



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
January 9, 2020**

**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 January 9, 2020. The meeting was called to order by Chairperson Thompson at 4:00 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 Fowler 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 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

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2:** It was moved by Director Tesar and seconded by Director Conley 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 January 9, 2020 Board of Directors Meeting are excused:

John Wiese

Agenda Item 7. A.

BE IT RESOLVED that the December 12, 2019 Papio-Missouri River NRD Board Meeting minutes are approved as printed.

Prior to the roll call vote, Director Gruenwald inquired to the purpose of the consent agenda.

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, Fowler, Japp, McCormick, Sopinski, Tesar, Thompson
Voting Nay	-	Gruenwald
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 January 2, 2020. The District's November 15, 2019 – December 12, 2019 expenditures were published in the Papillion Times on December 25, 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. Award Presentation by Omaha by Design for the South Omaha Trail: Scott Dobbe, Executive Director of Omaha by Design, presented the Board with their Laurels Award for Environment and Open Space for the South Omaha Trail. The Laurels Award is Omaha by Design's highest honor and recognizes an individual, organization, or business for significant contributions to great spaces in the metropolitan area.
- B. Natural Resources Conservation Service Report: Andy Bohnenkamp, District Conservationist submitted a written report on NRCS activities for the month of January. The report is posted to the website and attached to the file copy of the meeting minutes.
- C. Nebraska Association of Resources Districts: Director Tesar gave the report on the upcoming NARD Legislative Conference, to be held January 28-29, 2020 in Lincoln, NE.

- D. Nebraska Natural Resources Commission Report: Director Bradley gave the report on the NNRC meeting that was held December 18, 2019 in Kearney, NE.
- E. NRDs Annual Washington D.C. Meeting: Chairperson Thompson reported the annual NRDs Washington D.C. Meeting is being held March 14-18, 2020. He informed Directors to contact him if they are interested in attending.
- F. Legislative Report – Catalyst Public Affairs: Tim Gay, David Bracht, and Kaitlin Reece gave their report on the 2020 legislative goals for the Papio-Missouri River NRD.

**SUBCOMMITTEE REPORTS:**

A. Ad Hoc Consultant Selection Subcommittee for the Little Papio Channel Culverts Rehabilitation Project Professional Services: Director Conley reported that the Ad Hoc Subcommittee for the Little Papio Channel Culverts Rehabilitation Project Professional Services met on January 2, 2020 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 for Little Papio Recommendation #1:* Consultant Selection Interviews: It is recommended that FYRA Engineering be ranked first to negotiate a contract for the Little Papio Channel Culverts Rehabilitation Project, that HDR Engineering be ranked second, and Olsson be ranked third.

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

B. Personnel, Legislative and Public Affairs Subcommittee: Director Conley reported that the PLPA Subcommittee met on January 7, 2020 and gave a brief recap of the meeting.

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

*PLPA Recommendation #1:* P-MRNRD Affirmative Action Policy for 2020: It is recommended that the amendments to the Papio-Missouri River NRD’s Affirmative Action Policy for 2020 be adopted and incorporated into the District’s Policy Manual.

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

C. Ad Hoc Consultant Selection Subcommittee RFP for Construction Stormwater Inspections Southern Sarpy Watershed Partnership: Director Bradley reported that the Ad Hoc Consultant Selection Subcommittee RFP for Construction Stormwater Inspections Southern Sarpy Watershed Partnership met on January 7, 2020 and gave a brief recap of the meeting.

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

*Ad Hoc for SSWP Recommendation #1:* Professional Services Contract with JEO for Southern Sarpy Watershed Partnership Construction Stormwater Inspections Services: It is recommended that the General Manager be authorized to execute a professional services contract with JEO Consulting Group Inc. for the Southern Sarpy Watershed Partnership Construction Stormwater Inspections for a maximum fee of \$163,590, 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, Fowler, Japp, McCormick, Sopinski, Tesar, Thompson  
 Voting Nay - Gruenewald  
 Abstaining - None  
 Excused Absence - Wiese  
 Absent - Wiese

D. Programs, Projects and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on January 7, 2020 and gave a brief recap of the meeting.

