



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
February 11, 2021**

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 11, 2021. 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 Fowler
Patrick Bonnett	Ted Japp
Larry Bradley	Kevyn Sopinski
Fred Conley	Jim Thompson
Phil Davidson	

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 9-yea.

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

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 absences of the following Director(s) from the February 11, 2021, Board of Directors Meeting is excused:

Tim McCormick
Rich Tesar.

Agenda Item 7. A. and 7.B.

BE IT RESOLVED that the January 14, 2021, Papio-Missouri River NRD Board Meeting minutes and the January 13, 2021, Dakota County Rural Water Advisory Board Meeting minutes are approved as printed.

Roll call vote was held on the motion. The motion carried on a vote of 9-yea.

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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on February 4, 2021. The District's December 11, 2020 – January 14, 2021, expenditures were published in the Papillion Times on January 27, 2021. 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 on NRCS activities for the month of February. The report has been posted to the District's website.

B. Nebraska Association of Resources Districts, NARD Legislative Conference: Director Fowler and General Manager Winkler briefed the Board on the NARD Legislative Conference that was held on January 25th and 26th, in Lincoln, NE.

C. Legislative Report – Catalyst Public Affairs: Tim Gay, Catalyst Public Affairs provided an update on the status of ongoing legislative activities. Directors are receiving email updates from Catalyst.

SUBCOMMITTEE REPORTS:

A. Ad Hoc Consultant Selection Subcommittee RFP for Professional Services for the Beltline Trail: Director Conley reported that the Ad Hoc Consultant Selection Subcommittee RFP for Professional Services for the Beltline Trail met on February 4, 2021 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: Consultant Interviews for the Beltline Trail: Recommendation that Ehrhart Griffin & Associates be ranked first to negotiate a contract for the Professional Services for the Beltline Trail and that Big Muddy Workshop be ranked second.

Roll call vote was held on the motion. The motion carried on a vote of 8-yea and 1-nay.

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

B. Personnel, Legislative, and Public Affairs Subcommittee: Director Sopinski reported that the PLPA Subcommittee met on February 9, 2021 and gave a brief recap of the meeting. A report of Legal Counsel Market Analysis was given by SilverStone Group staff. No action was taken by the Subcommittee.

C. Programs, Projects, and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on February 9, 2021 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: Resolution to Adopt the District’s Multi -Hazard Mitigation Plan: Recommendation that the following Resolution be adopted:

“**WHEREAS** the governing body of the Papio Missouri River Natural Resources District recognizes the threat that natural hazards pose to people and property within the District; and

WHEREAS the Papio Missouri River Natural Resources District has prepared a multi-hazard, multi-jurisdictional hazard mitigation plan, hereby known as the 2021 Papio Missouri River Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS the Papio Missouri River Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Papio Missouri River Natural Resources District from the impacts of future hazards and disasters; and

WHEREAS adoption by the governing body of Papio Missouri River Natural Resources District demonstrates their commitment to the mitigation of hazards and achieving the goals outlined in the 2021 Papio Missouri River Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan.

NOW, THEREFORE, the governing body of Papio Missouri River Natural Resources District, does herewith adopt the 2021 Papio Missouri River Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan Update in its entirety.”

Roll call vote was held on the motion. The motion carried on a vote of 9-yea.

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

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

PPO Recommendation 2: Southern Sarpy Watershed Partnership Professional Services Contract Amendment 2 with FYRA Engineering: Recommendation that the General Manager be authorized to execute the proposed contract Amendment #2 with FYRA Engineering to provide professional services for Phase III of the Southern Sarpy Watershed Management Plan in the amount of \$411,810, making the total maximum not-to-exceed agreement amount \$1,213,558, 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.

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

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

PPO Recommendation 3: Modifications to District Policy 17.37 Small Flood Control and Water Quality Structure Program: Recommendation that the proposed modifications to District Policy 17.37 Small Flood Control and Water Quality Structure Program be approved.

Director Japp asked about potential cost. General Manager Winkler answered that this item is only to modify the policy and that any future costs would have to be budgeted for and approved by the

Board. Director Bonnett asked why the change was needed, and if it would attract additional funding. General Manager Winkler responded that the current policy did not encourage the goals that the District wanted to achieve. He also stated that 319 money received from Department of Environment and Energy would cover 60% of the projects.

