

**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
July 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. 154th Street, Omaha, NE, on July 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
	John Wiese

* Director Tim McCormick arrived at 4:12 p.m.

ADOPTION OF AGENDA:

- **MOTION NO. 1:** It was moved by Director Tesar 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, 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 Fowler 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 absence(s) of the following Director(s) from the July 9, 2020 Board of Directors Meeting are excused:

None to date.

Agenda Item 7. A.:

BE IT RESOLVED that the June 11, 2020 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 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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on July 2, 2020. The notice of application to USDA Rural Development for financial assistance in the amount of \$3,321,650 for the Dakota County Rural Water System was published in the Dakota County Star on June 25, 2020 and July 2, 2020. The District's May 15, 2020 – June 11, 2020 expenditures were published in the Burt County Plaindealer on June 23, 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. Nebraska Land Trust Presentation: David Sands, Executive Director of Nebraska Land Trust gave a report on the Lower Platte Valley Preservation Partnership.

B. Natural Resources Conservation Service Report: Andy Bohnenkamp, District Conservationist gave the report on NRCS activities for the month of June.

C. Legislative Report: Catalyst Public Affairs submitted a written report to the Board. Their report has been posted to the District's website.

The audio of these reports can be heard on the District's podcast at www.papionrd.org/meeting-podcasts/.

SUBCOMMITTEE REPORTS:

A. Programs, Projects and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on July 7, 2020 and gave a brief recap of the meeting. He stated that Paul Woodward and Melissa Moser, Nebraska Department of Natural Resources gave the annual presentation on the Integrated Management Plan and that no action was taken by the Subcommittee.

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

PPO Recommendation #1: No Name Dike Culvert Rehabilitation Project: Recommendation that the General Manager be authorized to execute a contract with Pat Thomas Construction, Inc. in the amount of \$278,941 for the construction of the No Name Dike Culvert Rehabilitation 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 the motion. The motion carried on a vote of 10-yea and 1-nay.

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

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

PPO Recommendation #2: Dakota County Rural Water Kramper Lake/Hubbard & Fiddler Creek Water Main Extension USDA Funding Agreement: Recommendation that the following Resolution be adopted:

RESOLUTION
AUTHORIZING THE PRESIDENT AND THE SECRETARY OF THE PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT, OMAHA, NEBRASKA TO EXECUTE DOCUMENTS REQUIRED TO RECEIVE UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT FINANCIAL ASSISTANCE

The following motion was introduced and adopted this 9th day of July, 2020, by the Board of the Papio-Missouri River Natural Resources District, Omaha, Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY:

The board of the Papio-Missouri River Natural Resources District, Omaha, Nebraska, resolves that the President and Secretary are authorized and directed to execute any and all documents and security instruments or other memoranda between the board of the Papio-Missouri River Natural Resources District, Omaha, Nebraska and the USDA Rural Development so as to affect the Dakota County Rural Water System Improvement Project application(s) for assistance.

If the President or the Secretary should change because of an election or other reasons during the processing of the USDA Rural Development application(s), the board of the Papio-Missouri River Natural Resources District, Omaha, Nebraska will not need to amend this resolution so the President and the Secretary can sign any form(s) and security instrument(s) to finalize the USDA Rural Development financial assistance.

Roll call vote was held on the motion. The motion carried on a vote of 10-yea and 1-nay.

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

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

PPO Recommendation #3: Interlocal Agreement with City of Omaha West Papio Trail Drainage Improvements: Recommendation that the General Manager be authorized to execute the proposed Interlocal Agreement with the City of Omaha for the construction of the West Papio Trail Drainage Improvements with a maximum District reimbursement of \$500,000 to the City of Omaha, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Japp asked about the timeline for construction of this project. Project Manager Eric William addressed his questions.

Roll call vote was held on the motion. The motion carried on a vote of 10-yea and 1-nay.

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

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

PPO Recommendation #4: Interlocal Agreement with City of Fremont, Dodge County, and LPNNRD for Platte River Cameras and Sensors: Recommendation that the General Manager be authorized to execute the proposed Interlocal Agreement with the City of Fremont, Dodge County, and Lower Platte North NRD for the Platte River Cameras and Sensors 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 the motion. The motion carried on a vote of 10-yea and 1-nay.

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

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

PPO Recommendation #5: Water Sustainability Fund Grant Application for the Lower Platte NRD's 3D AEM Hydrogeologic Framework and Assessment: Recommendation that the General Manager be authorized to execute and submit a Water Sustainability Fund application for the Lower Platte NRD's 3D AEM Hydrogeologic Framework and Assessment 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 the motion. The motion carried on a vote of 10-yea and 1-nay.

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

B. Finance, Expenditures and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on July 7, 2020 and gave a brief recap of the meeting. He stated that the 1st draft of the FY 2021 Budget was reviewed by the Subcommittee and that no action was taken.

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

FEL Recommendation #1: FY 2021 Budget – Lid Computation (1% Resolution): Recommendation that the following resolution be adopted:

BE IT RESOLVED that the Board of Directors of the Papio-Missouri River NRD approves an additional increase of 1% in Total Restricted Funds Authority, pursuant to Neb. Rev. Stat. §§ 13-518 through 13-522.

