



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
November 14, 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 November 14, 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	Ted Japp
Larry Bradley	Tim McCormick
Fred Conley	Kevyn Sopinski
Tim Fowler	Rich Tesar
Mark Gruenewald	Jim Thompson

**ADOPTION OF AGENDA:**

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

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, McCormick, Sopinski, Tesar, Thompson
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Wiese
Absent	-	Wiese

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2:** It was moved by Director Fowler and seconded by Director Sopinski 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 November 14, 2019 Board of Directors Meeting are excused:

John Wiese.

Agenda Item 7.A.:

BE IT RESOLVED that the October 10, 2019 Papio-Missouri River NRD Board Meeting Minutes are approved as printed.

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, McCormick, Sopinski, Tesar, Thompson
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Wiese
Absent	-	Wiese

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on November 7, 2019. The District's September 13 through October 10, 2019 expenditures were published in the Douglas County Post-Gazette on October 16, 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: Andy Bohnenkamp, NRCS Acting District Conservationist, submitted a written report to the Board on NRCS activities. His report is posted to the website and attached to the file copy of these meeting minutes.

B. Nebraska Association of Resources Districts: Director Tesar stated the NARD Board of Directors met on November 4, 2019 in Grand Island, Nebraska and gave a brief recap of the meeting.

**SUBCOMMITTEE REPORTS:**

A. Ad Hoc Consultant Selection Subcommittee RFP for Legislative Representation Services: Director Conley reported that the Ad Hoc Consultant Selection Subcommittee RFP for Legislative Representation Services met on November 12, 2019 and gave a brief recap of the meeting.

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

*Ad Hoc Legislative Services Recommendation #1:* Consultant Selection Interviews: Recommendation that the General Manager be authorized to execute the proposed contract, for a period, from December 1, 2019 through June 30, 2022, with Catalyst Public Affairs, for the provision of intergovernmental and professional lobbying services per the terms and conditions outlined in the agreement, and as presented to the Subcommittee, with changes deemed necessary by the General Manager.

The following individual addressed the Board:

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

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

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

B. Ad Hoc Consultant Selection Subcommittee RFP for Construction Stormwater Inspections Southern Sarpy Watershed Partnership: Director Bradley reported that the Ad Hoc Consultant Selection Subcommittee for Construction Stormwater Inspections Southern Sarpy Watershed Partnership met on November 12, 2019 and gave a brief recap of the meeting.

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

*Ad Hoc SSWP Inspections Recommendation #1:* Initial Screening of Proposals for Consultant Selection Interviews: Recommendation that the Subcommittee request interviews with JEO Consulting Group, Inc., SCS Engineers and Tetra Tech in the order presented, on December 5, 2019 at 6:00 p.m.

Director Gruenewald said he had not been provided a copy of the consultant proposals and made a motion to table to the next meeting. The General Manager stated it was past practice consultant proposals were only provided to members assigned to the Ad Hoc Subcommittee and future proposals will be sent to the entire Board. Director Gruenewald's motion to table failed for lack of a second. There was discussion.

*Call the Question* A motion was made by Director Tesar and seconded by Director Fowler to call the question and cease discussion.

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

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

Excused Absence - Wiese  
Absent - Wiese

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

C. Programs, Projects and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on November 12, 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:* Groundwater Monitoring Joint Funding Agreement with USGS: Recommendation that the General Manager be authorized to execute a Joint Funding Agreement with U.S. Geological Survey for a total cost to the District of \$13,040 for the continuation of groundwater monitoring in the Platte and Elkhorn River valley, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Gruenewald said he liked the continuity in the data but didn't think there were enough wells involved for it to get the job done.

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, McCormick, Sopinski, Tesar, Thompson  
Voting Nay - Gruenewald  
Abstaining - None  
Excused Absence - Wiese  
Absent - Wiese

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

*PPO Recommendation #2:* Papio Watershed Structures D-17 and D-18 Front Berm Stabilization Project Bids: Recommendation that the General Manager be authorized to execute a contract with Thompson Construction, Inc. in an amount of \$128,315 for the construction of the Papio Watershed Structures D-17 and D-18 Front Berm Stabilization Project, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Japp asked how old the structures were. Martin Cleveland stated the structures were over 20 years old and the repairs should last 30 years.

