



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
October 10, 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. 154th Street, Omaha, NE on October 10, 2019. The meeting was called to order by Chairperson Jim 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	Tim McCormick
Larry Bradley	Kevyn Sopinski
Fred Conley	Rich Tesar
Mark Gruenewald	Jim Thompson
Ted Japp	John Wiese

ADOPTION OF AGENDA:

- **MOTION NO. 1:** It was moved by Director Tesar and seconded by Director McCormick 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, Gruenewald, Japp, McCormick, Sopinski, Tesar, Wiese, Thompson
Voting Nay:	None
Abstaining:	None
Excused Absence:	Fowler
Absent:	Fowler

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Bradley and seconded by Director McCormick 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 October 10, 2019, Board of Directors Meeting are excused:

Tim Fowler.

Agenda Item 7. A. and Agenda Item 7.B.:

BE IT RESOLVED that the September 12, 2019 Papio-Missouri River NRD Board Meeting Minutes and the September 11, 2019 Dakota County Rural Water Advisory 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, Gruenewald, Japp, McCormick, Sopinski, Tesar, Wiese, Thompson
Voting Nay:	None
Abstaining:	None
Excused Absence:	Fowler
Absent:	Fowler

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on October 3, 2019. The District's August 9-September 12, 2019 expenditures were published in the Dakota County Star on September 19, 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. Presentation “Focusing on Wildlife in the Missouri River Floodplain”: Alex Wiles gave a presentation on wildlife in the Missouri River Floodplain. Alex is a photographer, filmmaker, and storyteller based out of Omaha. His interest in conservation takes him around the world where he documents the challenges faced by wildlife and the work of those who wish to protect it. His current exhibit ‘Flood Plain’ is being displayed in the NRC Visitors Center until the end of October. More information about Alex’s projects can be found at www.awilesmedia.com

B. Nebraska Association of Resources Districts: Director Rich Tesar reported that the 2019 NARD Annual Conference was held on September 22-24, 2019 in Kearney, NE. Directors McCormick and Begley provided their comments about this year’s conference and Chairman Thompson recognized and thanked District staff that received years of service awards.

SUBCOMMITTEE REPORTS:

A. Ad Hoc Consultant Selection Subcommittee for Legislative Representation Services: Director Conley reported that the Ad Hoc Subcommittee met on August 14, 2019 and September 10, 2019 and gave a brief recap of the meetings.

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

Ad Hoc Recommendation #1: Contract Agreement with Catalyst Public Affairs to Provide Legislative Representation Services, September 10, 2019: Recommendation for consideration at the October 2019 Board of Directors meeting, that the General Manager be authorized to negotiate a professional services contract with Catalyst Public Affairs to provide legislative representation services to the District.

Prior to the roll call vote, Brent Meyer provided clarification and need for the two separate motions. The first being a procedural motion and the second being action on the actual contract.

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

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

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

Ad Hoc Recommendation #2: Consultant Selection Interviews, August 14, 2019: Recommendation that the General Manager be authorized to negotiate a professional services contract with Catalyst Public Affairs to provide legislative representation services to the District.

Substitute Motion: It was moved by Director Tesar and seconded by Chairperson Thompson that both firms be interviewed by the full Board at the next meeting and voted on by the full Board.

The following individual addressed the Board:

- Tim Gay, President, Catalyst Public Affairs, 1320 Lincoln Mall Suite 9, Lincoln, NE 68508

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

Voting Yea:	Tesar, Thompson
Voting Nay:	Begley, Bradley, Conley, Gruenewald, Japp, McCormick, Sopinski, Wiese
Abstaining:	None

Excused Absence: Fowler
Absent: Fowler

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

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

B. Programs, Projects and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on October 8, 2019 and gave a brief recap of the meeting.

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

PPO Recommendation #1: Bids for the 2020 District Vehicles and Equipment:
Recommendation that the following bids be accepted:

Bid Item A – One, 2020, Chassis Cab, 1 ¼ Ton Dually Truck:
Recommendation that the lowest and best bid of \$25,805.80 from Woodhouse of Omaha for one, 2020 Ford F-450 be accepted with trade-in of the District’s 2002 Ford F-350, serial number 1FDWF37F82EB69723.

