



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
September 9, 2021**

MOMENT OF SILENCE: Chairperson Jim Thompson asked for a moment of silence before the Pledge of Allegiance in honor of Patriot Day, September 11, 2021 which will be the 20th Anniversary of 9/11, and in memory of Corporal Daegan Page, USMC of Millard who died August 26, 2021 along with 12 other U.S. service members in a terrorist bombing in Kabul, Afghanistan.

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 September 9, 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	Tim McCormick
Larry Bradley	Kevyn Sopinski
Fred Conley	Rich Tesar
Phil Davidson	Jim Thompson

ADOPTION OF AGENDA:

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

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

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

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Davidson 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 Directors from the September 9, 2021 Board of Directors Meeting are excused:

Ted Japp.

Agenda Item 7.A., 7.B., 7.C., and 7.D.:

BE IT RESOLVED that the August 12, 2021 Papio-Missouri River NRD Board meeting minutes, the August 11, 2021 Dakota County Rural Water Advisory Board meeting minutes, the September 7, 2021 Budget Hearing and Budget Summary meeting minutes, and the September 7, 2021 Special Hearing to Set Final Tax Request meeting minutes are approved as printed.

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on September 2, 2021. The District's July 9, 2021 through August 12, 2021 expenditures were published in the Dakota County Star on August 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 September. The report has been posted to the District's website.

B. Nebraska Natural Resources Commission Meeting: Director Bradley briefed the Board on the Commission Meeting that was held August 19, 2021 in Kearney, NE.

C. Nebraska Association of Resources Districts: Director Tesar noted that the NARD Annual Conference will be held September 26-28, 2021 in Kearney, NE.

D. Legislative Report: General Manager John Winkler gave Legislative activities report. John stated that the STAR WARS (Statewide Tourism And Recreational Water Access and Resource Sustainability) Committee will hold the Lower Platte River Corridor Public Hearing at Mahoney State Park on September 14, 2021 and the District will be providing testimony.

Reports can be heard on the District's podcast at www.papionrd.org/meeting-podcasts/

SUBCOMMITTEE REPORTS:

A. Ad Hoc Consultant Selection Subcommittee - RFP for Professional Services for Davis Creek WFPO Project Subcommittee: Director Bradley reported that the Ad Hoc Consultant Selection Subcommittee met on September 2, 2021 and gave a brief recap of the meeting.

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

Ad Hoc Recommendation #1: Consultant Selection Interviews: Recommendation that JEO, be ranked first to negotiate a contract for the Davis Creek WFPO Project, and that HDR be ranked second.

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

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

B. Programs, Projects, and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on September 7, 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: Silver Creek Watershed Sites #30 and #33 Repairs Project Professional Services Agreement with Olsson, Inc.: Recommendation that Policy 15.2 Purchasing-Professional Services be waived and that the General Manager be authorized to execute the proposed Professional Services Agreement with Olsson, Inc. for the Silver Creek Watershed Sites #30 and #33 Repairs Project, with the maximum not-to-exceed amount of \$123,603, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

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

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

PPO Recommendation #2: Phase #2 Drainage Structure Repair for Big Papio Creek/Levee Channel Project -- First Amendment to the Interlocal Cooperation Agreement with City of Omaha : Recommendation that the General Manager be authorized to execute the proposed First Amendment to the Interlocal Cooperation Agreement for Phase #2 Drainage Structure Repair for Big Papio Creek/Levee Channel Project with the City of Omaha, with a maximum not-to-exceed contribution by the City of \$543,914.15, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

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

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

PPO Recommendation #3: Glacier Creek Stream and Wetland Mitigation Bank Project Construction Bids: Recommendation that the General Manager be authorized to execute a contract with Commercial Contractors for the construction of the Glacier Creek Stream and Wetland Mitigation Bank Project including two alternates, for the total bid amount of \$3,631,488.75, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

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

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

PPO Recommendation #4: Amendment No. 4 to Professional Services Contract with Benesch for the Glacier Creek Stream and Wetland Mitigation Bank Project: Recommendation that the General Manager be authorized to execute the proposed Professional Services Agreement Amendment No. 4 with Benesch for the Glacier Creek Stream and Wetland Mitigation Bank Project in the amount of \$146,979, bringing the total not-to-exceed contract amount to \$408,378, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

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

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

PPO Recommendation #5: Interlocal Agreement with City of Fremont, Dodge County, and LPNNRD for Platte River Cameras and Sensors: Recommendation that the General Manager be authorized to provide written notice of termination of the original Interlocal Agreement effective July 15, 2020 and 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 motion. The motion carried on a vote of 10-yea.

