



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
December 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 Natural Resources Center, 8901 S. 154th Street, Omaha, NE on December 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	Josh Henningsen
Larry Bradley	Ted Japp
Fred Conley	Tim McCormick
Phil Davidson	Kevyn Sopinski
Tim Fowler	Rich Tesar
	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 the motion. The motion carried on a vote of 11-yea.

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

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Davidson 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 December 14, 2023, Board of Director Meeting are excused:

None to date.

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

BE IT RESOLVED that the November 9, 2023, Papio-Missouri River NRD Board Meeting minutes and the November 8, 2023, 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 11-yea.

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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on December 7, 2023. The District's October 13 through November 9, 2023, expenditures were published in the Omaha World Herald on November 30, 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: Kristin Schlueter, 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 23-24, 2024, in Lincoln, NE.
- C. Nebraska Natural Resources Commission: Director Bradley said he was unable to attend the November 28, 2023 meeting held in Kearney, NE.
- D. Legislative Update – Catalyst Public Affairs: General Manager Winkler gave an update on expectations for the 108th Legislature, second Session which convenes on January 3, 2024.

PUBLIC HEARING ON ACQUISITION OF REAL PROPERTY FOR THE DAM SITE 12 PROJECT:

Chairman Sopinski 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, December 5, 2023
 - ◆ Omaha World Herald, December 7, 2023
- Exhibit 3** Preliminary Site Map of Papio Dam Site 12 Project
- Exhibit 4** Map of Land Acquisition Area for Dam Site 12

Brent Meyer, Husch Blackwell, stated this hearing is being conducted in compliance with Neb. Rev. Stat. § 25-2504. At this hearing, the Papio-Missouri River Natural Resources District will explain the nature and necessity of the Papio Dam Site 12 Project, and the reason for selecting this particular location. 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, he or she 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 from the public came forward to offer testimony.

Hearing Officer Winkler closed the Public Hearing at 4:10 p.m. and returned the floor to Chairman Sopinski.

SUBCOMMITTEE REPORTS:

A. Personnel, Legislative and Public Affairs Subcommittee: Director Japp reported that the PLPA Subcommittee met on December 12, 2023, and gave a brief recap of the meeting.

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

PLPA Recommendation #1.: Amendments to the Papio NRD’s 2024 Pay Program Administration Manual: Recommendation that the proposed amendments to the Papio NRD’s Pay Program Administration Manual for 2024 be approved and incorporated into the District’s Policy Manual.

Roll call vote was held on the original motion. The original motion carried on a vote of 11-yea.

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

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

PLPA Recommendation #2: Amendments to the Papio NRD’s 2024 Employee Handbook: Recommendation that the proposed amendments to the Papio NRD’s 2024 Employee Handbook be approved and incorporated into the District’s Policy Manual.

Roll call vote was held on the motion. The motion carried on a vote of 11-yea.

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

B. Programs, Projects and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on December 12, 2023, and gave a brief recap of the meeting.

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

PPO Recommendation #1: Bids for Silver Creek Watershed Dam Sites 30 & 33 Improvement Projects: Recommendation that the General Manager be authorized to execute a contract with CDS Enterprise in a not-to-exceed amount of \$144,100.50 for Silver Creek Watershed Dam Sites 30 & 33 Improvement Projects, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Thompson addressed the question of deficiencies found during the inspection of the structures. Justin Novak and Martin Cleveland addressed all questions and concerns.

Roll call vote was held on motion. The motion carried on a vote of 11-yea.

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

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

PPO Recommendation #2: MoPac Trail Permanent Easement to Plains Sand and Gravel: Recommendation the General Manager be authorized to grant a Permanent Easement submitted to Advantage Investment Properties, LLC for vehicular and pedestrian ingress and egress, 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 11-yea.

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

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

PPO Recommendation #3: Papillion Creek Watershed Agreement with Natural Resources Conservation Service: Recommendation that the General Manager be authorized to execute the proposed Papillion Creek Watershed Supplemental Watershed Agreement No. 9 with NRCS, subject to changes deemed necessary by the General Manager and District Legal Counsel.

Director Japp asked what the proposed timeline would be for the project. Amanda Grint addresses his questions.

Roll call vote was held on the motion. The motion carried on a vote of 11-yea.

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

C. Finance, Expenditure, and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on December 12, 2023, and gave a brief recap of the meeting.

•• **MOTION NO. 8:** It was moved by Director Tesar that the following recommendation be accepted:

FEL Recommendation #1: Fiscal Year 2023 Audit: Recommendation that the FY2023 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.

Roll call vote was held on the motion. The motion carried on a vote of 11-yea.

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

Absent - None

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

FEL Recommendation #2.a.: Kramper Lake Water Main Extension Project – USDA Loan Resolution Form: Recommendation that the Board approve the proposed USDA Loan Resolution form (RUS BULLETIN 1780-27) for the Kramper Lake Water Main Extension Project.

Roll call vote was held on motion. The motion carried on a vote of 11-yea.

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

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

FEL Recommendation #2.b.: Kramper Lake Water Main Extension Project – USDA Grant Agreement Form: Recommendation that the Board approve the proposed USDA Water and Waste System Grant Agreement form (RUS BULLETIN 1780-12) for the Kramper Lake Water Main Extension Project.

Roll call vote was held on the motion. The motion carried on a vote of 11-yea.

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

TREASURER'S REPORT:

- **MOTION NO. 11:** 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: (l) claims listed in the November 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 Watershed Partnership project bills listed on the November 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 11-yea.

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

CHAIRPERSON’S REPORT:

A. Nebraska Association of Resources District Director Service Award: Chairman Sopinski recognized Director Tim Fowler for his 20 years of service to the District.

B. Papio NRD Employee Service Awards: Chairman Sopinski recognized the following District Employees for their years of service to the District:

- Martin Cleveland, Construction Engineer 45 years
- Bill Warren, O&M/Park Superintendent 45 years
- John Zaugg, Field Representative 40 years
- Marty Nissen, Engineering Aide/Drafter 35 years
- Jean Friends Tait, Administrative Coordinator 30 years
- Ryan Trapp, Assistant O&M Superintendent 25 years
- Lance Olerich, Water Supply Superintendent 20 years
- Carey Fry, Senior Accountant 15 years
- Bill Brush, IT Manager 10 years
- Kyra Peterson, District Accountant 5 years

On behalf of the Board, Chairman Sopinski and others thanked Carey Fry, Senior Accountant, and her staff on the wonderful work they do and the excellent results of the 2023 Audit.

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’s website. GM Winkler concluded by wishing everyone a Merry Christmas and Happy New Year.

INFORMATIONAL ITEMS:

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

December 25, 2023	Papio NRD Offices Closed for Christmas
January 1, 2024	Papio NRD Offices Closed for New Year's Day
January 9, 2024	Papio NRD Subcommittee Meetings, 4:00 p.m., at NRC
January 11, 2024	Papio NRD Board Meeting, 4:00 p.m., at NRC
January 15, 2024	Papio NRD Offices Closed for Martin Luther King Jr. Day
January 23-24, 2024	NARD Legislative Conference, Lincoln, NE
February 10-14, 2024	NACD's 78 th Annual Meeting, San Diego, CA

B. Next Meeting – The next scheduled meeting of the Papio NRD Board of Directors will be held on January 11, 2024, at the NRC.

ADJOURNMENT: Being no further business, the Chairman declared that the meeting was adjourned at 4:45 p.m.

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

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 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