

**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
June 13, 2019**

**PLEDGE OF ALLEGIANCE**

**MEETING CALLED TO ORDER:** A regular meeting of the Papio-Missouri River Natural Resources District Board of Directors was held at the Natural Resources Center, 8901 S. 154<sup>th</sup> Street, Omaha, NE on June 13, 2019. The meeting was called to order by Chairperson Thompson at 7:00 p.m.

**NOTIFICATION OF OPEN MEETINGS ACT POSTING AND MEETING PROCEDURE**

**QUORUM CALL:** The following Directors were present for the Quorum Call:

Danny Begley	Ted Japp
Larry Bradley	Kevyn Sopinski
Fred Conley	Rich Tesar
Tim Fowler	Jim Thompson
Mark Gruenewald	John Wiese

**ADOPTION OF AGENDA:**

- **MOTION NO. 1:** It was moved by Director Conley and seconded by Director Fowler that the meeting agenda be adopted.

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

Voting Yea	-	Begley, Bradley, Conley, Fowler, Gruenewald, Japp, Sopinski, Tesar, Wiese, Thompson
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	McCormick
Absent	-	McCormick

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2:** It was moved by Director Bradley and seconded by Director Fowler that the following resolution be adopted:

BE IT RESOLVED that the following resolutions on the consent agenda are hereby adopted.

Agenda Item 3.A.:

BE IT RESOLVED that the absences of the following Director(s) from the June 13, 2019 Board of Directors Meeting are excused:

Tim McCormick.

Agenda Item 7. A.

BE IT RESOLVED that the May 9, 2019 Papiio-Missouri River NRD Board Meeting minutes are approved as printed.

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

Voting Yea	-	Begley, Bradley, Conley, Fowler, Gruenewald, Japp, Sopinski, Tesar, Wiese, Thompson
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	McCormick
Absent	-	McCormick

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on June 6, 2019. The District's April 12 through May 9, 2019 expenditures were published in The Burt County Plaindealer on May 21, 2019. The Chairperson ordered the Proofs of Publication recorded in the minutes of this meeting. (They are contained as part of the file copy of these minutes.)

**AGENCY AND ASSOCIATION REPORTS:**

- A. Natural Resources Conservation Service Report: Neil Jensen, NRCS District Conservationist at the Omaha NRCS office, gave his report on NRCS activities. He announced his upcoming retirement after 39 years with Nebraska's Natural Resources Conservation Service. Neil's report is posted to the website and attached to the file copy of these minutes.
- B. Nebraska Association of Resources Districts Board Meeting and Basin Tour: Director Tesar reported on the NARD Directors meeting that was held on June 10-11, 2019 in Ord, NE.
- C. Nebraska Natural Resources Commission: Director Bradley briefed the Board on the Commission Meeting that was held May 22, 2019 in Kearney, NE.
- D. Legislative Report – Husch Blackwell: Ron Sedlacek updated the Board on Legislative Issues and 2019 Interim Studies of Interest to the P-MRNRD. His written report is attached to the file copy of these minutes.

Presentations can be heard on the District's podcast at [www.papionrd.org](http://www.papionrd.org).

**SUBCOMMITTEE REPORTS:**

A. Personnel, Legislative and Public Affairs Subcommittee: Director Conley reported that the PLPA Subcommittee met on June 11, 2019 and gave a brief recap of the meeting.

- **MOTION NO. 3:** It was moved by Director Conley that the following recommendation be adopted:

*PLPA Recommendation #1:* Renewal of Government Relations Contract with Husch Blackwell LLP: It is recommended that General Manager be authorized to execute a Request for Proposals for the provision of Government Relations Services for FY 2021.

Roll call vote was held on motion. The motion carried on a vote of 8-yea and 2-nay.

Voting Yea - Begley, Bradley, Conley, Fowler, Japp, Sopinski, Tesar, Wiese  
Voting Nay - Gruenewald, Thompson  
Abstaining - None  
Excused Absence - McCormick  
Absent - McCormick

Chairperson Thompson stated that an Ad Hoc Subcommittee will be formed, and an RFP for Government Relations Services prepared and advertised for competitive bidding.