Bid Item B – One, 2020, Chassis Cab, 1 Ton Dually Truck:
Recommendation that the lowest and best bid of \$24,515.80 from Woodhouse of Omaha for one, 2020 Ford F-350 be accepted with trade-in of the District’s 2012 Ford F-250 Flatbed, serial number 1FTBF2B64CEB43058.

Equipment – One, New, Cat 12M3 AWD Motor Grader:
Recommendation is to purchase one, new, CAT 12M3 AWD Motor Grader from NMC with a State Contract total price of \$272,875.40, with trade-in of the District’s 1999 John Deere 772CH Motor Grader, serial number DW772CH570800; to be paid over five years in equal annual payments of \$54,575.08.

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

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

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

PPO Recommendation #2: Renewal of USGS Maintenance Agreement for Papio Floodwarning System Gages: Recommendation that the General Manager be authorized to execute the proposed Joint Funding Agreement with the USGS in the amount of \$124,280 in District funds for the operation of the District’s floodwarning system for 2020, subject to changes deemed necessary by the General Manager.

Director Japp asked for the website that shows the rain gage readings. The information can be found at <http://water.weather.gov//ahps2/index.php?wfo=oax>

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

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

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

PPO Recommendation #3: First Amendment to Interlocal Agreement with City of Omaha for the Missouri River R-613/R-616 Levee Project Modifications: Recommendation that the General Manager be authorized to execute the proposed First Amendment to the Interlocal Agreement with the City of Omaha for Modifications to the Missouri River Levee System R-613/R-616 and Relocation of Utilities Servicing the Papillion Creek Wastewater Treatment Plant, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Gruenewald asked if the City of Omaha was paying for the utility relocations. Paul Woodward briefed that 100% of the relocation project would be paid for by the City of Omaha.

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

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

- **MOTION NO. 8:** It was moved by Director Conley that the following recommendation be accepted:

PPO Recommendation #4: Amendment to Lower Platte River Consortium Agreement: Recommendation that the General Manager be authorized to execute the proposed Amendment to the Interlocal Agreement for the Platte River Consortium with the Lower Platte South NRD, Lower Platte North NRD, City of Lincoln, Metropolitan Utilities District, and Nebraska Department of Natural Resources, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

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

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

- **MOTION NO. 9:** It was moved by Director Conley that the following recommendation be accepted:

PPO Recommendation #5: Buffalo Stream Bank Stabilization Interlocal Agreement with Sarpy County: Recommendation that the General Manager be authorized to execute the proposed Interlocal Agreement with Sarpy County for Buffalo Stream Bank Stabilization, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Eric Williams and Vicki Twerlochlib, HDR provided the Board with an update to this project and the reasoning behind stabilizing the Buffalo Stream Bank. There was discussion by the Directors.

Motion to Postpone for a Certain Time: It was moved by Director McCormick and seconded by Director Bradley that this item be laid over to the November meeting.

Roll call vote was held on the motion to postpone until the November meeting. The motion to postpone carried on a vote of 10-yea.

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

- **MOTION NO. 10:** It was moved by Director Conley that the following recommendation be accepted:

PPO Recommendation #6: North Omaha Trail Interlocal Agreement with City of Omaha: Recommendation that the General Manager be authorized to execute the proposed Interlocal Agreement with the City of Omaha for the North Omaha Trail, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

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

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

•• **MOTION NO. 11:** It was moved by Director Conley that the following recommendation be accepted:

PPO Recommendation #7: Beltline Trail Interlocal Agreement with City of Omaha and Omaha Municipal Land Bank: Recommendation that the General Manager be authorized to execute the proposed Interlocal Agreement with the City of Omaha and Omaha Municipal Land Bank for the Beltline Trail, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Gruenewald reiterated the responsibilities of key players in the Interlocal Agreement i.e. Omaha Municipal Land Bank, the District, and the City of Omaha. Eric Williams stated there remains one parcel of land that needs to be acquired by the City of Omaha and that the District would be responsible for reimbursing the city for the purchase. Eric addressed all questions and expressed the need for the project.

