



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
March 14, 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 March 14, 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	Rich Tesar
Fred Conley	Jim Thompson
Phil Davidson	Kevyn Sopinski
Tim Fowler	

ADOPTION OF AGENDA:

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

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

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

ADOPTION OF CONSENT AGENDA:

- **MOTION NO. 2:** It was moved by Director Tesar 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 March 14, 2024, Board of Directors Meeting are excused:

Josh Henningsen
Tim McCormick

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

BE IT RESOLVED that the February 8, 2024, Papio-Missouri River NRD Board Meeting minutes, the February 7, 2024, Dakota County Rural Water Advisory Board Meeting minutes, and the February 29, 2024, Washington 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 9-yea.

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

PROOFS OF PUBLICATION OF MEETING NOTICE: Notice of the meeting was published in the Omaha World Herald on March 6, 2024. The District's January 12, 2024 through February 8, 2024, expenditures were published in the Washington County Enterprise on February 16, 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, gave the report of NRCS activities for the month of March.
- B. Nebraska Association of Resources Districts: Director Tesar gave a report on the NARD Board of Directors meeting that was held in Lincoln, Nebraska on March 11, 2024.
- C. Nebraska Natural Resources Commission: Director Bradley gave a report on the NNRC that was held in Kearney, Nebraska on February 21, 2024.
- D. Legislative Report – Catalyst Public Affairs: General Manager Winkler provided an update on ongoing Legislative activities.

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

SUBCOMMITTEE REPORTS:

A. Ad-Hoc Consultant Selection Subcommittee RFP for Big Papio and Tributaries Culverts Rehabilitation Project: Director Thompson reported that the Ad-Hoc Subcommittee met on March 7, 2024, and gave a brief recap of the meeting.

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

Ad-Hoc Recommendation 1: Consultant Selection Interviews: Recommendation that a contract be negotiated with Houston Engineering, Inc. to provide professional services necessary to design, permit, and replace or rehabilitate Papio NRD, City of Omaha, and City of Papillion; Big Papio and Tributaries culverts and storm sewer outlets to meet U.S. Army Corps of Engineers Public Law 84-99 levee safety requirements.

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

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

B. Programs, Projects and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on March 12, 2024, 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: Amendment to the Second Amended Agreement for Lower Platte River Phragmites Management Program: Recommendation that the General Manager be authorized to execute the Amendment to the Second Amended Interlocal Agreement with Lower Platte South NRD and Lower Platte North NRD for the Lower Platte River Phragmites Management Program. The District will keep a selected qualified bidders list to have competitive bids and qualified bidders ready for the 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 9-yea.

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

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

PPO Recommendation 2: Contract Amendment No. 5 with Schemmer for Platte River Bridge Trail:
Recommendation that the following Resolution be adopted:

Resolution
Preliminary Engineering Services Agreement – BK1928
Supplemental Agreement No. 5

WHEREAS: Papio-Missouri River NRD and Schemmer Associates have previously executed a preliminary engineering services agreement for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds; and

WHEREAS: Papio-Missouri River NRD understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project; and

WHEREAS: Papio-Missouri River NRD and Schemmer Associates wish to enter into a supplemental preliminary engineering services agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

BE IT RESOLVED: by the Board of Papio-Missouri River NRD, Nebraska that:

John Winkler, General Manager of the Papio-Missouri River NRD, is hereby authorized to sign the attached preliminary engineering services Supplemental Agreement No. 5 between Papio-Missouri River NRD and Schemmer Associates.

Papio-Missouri River NRD is committed to providing local funds for the project as required by the Project Program Agreement and any Supplement Project Agreements.

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

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

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

PPO Recommendation 3.a.: Elkhorn River Trail Bridge Agreement – Professional Services Agreement with Schemmer for Design: Recommendation that the following Resolution be adopted:

Resolution
Signing of Preliminary Engineering Agreement – BK2429

Whereas: Papio-Missouri River NRD is developing a transportation project for which it intends to obtain Federal funds; and

Whereas: Papio-Missouri River NRD as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State, and local laws, rules, regulations, policies, and guidelines applicable to the funding of the Federal-aid project; and

Whereas: Papio-Missouri River NRD and The Schemmer Associates, Inc. wish to enter into a Professional Services Agreement to provide Preliminary Engineering Services for the Federal-aid Project.

Be it Resolved: by the Board of the Papio-Missouri River NRD that:

Kevyn Sopinski, The Board Chair, is hereby authorized to sign the attached Preliminary Engineering Services agreement between Papio-Missouri River NRD, Nebraska and The Schemmer Associates, Inc.

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

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

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

PPO Recommendation 3.b.: Elkhorn River Trail Bridge Agreement – Environmental Services Agreement with Jacobs: Recommendation that the following Resolution be adopted:

Resolution
Signing of Environmental Agreement – BK2339

Whereas: Papio-Missouri Natural Resources District is developing a transportation project for which it intends to obtain Federal funds; and

Whereas: Papio-Missouri Natural Resources District as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State, and local laws, rules, regulation, policies, and guidelines applicable to the funding of the Federal-aid project; and

Whereas: Papio-Missouri Natural Resources District and Jacobs Engineering Group, Inc. wish to enter into a Professional Services Agreement to provide Environmental Services for the Federal-aid project.

Be It Resolved: by the Board of the Papio-Missouri Natural Resources District that:

John Winkler, General Manager of the Papio-Missouri Natural Resources District, is hereby authorized to sign the attached Environmental Services agreement between Papio-Missouri Natural Resources District and Jacobs Engineering Group, Inc.

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

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

C. Finance, Expenditure & Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on March 12, 2024, and gave a brief recap of the meeting.

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

FEL Recommendation 1: Account over 110% Vehicle/Equipment – Repairs/Maintenance (#01-01-4052): Recommendation that Account #01-01-4052 Vehicle/Equipment – Repairs/Maintenance be allowed to exceed 110% of the budgeted amount up to a maximum of \$290,000.

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

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

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

FEL Recommendation 2: Land Acquisition for Beltline Trail Phase 3: Recommendation that the General Manager be authorized to execute a purchase agreement providing for the purchase by the District from Omaha Municipal Land Bank six (6) parcels for the purchase price of \$90,000, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

There was discussion on the condition of the land being purchased and what the District will do with the surplus land once the trail project is completed. Project Manager Eric Williams and Assistant General Manager Amanda Grint addressed the Directors questions.

Roll call vote was held on the motion. The motion carried on a vote of 8-yea and 1-nay.

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

TREASURER'S REPORT:

- **MOTION NO. 10:** 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 February 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 Elkhorn Breakout Project, the Elk/Pigeon Creek Drainage Project, and the Western Sarpy Drainage District, the project bills listed on the February 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 9-yea.

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

CHAIRMAN’S REPORT: Chairman Sopinski gave his monthly report on District activities. His report can be heard on the District’s podcast <https://www.papionrd.org/about/meeting-podcasts/> .

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:

April 9, 2024	Papio NRD Subcommittee Meetings, 4:00 p.m., NRC
April 11, 2024	Papio NRD Board of Directors Meeting, 4:00 p.m., NRC
April 27, 2024	Earth Day Omaha, Elmwood Park, 11:00 a.m. – 6:00 p.m.

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

ADJOURNMENT: Being no further business, the Chairman declared that the meeting was adjourned at 4:42 p.m.

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