



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
May 12, 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. 154th Street, Omaha, NE on May 12, 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:

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 Sopinski 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 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 Fowler and seconded by Director Tesar 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 May 12, 2022, Board of Directors Meeting is excused:

Ted Japp.

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

BE IT RESOLVED that the April 14, 2022, Papio-Missouri River NRD Board Meeting minutes and the April 13, 2022, Dakota 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 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 May 5, 2022. The District's March 11, 2022 through April 14, 2022, expenditures were published in the Washington County Enterprise on April 22, 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, gave the report on NRCS activities for the month of May.

B. Nebraska Association of Resources District Board Meeting and NARD Basin Tour: Director Tesar reported the next NARD Board meeting will be held June 6-7, 2022 at the Scottsbluff's Fairfield Inn & Suites by Marriott. He added that the 2022 Annual Basin Tour will take place June 6-7, 2022. The South Platte, North Platte, and Upper Niobrara White NRDs will be hosting this event.

C. Legislative Report – Catalyst Public Affairs: General Manager Winkler gave the report on legislative activities.

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

SUBCOMMITTEE REPORTS:

A. Programs, Projects, and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on May 10, 2022 and gave a brief recap of the meeting.

Project Manager Paul Woodward and Mikaela Cherry from USGS, gave a presentation of the 2021 Groundwater Quality Monitoring Results. No action was taken by the Subcommittee.

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

PPO Recommendation 1.a: FY 2023 Equipment Requirements: Recommendation that the proposed FY 2023 Equipment Requirements be approved, subject to funding in the FY 2023 Budget.

Roll call vote was held on the 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. 4:** It was moved by Director Conley that the following recommendation be adopted:

PPO Recommendation 1.b: FY 2023 Equipment Requirements: Recommendation that the General Manager be authorized to approve the purchase of the currently leased CAT 259D Skid Loaders (2) and CAT 305ECR Hydraulic Mini Excavator (1) from Nebraska Machinery Company in a total purchase amount of \$146,795; furthermore, it is recommended that \$146,795 be transferred from the Conservation Assistant Program account 01-04-4195-507 to the Machinery & Equipment account 01-01-4802 to cover the cost to purchase this machinery, and finally, that the Machinery & Equipment account 01-01-4802 be allowed to exceed 110% of the current budgeted amount, up to a maximum of \$292,000.

Director Bradley asked if the transfer of funds from the Conservation Assistant Program (CAP) account to the Machinery & Equipment account would have a negative impact on CAP projects. General Manager Winkler stated it would not.

Roll call vote was held on the 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: Interlocal Agreement with Gretna and Sarpy County for WP-4: Recommendation that the General Manager be authorized to execute the proposed West Papio Basin 4 Interlocal Agreement with the City of Gretna and Sarpy County, 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 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: Contract Amendment No. 1 with EGA for the Beltline Trail Project: Recommendation that the General Manager be authorized to execute the proposed Amendment No. 1 to the Professional Services Agreement between the District and Ehrhart Griffin & Associates for the Beltline Trail Project for the maximum amount of \$356,611, bringing the total maximum not-to-exceed contract amount to \$638,766, 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 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: Beltline Trail Phase 2 Construction Bids: Recommendation that the General Manager be authorized to execute a construction contract with NL&L Construction Inc. in the amount of \$714,667 for the Beltline Trail Phase 2 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 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: Bids Received for the Aerial Application of Herbicide by Helicopter: Recommendation that the General Manager be authorized to execute a three-year contract with Provine Helicopter Service Inc. for the aerial application of herbicide by helicopter for the unit prices listed in Exhibit A of the proposed contract, 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 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. 9:** It was moved by Director Conley that the following recommendation be adopted:

PPO Recommendation 6: Lower Platte River Basin Coalition Interlocal Agreement No. 3: Recommendation that the General Manager be authorized to execute the Lower Platte River Basin Water Management Plan Coalition Interlocal Agreement No. 3, 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 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 Conley that the following recommendation be adopted:

PPO Recommendation 7: Papio Watershed PL566 Site S-6 Completion of Federal Interest: Recommendation that the General Manager be authorized to execute the Papillion Creek Watershed Site S-6 Completion of Federal Interest with the Natural Resources Conservation Service, 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 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. 11:** It was moved by Director Conley that the following recommendation be adopted:

PPO Recommendation 8: WP-4 Contract Amendment with HDR, Inc.: Recommendation that the General Manager be authorized to execute Amendment No. 3 with HDR Engineering, Inc. for Professional Engineering Services for modifications to the Final Design of the WP-4 Project in an amount not-to-exceed \$51,346, bringing the total contract amount to \$3,598,954, 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 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. Finance, Expenditures, and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on May 10, 2022 and gave a brief recap of the meeting.

