



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
May 9, 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. 154<sup>th</sup> Street, Omaha, NE on May 9, 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	Tim McCormick
Fred Conley	Kevyn Sopinski
Phil Davidson	Rich Tesar
Tim Fowler	

**ADOPTION OF AGENDA:**

- **MOTION NO. 1:** It was moved by Director Tesar and seconded by Director McCormick 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, McCormick, Tesar, Sopinski
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Thompson
Absent	-	Henningsen, Thompson

**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 Director(s) from the May 9, 2024, Board of Directors Meeting is excused:

Jim Thompson.

Agenda Item 7. A.:

BE IT RESOLVED that the April 11, 2024, Papio-Missouri River NRD 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, McCormick, Tesar, Sopinski
Voting Nay	-	None
Abstaining	-	None
Excused Absence	-	Thompson
Absent	-	Henningsen, Thompson

\* Director Henningsen arrived at the meeting at 4:07 p.m.

**PROOFS OF PUBLICATION OF MEETING NOTICE:** Notice of the meeting was published in the Omaha World Herald on May 2, 2024. The District's March 15, 2024 through April 11, 2024, expenditures were published in the Washington County Enterprise on April 19, 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.)

**PUBLIC COMMENT:** Chairman Sopinski invited the public to make comments. No one for the public spoke.

**AGENCY AND ASSOCIATION REPORTS:**

A. Natural Resources Conservation Service Report: Kristin Schlueter, District Conservationist, gave the report on NRCS activities for the month of May.

B. Nebraska Association of Resources District Board Meeting and NARD Basin Tour: Director Tesar reported the next NARD Board meeting and the 2024 Annual NRDs Basin Tour will be held June 10-11, 2024 in McCook Nebraska. Directors Bonnett and McCormick are registered to attend the Basin Tour.

C. Legislative Report – Catalyst Public Affairs: General Manager Winkler stated there were no updates on Legislative 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 May 7, 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.:* FY 2025 Equipment Requirements: Recommendation that the proposed FY 2025 Equipment Requirements be approved, subject to funding in the FY 2025 Budget, and that the District's 2017 Bobcat Toolcat 5600 (6CT27) be declared surplus and that the General Manager be authorized to list this equipment for sale with Big Iron Auctions.

Roll call vote was held on the motion. The motion carried on a vote of 10-yea.

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

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

*PPO Recommendation 2.:* Fifth Addendum to the Agreement with Nebraska Land Trust: Recommendation that the General Manager be authorized to execute the proposed Fifth Addendum to the March 18, 2009 Agreement between Papio-Missouri River Natural Resources District and the Nebraska Land Trust for Cooperative Assistance that allows for an additional three-year District commitment in the amount of \$30,000/year, commencing in fiscal year 2025, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Director Japp inquired about the District's involvement with Nebraska Land Trust. Austen Hill addressed all questions.

Roll call vote was held on the motion. The motion carried on a vote of 10-yea.

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

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

*PPO Recommendation 3:* Elkhorn River Improvement Project Area Assessment:  
Recommendation that the following Resolution be adopted:

Elkhorn River Bank Stabilization Improvement Project  
Annual Operation and Maintenance Assessment

BE IT RESOLVED by the Board of Directors of the Pappio-Missouri River Natural Resources District that each of the lots and parcels of ground in Douglas County, Nebraska, identified in the “2024 Assessment Schedule,” attached hereto as Exhibit “A” and incorporated herein by reference, has been specially benefited by the District’s program of operation and maintenance upon the construction and capital improvements involved with the District’s Elkhorn River Bank Stabilization Improvement Project; that special benefits from such program of operation and maintenance are correctly set out in the respective amounts appearing opposite the designation of said lots and parcels of ground in said schedule; that such respective amounts appearing opposite said lots and parcels of ground in said schedule are hereby levied as special assessments against such lots and parcels of ground; and, that said assessments shall become due fifty (50) days after date, to-wit: shall become due on June 28, 2024, and may be paid within said time without interest, but if not paid by June 28, 2024, each such assessment shall draw interest at the rate of nine per cent (9%) per annum from and after date until delinquent; and, from and after date that each installment become delinquent, shall draw interest at the rate of fourteen per cent (14%) per annum until paid.

BE IT FURTHER RESOLVED that the Secretary of the District shall certify a copy of this levy resolution to the County Clerk and County Treasurer of Douglas County, Nebraska for spreading the same on the tax records of such County, and such special assessments shall be collected by the County Treasurer as provided by law.

