

**Papio-Missouri River Natural Resources District  
Board of Directors Meeting  
Suggested Resolution  
September 9, 2004**

**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 September 9, 2004 Board of Directors Meeting:

None to date.

Agenda Item 6 A.& B.:

BE IT RESOLVED that the August 12, 2004, Papio-Missouri River NRD Board meeting minutes and that the August 11, 2004 Dakota County Rural Water Advisory Committee meeting minutes be approved as printed.

**Agenda Item 8.A.:**

BE IT RESOLVED that the September 7, 2004, minutes of the Personnel, Legislative and Public Affairs Subcommittee are accepted, incorporated in these minutes, and the following recommendations of the Subcommittee are hereby adopted or approved.

1. Resolutions to be Considered at the NARD Annual Conference: Recommendation that the Papio-Missouri River NRD take the following positions on resolutions to be considered at the NARD Annual Conference

Reso #	Description	Recommended Position
2004-1	Change in Water Well Decommissioning Fund Allocation Procedure, Submitted by the Lower Loup	<b>Support</b>
2004 -2	Amendments to Water Well Standards and Contractors' NRD Licensing Act (46-1201 to 46-1241), Submitted by the Middle Republican NRD	<b>Monitor</b>

2004-3	Authorize Water Use Fees, Submitted by the Upper Republican NRD	<b>Support</b>
2004-4	Annual Limits on Per Diem Payments to Board Members, Submitted by North Plate NRD	<b>Support</b>
2004-5	Utilize fees for Scrap Tire Grants, Submitted by Lower Elkhorn NRD	<b>Oppose</b>

2. Report on Legislative Hearing (held at NRC August 31, 2004): Recommendation that the Papio-Missouri River NRD seek general obligation bonding authorization.

**Agenda Item 8.B.:**

BE IT RESOLVED that the September 7, 2004, minutes of the Programs, Projects and Operations Subcommittee are accepted, incorporated in these minutes, and the following recommendations of the Subcommittee are hereby adopted or approved.

1. Request by Judith L. Adler to Allow Horseback Riding at Prairie View Rec Area (West side of 180<sup>th</sup> Street between Hwy 36 and Bennington Road) – No action taken.
2. Draft Cooperative Agreement with Game and Parks for Mentored Youth Hunting on Vencil’s Island – Recommendation that the General Manager be authorized to execute an agreement with the Nebraska Game and Parks Commission to only allow for mentored youth archery big game hunting, archery turkey hunting and waterfowl hunting during the two-day youth waterfowl season, subject to changes deemed necessary by the General Manager and approved as to form by the District’s Legal Counsel.
3. Amendment No. 2 to Interlocal Agreement for the Lower Platte River Corridor Alliance – Recommendation 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.
4. Sale of Dakota County Waterline to South Sioux City – Recommendation 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, 164<sup>th</sup> Street and Dakota Avenue, subject to changes deemed necessary by the General Manager and approved as to form by the District’s Legal Counsel.
5. P-MRNRD/Village of Waterloo Agreement for Development of Elkhorn River Public Access Site on West Maple Road – Recommendation that the General Manager be authorized to execute an Inter-Local Cooperation Act Agreement with the Village of Waterloo, NE for the 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.
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6. Contribution Agreement with Natural Resources Conservation Service to Expedite Silver Creek Structures – Recommendation that the District enter into the Contribution Agreement with the Natural Resources Conservation Service for the Silver Creek Watershed Project and that the General Manager be authorized to execute the necessary contract documents subject to approval as to form by the District’s Legal Counsel.
  7. Bids for Construction of Natural Resources Center at Dakota City – Recommendation that the 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.
  8. Big Papio Trail (Center to Blondo) Cracking – No action taken.

9. Application for Nebraska Departments of Road 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) – Recommendation that the Board approve the following resolution:

WHEREAS, the Pappio-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.

**Agenda Item 8.C.:**

BE IT RESOLVED that the September 7, 2004, minutes of the Finance, Expenditure and Legal Subcommittee are accepted, incorporated in these minutes, and the following recommendations of the Subcommittee are hereby adopted or approved.

1. FY 2005 Budget:

⇒ **SET PROPERTY TAX REQUEST FOR FISCAL YEAR 2005**

**WHEREAS the Papio-Missouri River NRD Board of Directors at the August 12, 2004, meeting adopted the FY 2004 budget with a property tax request of \$14,975,911.03 and the total requirements at \$31,831,456.31;**

**NOW THEREFORE BE IT RESOLVED that the tax levy of 0.040620/\$100 for FY 2005 be adopted and certified copies of the following resolution be forwarded to County Clerks of counties having taxable property within the District.**

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the Papio-Missouri River NRD passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and,

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and,

WHEREAS, it is in the best interests of the Papio-Missouri River NRD that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District by a majority vote, resolved that:

1. The FY 2005 property tax request be set at \$14,975,911.03, with total requirements of \$31,831,456.31 and tax levy of 0.040620.
2. A copy of this resolution be certified and forwarded to the County Clerks within the District prior to October 13, 2004.

2. Western Sarpy/Clear Creek Flood Reduction Project – Sarpy County Side Riverside Cabins Purchase Agreements: No action taken

**Agenda Item 9. A.-I.:**

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (1) claims listed in the August, 2004, 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 August, 2004, 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 the following be adopted as the schedule for Papio-Missouri River NRD Board of Directors meeting for calendar year 2005:

January 13, 2005	July 14, 2005
February 10, 2005	August 11, 2005
March 10, 2005	September 8, 2005
April 14, 2005	October 13, 2005
May 12, 2005	November 10, 2005
June 9, 2005	December 8, 2005