



**PAPIO-MISSOURI RIVER
NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
April 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 April 14, 2022. The meeting was called to order by Chairperson Jim Thompson 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:

Danny Begley	Tim Fowler
Patrick Bonnett	Ted Japp
Larry Bradley	Tim McCormick
Fred Conley	Kevyn Sopinski
Phil Davidson	Rich Tesar
	Jim Thompson

ADOPTION OF AGENDA:

- **MOTION NO. 1:** It was moved by Director Tesar and seconded by Director Sopinski 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	-	Begley, Bonnett, Bradley, Conley, Davidson, Fowler, Japp, McCormick, Sopinski, Tesar, Thompson
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	None
Absent	-	None

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

None to date.

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

BE IT RESOLVED that the March 10, 2022 Papio-Missouri River NRD Board Meeting minutes and the March 9, 2022 Dakota 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	-	Begley, Bonnett, Bradley, Conley, Davidson, Fowler, Japp, McCormick, Sopinski, Tesar, Thompson
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 April 7, 2022. The District's February 11 - March 10, 2022, expenditures were published in the Washington County Pilot-Tribune on March 18, 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, submitted a written report on NRCS activities for the month of April. The written report has been posted to the District's website.

B. Nebraska Association of Resources Districts: Director Tesar stated he had nothing to report.

C. National Association of Conservation Districts 2022 Annual Meeting, Orlando, Florida: Director Fowler briefed the Board on the NACD Annual Meeting that was held on February 12 through 16, 2022, in Orlando, Florida.

D. Nebraska Natural Resources Commission Meeting: Director Bradley stated he had nothing to report.

E. Legislative Report – Catalyst Public Affairs: Tim Gay gave the report on legislative activities. He addressed all Directors’ questions. A copy of his written is included in the file copy of the meeting minutes.

Agency reports can be heard on the District’s podcast at www.papionrd.org/meeting-podcasts/

SUBCOMMITTEE REPORTS:

A. Programs, Projects, and Operations Subcommittee: Director Conley reported that the PPO Subcommittee met on April 12, 2022 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 3 with FYRA Engineering for WP2: Recommendation that the General Manager be authorized to execute the proposed Amendment No. 3 to the Professional Services Agreement between the District and FYRA Engineering for the Regional Detention Site WP2 Project for the maximum amount of \$61,535, bringing the total maximum amount not-to-exceed contract amount to \$1,729,702, 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	-	Begley, Bonnett, Bradley, Conley, Davidson, Fowler, Japp, McCormick, Sopinski, Tesar, Thompson
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	None
Absent	-	None

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

PPO Recommendation 2.a.: Joint Funding Agreement for Water Quality Monitoring – Lower Platte River Corridor Gages: Recommendation that the General Manager be authorized to execute the Joint Funding Agreement with Lower Platte South Natural Resources District for the Lower Platte River Corridor Gages in the amount of \$46,600 in FY 2023, \$41,800 in FY 2024, and \$30,800 in FY 2025, 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 - Begley, Bonnett, Bradley, Conley, Davidson, Fowler, Japp, McCormick, Sopinski, Tesar, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - None
Absent - None

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

PPO Recommendation 2.b.: Joint Funding Agreement for Water Quality Monitoring – Leshara Gage: Recommendation that the General Manager be authorized to execute the Joint Funding Agreement with Lower Platte South Natural Resources District for the Leshara Gage in the amount of \$6,400 in FY 2023, \$5,320 in FY 2024, and \$4,360 in FY 2025, 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 - Begley, Bonnett, Bradley, Conley, Davidson, Fowler, Japp, McCormick, Sopinski, Tesar, Thompson
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 3.a.: FY 2023 Urban Cost Share Program - Urban Conservation Assistance Applications: Recommendation that the applications from Bellevue for \$30,000 and SID 162 Millard Park for \$30,000, for a total of \$60,000 be approved, subject to funding in the FY 2023 Budget.

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

Voting Yea - Begley, Bonnett, Bradley, Conley, Davidson, Fowler, Japp, McCormick, Sopinski, Tesar, Thompson
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.b.: FY 2023 Urban Cost Share Program - Urban Drainageway Applications: Recommendation that the applications from the City of Bellevue for \$280,000 and \$295,000 in FY 2023, Blair for \$60,000, the City of Omaha for \$400,000 in FY 2023, and from Sarpy County for \$300,000 in FY 2023 for a total of \$1,335,000 in FY 2023 be approved, subject to funding in the FY 2023 Budget.

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

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

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

PPO Recommendation 3.c.: FY 2023 Urban Cost Share Program - Recreation Area Development Applications: Recommendation that the applications from Bennington for \$50,000, Fort Calhoun for \$50,000, Gretna for \$50,000, La Vista for \$50,000, Papillion for \$47,500, and South Sioux City for \$50,000, for a total of \$297,500 be approved, subject to funding in the FY 2023 Budget.

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

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

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

PPO Recommendation 3.d.: FY 2023 Urban Cost Share Programs - Trails Assistance Applications: Recommendation that the applications from Douglas County for \$540,085, SID 351 Cheyenne Ridge for \$112,500, and South Sioux City for \$36,237 for a total of \$688,822 be approved, subject to funding in the FY 2023 Budget.