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

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

•• **MOTION NO. 12:** It was moved by Director Conley that the following recommendation be accepted:

PPO Recommendation #8: Amendment to Trail over Platte River Bridge Agreement with LPSNRD and NGPC: Recommendation that the General Manager be authorized to execute the proposed amendment to the Interlocal Agreement with the Lower Platte South NRD and the Nebraska Game and Parks Commission for the Trail Over Platte River Bridge (Lied

Bridge), subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

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

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

•• **MOTION NO. 13:** It was moved by Director Conley that the following recommendation be accepted:

PPO Recommendation #9: FY 2020 Long Range Implementation Plan (LRIP): Recommendation that the Fiscal Year 2020 Long Range Implementation Plan be approved.

Eric Williams provided the Board with updates to the LRIP from the version which was presented to the Tuesday night PPO Subcommittee meeting. Director Wiese asked if the numbers in the Tables for Fiscal Years 2020 through 2024 reflect obligated dollars. Eric Williams stated the numbers for Fiscal Year 2020 were taken from last month's approved budget and the numbers for the future fiscal years are anticipated expenditures that would be identified through the budgeting process.

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

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

•• **MOTION NO. 14:** It was moved by Director Conley that the following recommendation be accepted:

PPO Recommendation #10: Probable Violation of District's Erosion and Sediment Control Rules and Regulations: Recommendation that the District find Mr. Cornwell to be in probable violation of the District's Erosion and Sediment Control Rules and Regulations.

Several Directors expressed their empathy for Mr. Cornwell and hoped a mutual resolution to this problem could be reached. Brent Meyer explained that this is a just a 'probable violation' and is just the beginning step in the process towards resolving the complaint.

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

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

TREASURER'S REPORT:

- **MOTION NO. 15:** 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: (1) claims listed in the September 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 Washington County, Dakota County, and Thurston County Water Supply System, the Elkhorn Breakout Project, the Elkhorn River Stabilization Project, the Elk/Pigeon Creek Drainage Project, the Western Sarpy Drainage Project, the Papillion Creek Watershed Partnership, and the Southern Sarpy Watershed Partnership project bills listed on the September 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, Japp, McCormick, Sopinski, Tesar, Wiese, Thompson
Voting Nay: Gruenewald
Abstaining: None
Excused Absence: Fowler
Absent: Fowler

CHAIRPERSON'S REPORT – P-MRNRD BOARD OF DIRECTORS MEETING SCHEDULE FOR 2020:

- **MOTION NO. 16:** It was moved by Director Conley and seconded by Director Bradley that the following resolution be adopted:

BE IT RESOLVED that the following be adopted as the schedule for Papio-Missouri River NRD Board of Directors meetings for calendar year 2020:

January 9, 2020	July 9, 2020
February 13, 2020	August 13, 2020
March 12, 2020	September 10, 2020
April 9, 2020	October 8, 2020
May 14, 2020	November 12, 2020
June 11, 2020	December 10, 2020

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

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

CHAIRPERSON’S REPORT-APPOINTMENT OF THE SOUTHERN SARPY WATERSHED PARTNERSHIP CONSTRUCTION INSPECTION AD HOC CONSULTANT SELECTION SUBCOMMITTEE

- **MOTION NO. 17:** It was moved by Director Conley and seconded by Director Begley that the following resolution be adopted:

BE IT RESOLVED that Standing Subcommittee appointments, as presented by the Chairperson, are hereby approved.

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

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

GENERAL MANAGER'S REPORT: GM Winkler reviewed the GM Report with the Board and noted that the report had been posted to the website.

INFORMATIONAL ITEMS:

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

October 15, 2019 Groundbreaking of the Missouri River Levee R-613/R-616 Project, 10:00 a.m., Hayworth Park, Bellevue

October 24, 2019 Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC

November 11, 2019 Veteran’s Day – P-MRNRD Offices Closed

November 12, 2019 P-MRNRD Subcommittee Meetings

November 14, 2019 P-MRNRD Board Meeting

November 28-29, 2019 Thanksgiving Holiday – P-MRNRD Offices Closed

B. Next Meeting – The next scheduled meeting of the P-MRNRD Board of Directors will be held on November 14, 2019 at the NRC.

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 8:34 p.m.

NOTE: These minutes reflect the actions and votes taken at the October 10, 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.

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 October 10, 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.

Richard Tesar
District Secretary