



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
December 9, 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 December 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	Kevyn Sopinski
Fred Conley	Tim McCormick
Phil Davidson	Rich Tesar
Ted Japp	Jim Thompson

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.

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

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Conley and seconded by Director Sopinski 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 December 9, 2021 Board of Director Meeting are excused:

Tim Fowler.

Agenda Item 7.A. and 7.B.

BE IT RESOLVED that the November 10, 2021 Papio-Missouri River NRD Board Meeting minutes and the November 10, 2021 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.

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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on December 2, 2021. The District's October 15 through November 10, 2021, expenditures were published in the Douglas County Post-Gazette on November 17, 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. The report is posted to the website and attached to the file copy of the meeting minutes.

B. Nebraska Association of Resources Districts: Director Rich Tesar reported the NARD Legislative Conference is scheduled to be held on January 25-26, 2022, in Lincoln, NE. No report was given on the NARD Board of Directors Meeting in Chadron, NE on Nov. 7-8, 2021.

Let the record show that Director Bonnett arrived at the meeting at 4:03 p.m.

SUBCOMMITTEE REPORTS:

A. Executive Subcommittee: Chairperson Thompson reported that the Executive Subcommittee met on December 7, 2021 and gave a brief recap of the meeting.

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

EXEC Recommendation #1: 2021 Redistricting of Precinct Boundaries: Recommendation that MAPA’s redistricting concepts be adopted as the District’s new Sub-District Boundaries. The District is required to certify new boundaries and submit to the Nebraska Secretary of State’s Office and to the Burt, Dakota, Dodge, Douglas, Sarpy, Thurston and Washington County Election Commissions on or before December 30th, 2021.

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

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

B. Personnel, Legislative and Public Affairs Subcommittee: Director Sopinski reported that the PLPA Subcommittee met on December 7, 2021 and gave a brief recap of the meeting.

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

PLPA Recommendation #1.a.:Compensation Study Market Analysis Results: Recommendation that the proposed 2021 Market Analysis results be approved.

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

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

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

PLPA Recommendation #1.b.:Amendments to the P-MRNRD Pay Program Administration Manual for Calendar Year 2022: Recommendation that the proposed amendments to the Papio-Missouri River NRD Pay Program Administration Manual for calendar year 2022 be adopted and incorporated to the District’s Policy Manual.

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

Voting Yea - Begley, Bonnett, Conley, Davidson, Japp, Sopinski, McCormick, Tesar, Thompson

Voting Nay - None
Abstaining - None
Excused Absence - Fowler
Absent - Bradley, Fowler

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

PLPA Recommendation #2: Amendments to the P-MRNRD Employee Handbook for Calendar Year 2022: Recommendation that the proposed amended language to the Papio-Missouri River NRD Employee Handbook be adopted and incorporated to the District's Policy Manual.

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

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

C. Ad-Hoc Consultant Selection Subcommittee RFP for Professional Services for the Papillion Creek 319 Watershed Small Flood Control and Water Quality Structure Project: Director Sopinski reported that the Ad-Hoc Consultant Selection Subcommittee RFP for Professional Services for the Papillion Creek 319 Watershed Small Flood Control and Water Quality Structure Project met on December 7, 2021 and gave a brief recap of the meeting.

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

Ad-Hoc Recommendation #1: Professional Services Agreement with HDR Engineering, Inc. for the Papillion Creek 319 Watershed Small Flood Control and Water Quality Structure Project: Recommendation that the General Manager be authorized to execute a professional services agreement with HDR Engineering, Inc. for the Papillion Creek 319 Watershed Small Flood Control and Water Quality Project, for a maximum fee of \$474,500, 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 9-yea.

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

D. Programs, Projects and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on December 7, 2021 and gave a brief recap of the meeting.

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

PPO Recommendation #1: Updates to District Policy Manual, Appendix H, Rules and Regulations for the Rural Water Supply Systems: Recommendation that the proposed updates to the District's Policy Manual, Appendix H – Rules and Regulations Rural Water Systems be approved, 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 9-yea.

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

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

PPO Recommendation #2: Interlocal Cooperation Agreement with SID 564 of Douglas County for the Transfer of Papillion Creek PL 566 Watershed Structure D-15B: Recommendation that the General Manager be authorized to execute the proposed Interlocal Cooperation Agreement with Sanitary and Improvement District No. 564 of Douglas County for the transfer of Papillion Creek PL 566 Watershed Structure Site D-15B to SID 564, contingent on Nebraska NRCS approval of Completion of Federal Interest, subject to Agreement 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 9-yea.

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

Let the record show that Director Bradley arrived at the meeting at 4:12 p.m.

