



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
July 14, 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 July 14, 2022. The meeting was called to order by Chairperson Thompson at 4:07 p.m.

NOTIFICATION OF OPEN MEETINGS ACT POSTING AND MEETING PROCEDURE

QUORUM CALL: The following Directors were present for the Quorum Call:

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

ADOPTION OF AGENDA:

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

Prior to the adoption of the agenda, Chairperson Thompson made an amendment to agenda item 12, adding Jim Becic to the Chairperson’s Report.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea.

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

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 absence(s) of the following Director(s) from the July 14, 2022 Board of Directors Meeting are excused:

Danny Begley
Phil Davidson
Tim McCormick
Rich Tesar.

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

BE IT RESOLVED that the June 9, 2022 Papiio-Missouri River NRD Board Meeting minutes and the June 10, 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 7-yea.

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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on July 7, 2022. The District's May 13 through June 9, 2022 expenditures were published in the Burt County Plaindealer on June 21, 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 July.

B. Legislative Report: General Manager Winkler stated there was nothing to report.

The audio of these reports can be heard on the District's podcast at www.papionrd.org/meeting-podcasts/.

SUBCOMMITTEE REPORTS:

A. Personnel, Legislative and Public Affairs Subcommittee: Director Sopinski reported that the PLPA Subcommittee met on July 12, 2022 and gave a brief recap of the meeting.

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

PLPA Recommendation #1: NARD 414(h) Retirement Plan Restatement: Recommendation that the following resolution be adopted:

BE IT RESOLVED that the District Office, as a Participating Employer in the Plan, hereby consents to the adoption of the Amendment and Restatement of the Nebraska Association of Resources Districts 414(h) Plan (the “Amendment and Restatement”) to bring the Plan into compliance with the Cycle 3, other applicable law and guidance and to make certain other adjustments, is hereby authorized and approved;

BE IT FURTHER RESOLVED that the officers and management of the District office be, and they hereby are, authorized and directed to take whatever actions may be necessary to effectuate the foregoing Resolutions including, but not limited to, execution of the restated Plan and the Consent to the Amendment and Restatement, notification of employees and participants of the Plan, and the preparation and distribution of explanatory booklets and materials as necessary; and

BE IT FUTHER RESOLVED that any and all actions taken, and documentation executed by management or the officers of the District Office to effectuate the foregoing Resolutions and the transactions described therein be, and they hereby are, approved and ratified.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea.

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

B. Programs, Projects and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on July 12, 2022 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: Revisions to Groundwater Rules and Regulations, Appendix N: Recommendation that the proposed amendments to the Groundwater Rules and Regulations, Appendix N be adopted and incorporated into the District’s Policy Manual.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea.

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

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

PPO Recommendation #2: Water Sustainability Fund Grant Application for the Lower Platte NRD's AEM Groundwater Modeling: Recommendation that the General Manager be authorized to execute and submit a Water Sustainability Fund application for the Lower Platte NRD's AEM Groundwater Modeling 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 7-yea.

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

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

PPO Recommendation #3: Construction Bids for the WP-4 Project: Recommendation that the General Manager be authorized to reject all bids received for the WP-4 Regional Basin Project.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea.

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

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

PPO Recommendation #4: Water Sustainability Fund Application for WP-4 and WP-2: Recommendation that the General Manager be authorized to execute and submit a Water Sustainability Fund application for the West Papillion Regional Basins 2 and 4 Projects, 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 7-yea.

Voting Yea - Bonnett, Bradley, Conley, Fowler, Japp, Sopinski, Thompson
Voting Nay - None
Abstaining - None

Excused Absence - Begley, Davidson, McCormick, Tesar
Absent - Begley, Davidson, McCormick, Tesar

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

PPO Recommendation #5: Amendment 3 to Agreement with Schemmer for Platte River Bridge Trail Project: Recommendation that the Board adopt the Resolution provided by NDOT authorizing the General Manager to execute a Supplemental Agreement between the District and Schemmer Associates for the Platte River Bridge Trail Project, with total cost not-to-exceed \$276,777.31, 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 7-yea.

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

C. Finance, Expenditures and Legal Subcommittee: Director Bradley reported that the FEL Subcommittee met on July 12, 2022 and gave a brief recap of the meeting.

The 1st draft of the FY 2023 Budget was reviewed by the Subcommittee. No action was taken.

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

FEL Recommendation #1: FY 2023 Budget – Lid Computation (1% Resolution): Recommendation that the following resolution be adopted:

BE IT RESOLVED that the Board of Directors of the Papio-Missouri River NRD approves an additional increase of 1% in Total Restricted Funds Authority, pursuant to Neb. Rev. Stat. §§ 13-518 through 13-522.

This motion requires the affirmative vote of 75% of the members of the governing body constituting of the quorum in order to pass.

Roll call vote was held on the motion. The motion carried on a vote of 6-yea and 1-nay.

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

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

FEL Recommendation #2: Fourth Addendum to Interlocal Agreement with City of Blair for Washington County Rural Water #2: Recommendation that the General Manager be authorized to execute the proposed Fourth Addendum to the Interlocal Agreement with the City of Blair for Washington County Rural Water #2, 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 7-yea.

