



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
October 8, 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 October 8, 2020. The meeting was called to order by Chairperson Jim 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
Mark Gruenewald	Rich Tesar
Ted Japp	Jim Thompson
	John Wiese

**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 motion. The motion carried on a vote of 8-yea and 1-nay.

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

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2:** It was moved by Director Conley 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 8, 2020, Board of Directors Meeting are excused:

None to date.

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

BE IT RESOLVED that the September 10, 2020 Papio-Missouri River NRD Board Meeting Minutes and the September 9, 2020 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 8-yea and 1-nay.

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

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on October 1, 2020. The District's August 14-September 10, 2020 expenditures were published in the Dakota County Star on September 17, 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 submitted a written report of NRCS activities for the month of October. His report is posted to the District's website.

B. Nebraska Association of Resources Districts: Director Rich Tesar reported he attended the 2020 NARD Annual Meetings on September 28-29, 2020 in Kearney, NE. He updated the Board on the signed purchase agreement for the new NARD Office located at 8100 South 15<sup>th</sup>, Lincoln, NE. He concluded his report by informing the Board that Governor Rickett's reappointed him to the State's Riparian Task Force. This is a 3-year appointment.

C. Legislative Report: General Manager Winkler provided an update on the status of on-going legislative activities.

**SUBCOMMITTEE REPORTS:**

A. Personnel, Legislative and Public Affairs Subcommittee: Director Conley reported that the PLPA Subcommittee met on October 6, 2020 and gave a brief recap of the meetings.

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

*PLPA Recommendation #1:* Sixth Addendum to the Papio-Missouri River NRD General Manger’s Employment Agreement: Recommendation that the Chairperson of the Board of Directors be authorized to execute for, and on behalf of the District, the Sixth Addendum to the General Manager’s Employment Agreement which increases the base salary in the Employment Agreement by 6%.

The Chairperson noted for the record the attendance of Director Larry Bradley at 4:11 p.m.

Directors offered their opinions on General Manager Winkler’s job performance. After lengthy discussion, there was a motion to call the question.

- Call the Question:* It was moved by Director Conley and seconded by Director McCormick to call the question and cease debate.

Roll call vote was held on motion to call the question. The motion carried on a vote of 6-yea and 4-nay.

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

Roll call vote was held on the original motion to approve the Sixth Addendum to General Manager Winkler’s Employment Agreement. The motion carried on a vote of 8-yea and 2-nay.

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

B. Programs, Projects and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on October 6, 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:* Bids for the 2021 District Vehicles and Equipment:  
Recommendation that the following bids be accepted:

Bid Item A – One, 2021, Crossover, AWD, Vehicle:  
Recommendation that the best bid of \$28,049 from Gene Steffy for one, 2021 Jeep Grand Cherokee be accepted with trade-in of the District’s 2011 Chevy Equinox, serial number 2CNFLCEC8B6313647.

Bid Item B – One, 2021, Full-size, 4WD, 1 ¼ Ton Dually:  
Recommendation that the lowest and best bid of \$30,130.84 from Woodhouse Ford for one, 2021 Ford F450 be accepted with trade-in of the District’s 2002 Ford F-350 Flatbed, serial number 1FDWF37F62EB69722.

Equipment – One, New, Caterpillar Tire Loader: Recommendation that the purchase of one, new, Caterpillar Tire Loader from NMC with a State Contract total price of \$175,090 with trade-in of the District’s 2005 Case Tire Loader, serial number JEE0138136. Purchase would be made in five annual payments of \$38,220.60 which includes financing.

Director Wiese asked about the State Contract pricing for the new tire loader and what the trade-in value was for the 2005 Case Tire Loader. O&M/Park Superintendent Bill Warren addressed his questions.

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. 5:** It was moved by Director Conley that the following recommendation be adopted:

*PPO Recommendation #2:* Natural Resources Center Air Conditioning Replacement Project:  
Recommendation that the General Manager be authorized to execute a contract with Drexel Mechanical in the amount of \$208,200.00 for the NRC Air Conditioning Replacement Project, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

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
------------	--



*PPO Recommendation #5:* Amendment 5 to Professional Services Contract with FYRA Engineering for WP6 and WP7: Recommendation that the General Manager be authorized to execute the proposed Amendment 5 to the Professional Services Agreement between the District and FYRA Engineering for design and construction administration services for the WP6 and WP7 projects in an amount of \$170,521, bringing the total maximum not-to-exceed contract amount to \$2,940,784, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Wiese asked about the additional services that would be provided in the \$170,521 increase to the contract. Project Manager Amanda Grint addressed his questions.

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 #6:* 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 \$126,095 in District funds for the operation of the District's floodwarning system for 2021, subject to changes deemed necessary by the General Manager.

