



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
September 14, 2023**

**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 Dakota County Service Center, 1505 Broadway, Dakota City, NE, on September 14, 2023. The meeting was called to order by Chairman Kevyn Sopinski 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 McCormick
Larry Bradley	Kevyn Sopinski
Fred Conley	Rich Tesar
Phil Davidson	Jim Thompson
Ted Japp	

**ADOPTION OF AGENDA:**

- **MOTION NO. 1:** It was moved by Director McCormick 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 9-yea.

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

**ADOPTION OF CONSENT AGENDA:**

- **MOTION NO. 2:** It was moved by Director Tesar and seconded by Director McCormick 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 14, 2023, Board of Directors Meeting are excused:

Tim Fowler  
Josh Henningsen.

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

BE IT RESOLVED that the August 10, 2023, Papio-Missouri River NRD Board meeting minutes, the September 12, 2023, Budget Hearing minutes, and the September 12, 2023, Special Hearing to Set Final Tax Request minutes are approved as printed.

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

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

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on September 7, 2023 and the Dakota County Star on September 7, 2023. The District's July 14, 2023 through August 10, 2023 expenditures were published in the Dakota County Star on August 17, 2023. The Chairman 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: Jason McCauley, Resource Conservationist, gave the report on NRCS activities for the month of September.
- B. Nebraska Association of Resources Districts: Director Tesar noted that the NARD Annual Conference will be held September 25-26, 2023, in Kearney, NE.
- C. Report on Nebraska Natural Resources Commission: Director Larry Bradley gave the report on the Natural Resources Commission activities.
- D. Report on Dakota County Activities: Bob Giese, Chairman of the Dakota County Board of Commissioners said he had nothing to report.

- E. Report on South Sioux City Activities: Lance Hedquist, City Administrator for South Sioux City gave a report on South Sioux City activities.
- F. Report on Dakota City Activities: Bob Kratly, City Administrator for Dakota City gave a report on Dakota City activities.

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

**SUBCOMMITTEE REPORTS:**

A. Programs, Projects, and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on September 12, 2023, 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:* Interlocal Agreement with Dakota County for the Replacement of Pigeon Jones Watershed Structure No. 11: Recommendation that the General Manager be authorized to execute the proposed Interlocal Agreement with Dakota County, Nebraska for replacement of Pigeon Jones Watershed Structure No. 11, 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	-	Bonnett, Bradley, Conley, Davidson, Japp, McCormick, Tesar, Thompson, Sopinski
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Fowler, Henningsen
Absent	-	Fowler, Henningsen

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

*PPO Recommendation #2:* Amendment No. 3 with Houston Engineering for Southern Sarpy Watersheds Partnership: Recommendation that the General Manager be authorized to execute the proposed Amendment No. 3 with Houston Engineering for the Southern Sarpy Watersheds Partnership in an amount not-to-exceed \$75,975, bringing the total contract not-to-exceed amount to \$1,289,533, 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	-	Bonnett, Bradley, Conley, Davidson, Japp, McCormick, Tesar, Thompson, Sopinski
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Voting Nay - None  
Abstaining - None  
Excused Absence - Fowler, Henningsen  
Absent - Fowler, Henningsen

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

*PPO Recommendation #3:* Platte River Bridge Trail, Construction Contract Bid and Resolution: Recommendation that the following Resolution be adopted:

**WHEREAS**, there has been signed by the Papio-Missouri River Natural Resources District (Papio NRD on the 14<sup>th</sup> day of January, 2019, and the State on the 17<sup>th</sup> day of January, 2019, an agreement providing for the construction of a Federal Aid Project at the following location: PLATE RIVER BRIDGE TRAIL, and

**WHEREAS**, in the above agreement, the Papio NRD has pledged sufficient funds to finance its share of the cost of the construction of this project identified as MAPA-77(62), and

**WHEREAS**, the above-mentioned agreement provided that the Papio NRD will pay costs as set forth in the agreement, and

**WHEREAS**, the State, on behalf of the Papio NRD received bids for the construction of this project based on the final plans and specifications on August 24, 2023, at which time 5 bid(s) were received for the construction of the proposed work, and

**WHEREAS**, the following Contractor(s) for the items of work listed has/have been selected as the low bidder(s) to whom the contract(s) should be awarded:

HAWKINS CONSTRUCTION COMPANY, OMAHA, NE 68109-0008  
GRADING, RETAINING WALL, CONCRETE PAVEMENT, CULVERT, SEEDING,  
BRIDGE, FENCE, SIGNING  
GENERAL ITEMS: \$3,346,061.60

**NOW THEREFORE**, in consideration of the above facts, Papio NRD, by this resolution, takes the following official action:

1. If for any reason the Federal Highway Administration rescinds, limits its obligations, or defers payment of the Federal share of the cost of this project, the Papio NRD hereby agrees to provide the necessary funds to pay for all costs incurred until and in the event such Federal funds are allowed and paid.