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

- **MOTION NO. 11:** It was moved by Director Bradley that the following recommendation be adopted:

FEL Recommendation #3: Amendment and Quit Claim Deed with the Village of Waterloo for Transfer of Waterloo River Access: Recommendation that the General Manager be authorized to execute the proposed First Amendment to the Interlocal Agreement with the Village of Waterloo for the Elkhorn River Canoe Access Site, 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 7-yea.

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

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

FEL Recommendation #4: No Name Dike High Ground Easement Purchase, Colette and Jeffrey Bowen - Lot #46 and North ½ Lot #47: Recommendation that the General Manager be authorized to execute the proposed Purchase Agreement with Colette and Jeffrey Bowen for the purchase price of \$13,000 for Lot #46 and North ½ of Lot #47 permanent easement, for No Name Dike Flood Reduction Project High Ground Easement 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 7-yea.

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

- **MOTION NO. 13:** It was moved by Director Bradley 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 Kenneth J. Hagen, Jr., for the purchase of 34.75 acres and associated buildings for the construction of the Dam Site 7 Regional Detention Basin Project for the total amount of \$1,818,000; subject to such other terms and conditions 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 7-yea.

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

TREASURER'S REPORT:

- **MOTION NO. 14:** 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 on the June 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 Supply System, the Elkhorn River Bank Stabilization Project, the Elkhorn Breakout Project, the Elk/Pigeon Creek Drainage Project, the Western Sarpy Drainage District, the Papillion Creek Watershed

Partnership, and the Southern Sarpy Watershed Partnership project bills listed on the June 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 7-yea.

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

Take from the Table and Consideration of Revisions to District Policies proposed at the Board of Directors Meeting on June 9, 2022:

- **MOTION NO. 15:** It was moved by Director Bradley and seconded by Director Sopinski to take item Revisions to District Policies proposed at the Board of Directors Meeting on June 9, 2022 from the table.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea.

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

- **MOTION NO. 16:** It was moved by Director Bradley and seconded by Director Fowler that the changes to District Policies 1 through 16.9 be approved and incorporated into the District Policy Manual.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea.

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

CHAIRPERSON'S REPORT: The Chairperson recognized Jim Becic, Environmental Coordinator for his 38 years of service to the District. Jim will be retiring from the District at the end of the month. Jim expressed his thanks to the Board of Directors and staff for the excellent opportunity he had to be a part of the District and work on some extraordinary projects.

GENERAL MANAGER'S REPORT: The General Manager gave his monthly report to the Board. The July GM Report is posted to the District's website. Assistant General Manager Amanda

Grint gave a pictural presentation in recognition of Jim in action and acknowledged his many accomplishments.

ELECTION OF P-MRNRD OFFICERS:

The Chairperson opened the floor for nominations for Chairperson.

A. **Chairperson:** Director Fowler nominated Director Sopinski for Chairperson. There were no other nominations. Nominations were closed, and Director Sopinski was elected as Chairperson by acclamation.

B. **Vice-Chairperson:** The floor was opened for nominations for Vice-Chairperson. Director Conley nominated Director Bradley for Vice-Chairperson. There were no other nominations. Nominations were closed, and Director Bradley was elected as Vice-Chairperson by acclamation.

C. **Secretary:** The floor was opened for nominations for Secretary. Director Sopinski nominated Director Tesar as Secretary. There were no other nominations. Nominations were closed, and Director Tesar was elected as Secretary by acclamation.

D. **Treasurer:** The floor was opened for nominations for Treasurer. Director Sopinski nominated Director Fowler as Treasurer. There were no other nominations. Nominations were closed and Director Fowler was elected as Treasurer by acclamation.

Treasurer Fowler ratified his appointment of Assistant Treasurer to Director Bonnett.

ELECTION OF NARD DIRECTOR AND ALTERNATE DIRECTOR:

The floor was opened for nominations for NARD Director and Alternate Director. Director Sopinski nominated Director Tesar. There were no other nominations. Nominations were closed and Director Tesar was elected as NARD Director by acclamation. Director Sopinski nominated Director Fowler for the NARD Alternate Director. There were no other nominations. Nominations were closed, and Director Fowler was elected as NARD Alternate Director by acclamation.

- **MOTION NO. 17:** It was moved by Chairperson Thompson and seconded by Director Fowler that the following resolution be adopted:

BE IT RESOLVED that the following directors be and are hereby elected officers of the Papio-Missouri River Natural Resources District for the coming year and until a successor has been elected: Kevyn Sopinski, Chairperson; Larry Bradley, Vice-Chairperson; Rich Tesar, Secretary; and Tim Fowler, Treasurer.

BE IT FURTHER RESOLVED that the Treasurer's written designation of Patrick Bonnett as Assistant Treasurer is concurred by the Board of Directors.

BE IT FURTHER RESOLVED that Director Rich Tesar is hereby elected the Nebraska Association of Resources Districts Director for the coming year and that Director Tim Fowler is hereby elected the Nebraska Association of Resources Districts Alternate Director for the coming year.

Roll call vote was held on the motion. The motion carried on a vote of 7-yea.

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

INFORMATIONAL ITEMS:

A. Future Meetings/Events:

August 9, 2022 P-MRNRD Subcommittee Meetings

August 11, 2022 P-MRNRD Board Meeting

B. Next Meeting – The next scheduled meeting of the P-MRNRD Board of Directors will be held on August 11, 202 at the NRC.

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 4:59 p.m.

NOTE: These minutes reflect the actions and votes taken at the July 14, 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 July 14, 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