B. Programs, Projects and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on June 11, 2019 and gave a brief recap of the meeting.

Presentations were given by Paul Woodward and Amy Zoller, NDNR on the Integrated Management Plan Review and Eric William and Matt Pillard, HDR Inc. on the Lower Platte River Corridor Alliance Water Quality Plan. No action was taken by the Subcommittee.

- **MOTION NO. 4:** It was moved by Director Conley that the following recommendation be adopted:

*PPO Recommendation #1:* Bids Received for the Aerial Application of Herbicide by Helicopter: It is recommended that the General Manager be authorized to execute a contract with Nebraska-Iowa Helicopter LLC for the aerial application of herbicide by helicopter for the unit prices listed in Exhibit A of the proposed contract, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

Voting Yea - Begley, Bradley, Conley, Fowler, Gruenewald, Japp, Sopinski, Tesar, Wiese, Thompson  
Voting Nay - None  
Abstaining - None

Excused Absence - McCormick  
Absent - McCormick

•• **MOTION NO. 5:** It was moved by Director Conley that the following recommendation be adopted:

*PPO Recommendation #2:* Resolution ending Emergency Declaration for the March 2019 Flooding: It is recommended that the following Resolution be adopted:

WHEREAS, the Papio-Missouri River Natural Resources District (“NRD”) endured a natural disaster in March 2019 in the form of flooding of the Missouri, Elkhorn and Platte Rivers and their surrounding areas;

WHEREAS, NRD Policy 15.4 allows for an Emergency Declaration which grants certain purchasing authority to NRD Management without having to follow certain purchasing NRD policies because of the emergency caused by the natural disaster;

WHEREAS, pursuant to NRD Policy 15.4, NRD Management obtained concurrence of seven (7) non-signing Directors and sent a written declaration to the Chairperson to declare an emergency within the NRD as a result of the March 2019 flooding of the Missouri, Elkhorn and Platte Rivers;

WHEREAS, Chairperson Jim Thompson executed the Emergency Declaration for the NRD on March 21, 2019;

WHEREAS, on April 11, 2019, the NRD Board of Directors declared the March 2019 flooding event a natural disaster of emergency nature, approved the Emergency Declaration signed March 21, 2019 and granted NRD Management the purchasing authority set forth in NRD Policy 15.4; and

WHEREAS, the emergency nature of the March 2019 flooding of the Missouri, Elkhorn and Platte Rivers and their surrounding areas has ended.

BE IT RESOLVED, that the Board of Directors determines that the Emergency Declaration is no longer necessary and is, therefore, revoked along with the purchasing authority granted to NRD Management under the Emergency Declaration and NRD Policy 15.4.

Director Japp asked if there was no formal way to end an Emergency Declaration as it is not stipulated in District Policy. General Manager Winkler stated this action is not required by current policy and that in December, the policy regarding Emergency Operations will be reviewed for updates and brought to the Board for approval.

Roll call vote was held on motion. The motion carried on a vote of 9-yea and 1-nay.

Voting Yea - Begley, Bradley, Conley, Fowler, Japp, Sopinski, Tesar, Wiese, Thompson  
Voting Nay - Gruenewald  
Abstaining - None  
Excused Absence - McCormick

Absent - McCormick

C. Finance Expenditure and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on June 11, 2019 and gave a brief recap of the meeting.

- **MOTION NO. 6:** It was moved by Director Tesar that the following recommendation be adopted:

*FEL Recommendation #1:* WP-2 Land Rights (02-01-564-4430) Account over 110%: It is recommended that the account for WP-2 Regional Detention Structure Land Rights (02-01-546-4430) be allowed to exceed the budgeted amount up to a maximum of \$996,000.