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. 10:** It was moved by Director Conley that the following recommendation be accepted:

*PPO Recommendation #7:* 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 \$13,200 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.

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. 11:** It was moved by Director Conley that the following recommendation be accepted:

*PPO Recommendation #8:* Second 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 Second 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 Japp asked about the cost the District is putting out for this project. The General Manager stated that all costs associated with the project are reimbursable and that there would be no cost to the District.

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

The Chairperson noted for the record the attendance of Director Tim Fowler at 4:39 p.m.

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

*PPO Recommendation #9:* Professional Services Agreement with Olsson, Inc for the Elk Creek - NRCS Emergency Watershed Protection Project Repair: Recommendation 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 Elk Creek - NRCS Emergency Watershed Protection Plan Project Repair, in a

not-to-exceed amount of \$117,900, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Japp asked if District staff would be doing these repairs. Project Manager Zach Nelson briefed Olsson, Inc. would be doing the design and repair work in order to meet the requirements of the Emergency Watershed Program. EWP provides a 75% cost share from NRCS for the emergency project repairs.

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

C. Finance, Expenditure, and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on October 6, 2020 and gave a brief recap of the meeting.

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

*FEL Recommendation #1:* West Papio Trail Connection Permit: Recommendation that the General Manager be authorized to issue a Permit for Occupation of District Right-of-Way for the proposed connection to the West Papio 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 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. 14:** It was moved by Director Tesar that the following recommendation be accepted:

*FEL Recommendation #2:* Land Acquisition for West Papillion Regional Basin Number 2 (WP2): Recommendation that the General Manager be authorized to execute a purchase agreement with MDC Giles Partners, LLC, for the purchase of 24.93 acres, for \$55,188 per acre, for the construction of the WP2 regional detention basin project, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.



Director Wiese asked where this project is located. Project Manager Amanda Grint informed him the site is located at 180<sup>th</sup> and Giles Road.

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. 15:** It was moved by Director Tesar that the following recommendation be accepted:

*FEL Recommendation #3:* Land Acquisition for Missouri River R-613/R-616 Levee Improvement Project: Recommendation that the General Manager be authorized to execute an Easement Agreement for Flood Wall and accompanying Memorandum of Easement with BNSF Railway Company, a Delaware Corporation, in the amount of \$19,500 for an area containing 0.375 acres of land and \$2,000 for an administrative fee, totaling \$21,500 for the Missouri River R613/R616 Levee Improvement Project, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Japp asked if any other land(s) would be needed for this project. The General Manager 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

**TREASURER'S REPORT:**

•• **MOTION NO. 16:** It was moved by Director Fowler and seconded by Director Bradley 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 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 September 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 – P-MRNRD BOARD OF DIRECTORS MEETING SCHEDULE FOR 2021:**

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

BE IT RESOLVED that the following be adopted as the schedule for Papiio-Missouri River NRD Board of Directors meetings for calendar year 2021:

January 14, 2021	July 8, 2021
February 11, 2021	August 12, 2021
March 11, 2021	September 9, 2021
April 8, 2021	October 14, 2021
May 13, 2021	November 10, 2021
June 10, 2021	December 9, 2021

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

**UPDATE OF THE TRAIL CONNECTIVITY PLAN:** Project Manager Eric Williams provided an update to the Omaha area Trails Plan.

**CHAIRPERSON’S REPORT- CENSURE OF CHAIRPERSON JIM THOMPSON**

Chairperson Thompson turned the meeting over the Vice-Chairperson Fred Conley to address this issue. Vice-Chairperson Conley opened the floor for discussion of the Censure of Chairperson Jim Thompson. Motion was made by Director Gruenewald to discuss. Motion died for lack of a second. The floor was returned to Chairperson Thompson.

**GENERAL MANAGER'S REPORT:** General Manager Winkler reviewed the GM Report with the Board and noted that the report had been posted to the website. He told the Board that today, the District hosted the retirement ceremony of US Army Corps of Engineers Colonel John Hudson. Colonel Hudson served as an Active Duty Engineering Officer for more than 26 years. The event was attended by Colonel Hudson’s family, friends and dignitaries.

**INFORMATIONAL ITEMS:**

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

- October 22, 2020 Papillion Creek Watershed Partnership Meeting, 10:00 a.m., at NRC
- November 10, 2020 P-MRNRD Subcommittee Meetings
- November 11, 2020 Veteran’s Day – P-MRNRD Offices Closed
- November 12, 2020 P-MRNRD Board of Directors Meeting
- November 26-27, 2020 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 12, 2020 at the NRC.

**ADJOURNMENT:** Being no further business, the Chairperson declared that the meeting was adjourned at 5:20 p.m.

**NOTE:** These minutes reflect the actions and votes taken at the October 8, 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 October 8, 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