- **MOTION NO. 12:** It was moved by Director Tesar that the following recommendation be adopted:

FEL Recommendation 1: Douglas County Buyout Purchase Agreement, VanSteenwyk: Recommendation that the General Manager be authorized to execute a purchase agreement with Michael VanSteenwyk, of property

located at 24638 Redick Avenue, Valley, Nebraska for the purchase price of \$45,580.75, 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 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. 13:** It was moved by Director Tesar that the following recommendation be adopted:

FEL Recommendation 2: Douglas County Buyout Purchase Agreement, Wilson: Recommendation that the General Manager be authorized to execute a purchase agreement with Timothy Wilson, of property located at 24142 Crown Point Avenue, Valley, Nebraska for the purchase price of \$75,686.01, 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 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. 14:** It was moved by Director Tesar that the following recommendation be adopted:

FEL Recommendation 3: Building Maintenance, Blair Account (01-01-4630-401) over 110%: Recommendation that account 01-01-4630-401 Building Maintenance-Blair be allowed to exceed 110% of the budgeted amount, up to a maximum of \$100,000.

Roll call vote was held on the 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. 15:** It was moved by Director Tesar that the following recommendation be adopted:

FEL Recommendation 4: Washington County Rural Water, Automobiles & Trucks Account (10-01-4083) over 110%: Recommendation that account 10-01-4083 Washington County Rural Water-Automobiles & Trucks be allowed to exceed 110% of the budgeted amount, up to a maximum of \$44,000.

Roll call vote was held on the 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. 16:** It was moved by Director Tesar that the following recommendation be adopted:

FEL Recommendation 5: Land Acquisition for Dam Site 7: Recommendation that the General Manager be authorized to execute a purchase agreement with Woodsonia 168-Bennington, LLC, for the purchase of 44.517 acres for the construction of the Dam Site 7 regional detention basin project for the total amount of \$2,225,850, 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 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. 17:** 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 March 11, 2022 through April 14, 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 March 11, 2022 through April 14, 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 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 gave a report on ongoing legal services.

CHAIRPERSON’S REPORT: Chairperson Thompson informed the Board that he and Director Conley represented the District at this year’s Earth Day event. He also congratulated Director Davidson on his run for the Bellevue Public School Board. Director Bradley provided an update from the Nebraska Natural Resources Commission.

GENERAL MANAGER’S REPORT: General Manager Winkler reviewed his report with the Board. The written report is posted to the District’s website. He also congratulated the District’s Safety Committee and staff for receiving the Nebraska’s Safest Company Award from the National Safety Council. Members of the District’s Safety Committee attended May 11th awards luncheon, as did Directors Bradley, Conley, and Japp. He informed the Board that flags are flying at half-staff in remembrance of Americans lost to COVID-19.

INFORMATIONAL ITEMS:

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

May 24, 2022	E-Waste Recycling, Tekamah USDA/NRD Office, 10:00-1:00
	E-Waste Recycling, Blair USDA/NRD Office, 3:00-6:00

May 26, 2022	E-Waste Recycling, Dakota City USDA/NRD Office, 10:00-1:00 E-Waste Recycling, Walthill USDA/NRD Office, 3:00-5:00
May 30, 2022	Memorial Day – P-MRNRD Offices Closed
June 7, 2022	P-MRNRD Subcommittee Meetings, 4:00 p.m., at NRC
June 9, 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 June 9, 2022, at the NRC.

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 4:38 p.m.

NOTE: These minutes reflect the actions and votes taken at the May 12, 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.

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 May 12, 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.

Richard Tesar
District Secretary