Roll call vote was held on the motion. The motion carried on a vote of 9-yea.

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

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

PPO Recommendation 4: Agreement with OPPD for Transmission Line Reroute at WP1: Recommendation that the General Manager be authorized to execute an agreement with Omaha Public Power District to relocate a portion of a transmission line at the WP1 Regional Detention Basin Project for a maximum cost of \$788,701.21, subject to changes deemed necessary by the General Manager.

Director Japp asked if NRCS will help cover the cost of this. Project Manager Amanda Grint stated that they would not, but the Water Sustainability Fund covers this project. Amanda said that the District already has an approved application with the Water Sustainability Fund and as such, 60% of costs could be covered by non-federal funds.

Roll call vote was held on the motion. The motion carried on a vote of 9-yea.

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

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

PPO Recommendation 5: Big Papio Levee Culverts Project Phase 2 – Amendment No. 2 to Professional Services Agreement with FYRA Engineering: Recommendation that the General Manager be authorized to execute the proposed Amendment No. 2 to Professional Services Agreement with FYRA Engineering, in the amount of \$19,554.75 for the Big Papio Levee Culverts Project Phase 2, bringing the total not-to-exceed amount to \$414,332.75, 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.

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

D. Finance, Expenditures, and Legal Subcommittee: Director Bradley reported that the FEL Subcommittee met on February 9, 2021 and gave a brief recap of the meeting.

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

FEL Recommendation 1.: Extension of Contract for Auditing Services: Recommendation that the District's procurement procedure Policy 15.2.B.3 be waived and the General Manager be authorized to execute a contract with BerganKDV to provide audit services for FY2021 and FY2022, 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.

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

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

FEL Recommendation 2.: Land Acquisition for West Papillion Regional Basin 2 (WP2): Recommendation that the General Manager be authorized to execute a purchase agreement with Armbrust Family Giles Farm, L.L.C., for the purchase of 53.35 acres, for \$2,136,000, for the WP2 Regional Detention Basin Project, subject to the terms and conditions 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.

Voting Yea - Begley, Bonnett, Bradley, Conley, Davidson, Fowler, Japp, Sopinski, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - McCormick, Tesar

Absent - McCormick, Tesar

TREASURER'S REPORT:

•• **MOTION NO. 11:** It was moved by Director Fowler and seconded by Director Sopinski 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 January 2021, 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 System, the Elkhorn River Bank Stabilization Project, the Elkhorn Breakout Project, the Elk/Pigeon Creek Drainage Project, and the Western Sarpy Drainage District, the project bills listed on the January 2021, 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.

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

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

CHAIRPERSON'S REPORT: Chairperson Thompson complimented Amanda Grint along with other staff on the handling of the USACE Virtual Public Meeting for the Papillion Creek Study that took place on February 10, 2021. Chairperson Thompson also donated an historical book entitled Man Against the Missouri, A Document of 1952, which he presented to the NRC library on behalf of the Howard Hamilton Estate.

GENERAL MANAGER'S REPORT: GM Winkler reviewed his report with the Board. The written report is posted to the website.

INFORMATIONAL ITEMS:

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

February 15, 2021	President’s Day – P-MRNRD Offices Closed
February 18, 2021	Southern Sarpy Watershed Partnership Meeting, 10:00 a.m., at NRC
February 25, 2021	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., at NRC
March 9, 2021	P-MRNRD Subcommittee Meetings, 4:00 p.m., at NRC
March 11, 2021	P-MRNRD Board Meeting, 4:00 p.m., at NRC
March 18, 2021	Southern Sarpy Watershed Partnership Meeting, 10:00 a.m., at NRC
March 25, 2021	Papillion Creek Watershed Partnership Meeting, 10:00 a.m., at NRC

B. Next Meeting – The next scheduled meeting of the P-MRNRD Board of Directors will be held on March 11, 2021, at the NRC.

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 4:51 p.m.

NOTE: These minutes reflect the actions and votes taken at the February 11, 2021, 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 11, 2021, 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