2. The Papio NRD hereby concurs in the selection of the above-mentioned Contractor(s) for the items of work listed, to whom the contract(s) should be awarded.

3. The Papio NRD hereby approves of the final plans and specifications that were used in the bidding process for this project.

4. The Papio NRD hereby authorizes the General Manager to sign the contract(s) with the above-mentioned Contractor(s) for the above-mentioned work on behalf of the Papio NRD using State's standard contract signing process, including when applicable, an electronic or digital signing process such as DocuSign©.

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

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

B. Finance, Expenditures and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on September 12, 2023, and gave a brief recap of the meeting.

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

*FEL Recommendation #1:* Papio NRD FY 2024 Tax Levy and Adoption of Budget: Recommendation that the following Resolution 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 \$119,519,952.24 as follows,

<b>Operating Budget</b>	<b>\$90,273,913.24</b>
<b>Project and Operations Cash Reserves</b>	<b>\$29,246,039</b>

and Property Tax Requirement of \$30,729,169.20 (\$24,258,032.20 general and \$6,471,137.00 bond) be and is hereby adopted as the Fiscal Year 2024 budget of the Papio-Missouri River Natural Resources District.

**WHEREAS**, Nebraska Revised Statute 77-1632 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 12, 2023, 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 2024 property tax request be set at \$30,729,169.20 (\$24,258,032.20 general and \$6,471,137.00 bond).
2. The total assessed value of property differs from last year's total assessed value by 12.96%.
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 \$0.030770 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 \$0.031324 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 13%.
6. And that a copy of this resolution be certified and forwarded to the County Clerks within the District prior to September 20, 2023.

Director Japp stated he was very proud of the District's budget for FY 2024.

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

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

C. Ad-Hoc Consultant Selection Subcommittee – RFP for Papio NRD Hazard Mitigation Plan Update: Director Japp reported that the Ad-Hoc Subcommittee met on September 12, 2023, and gave a brief recap of the meeting.

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

*Ad-Hoc Recommendation #1: Contract with JEO Consulting Group for the Papio NRD Hazard Mitigation Plan Update: Recommendation that the General Manager be authorized to execute a professional services contract with JEO Consulting Group Inc. to update the District's Multi Hazard Mitigation Plan for a maximum fee of \$309,750, 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 - Bonnett, Bradley, Conley, Davidson, Japp, McCormick, Tesar, Thompson, Sopinski  
Voting Nay - None  
Abstaining - None  
Excused Absence - Fowler, Henningsen  
Absent - Fowler, Henningsen

**TREASURER'S REPORT:**

- **MOTION NO. 8:** It was moved by Director Bonnett and seconded by Director Thompson that the following resolution be adopted:

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (l) claims listed in the August 2023, 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 River Stabilization Project, the Elk/Pigeon Creek Drainage Project, the Western Sarpy Drainage Project, the Papillion Creek Watershed Partnership, and the Southern Sarpy Watersheds Partnership project bills listed on the August 2023, 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 9-yea.

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

**CHAIRMAN'S REPORT:** Chairman Sopinski thanked the administrators from Dakota City and Dakota County for hosting our Board of Directors meeting. He also reiterated that he was extremely happy with the FY 2024 Budget.

**GENERAL MANAGER'S REPORT:** The General Manager reviewed his written report with the Board. The report has been posted to the District's website.

**INFORMATIONAL ITEMS:**

A. Future Meetings:

September 25-26, 2023 NARD Annual Meetings, Kearney, NE

October 10, 2023 Papio NRD Subcommittee Meetings, at 4:00 PM, at NRC

October 12, 2023 Papio NRD Board Meeting, at 4:00 PM, at NRC

B. Next Meeting – The next scheduled meeting of the Papio NRD Board of Directors will be held on October 12, 2023, at the NRC.

**ADJOURNMENT:** Being no further business, the Chairman declared that the meeting was adjourned at 4:31 p.m.

**NOTE:** These minutes reflect the actions and votes taken at the September 14, 2023, 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 September 14, 2023, 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