Roll call vote was held on the motion. The motion carried on a vote of 10-yea.

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

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

*PPO Recommendation 4:* Papillion Creek Watershed Partnership Interlocal Agreement:  
Recommendation that the General Manager be authorized to execute the proposed Interlocal Agreement for the continuation of the Papillion Creek Watershed Partnership between the communities of Bellevue, Boys Town, Gretna, La Vista, Omaha, Papillion, Ralston, Sarpy County, and the Pappio-Missouri River NRD, 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 10-yea.

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

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

*PPO Recommendation 5:* Financial Assistance to the Nebraska Game & Parks Commission for the Summit Lake SRA: Recommendation that the General Manager be authorized to pay an annual \$40,000 District contribution to the Nebraska Game and Parks Commission for the next four fiscal years (2025-2028) to assist in the operation and management of the Summit Lake State Recreation Area, beginning on or about July 1, 2024.

Roll call vote was held on the motion. The motion carried on a vote of 10-yea.

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

B. Finance, Expenditures, and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on May 7, 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:* Budget Reallocation for Dam Site 12 Land Acquisition: Recommendation that the Board of Directors allow funds from account 02-03-4430-566, DS-7 Land Rights, to be transferred to account 02-03-4430-570, DS-12 Land Rights, in order to purchase Tracts 1 and 2 at Dam Site 12.

Roll call vote was held on the motion. The motion carried on a vote of 9-yea and 1-nay.

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

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

*FEL Recommendation 2:* Glacier Creek Professional Services (Account 01-07-4400-283) over 110%: Recommendation that the account for Glacier Creek Professional Services (01-07-4400-283) be allowed to exceed the budgeted amount up to \$45,000.

Roll call vote was held on the motion. The motion carried on a vote of 9-yea and 1-nay.

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

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

*FEL Recommendation 3:* Missouri River Levee Certification Professional Services (Account 01-03-4400-560) over 110%: Recommendation that the account for Missouri River Levee Certification Professional Services (01-03-4400-560) be allowed to exceed the budgeted amount up to \$49,200.

Director Henningsen asked staff what caused this account to become over 110%. Assistant General Manager Amanda Grint stated that \$40,000 was budgeted for this account in FY 2024. The District received a bill that should have been received and processed in FY 2023, which was not accounted for when preparing the FY 2024 budget. This caused the account to exceed 110%. There was additional discussion. Amanda addressed all questions.

Roll call vote was held on the motion. The motion carried on a vote of 9-yea and 1-nay.

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

**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: (1) claims listed in the April 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 April 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 motion. The motion carried on a vote of 10-yea.

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

**Take from the Table and Consideration of Amendments to District Policies proposed at the Board of Directors Meeting on April 11, 2024:**

•• **MOTION NO. 12:** It was moved by Director McCormick and seconded by Director Davidson to take item the Amendments to District Policies 15.0 through 15.9 proposed at the Board of Directors Meeting on April 11, 2024, from the table.

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

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

•• **MOTION NO. 13:** It was moved by Director McCormick and seconded by Director Davidson that the changes to District Policies 15.0 through 15.9 be approved and incorporated into the District Policy Manual.

Roll call vote was held on motion. The motion carried on a vote of 10-yea.

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

**CHAIRMAN' REPORT:** Chairman Sopinski stated the District has received a donation from the Dominek Walters Foundation in the amount of \$68,182, to install a 20' X 40" steel shelter. The donation covers the cost of contracting, shipping, and installation.

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

**INFORMATIONAL ITEMS:**

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

May 27, 2024 Papio NRD Offices Closed for Memorial Day  
June 11, 2024 Papio NRD Subcommittee Meetings, 4:00 p.m., at NRC  
June 13, 2024 Papio NRD Board Meeting, 4:00 p.m., at NRC  
June 19, 2024 Papio NRD Offices Closed for Juneteenth

B. Next Meeting – The next scheduled meeting of the Papio NRD Board of Directors will be held on June 13, 2024, at the NRC.

**ADJOURNMENT:** Being no further business, the Chairman declared that the meeting was adjourned at 4:36 p.m.

**NOTE:** These minutes reflect the actions and votes taken at the May 9, 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](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 May 9, 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.

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Richard Tesar  
District Secretary