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

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

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

*PPO Recommendation #3:* Bid Opening for Elkhorn River Improvement Project 2019 Repairs: Recommendation that the General Manager be authorized to execute a contract with Niewohner Construction, Inc. in a not-to-exceed amount of \$850,696 for the construction of the Elkhorn River IPA 2019 Repairs Project, 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, McCormick, Sopinski, Tesar, Thompson  
Voting Nay - None  
Abstaining - None  
Excused Absence - Wiese  
Absent - Wiese

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

*PPO Recommendation #4:* Lied Bridge Debris Cleanup Contract: Recommendation that the General Manager be authorized to reject the November 5, 2019 bid for Lied Bridge Debris Cleanup and rebid the project.

Director Japp asked what the proposed timeline was to rebid the project. Marlin Petermann said it would be sent out on Monday and that the District would extend the contract time. Bids will come back to the Board in December. There was discussion.

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

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

Excused Absence - Wiese  
Absent - Wiese

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

*PPO Recommendation #5:* Buffalo Stream Bank Stabilization Interlocal Agreement with Sarpy County: Recommendation that consideration of the Buffalo Stream Bank Stabilization Interlocal Agreement with Sarpy County be postponed until Sarpy County provides updated information on the project's scope and price or Sarpy County submits a new cost-share application for this project.

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

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

D. Finance, Expenditure and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on November 12, 2019 and gave a brief recap of the meeting.

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

*FEL Recommendation #1:* Land Acquisition for the Dam Site 19 Project: Recommendation that the General Manager be authorized to execute a purchase agreement providing for the purchase by the District from Lynnette Roxburgh, Trustee of the Mark Roxburgh Revocable Trust, the property located at 8787 S. 204th Street in Sarpy County, Nebraska for the purchase price of \$1,495,000, payable in three annual installments, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel. The following individual addressed the Board:

- Lynnette Roxburgh, 8787 S. 204<sup>th</sup> Street, Gretna, NE 68028

Director Japp asked how long Ms. Roxburgh would continue to live at the residence and inquired as to who would own the property under the agreement. District Legal Counsel stated that Ms. Roxburgh would continue to own the property and remain in residence for 3 years and the District would be paying one-half of the property taxes in lieu of interest payments. Lori Laster briefed that \$18 million dollars was estimated for the Dam Site 19 Project and the estimated amount to purchase this property was close to the actual purchase price. There was discussion.

*Call the Question* A motion was made by Director Fowler and seconded by Director McCormick to call the question and cease discussion.

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

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

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

E. Executive Subcommittee: Chairperson Thompson reported that the EXE Subcommittee met on November 12, 2019 and gave a brief recap of the meeting.

•• **MOTION NO. 11:** It was moved by Chairperson Thompson that the following recommendation be adopted:

*EXE Recommendation #1:* Approve Change to Policy 4.0 Board Meetings – Regular Monthly Meetings: Recommendation that the proposed amendment to District Policy 4.0 be tabled for consideration at the next regular meeting of the Board per District Policy.

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

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

**TREASURER'S REPORT:**

•• **MOTION NO. 12:** It was moved by Director Bradley and seconded by Director McCormick 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 October, 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 October, 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, McCormick, Sopinski, Tesar, Thompson  
Voting Nay - Gruenewald  
Abstaining - None  
Excused Absence - Wiese  
Absent - Wiese

**LEGAL UPDATE:** There was no legal update.

**CHAIRPERSON'S REPORT - APPOINTMENT OF THE AD HOC CONSULTANT SELECTION SUBCOMMITTEE**

•• **MOTION NO. 13:** It was moved by Director Bradley and seconded by Director Sopinski 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, Fowler, Gruenewald, Japp, McCormick, Sopinski, Tesar, Thompson  
Voting Nay - None  
Abstaining - None  
Excused Absence - Wiese  
Absent - Wiese



**GENERAL MANAGER'S REPORT:** General Manager Winkler reviewed the GM Report with the Board. His written report is posted to the website and attached to the file copy of these minutes.

**INFORMATIONAL ITEMS:**

A. Future Meetings:

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

December 10, 2019 P-MRNRD Subcommittee Meetings

December 12, 2019 P-MRNRD Board Meeting

December 25, 2019 P-MRNRD Offices Closed for Christmas

B. Next Meeting - December 12, 2019 at the NRC.

**ADJOURNMENT:** Being no further business, the Chairperson declared that the meeting was adjourned at 7:47 p.m.

**NOTE:** These minutes reflect the actions and votes taken at the November 14, 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 November 14, 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