



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
February 10, 2022**

**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 February 10, 2022. 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:

Patrick Bonnett	Tim Fowler
Larry Bradley	Ted Japp
Fred Conley	Kevyn Sopinski
Phil Davidson	Jim Thompson

**ADOPTION OF AGENDA:**

- **MOTION NO. 1:** It was moved by Director Fowler 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 8-yea.

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

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2:** It was moved by Director Bradley 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 February 10, 2022, Board of Directors Meeting are excused:

Danny Begley  
Tim McCormick  
Rich Tesar.

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

BE IT RESOLVED that the January 13, 2022, Papio-Missouri River NRD Board Meeting minutes and the January 12, 2022, 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 8-yea.

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

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on February 3, 2022. The District's December 10, 2021 – January 13, 2022, expenditures were published in the Papillion Times on January 26, 2022. 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: Directors that attended the NARD Legislative conference offered their thoughts on the conference that was held on January 25 and 26, at the Embassy Suites, in Lincoln, NE.

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

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

**PUBLIC HEARING ON ACQUISITION OF REAL PROPERTY FOR DAM SITE 7 PROJECT:**

Chairperson Thompson appointed General Manager Winkler as the Hearing Officer. Hearing Officer

Winkler called the hearing to order at 4:06 p.m. and submitted the following exhibits for the record:

- Exhibit 1**      Agenda
- Exhibit 2**      Proof of Publication of Hearing Notice
  - ◆ Omaha World Herald, January 28, 2022
  - ◆ Omaha World Herald, February 3, 2022
- Exhibit 3**      Preliminary Site Map of the Papio Dam Site 7 Project
- Exhibit 4**      Map of land acquisition area for Papio Dam Site 7 Project

Brent Meyer, Husch Blackwell, stated the Public Hearing was being held in accordance with Neb. Rev. Statute § 25-2504. The District explained the nature and necessity of the proposed land acquisition for the Papio Dam Site 7 Project and Project Manager Amanda Grint explained the purpose and location of the project. Each owner of property to be acquired by the District has the right to be represented by an attorney and to negotiate and accept or reject the offer made by the District for the proposed acquisition. The proposed land acquisition is from a willing seller; however, the seller has the right to require that such damages be determined pursuant to the procedures for acquisition by eminent domain. At this hearing, the District will hear and consider any objections from any person. Hearing Officer Winkler opened the floor to the public. No one offered testimony. Hearing Officer Winkler closed the Public Hearing at 4:09 p.m. and returned the floor to Chairperson Thompson.

### **SUBCOMMITTEE REPORTS:**

A. Programs, Projects, and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on February 8, 2022 and gave a brief recap of the meeting.

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

*PPO Recommendation #1:*      Groundwater Monitoring Joint Funding Agreement with USGS: Recommendation that the General Manager be authorized to execute the Joint Funding Agreement with USGS for the 2022-2026 Groundwater Quality Monitoring in a not-to-exceed amount of \$622,500, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Project Manager Paul Woodward asked the Board to consider tabling this item to the next meeting of the Board of Directors in order to prepare and provide them additional information to support the Agreement with USGS. He informed the Board the District receives \$44,000 in grant dollars each year from the Nebraska Resources Water Quality Fund for this project. Paul and General Manager Winkler addressed Directors questions.

*Motion to Table:*      It was moved by Director Davidson and seconded by Director Japp that the Groundwater Monitoring Joint Funding Agreement with USGS be tabled for consideration at the next regular meeting of the Board of Directors.

Roll call vote was held on the motion to table. The motion to table carried on a vote of 8-yea.

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

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

*PPO Recommendation #2:* Eastern Nebraska Water Resources Assessment (ENWRA) Interlocal Agreement Amendment #7: Recommendation that the General Manager be authorized to execute Amendment #7 to the Eastern Nebraska Water Resources Assessment Interlocal Cooperative Agreement with five other Natural Resources Districts to extend the term of the Agreement to 2027, 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 8-yea.

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

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

*PPO Recommendation #3:* No Name Dike Culvert Rehabilitation, Professional Services Agreement with FYRA Engineering: 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 FYRA Engineering, LLC for the No Name Dike Culvert Rehabilitation Station 47+65 Project, with the maximum not-to-exceed amount of \$64,250, 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 8-yea.

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

B. Finance, Expenditures, and Legal Subcommittee: Director Bradley reported that the FEL Subcommittee met on February 8, 2022 and gave a brief recap of the meeting.

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

*FEL Recommendation #1:* Washington County Rural Water, Vehicle/Equipment Repairs/Maintenance (10-01-4052) Account over 110%: Recommendation that account 10-01-4052 Washington County Rural Water, Vehicle/Equipment, Repairs/Maintenance be allowed to exceed 110% of the budgeted amount, up to a maximum of \$20,000.

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

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

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

*FEL Recommendation #2:* King Lake Land Donation: Recommendation that the General Manager be authorized to execute a transfer agreement to take ownership of the lots currently owned by Harley Mulford, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Project Manager Lori Laster presented a map to the Board that displayed the property currently owned by the District at King Lake. She added there are an additional 20 properties the District is looking to purchase through the Floodplain Purchase Program. Lori addressed Directors questions.

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

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

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

*FEL Recommendation #3:* Land Acquisition for Dam Site 12: Recommendation that the General Manager be authorized to execute a purchase agreement with SID 609, Douglas County, NE, for Tract 9 of the proposed property acquisitions for the Dam Site 12 Project, for the purchase price of \$1,446,144, 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 8-yea.

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

**TREASURER'S REPORT:**

•• **MOTION NO. 9:** 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 December 10, 2021, through January 13, 2022, 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 December 10, 2021, through January 13, 2022, 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 8-yea.

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

**CHAIRPERSON'S REPORT:** Chairperson Thompson stated he had nothing to report.

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

**INFORMATIONAL ITEMS:**

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

- |                   |  |
|-------------------|--|
| February 21, 2022 | President’s Day – P-MRNRD Offices Closed         |
| March 8, 2022     | P-MRNRD Subcommittee Meetings, 4:00 p.m., at NRC |
| March 10, 2022    | P-MRNRD Board Meeting, 4:00 p.m., at NRC         |

B. Next Meeting – The next scheduled meeting of the P-MRNRD Board of Directors will be held on March 10, 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 February 10, 2022, 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 February 10, 2022, 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