

**Papio-Missouri River Natural Resources District
Board of Directors Meeting
Suggested Resolutions/Recommendations
September 8, 2011**

***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 absence of the following Directors from the September 8, 2011, Board of Director Meeting are excused:

Dave Klug
Tim Fowler

Agenda Item 7. A, and 7.B.

BE IT RESOLVED that the August 11, 2011 Papio-Missouri River NRD Board meeting minutes and the August 10, 2011 Dakota County Rural Water Advisory Board meeting minutes are approved as printed.

***Agenda Item 10.A. – Programs, Projects and Operations Subcommittee**

BE IT RESOLVED that the minutes of the September 6, 2011, meeting of the 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. Program Supplemental Agreement with Nebraska Department of Roads on the Platte River Trail: Recommendation that the General Manager be authorized to execute the Agreement with Nebraska Department of Roads on the Platte River Trail Project Phase 1, upon its approval as to form by District legal counsel.
2. Feasibility Study for New Levee Construction in Burt and Washington Counties along the Missouri River: Recommendation that the General Manager not pursue a feasibility study for the construction of new levees along the Missouri River in Burt

and Washington Counties until flooding has subsided and consultation and coordination with the U.S Army Corps of Engineers and other federal, state and local agencies has occurred.

3. Cole Creek Presentation: No action taken.

***Agenda Item 10.B. – Finance, Expenditures and Legal Subcommittee**

BE IT RESOLVED that the minutes of the September 6, 2011, meeting of the 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. Special Lot Assessments of Dial Property: Recommendation that the General Manager be authorized to make a payment of \$258,976.62 for the special assessments against Lots 114 and 115, Elk Ridge and Lots 8 through 14, Elk Ridge Replat 2.
2. Pigeon/Jones Site 15 Project Right of Way Purchase Agreements: Recommendation that the General Manager be authorized to execute the proposed purchase agreement for Tract 8, Pigeon/Jones Site 15 project, for the purchase price of \$188,108 for 6.9 acres of land, and authorized to make relocation payments and replacement housing payments, which, together with the aforesaid Tract 8 purchase price, do not exceed the total amount of \$400,000.00; and further authorized to execute such documents, approved as to form by District Legal Counsel, as necessary to effectuate such transactions.
3. Papillion Creek Watershed Structure W-3 Rehabilitation Project Construction Change Order and Account over 110%: Recommendation that the Assistant General Manager (per agreement with NRCS) be authorized to execute Contract Modification No. 5 to the District’s contract with Pruss Excavation for the Papio W-3 Rehabilitation Project, in the maximum not to exceed amount of \$84,600; that the Assistant General Manager be authorized to execute future contract modifications cumulating not more than 10% of the original construction contract amount; and, that Account No. 510-4479-W-3 Rehabilitation Project be allowed to exceed 110% of the budgeted amount.
4. FY 2012 Budget – Set Property Tax Levy at 0.032753 – and Amend the FY 2012 Budget for Increase in Valuation: Recommendation that the following resolutions be adopted:

A

BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District that the budget document adopted at the August 11, 2011 Board meeting and incorporated herein by reference, stating Total Requirements of \$82,394,216.08 as follows:

Operating Budget	\$82,344,216.08
Uninsured Liability Sinking Fund	\$50,000.00

and Property Tax Requirements of \$16,811,522.71, should be amended to provide \$264,000.00 for Miscellaneous Expenses (Account 01010004330), provide \$1,263,750.00 for Missouri River flood fight, repair and rehab (Account 01035914450), provide for

Total Requirements of \$82,591,966.08 and provide for Property Tax Requirements of \$17,011,250.21; and, said budget document as so amended is hereby adopted as the Fiscal Year 2012 budget of the Papio-Missouri River Natural Resources District.

B

WHEREAS, the Board of Directors of the Papio-Missouri River Natural Resources District held a Public Hearing at the September 8, 2011 Board of Directors meeting to set the Final Property Tax Request and Tax Levy for Fiscal Year 2012 after final valuations have been received from Douglas, Sarpy, Dodge, Washington, Burt, Thurston and Dakota Counties; and to hear and consider comments concerning the property tax request; and,

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the District's 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, it is in the best interest 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) that:

1. The District's FY 2012 property tax request is hereby set at \$17,011,250.21 with a tax levy of 0.032753/\$100; and that,
2. A copy of this resolution should be certified and forwarded to the County Clerks within the District prior to October 13, 2011.

C

BE IT RESOLVED THAT the Board of Directors of the Papio-Missouri NRD approves an additional increase of 1% in the Total Unused Restricted Funds Authority, pursuant to Neb. Rev. State. §§ 13-518 through 13-522.

***Agenda Item 10.C. – Personnel, Legislative and Public Affairs Subcommittee**

BE IT RESOLVED that the minutes of the September 6, 2011, meeting of the Personnel, Legislative and Public Affairs Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Issues to be Considered at the NARD Annual Conference – Resolutions: Recommend that the P-MNRD Voting Delegate and/or Alternate be authorized to vote on the 2011-1 and 2011-2 resolutions being considered at the NARD Annual Conference as recommended in the table below.

Resolution#	Description	P-MRNRD
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		Position
2011-1	Eliminate the Well Decommissioning Funds to the Water Quality fund. Submitted by Nemaha NRD	Oppose
2011-2	Authorized fees for Variance Request. Submitted by South Platte NRD	Amend

***Agenda Item 11. A.-I. - Financials**

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (l) claims listed in the August, 2011, 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 Drainage District, the project bills listed on the August, 2011, 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.

September 1 resolutions