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

Voting Yea - Begley, Bradley, Conley, Fowler, Gruenewald, Japp, Sopinski, Tesar, Wiese, Thompson  
Voting Nay - None  
Abstaining - None  
Excused Absence - McCormick  
Absent - McCormick

- **MOTION NO. 7:** It was moved by Director Tesar that the following recommendation be adopted:

*FEL Recommendation #2:* Summit Lake Project Easement Agreement Request: It is recommended that the General Manager be authorized to execute a Permanent Easement with Eaglewood Homes LLC, in the amount of \$200, for deck improvements on 0.015 acres of land at the Summit Lake Project Site, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

Voting Yea - Begley, Bradley, Conley, Fowler, Gruenewald, Japp, Sopinski, Tesar, Wiese, Thompson  
Voting Nay - None  
Abstaining - None  
Excused Absence - McCormick  
Absent - McCormick

**TREASURER'S REPORT:**

- **MOTION NO. 8:** It was moved by Director Bradley and seconded by Director Conley that the following resolution be adopted:

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (l) claims listed in the May 2019 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 Rural Water Supply System, the Elkhorn River Bank Stabilization Project, the Elkhorn Breakout Project, the Elk/Pigeon Creek Drainage Project, the Western Sarpy Drainage District, the Papillion Creek Watershed Partnership, and the Southern Sarpy Watershed Partnership project bills listed on the May 2019 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.

Roll call vote was held on motion. The motion carried on a vote of 9-yea and 1-nay.

Voting Yea	-	Begley, Bradley, Conley, Fowler, Japp, Sopinski, Tesar, Wiese, Thompson
Voting Nay	-	Gruenewald
Abstaining	-	None
Excused Absence	-	McCormick
Absent	-	McCormick

**CHAIRPERSON'S REPORT:** Chairperson Thompson gave his report to the Board. It can be heard on the District's podcast at [www.papionrd.org](http://www.papionrd.org).

**GENERAL MANAGER'S REPORT:** General Manager Winkler reviewed the GM Report with the Board. His written report is posted to the website and the audio can be heard on the District's podcast at [www.papionrd.org](http://www.papionrd.org).

•• **MOTION NO. 9:** It was moved by Director Sopinski and seconded by Director Begley that at the discretion of the General Manager, July 5, 2019 be designated as a holiday for Papio-Missouri River NRD employees.

Roll call vote was held on the motion. The motion carried on a vote of 10-yea.

Voting Yea	-	Begley, Bradley, Conley, Fowler, Gruenewald, Japp, Sopinski, Tesar, Wiese, Thompson
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	McCormick
Absent	-	McCormick

Director Japp inquired on the status of the USACE Re-evaluation Study of the Papillion Creek Watershed. Amanda Grint addressed his questions. Director Fowler shared a video that was shown at the 2019 NACD Annual Meeting this past February. The video *Past, Present and Future of Conservation Districts* can be seen at <https://youtu.be/LU-PdpT-2v4>.

**INFORMATIONAL ITEMS:**

A. Future Meetings: The Chairperson reviewed the following upcoming meetings with the Directors:

June 27, 2019	Papillion Creek Watershed Partnership Meeting, 10 a.m., NRC
July 4 & 5, 2019	4 <sup>th</sup> of July Holiday, P-MRNRD Offices Closed
July 9, 2019	P-MRNRD Directors Budget Workshop, 5:30-6:30 p.m., NRC
July 9, 2019	P-MRNRD Subcommittee Meetings, 6:30 p.m.
July 11, 2019	P-MRNRD Board Meeting, 7:00 p.m.
July 25, 2019	Papillion Creek Watershed Partnership Meeting, 10 a.m., NRC

B. Next Meeting – The next regularly scheduled meeting of the P-MRNRD Board of Directors will be held on July 11, 2019 at the NRC.

**ADJOURNMENT**: Being no further business, the Chairperson declared that the meeting was adjourned at 7:56 p.m.

**NOTE**: These minutes reflect the actions and votes taken at the June 13, 2019 Board of Directors Meeting of the Papio-Missouri River Natural Resources District and are not an official transcript of the meeting. The audio cast of this meeting can be found on our website at [www.papionrd.org](http://www.papionrd.org).

I, the undersigned, Secretary of the Papio-Missouri River Natural Resources District, hereby certify that the foregoing are true and correct minutes of a meeting of the Board of Directors of the District held on June 13, 2019 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the District; that such subjects were contained in said agenda at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting.

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Richard Tesar  
District Secretary