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

Voting Yea - Begley, Bonnett, Bradley, Conley, Davidson, Fowler, Japp, McCormick, Sopinski, Tesar, Thompson

Voting Nay - None
Abstaining - None
Excused Absence - None
Absent - None

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

PPO Recommendation 3.e.: FY 2023 Urban Cost Share Program - Lake Dredging Application: Recommendation that the application from Papillion for \$100,000 be approved, subject to funding in the FY 2023 Budget.

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

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

B. Finance, Expenditures, and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on April 12, 2022 and gave a brief recap of the meeting.

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

FEL Recommendation 1.a.: Land Acquisition for West Papillion Regional Basin Number 4 (WP4) – Purchase Agreement with Eugene J. Kindbeiter: Recommendation that the General Manager be authorized to execute a purchase agreement providing for the purchase by the District from the Estate of Eugene J. Kindbeiter, Tract 2 for the WP4 Project for the purchase price of \$178,430, 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 - Begley, Bonnett, Bradley, Conley, Davidson, Fowler, Japp, McCormick, Sopinski, Tesar, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - None
Absent - None

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

FEL Recommendation 1.b.: Land Acquisition for West Papillion Regional Basin Number 4 (WP4) – Purchase Agreement with TMG 1, LLC: Recommendation that the General Manager be authorized to execute a purchase agreement providing for the purchase by the District from TMG 1, LLC, Tract 1 for the WP4 Project for the purchase price of \$3,250,948, 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	-	Begley, Bonnett, Bradley, Conley, Davidson, Fowler, Japp, McCormick, Sopinski, Tesar, Thompson
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	None
Absent	-	None

•• **MOTION NO. 13:** It was moved by Director Tesar that the following recommendation be adopted:

FEL Recommendation 2.a.: Land Acquisition for Dam Site 12 – Purchase Agreement with Dian J. Moore Family Limited Partnership: Recommendation that the General Manager be authorized to execute a purchase agreement providing for the purchase by the District from Dian J. Moore Family Limited Partnership, Tract 6 for the Dam Site 12 Project for the purchase price of \$728,260, 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	-	Begley, Bonnett, Bradley, Conley, Davidson, Fowler, Japp, McCormick, Sopinski, Tesar, Thompson
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	None
Absent	-	None

•• **MOTION NO. 14:** It was moved by Director Tesar that the following recommendation be adopted:

FEL Recommendation 2.b.: Land Acquisition for Dam Site 12 – Purchase Agreement with Moore Family Limited Partnership: Recommendation that the General Manager be authorized to execute a purchase agreement providing for the purchase by the District from the Moore Family Limited Partnership, Tract 7 for the Dam Site 12 Project for the purchase price of \$870,000, 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 - Begley, Bonnett, Bradley, Conley, Davidson, Fowler, Japp, McCormick, Sopinski, Tesar, Thompson
Voting Nay - None
Abstaining - None
Excused Absence - None
Absent - None

•• **MOTION NO. 15:** It was moved by Director Tesar that the following recommendation be adopted:

FEL Recommendation 3.: Land Acquisition for Dam Site 7: Recommendation that the General Manager be authorized to execute a purchase agreement with Woodsonia 168-Bennington, LLC, for the purchase of 44.517 acres for the construction of the Dam Site 7 regional detention basis project for the total amount of \$2,301,117, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

The following individual addressed the Board:

➤ Drew Snyder, 20010 Manderson Street, Suite 101, Elkhorn, NE 68022

Directors held discussion on the proposed land acquisition. Appraised values, comparable property values, the cost Woodsonia paid for the property, and the zoning jurisdiction of the land were discussed. Depending on the outcome of the Board's vote, General Manager Winkler stated the next steps would be to either further the discussions with Woodsonia 168-Bennington, LLC, for the land purchase or to wait and address the issue when the District begins purchasing property for the Dam Site 7 Project.

Call the Question: A motion was made by Director Sopinski and seconded by Chairperson Thompson to call the question and cease discussion.

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

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

Roll call vote was held on the original motion. The original motion failed on a vote of 11-nay.

Voting Yea - None

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

TREASURER'S REPORT:

•• **MOTION NO. 16:** 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 in the February 11, 2022 through March 10, 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 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 11, 2022, through March 10, 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 11-yea.

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

CHAIRPERSON'S REPORT: Chairperson Thompson wished everyone an enjoyable Easter weekend.

GENERAL MANAGER'S REPORT: General Manager Winkler reviewed his report with the

Board. The written report is posted to the District’s website. He also passed on his congratulations to Amanda Grint, who was promoted to the position of Assistant General Manager.

INFORMATIONAL ITEMS:

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

April 23, 2022	Earth Day Omaha, 11:00 a.m. – 6:00 p.m., Elmwood Park, Omaha
May 3 & 4, 2022	Water Works Festival, 10:00 a.m. – 1:30 p.m., Schramm Education Center, Gretna
May 10, 2022	P-MRNRD Subcommittee Meetings, 4:00 p.m., at NRC
May 12, 2022	P-MRNRD Board Meeting, 4:00 p.m., at NRC
May 30, 2022	Memorial Day – P-MRNRD Offices Closed

B. Next Meeting – The next scheduled meeting of the P-MRNRD Board of Directors will be held on May 12, 2022 at the NRC.

ADJOURNMENT: Being no further business, the Chairperson declared that the meeting was adjourned at 5:03 p.m.

NOTE: These minutes reflect the actions and votes taken at the April 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 April 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