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

PPO Recommendation #3: Interlocal Cooperation Agreement with City of Omaha for Construction of Drainage Structure Rehabilitation for Little Papio Creek Levee/Channel Culverts Project: Recommendation that the General Manager be authorized to execute the proposed Interlocal Cooperation Agreement with the City of Omaha for Construction of Group A Drainage Structure Rehabilitation for the Little Papio Creek Levee/Channel Project, with a reimbursement maximum not-to-exceed amount of \$2,400,000, to be paid with up to \$800,000 maximum limit in calendar years 2022, 2023, and 2024, 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, Japp, Sopinski, McCormick, Tesar, 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 #4: Little Papio Creek Channel Culverts Rehabilitation Project Amendment No. 1 to the Professional Services Agreement with FYRA Engineering: Recommendation that the General Manager be authorized to execute Amendment No. 1 to the Professional Services Agreement for construction administration/observation services with FYRA Engineering for the Little Papio Channel Culverts Rehabilitation Project Group A culverts for the amount of \$340,380, for a revised maximum fee of \$907,020 for the total agreement, 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, Japp, Sopinski, McCormick, Tesar, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - Fowler
Absent - Fowler

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

PPO Recommendation #5: WP-2 Water Quality Basin and Sanitary Sewer Bids: Recommendation that the General Manager be authorized to execute a contract with Valley Corp. for the construction of the Water Quality Basin and Sanitary Sewer at the WP-2 Project, for the total bid amount of \$398,410.39, 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, Japp, Sopinski, McCormick, Tesar, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - Fowler
Absent - Fowler

E. Finance, Expenditure, and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on December 7, 2021 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: Fiscal Year 2021 Audit: Recommendation that the FY2021 Audit Report prepared by BerganKDV be accepted and that the General Manager be directed to file an authenticated copy of the audit report with the Nebraska Auditor of Public Accounts and the Nebraska Natural Resources Commission.

Chairperson Thompson commended Carey Fry and her team for their accuracy and diligence in the past year.

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

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

•• **MOTION NO. 14:** It was moved by Director Tesar that the following recommendation be accepted:

FEL Recommendation #2: WP-2 Professional Services Account Over 110%, Contract with FYRA Engineering: Recommendation that the account for WP-2 Professional Services (02-03-440-564) be allowed to exceed the budgeted amount up to \$430,000.

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

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

TREASURER'S REPORT:

- **MOTION NO. 15:** It was moved by Director Bradley and seconded by Director McCormick 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 October 15 through November 10, 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 October 15 through November 10, 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, Japp, Sopinski, McCormick, Tesar, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - Fowler
Absent - Fowler

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

CHAIRPERSON'S REPORT:

A. **P-MRNRD EMPLOYEE SERVICE AWARDS:** Chairperson Thompson recognized the following District Employees for their years of service to the District:

- **Tracy Thompson, District Secretary/HR Assistant** **5 years**
- **Chuck Wiegand, Lead Land Steward** **5 years**
- **Austen Hill, Education Programs Supervisor** **10 years**
- **Deb Ward, Field Office Program Specialist** **10 years**
- **Randy Lee, Building Manager** **10 years**
- **John Winkler, General Manager** **15 years**
- **Terry Keller, Medium Equipment Operator** **35 years**
- **Darlene Hensley, Field Office Program Specialist** **40 years**

GENERAL MANAGER'S REPORT: General Manager Winkler congratulated the Service Award recipients and reviewed his report with the Board. The report is posted to the District website. He reminded the Directors of the 2022 election filing deadlines and the Sub-Districts that will be on the 2022 ballot including #2, #4, #6, #8, and #10. GM Winkler gave a brief report on his testimony on December 3, 2021 to the Nebraska Legislature's Natural Resources Committee in regard to LR23. He will forward a written report to the Directors. GM Winkler concluded by wishing everyone a Merry Christmas and Happy New Year.

INFORMATIONAL ITEMS:

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

- | | |
|---------------------|---|
| December 24, 2021 | P-MRNRD Offices Closed for Christmas |
| December 31, 2021 | P-MRNRD Offices Closed for New Year's Day |
| January 11, 2022 | P-MRNRD Subcommittee Meetings, 4:00 p.m., at NRC |
| January 13, 2022 | P-MRNRD Board Meeting, 4:00 p.m., at NRC5 |
| January 17, 2022 | P-MRNRD Offices Closed for Martin Luther King Jr. Day |
| January 25-26, 2022 | NARD Legislative Conference, Lincoln, NE |

B. Next Meeting – The next scheduled meeting of the P-MRNRD Board of Directors will be held on January 13, 2022, at the NRC.

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 4:34 p.m.

NOTE: These minutes reflect the actions and votes taken at the December 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 December 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