



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
February 13, 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. 154th Street, Omaha, NE on February 13, 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	Tim McCormick
Fred Conley	Kevyn Sopinski
Tim Fowler	Jim Thompson
Ted Japp	

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 the motion. The motion carried on a vote of 7-yea.

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

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Conley 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 February 13, 2020 Board of Directors Meeting are excused:

Larry Bradley
Mark Gruenewald
Rich Tesar
John Wiese

Agenda Item 7. A.

BE IT RESOLVED that the January 9, 2020 Pappio-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 7-yea.

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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on February 6, 2020. The District's December 13, 2019 – January 9, 2020 expenditures were published in the Papillion Times on January 15, 2020. 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, District Conservationist reported on NRCS activities. His report can be heard on the District's podcast.
- B. Nebraska Association of Resources Districts: Director Fowler gave the report on the NARD Legislative Conference, which was held January 28-29, 2020 in Lincoln, NE.
- C. National Association of Conservation Districts Annual Meeting: Directors Fowler and Sopinski gave the report on the NACD Annual Meeting, which was held February 8-12, 2020 in Las Vegas, NV.
- D. 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 the Board that Director McCormick would be representing the District.

- E. Legislative Report – Catalyst Public Affairs: Tim Gay and David Bracht gave the Legislative Report with an update on legislative bills of pertinent interest to Natural Resources Districts.

SUBCOMMITTEE REPORTS:

A. Ad Hoc Consultant Selection Subcommittee for Little Papio Channel Culverts Rehabilitation Project Professional Services: Director Conley reported that the Ad Hoc Subcommittee for Little Papio Channel Culverts Rehabilitation Project Professional Services met on February 11, 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 Recommendation #1: Professional Services Agreement with FYRA Engineering for Little Papio Channel Culverts Rehabilitation Project: It is recommended that General Manager be authorized to execute a professional services agreement for design, right-of-way, and bidding services with FYRA Engineering for the Little Papio Channel Culverts Rehabilitation Project, for a maximum fee of \$566,640 (Phase 1), 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 7-yea.

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

B. Programs, Projects and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on February 11, 2020 and gave a brief recap of the meeting.

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

PPO Recommendation #1: Amendment to Interlocal Agreement on WP-6 and WP-7 with the City of Papillion and Sarpy County: It is recommended that the General Manager be authorized to execute the proposed First Amendment to the Interlocal Cooperation Act Agreement with the City of Papillion and Sarpy County for Papio Watershed Regional Flood Control Detention Basins WP-6 and WP-7, 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 7-yea.

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

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

PPO Recommendation #2: Interlocal Agreement with Douglas County for the Transfer of Papillion Creek Watershed PL-566 Structure Site D-20: It is recommended that the General Manager be authorized to execute an Interlocal Cooperation Act Agreement with Douglas County for transfer of Papio D-20 Operation and Maintenance, release of existing District Papio D-20 structure easements, and sign Amendment No. 11 to NRCS Operation and Maintenance Agreement to remove Papio D-20 from the Agreement, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Japp asked if this transfer removed the District of all responsibility of this site. The General Manager stated that the responsibilities would be transferred to Douglas County.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea.

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

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

PPO Recommendation #3: Agreement with Aqua Geo Frameworks for Airborne Electromagnetic Surveys: It is recommended that the District's procurement procedure Policy 15.2 be waived, and the General Manager be authorized to execute a professional services agreement with Aqua Geo Frameworks, LLC, in the amount of \$1,100,000; and that Account No. 01-05-191-4195, ENWRA – Contributions, Reimbursements, and Cost Shares be allowed to exceed 110% of the budgeted amount up to \$330,000, all for the 2020 AEM Survey project, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Japp asked what data will come from these surveys. Project Manager Paul Woodward addressed his questions and added that this information will be available for public use. Chairperson Thompson reminded the Board that this will be a multi-year, sole source purchase.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea.

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

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

PPO Recommendation #4: Conservation Agreement E&S Complaint (Michael Cornwell): It is recommended that the Board approve the proposed Conservation Agreement and Conservation Plan and find that, upon completion of the Conservation Agreement and Conservation Plan, Michael Cornwell will be in compliance with the District's Erosion and Sediment Control Program Rules and Regulations.

The following individual addressed the Board:

- Spencer Murphy, Baird Holm LLP, 1700 Farnam Street, Suite 1500, Omaha, NE

Director Sopinski asked staff if they had any luck in getting CRP dollars for this project. Staff member Justin Novak stated he has a meeting scheduled with Mr. Cornwell next week to discuss additional options, which include CRP. Director Conley asked if this item needed to be laid over until next month. The General Manager stated that the actions will bring Mr. Cornwell to compliance and there is no need to carry this item over until March. There was additional discussion.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea.

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

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

PPO Recommendation #5: Elkhorn River Stabilization Project (01-03-547-4400) Account over 110%: It is recommended that the account for Elkhorn River Stabilization (01-03-547-4400) be allowed to exceed the budgeted amount, up to \$940,000.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea.

Voting Yea - Begley, Conley, Fowler, Japp, McCormick, Sopinski, Thompson
Voting Nay - None

Abstaining - None
Excused Absence - Bradley, Gruenewald, Tesar, Wiese
Absent - Bradley, Gruenewald, Tesar, Wiese

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

PPO Recommendation #6: Urban Drainageway Project, Tara Hills Park: It is recommended that the Board increase funding for the Tara Hills Drainageway Stabilization Project with the reimbursement amount not-to-exceed \$174,000.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea.

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

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

PPO Recommendation #7: Professional Services Agreement with Olsson Inc. for the Design of Kramper Lake/Hubbard Water Main Extension Project: It is recommended that the District's procurement procedure Policy 15.2 be waived, and the General Manager be authorized to execute a professional services contract with Olsson, Inc. for the Kramper Lake/Hubbard & Fiddler Creek Water Main Extension Project, for a maximum not-to-exceed amount of \$181,100, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Japp asked when Olsson would be able to begin the design work for this project. Project Manager Zach Nelson said they could start as early as tomorrow and that he anticipates project bids to be out in July.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea.

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

TREASURER'S REPORT:

- **MOTION NO. 11:** It was moved by Director Fowler 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 January 2020, 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 January 2020 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 7-yea.

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

LEGAL UPDATE: Brent Meyer, District Legal Counsel stated he had nothing to report.

CHAIRPERSON'S REPORT: Chairperson Thompson stated he had nothing to report.

GENERAL MANAGER'S REPORT: GM Winkler reviewed the GM Report with the Board. The report had been posted to the District's website. He also thanked U.S. Senator Deb Fischer and U.S. Representative Jeff Fortenberry for their support of H.R. 5868 to amend the Flood Control Act of 1941. This legislation would allow a non-federal sponsor to carry out work with the approval of the U.S. Army Corps of Engineers, and in turn allow them to receive reimbursement for the associated work costs.

INFORMATIONAL ITEMS:

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

February 17, 2020	Presidents' Day - P-MRNRD Offices Closed
February 27, 2020	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., NRC
March 10, 2020	P-MRNRD Subcommittee Meetings
March 12, 2020	P-MRNRD Board Meeting
March 26, 2020	Papillion Creek Watershed Partnership Meeting, 10:00 a.m. NRC
March 14-18, 2020	NRDs Annual Washington D.C. Meeting

B. Next Meeting: March 12, 2020 at the NRC

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 5:00 p.m.

NOTE: These minutes reflect the actions and votes taken at the February 13, 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.

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 February 13, 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.

Richard Tesar
District Secretary