dove hunting and fishing.

- ❖ **It was moved by Neary, and seconded by John Conley, that the Subcommittee recommend to the Board that the General Manager be authorized to execute an agreement with the Nebraska Game and Parks Commission to allow for mentored youth hunting and fishing on the Glasshoff Tract at Vencil's Island, subject to changes deemed necessary by the General Manager and approved as to form by the District Legal Counsel.**
- ❖ **It was moved by Jansen and seconded by Tesar that the motion be amended to only allow for mentored youth archery big game hunting, archery turkey hunting and water fowl hunting during the two day youth waterfowl season.**

Roll call was taken on the amendment. The amendment to the motion carried on a vote of 4 to 1.

Voting Yea: John Conley, Fowler, Jensen, Tesar
Voting Nay: Neary
Abstaining: None
Absent: None

Roll call was taken on the motion, as amended. The amended motion carried on a vote of 4 to 1.

Voting Yea: John Conley, Fowler, Jensen, Tesar
Voting Nay: Neary
Abstaining: None
Absent: None

AMENDMENT NO 2 TO INTERLOCAL AGREEMENT FOR THE LOWER PLATTE RIVER CORRIDOR ALLIANCE:

Gerry Bowen explained the proposed amendment to the Lower Platte River Corridor Alliance (LPRCA) Interlocal Agreement and the affiliation with the Nebraska Community Foundation (NCF). The Agreement also describes how funds kept with NCF can be distributed. A Fund Advisory Committee has been established to oversee management of the Fund. The Interlocal Agreement for the LPRCA needs to be amended to create the Fund and to describe how funds can be used.

- ❖ **It was moved by Jansen, and seconded by Fowler, that the Subcommittee recommend to the Board that the General Manager be authorized to execute Amendment No. 2 to the 1997 Amended Lower Platte River Corridor Alliance Interlocal Agreement, that provides for the establishment of the LPRCA Fund.**

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

Voting Yea: John Conley, Fowler, Jensen, Neary,
Voting Nay: None
Abstaining: None
Absent: Tesar

SALE OF DAKOTA COUNTY WATERLINE TO SOUTH SIOUX CITY:

Staff member Dick Sklenar explained to the Subcommittee the plans South Sioux City has to expand its jurisdictional boundaries and assume responsibility for a portion of the District's Dakota County Rural Water System to serve the customers presently being served by the current water distribution system. This portion of the system will, with this Agreement, be sold by the Dakota County Rural Water System, to the City of South Sioux City for a depreciated cost of about \$4,832.00.

- ❖ **It was moved by Jansen, and seconded by Neary, that the Subcommittee recommend to the Board that the General Manager be authorized to execute an agreement with South Sioux City for the transfer and sale of water lines, service meters, and appurtenances, of the Dakota County Rural Water System along portions of "C" Avenue, 164th Street, and Dakota Avenue, subject to changes**

deemed necessary by the General Manager and approved as to form by the District's legal counsel.

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

Voting Yea: John Conley, Fowler, Jensen, Neary
Voting Nay: None
Abstaining: None
Absent: Tesar

P-MRNRD/VILLAGE OF WATERLOO AGREEMENT FOR DEVELOPMENT OF ELKHORN RIVER PUBLIC ACCESS SITE ON WEST MAPLE ROAD:

Staff member Dick Sklenar explained to the Subcommittee the details of the new proposed Elkhorn River Canoe Access Site at Waterloo, NE, on West Maple Road. In the Agreement the City of Waterloo will have ownership of the property and will assume maintenance of the site once constructed by the District. The Village of Waterloo will also apply for aid through the Game and Parks Commission. The District will act as co-sponsor by developing and financing the site.

- ❖ **It was moved by Jansen, and seconded by Fowler, that the Subcommittee recommend to the Board that the General Manager be authorized to execute the Inter-local Cooperation Act Agreement with the Village of Waterloo, NE for an Elkhorn River Canoe Access Site and that the District be co-applicant with the Village for federal and state aid program grants for the project, and furthermore;**
 - 1. The Papio-Missouri River Natural Resource District of Nebraska is applying for federal assistance from the Recreational Trails Program, Land & Water Conservation Fund and the Trails Development Assistance Fund for the purpose of developing the Elkhorn River Canoe Access site at West Maple Road in Douglas County, Nebraska.**
 - 2. The General Manager of the Papio-Missouri River NRD of Nebraska is authorized to sign the application for federal assistance, and any other official project documents that are necessary to obtain such assistance, including any agreements, contract or other documents that are required by the State of Nebraska or the Federal Highway Administration.**
 - 3. The Papio-Missouri River Natural Resources District of Nebraska currently has the written commitment for the local matching share for the project elements that are identified on the Application form and the Supplemental Documents and will, as it becomes necessary, allocate the local funds for this project.**
 - 4. The Papio-Missouri River Natural Resources District of Nebraska will commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner.**
 - 5. The Papio-Missouri River Natural Resources District of Nebraska will not discriminate against any person on the basis of race, color, age, religion, disability, sex or nation origin in the use of any property or facility that is acquired or developed pursuant to the project proposal, and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, and any of the regulations promulgated pursuant to such Act.**

6. **The Papio-Missouri River Natural Resources District of Nebraska will comply with all rules and regulations of the Recreational Trails Program, Land & Water Conservation Fund and Trails Development Assistance Fund, applicable Executive Orders and all state laws that govern the grant applicant during the performance of the project.**
7. **The Papio-Missouri River Natural Resources District of Nebraska will comply with the Federal disability access and use standards where they can be reasonably applied, in accord with the American with Disability Act of 1991.**
8. **All paperwork may be signed by the project sponsor, but the Resolution MUST be signed by the Board Chairperson.**