This motion requires the affirmative vote of 75% of the members of the governing body constituting a quorum in order to pass.

Roll call vote was held on the motion. The motion failed on a vote of 8-yea and 3-nay.

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

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

FEL Recommendation #2: Ice Jam Contributions Account 01-03-536-4195 over 110%: Recommendation that the account for Contributions/Cost Shares Flood Preparedness Account (01-03-536-4195) be allowed to exceed the budgeted amount up to \$13,087, without further approval by the Board.

Roll call vote was held on the motion. The motion carried on a vote of 11-yea.

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

TREASURER'S REPORT:

•• **MOTION NO. 10:** It was moved by Director Bradley and seconded by Director Fowler 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 June 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 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 June 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 10-yea and 1-nay.

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

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

CHAIRPERSON'S REPORT: Chairperson Thompson updated the Board on anticipated changes to the Belt Line Trail Project and expects modifications to the original plan.

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

ELECTION OF P-MRNRD OFFICERS:

The Chairperson turned the floor over to the Vice-Chairperson Conley, who then opened the floor for nominations for Chairperson.

A. **Chairperson:** Director Rich Tesar nominated Director Jim Thompson and Director Larry Bradley nominated Director Ted Japp for Chairperson. The floor was closed by acclamation and secret ballots were cast. Vote results: Director Jim Thompson was elected as Chairperson. The floor was returned to Chairperson Thompson.

B. **Vice-Chairperson:** The floor was opened for nominations for Vice-Chairperson. Director Kevyn Sopinski nominated Director Fred Conley for Vice-Chairperson. There were no other nominations. Nominations were closed, and Director Fred Conley was elected as Vice-Chairperson by acclamation.

C. **Secretary:** The floor was opened for nominations for Secretary. Director Kevyn Sopinski nominated Director Rich Tesar as Secretary. There were no other nominations. Nominations were closed, and Director Tesar was elected as Secretary by acclamation.

D. **Treasurer:** The floor was opened for nominations for Treasurer. Director John Wiese nominated Director Larry Bradley and Director Tim McCormick nominated Director Tim Fowler as Treasurer. The floor was closed by acclamation and secret ballots were cast. Vote results: Director Tim Fowler was elected as Treasurer.

Treasurer Fowler ratified his appointment of Assistant Treasurer to Director Bradley.

ELECTION OF NARD DIRECTOR AND ALTERNATE DIRECTOR:

The floor was opened for nominations for NARD Director and Alternate Director. Director Tim Fowler nominated Director Rich Tesar. There were no other nominations. Nominations were closed and Director Tesar was elected as NARD Director by acclamation. Director Rich Tesar nominated Director Tim Fowler for the NARD Alternate Director. There were no other nominations. Nominations were closed, and Director Fowler was elected as NARD Alternate Director by acclamation.

- **MOTION NO. 11:** It was moved by Director Thompson and seconded by Director Fowler that the following resolution be adopted:

BE IT RESOLVED that the following directors be and are hereby elected officers of the Papio-Missouri River Natural Resources District for the coming year and until a successor has been elected: Jim Thompson, Chairperson; Fred Conley, Vice-Chairperson; Rich Tesar, Secretary; and Tim Fowler, Treasurer.

BE IT FURTHER RESOLVED that the Treasurer's written designation of Director Larry Bradley, as Assistant Treasurer, is concurred by the Board of Directors.

BE IT FURTHER RESOLVED that the presently elected Treasurer, Larry Bradley, and the designated Assistant Treasurer, Tim Fowler, be and are hereby authorized to serve until bonding is completed on the Treasurer-elect and the Assistant Treasurer designate.

BE IT FURTHER RESOLVED that Director Rich Tesar is hereby elected the Nebraska Association of Resources Districts Director for the coming year and that Director Tim Fowler is hereby elected the Nebraska Association of Resources Districts Alternate Director for the coming year.

Roll call vote was held on the motion. The motion carried on a vote of 11-yea.

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

INFORMATIONAL ITEMS:

A. Future Meetings/Events:

July 14, 2020 Scrap Computer & Electronics Recycling Collections, 10:00-1:00, at USDA/NRD offices, 539 S. 13th Street, Tekamah

Scrap Computer & Electronics Recycling Collections, 3:00-6:00, at

USDA/NRD offices, 1060 Wilber Street, Blair

July 16, 2020 Scrap Computer & Electronics Recycling Collections, 10:00-1:00,
at USDA/NRD offices, 1505 Broadway, Dakota City

Scrap Computer & Electronics Recycling Collections, 3:00-5:00,
at USDA/NRD offices, 106 S. Costello Street, Walthill

August 11, 2020 P-MRNRD Subcommittee Meetings

August 13, 2020 P-MRNRD Board Meeting

August 27, 2020 Papillion Creek Watershed Partnership Meeting, 10:00 AM, at NRC

B. Next Meeting – The next scheduled meeting of the P-MRNRD Board of Directors will be held on August 13, 2020 at the NRC.

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 5:01 p.m.

NOTE: These minutes reflect the actions and votes taken at the July 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.

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 July 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.

Richard Tesar
District Secretary