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

*PPO Recommendation #1:* Contract with Dykon Explosive Demolitions Corp. for Ice Jam Explosive Services: It is recommended that the General Manager be authorized to execute the proposed contract for explosive services with Dykon Explosive Demolition Corporation for Platte River Ice Jam Removal, 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, 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 #2:* Resolution for Participation in the District's Multi-Hazard Mitigation Plan: It is recommended that the following Resolution be adopted:

WHEREAS, a Multi-Hazard Mitigation Plan identifies the vulnerability of public bodies to natural hazards and the projects that can be implemented to reduce or eliminate vulnerability exposure, and

WHEREAS, FEMA now requires that a public entity must have a current Multi-Hazard Mitigation Plan in place before they are eligible for Federal funding for hazard mitigation projects and mitigation efforts resulting from natural disasters, and

WHEREAS, the Papio-Missouri River Natural Resources District is proposing to serve as the coordinating agency for the development of a multi-jurisdictional Multi-Hazard Mitigation Plan for a six-county area including all of Sarpy, Douglas, Washington, and Dakota Counties as well as parts of Burt and Thurston Counties and all associated local governmental entities,

THEREFORE, be it resolved the Papio-Missouri River Natural Resources District hereby approves participation in the proposed Multi-Hazard Mitigation Planning process described above, and pledges to attend required meetings and participate in those activities necessary to complete an effective plan for the public we serve.

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

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

*PPO Recommendation #3:* Conservation Agreement E&S Complaint (Todd Cornwell): It is recommended that the Conservation Agreement and Conservation

Plan for Completion proposed for Todd Cornwell's property be approved, and upon completion of the Conservation Plan, Mr. Cornwell will be in compliance with the District's Erosion and Sediment Rules and Regulations.

Chairperson Thompson stated that the resolution includes the Conservation Agreement as presented to the Subcommittee on Tuesday and the amendment to that agreement. The following individual addressed the Board:

➤ Jeremy Hollebeak, Baird Holm LLP, 1700 Farnam Street, Suite 1500, Omaha, NE

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

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

*PPO Recommendation #4:* Property Rights Acquisition from Union Pacific for Western Douglas County Trail: It is recommended that the General Manager be authorized to execute an agreement to acquire, or assist in the acquisition of, property rights from Union Pacific with the following conditions: (1) If Union Pacific adds an additional track at this particular location, the NRD will be responsible for having the crash wall constructed; and (2) If the proposed pedestrian bridge creates drainage issues on the existing tracks, the NRD will be responsible for the installation of an adequate drainage mitigation system.

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

**TREASURER'S REPORT:**

•• **MOTION NO. 10:** 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 December, 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 December 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:** Brent Meyer, District Legal Counsel stated he had nothing to report.

**CHAIRPERSON’S REPORT:** Chairperson Thompson presented his written report “Water and Land, A Decade of Events in the Pappio-Missouri River Natural Resources District” to the Board. His report is posted to the District’s website.

**GENERAL MANAGER'S REPORT:** GM Winkler reviewed the GM Report with the Board. The report had been posted to the District’s website.

**INFORMATIONAL ITEMS:**

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

January 20, 2020

Martin Luther King Day – P-MRNRD Offices Closed

January 23, 2020	Papillion Creek Watershed Partnership Meeting, 10:00 a.m. NRC
January 28-29, 2020	NARD Legislative Conference, Lincoln, NE
February 8-12, 2020	NACD 2020 Annual Meeting, Las Vegas, NV
February 11, 2020	P-MRNRD Subcommittee Meetings
February 13, 2020	P-MRNRD Board Meeting
February 17, 2020	President's Day – P-MRNRD Offices Closed

B. Next Meeting: February 13, 2020 at the NRC

**ADJOURNMENT**: Being no further business, the Chairperson declared that the meeting was adjourned at 4:48 p.m.

**NOTE**: These minutes reflect the actions and votes taken at the January 9, 2020 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 January 9, 2020 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