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

Voting Yea: John Conley, Fowler, Jensen, Neary
 Voting Nay: None
 Abstaining: None
 Absent: Tesar

CONTRIBUTION AGREEMENT WITH NATURAL RESOURCES CONSERVATION SERVICE TO EXPEDITE SILVER CREEK STRUCTURES:

Staff member Ralph Puls explained to the Subcommittee the new program the NRCS has in cooperation with the NRD that will accelerate the design and construction of the ten erosion control dams remaining in the Silver Creek Watershed Plan. The planning and design of the structures will be contracted to the private sector and they will be monitored by the NRCS. This will free up the NRCS to complete other projects. The agreement will provide USDA funds (50/50 match with the District up to \$250,000 each) to design the dams and EQIP funds will be used to construct them at a cost of \$50,000 to \$75,000 each. Don Doty, NRCS, explained that under this agreement it would be a good opportunity to use more federal funds through the farm bill and accelerate the conservation programs plus give NRCS more time to work on future programs.

- ❖ **It was moved by Jansen, and seconded by Fowler, that the Subcommittee recommend to the Board of Directors that the P-MRNRD enter into the Contribution Agreement with the NRCS for the Silver Creek Watershed Project and that the General Manager be authorized to execute the necessary contract documents subject to review as to form by District's Legal Counsel.**

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

Voting Yea: John Conley, Fowler, Jensen, Neary
 Voting Nay: None
 Abstaining: None
 Absent: Tesar

BIDS FOR CONSTRUCTION OF NATURAL RESOURCES CENTER AT DAKOTA CITY:

Staff member Ralph Puls advised the subcommittee of the bidding process and bids received for the new Natural Resources Center in Dakota City, NE. There were seven bids submitted with a high base bid of \$1,099,098.00 and low base bid of \$924,900.00. The engineer's base estimate on this project was \$939,837.52. There were alternate bid number 1 & 2 for an additional roof membrane and additional parking lot paving, estimated at \$21,255.00. Submitting the low base bid and low alternate #1 & #2 bids was Halman Construction. After review by staff and Prochaska & Associates, Halman Construction was considered the low and best bidder.

- ❖ **It was moved by Jansen, and seconded by Conley, that the Subcommittee recommend to the Board that bid of Halman Construction, Inc., of \$950,855.00 for construction of the Natural Resources Center in Dakota City be accepted and that the General Manager be authorized to execute the necessary contract documents.**

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

Voting Yea: John Conley, Fowler, Jensen, Neary
Voting Nay: None
Abstaining: None
Absent: Tesar

BIG PAPIO TRAIL (CENTER TO BLONDO) CRACKING:

Gerry Bowen reported a meeting concerning the concrete trail (Center to Blondo) cracking was held on site on August 28, 2004 with Steve Oltmans, Marlin Petermann, Gerry Bowen, and representatives of the City of Omaha, Nebraska Department of Roads, Kirkham Michael Engineers, and Hawkins Construction Company. The General Manager reported the meeting and subsequent conversations with Kirkham Michael Engineers and Hawkins Construction Co. were encouraging, but asked that he be given another month to negotiate a settlement. Joe Waxse of Terracon, Inc., explained to the Subcommittee the findings of this investigation into the cause of the cracking which are contained in his report dated July 1, 2004. No action was taken.

RESOLUTION FOR APPLICATION FOR NEBRASKA DEPARTMENT OF ROADS TRANSPORTATION ENHANCEMENT PROGRAM FUNDS FOR PLATTE RIVER TRAIL PHASE 3 (HWY 370 TO SPRINGFIELD), PLATTE RIVER TRAIL PHASE 1 (HWY 50 TO LIED BRIDGE); AND THE MISSOURI RIVER TRAIL PHASE 1 (NP DODGE PARK NORTH TO PONCA ROAD):

Gerry Bowen explained to the Subcommittee the process for applying for T-21 funds for three District trail projects. These funds are awarded by the Nebraska Department of Roads Transportation Enhancement Program. Mr. Bowen stated the final applications for these projects must include a resolution from the NRD Board stating that the District will provide a minimum of 20% of the project cost and will operate and maintain the completed project.

- ❖ **It was moved by Neary, and seconded by Fowler, that the Subcommittee recommend to the Board that the following Resolution be adopted:**

WHEREAS, the Papio-Missouri River Natural Resources District (“NRD”) proposes to apply for funding assistance from the Transportation Enhancement Program for the purpose of paying a portion of the cost of constructing segments of the following hiking/biking trails in the NRD, to-wit:

**Platte River Trail Phase 3 (Hwy 370 to Springfield),
Platte River Trail Phase 1 (Hwy 5 to Lied Bridge), and
Missouri River Trail Phase 1 (N.P. Dodge Park north
To Ponca Road); and,**

WHEREAS, the NRD has available a minimum of 20% of the cost of such trail construction and has the financial capacity to operate and maintain the completed trails in a safe and attractive manner for public use; and,

WHEREAS, the NRD’s application for such assistance has been made available for public review at a properly announced meeting of the Board of Directors of the NRD,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT that the Board of Directors of the NRD should apply such funding assistance for the aforesaid three trail segments.

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

Voting Yea: John Conley, Fowler, Jensen, Neary

Voting Nay: None

Abstaining: None

Absent: Tesar

OTHER ITEMS OF INTEREST: None.

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 9:08p.m.