



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
February 8, 2024**

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 February 8, 2024. 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	Ted Japp
Larry Bradley	Kevyn Sopinski
Fred Conley	Jim Thompson

ADOPTION OF AGENDA:

- **MOTION NO. 1:** It was moved by Director Bradley 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 6-yea.

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

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Conley and seconded by Director Bradley 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 8, 2024, Board of Directors Meeting is excused:

Phil Davidson
Tim Fowler
Josh Henningsen
Tim McCormick
Rich Tesar.

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

BE IT RESOLVED that the January 11, 2024, Papio-Missouri River NRD Board Meeting minutes and the January 10, 2024, 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 6-yea.

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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on February 1, 2024. The District's December 15, 2023 – January 11, 2024, expenditures were published in the Sarpy County Times on January 31, 2024. 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, provided a written report on NRCS activities for the month of February. It is attached to the file copy of the meeting minutes.

- B. Legislative Report – Catalyst Public Affairs: Tim Gay provided an update to ongoing Legislative activities.

Presentations can be heard on the District's podcast <https://www.papionrd.org/about/meeting-podcasts/> .

PUBLIC HEARING ON ESTABLISHMENT OF, AND ACQUISITION OF REAL PROPERTY FOR THE BELTLINE TRAIL, PHASE 3 PROJECT:

Chairman Sopinski appointed General Manager Winkler as the Hearing Officer. Hearing Officer Winkler called the hearing to order at 4:11 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 29, 2024
 - ◆ Omaha World Herald, February 1, 2024
- Exhibit 3** Notification to Omaha Municipal Land Bank
- Exhibit 4** Beltline Trail Corridor Map
- Exhibit 5** Beltline Trail Phase 3 Parcel Map

Brent Meyer, Husch Blackwell, stated the Public Hearing was being held in accordance with Neb. Rev. Statute § 25-2504 and § 2-3234.04. At this hearing, the Papio-Missouri River NRD will explain the nature and necessity of the Beltline Trail, Phase 3 Project, the reason for selecting this particular location and the necessary considerations for establishing this recreational trail. 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, it has the right to require that such damages be determined pursuant to the procedures for acquisition by eminent domain. 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 4:16 p.m. and returned the floor to Chairman Sopinski.

SUBCOMMITTEE REPORTS:

A. Programs, Projects and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on February 6, 2024, 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: Contract Amendment with UNL for the Know Your Well Program: Recommendation that the General Manager be authorized to execute the proposed amendment to the Research Agreement #141678 with the University of Nebraska Lincoln for the Nebraska Know Your Well program, 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 6-yea.

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

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

PPO Recommendation 2: Contract Amendment No. 2 with EGA for the Beltline Trail Project: Recommendation that the General Manager be authorized to execute the proposed Amendment No. 2 to the Professional Services Agreement between the District and Ehrhart Griffin & Associates for the Beltline Trail Project for the maximum amount of \$208,998.54, bringing the total maximum not-to-exceed contract amount to \$847,764.54, 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 6-yea.

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

B. Finance, Expenditure, and Legal Subcommittee: Director Bradley reported that the FEL Subcommittee met on February 6, 2024, and gave a brief recap of the meeting.

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

FEL Recommendation 1.a.: Land Acquisition for Dam Site 12 Roy Paasch Residuary Trust – Tract 1: Recommendation that the General Manager be authorized to execute a purchase agreement providing for the purchase by the District from The Roy L. Paasch Residuary Trust, Tract 1 for the Dam Site 12 Project for the purchase price of \$1,369,500, 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 5-yea and 1-nay.

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

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

FEL Recommendation 1.b.: Land Acquisition for Dam Site 12 Daniel DeGraff, Nathan DeGraff, Melissa Deonovic, Stephanie Lin, Ellen Maahs, Ethan Paasch, Lauren Paasch, and Logan Paasch – Tract 2: Recommendation that the General Manager be authorized to execute a purchase agreement providing for the purchase by the District from Daniel DeGraff, Melissa Deonovic, Stephanie Lin, Nathan Rainadegruff, Ellen Ann Maahs, Ethan Ro Paasch, Lauren Marie Paasch, and Logan James

Paasch, joint owners for Tract 2 for the Dam Site 12 Project for the purchase price of \$2,788,500, 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 5-yea and 1-nay.

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

C. Ad-Hoc Consultant Selection Subcommittee RFP for Big Papio and Tributaries Culverts Rehabilitation Project: Director Thompson reported that the Ad-Hoc Subcommittee met on February 6, 2024, and gave a brief recap of the meeting.

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

Ad-Hoc Recommendation 1: Initial Screening of Proposals for Consultant Interviews: Recommendation that the Subcommittee request interviews with HDR Engineering, Inc. and Houston Engineering, Inc. in the order presented, on March 7, 2024 at 4:00 p.m.

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

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

TREASURER'S REPORT:

•• **MOTION NO. 8:** It was moved by Director Bonnett 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 January 2024 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 Elk/Pigeon Creek Drainage Project,

and the Western Sarpy Drainage District, the project bills listed on the January 2024 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 the motion. The motion carried on a vote of 6-yea.

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

CHAIRMAN’S REPORT:

- A. NARD Legislative Conference, January 23-24, 2024, Lincoln, NE: Chairman Sopinski and Director Thompson provided a brief overview of the conference events.
- B. NARD Washington D.C. Trip, March 18-20, 2024: Chairman Sopinski informed the Board that Directors Bonnett and McCormick would be representing the District at the NARD Washington D.C. Trip.

GENERAL MANAGER'S REPORT: GM Winkler reviewed his report with the Board. The report is posted to the District’s website.

INFORMATIONAL ITEMS:

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

- February 10-14, 2024 NACD 78th Annual Meeting, San Diego, CA
- February 19, 2024 Papio NRD Offices Closed for President’s Day
- March 7, 2024 Ad-Hoc Subcommittee Meeting, Consultant Interviews, 4:00 p.m., NRD
- March 12, 2024 Papio NRD Subcommittee Meetings, 4:00 p.m., NRC
- March 14, 2024 Papio NRD Board of Directors Meeting, 4:00 p.m., NRC
- March 18-20, 2024 NARD Washington D.C. Trip, Embassy Suites 900 10th NW, DC

B. Next Meeting – The next scheduled meeting of the Papio NRD Board of Directors will be held on March 14, 2024, at the NRC.

ADJOURNMENT: Being no further business, the Chairman declared that the meeting was adjourned at 4:32 p.m.

NOTE: These minutes reflect the actions and votes taken at the February 8, 2024, 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 February 8, 2024, 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