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

C. Finance, Expenditures and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on September 7, 2021 and gave a brief recap of the meeting.

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

FEL Recommendation #1: P-MRNRD FY 2022 Tax Levy and Adoption of Budget: Recommendation that the following resolutions be adopted:

BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District that the attached budget document incorporated herein by reference, showing Total Requirements of \$109,816,402.08 as follows,

Operating Budget	\$85,376,549.43
Project and Operations Cash Reserves	\$24,439,852.65

and Property Tax Requirement of \$28,531,090.86 (\$23,678,924.86 general and \$4,852,166 bond) be and is hereby adopted as the Fiscal Year 2022 budget of the Papio-Missouri River Natural Resources District.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the Papio-Missouri River NRD passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and,

WHEREAS, a special public hearing held on September 7, 2021, as required by law to hear and consider comments concerning the property tax request; and,

WHEREAS, it is in the best interest of the Papio-Missouri River NRD that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District by a majority vote, resolved that:

1. The FY 2022 property tax request be set at \$28,531,090.86 (\$23,678,924.86 general and \$4,852,166 bond).
2. The total assessed value of property differs from last year's total assessed value by 5.88%.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$0.034462 per \$100 of assessed value.
4. The Papio-Missouri River Natural Resources District proposes to adopt a property tax request that will cause its tax rate to be \$0.035669 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of Papio-Missouri River Natural Resources District will decrease from last year by 18%.
6. And that a copy of this resolution be certified and forwarded to the County Clerks within the District prior to September 20, 2021.

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

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

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

FEL Recommendation #2: Permanent Easement for MUD Water Main at WP2: Recommendation that the General Manager be authorized to execute the proposed Permanent Easement for water main improvements with Metropolitan Utilities District at Papio Watershed Site WP2, subject to changes deemed

necessary by the General Manager and approval as to form by District Legal Counsel.

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

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

TREASURER'S REPORT:

•• **MOTION NO. 11:** It was moved by Director Fowler and seconded by Director Davidson 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 July 9 through August 12, 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 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 July 9 through August 12, 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 10-yea.

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

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

CHAIRPERSON'S REPORT:

A. Appointment of the Ad Hoc Consultant Selection Subcommittee RFP for Papillion Creek 319 Watershed Small Flood Control and Water Quality Structure Project Professional Services:

- **MOTION NO. 12:** It was moved by Chairperson Thompson and seconded by Director Tesar that the following resolution be adopted:

BE IT RESOLVED that the Ad Hoc Subcommittee appointments, as presented by the Chairperson are hereby approved.

Assistant General Manager Marlin Petermann answered Directors questions.

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

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

GENERAL MANAGER'S REPORT: The General Manager reviewed his written report with the Board and noted that the report had been posted to the website. He reminded Directors about the grand opening of Big Elk Lake and encouraged all to attend on September 21. He stated that the Omaha Tribe will be participating and showing appreciation to the Board for naming WP-7 in honor of Chief Big Elk.

INFORMATIONAL ITEMS:

- A. Future Meetings:
 - September 10-26, 2021 World O! Water, Virtual, Omaha, 12:30 AM – 11:30 PM
<http://worldwater.org>
 - September 14, 2021 Education and Awareness Initiative Presentation, 4:00 PM, at NRC
 - September 16, 2021 Southern Sarpy Watershed Partnership Meeting, 10:00 AM, at NRC
 - September 21, 2021 Grand Opening Ceremony of Big Elk Lake (WP-7) & Portal Recreation Area (WP-6), at 9:30 AM, 108th and Lincoln Road, Papillion
 - September 23, 2021 Papillion Creek Watershed Partnership Meeting, 10:00 AM, at NRC
 - September 27-28, 2021 NARD Annual Meetings, Kearney, NE
 - October 12, 2021 P-MRNRD Subcommittee Meetings, at 4:00 PM, at NRC
 - October 14, 2021 P-MRNRD Board Meeting, at 4:00 PM, at NRC

B. Next Meeting – The next scheduled meeting of the P-MRNRD Board of Directors will be held on October 14, 2021 at the NRC.

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 4:23 p.m.

NOTE: These minutes reflect the actions and votes taken at the September 9, 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 September 9, 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