



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
March 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. 154<sup>th</sup> Street, Omaha, NE on March 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	Tim McCormick
Fred Conley	Kevyn Sopinski
Phil Davidson	Rich Tesar
	Jim Thompson

**ADOPTION OF AGENDA:**

- **MOTION NO. 1:** It was moved by Director Tesar and seconded by Director Sopinski that the meeting agenda be adopted.

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

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

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2:** It was moved by Director Bradley 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 March 11, 2021, Board of Directors Meeting is excused:

None to date.

Agenda Item 7. A.

BE IT RESOLVED that the February 11, 2021, 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 11-yea.

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

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on March 4, 2021. The District's January 15, 2021-February 12, 2021, expenditures were published in the Washington County Enterprise on February 19, 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 March. The written report has been posted to the District's website.

B. Nebraska Association of Resources Districts, NARD Legislative Conference: Director Tesar gave the report on the NARD Board of Directors Meeting that was held March 7<sup>th</sup> and 8<sup>th</sup>, 2021, in Lincoln, NE.

C. Legislative Report – Catalyst Public Affairs: Tim Gay, Catalyst Public Affairs gave the report on legislative activities.

All agency reports can be heard on the District's podcast at [www.papionrd.org/meeting-podcasts/](http://www.papionrd.org/meeting-podcasts/)

**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 March 9, 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:* Professional Services Contract with Ehrhart Griffin & Associates for the Beltline Trail Project: Recommendation that the General Manager be authorized to execute a Professional Services Agreement with Ehrhart Griffin & Associates for the Beltline Trail Project, in an amount not-to-exceed \$282,155, 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 11-yea.

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

B. Programs, Projects, and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on March 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:* Elkhorn River Improvement Project Area (IPA) Operation & Maintenance Assessment: Recommendation that the following Resolution be adopted:

Elkhorn River Bank Stabilization Improvement Project  
Annual Operation and Maintenance Assessment

BE IT RESOLVED by the Board of Directors of the Pappio-Missouri River Natural Resources District that each of the lots and parcels of ground in Douglas County, Nebraska, identified in the “2021 Assessment Schedule,” attached hereto as Exhibit “A” and incorporated herein by reference, has been specially benefited by the District’s program of operation and maintenance upon the construction and capital improvements involved with the District’s Elkhorn River Bank Stabilization Improvement Project; that special benefits from such program of operation and maintenance are correctly set out in the respective amounts appearing opposite the designation of said lots and parcels of ground in said schedule; that such respective amounts appearing opposite said lots and parcels of ground in said schedule are hereby levied as special assessments against such lots and parcels of ground; and, that said assessments shall become due fifty (50) days after date, to-wit: shall become due on April 30, 2021, and may be paid within said time without interest,

but if not paid by April 30, 2021, each such assessment shall draw interest at the rate of nine per cent (9%) per annum from and after date until delinquent; and, from and after date that each installment become delinquent, shall draw interest at the rate of fourteen per cent (14%) per annum until paid.

BE IF FURTHER RESOLVED that the Secretary of the District shall certify a copy of this levy resolution to the County Clerk and County Treasurer of Douglas County, Nebraska, for spreading the same on the tax records of such County, and such special assessments shall be collected by the County Treasurer as provided by law.

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

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

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

*PPO Recommendation 2:* Amendments to the Professional Services Contract with Olsson Inc. for the design of Kramper Lake/Hubbard & Fiddler Creek Water Main Extension Project: Recommendation that the General Manager be authorized to execute the proposed Amendment No. 1 to the professional services contract with Olsson, Inc. for the Kramper Lake/Hubbard & Fiddler Creek Water Main Extension Project, increasing the contract maximum not-to-exceed amount to \$397,589, 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 11-yea.

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

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

*PPO Recommendation 3:* District Policy 17.45 Private/Public Dike Repair Assistance Program: Recommendation that the proposed District Policy 17.45 Private/Public Dike Repair Assistance Program be adopted and incorporated to the District Policy Manual.

Director Japp asked about the number of applications and the costs associated with each application as the maximum NRD contribution amount is \$200,000 per project. General Manager Winkler stated that if multiple applications are received, the applications would be prioritized and funded through the budget process with the Board's approval. He added that there is no limitation on how much could be budgeted annually for this program. There was additional discussion.

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

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

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

*PPO Recommendation 4:* Cost Share Agreement with Sarpy County Sheriff's Office for Purchase of Air Boat: Recommendation that the General Manager be authorized to execute the proposed Interlocal Agreement with Sarpy County Sheriff's Office to provide a fifty (50) percent cost-share, in an amount not-to-exceed \$40,000, for the purchase of a Search and Rescue Boat, with any changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Directors Davidson and McCormick expressed their support for this agreement. Director Japp asked how many other agencies the District has cost shared with for the purchase of rescue boats. General Manager Winkler addressed his questions.

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

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

C. Finance, Expenditures, and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on March 9, 2021 and gave a brief recap of the meeting.

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

*FEL Recommendation 1.:* Lied Bridge Hwy 31 Connecting Link Relocation Project, Property Transfer Agreement with NEBCO Inc.: Recommendation that the General Manager be authorized to execute the proposed Real Property Transfer Agreement with NEBCO Inc. for the Hwy 31

Connecting Link Relocation 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 11-yea.

Voting Yea	-	Begley, Bonnett, Bradley, Conley, Davidson, Fowler, Japp, McCormick Sopinski, Tesar, Thompson
Voting Nay	-	None
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.:* District Legal Services: Recommendation that the Board approve the proposed legal services agreement with Husch Blackwell, per the terms and conditions outlined in said agreement, for a period to begin upon execution of agreement from July 1, 2021 to June 30, 2024, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Bradley had specific questions that were addressed by Brent Meyer, Husch Blackwell. Director Begley explained his reasons for wanting to go through the RFQ process in order to hear what Husch Blackwell and other firms could offer the District.

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

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

**TREASURER'S REPORT:**

•• **MOTION NO. 10:** It was moved by Director Fowler and seconded by Director Begley 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 February 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 February 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 11-yea.

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

**LEGAL UPDATE:** Brent Meyer, District Legal Counsel stated he had nothing additional to report. He thanked the Board for the three-year extension to the Legal Services Contract.

**CHAIRPERSON'S REPORT:** Chairperson Thompson turned the floor over to Director Bradley to lead the discussion regarding Coordination Meetings.

**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:

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
April 6, 2021	P-MRNRD Subcommittee Meetings, 4:00 p.m., at NRC
April 8, 2021	P-MRNRD Board Meeting, 4:00 p.m., at NRC
April 15, 2021	Southern Sarpy Watershed Partnership Meeting, 10:00 a.m., at NRC
April 22, 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 April 8, 2021, at the NRC.

**ADJOURNMENT:** Being no further business, the Chairperson declared that the meeting was adjourned at 4:54 p.m.

**NOTE:** These minutes reflect the actions and votes taken at the March 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](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 March 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.

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Richard Tesar  
District Secretary