



**PAPIO-MISSOURI RIVER  
NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
July 11, 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 July 11, 2024. The meeting was called to order by Chairman 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 McCormick 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 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 Tesar and seconded by Director Conley 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(s) of the following Director(s) from the July 11, 2024, Board of Directors Meeting are excused:

None to date.

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

BE IT RESOLVED that the June 13, 2024, Pappio-Missouri River NRD Board Meeting minutes and the June 12, 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 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 July 3, 2024. The District's May 10 through June 13, 2024, expenditures were published in the Burt County Plaindealer on June 25, 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 on NRCS activities for the month of July.

B. Nebraska Association of Resources District: Director Tesar stated he and General Manager Winkler would be meeting with Governor Pillen on July 30<sup>th</sup> in Lincoln, Nebraska, to discuss water policy and other potential issues that could impact the Governor's programs and projects.

C. Legislative Report: Tim Gay, President of Catalyst Public Affairs updated the Board on Legislative activities and Governor Pillen's special session on property tax relief that is scheduled from July 25<sup>th</sup> to August 15<sup>th</sup>.

The audio of these 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 July 9, 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:* Amendment No. 1 with Houston Engineering for Platte River Obstruction Removal Project: Recommendation that the General Manager be authorized to execute the proposed Amendment No. 1 with Houston Engineering, Inc. for the Platte River Obstruction Removal Project in an amount not-to-exceed \$381,916, bringing the total contract not-to-exceed amount to \$631,154, 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. 4:** It was moved by Director Conley that the following recommendation be adopted:

*PPO Recommendation #2:* Adoption of District Program 17.34 – In-Lieu Fee Program: Recommendation that the Board of Directors adopt District Policy 17.34, In-Lieu Fee Program and incorporate it into the Papio-Missouri River Natural Resources District Director’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

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

*PPO Recommendation #3:* Lower Platte River Corridor Alliance Joint Funding Agreement for the USGS Streamgage Trend Analysis: Recommendation that the

General Manager be authorized to execute the proposed Joint Funding Agreement for the USGS Streamgage Trend Analysis with the Partners defined in the Agreement in a total not-to-exceed amount of \$9,980, 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. 6:** It was moved by Director Conley that the following recommendation be adopted:

*PPO Recommendation #4:* Papio NRD Policy Manual Appendix K Revisions: Recommendation that the proposed revisions to the Papio-Missouri River Natural Resources District Directors Policy Manual, Appendix K, be adopted and incorporated into the District Policy Manual.

Director Henningsen asked about the recommendations discussed during the Tuesday afternoon Subcommittee meeting. General Manager Winkler addressed 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

B. Finance, Expenditures and Legal Subcommittee: Director Tesar reported that the FEL Subcommittee met on July 9, 2024, and gave a brief recap of the meeting.

The 1<sup>st</sup> draft of the FY 2025 Budget was reviewed by the Subcommittee. No action was taken. The following individual addressed the Board:

- Shawn Melotz, 10404 N. 132<sup>nd</sup> Street, Omaha, Nebraska

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

*FEL Recommendation #1:* FY2025 Budget – Lid Computation 1% Resolution): Recommendation that the following resolution be adopted:

BE IT RESOLVED that the Board of Directors of the Papio-Missouri River NRD approves an additional increase of 1% in Total Restricted Funds Authority, pursuant to Neb. Rev. Stat. §§ 13-518 through 13-522.

There was discussion on the purpose of the 1% increase to the restricted funds authority. General Manager Winkler and Senior Accountant Carey Fry addressed questions.

This motion requires the affirmative vote of 75% of the members of the governing body constituting the quorum in order to pass.

Roll call vote was held on the motion. The motion carried on a vote of 9-yea and 2-nay.

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

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

*FEL Recommendation #2:* Right-of-Way Transfer to Douglas County for 216<sup>th</sup> Street: Recommendation that the General Manager be authorized to execute a transfer agreement deeding 0.06 acres of Dam Site 12 Tract 2 adjacent to 216<sup>th</sup> Street to Douglas County, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

There was discussion on the reasoning behind deeding the property to Douglas County as opposed to selling it to them. District Legal Counsel stated this type of transaction is often handled by the District entering into an Interlocal Agreement when working with government agencies and not by sale. Douglas County needs the parcel to complete a potential road project. Project Manager Lori Laster addressed additional 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. Personnel, Legislative, and Public Affairs Subcommittee: Director Japp reported that the PLPA Subcommittee met on July 9, 2024, and gave a brief recap of the meeting.

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

*PLPA Recommendation #1:* NARD 414 (h) Retirement Contribution Resolution:  
Recommendation that the following Resolution be adopted:

**NARD 414 (h) Contribution Resolution**

**WHEREAS**, the contribution levels for the NARD 414(h) have not been changed since July 1, 2006;  
and

**WHEREAS**, the NRD managers and Nebraska Association of Resources Districts (NARD) Board representatives have been talking to local boards and local employees since August of 2023 about a possible change in contribution levels to assist with recruitment and retention of employees; and

**WHEREAS**, based on feedback from those conversations, on May 20, 2024, the NRD Employee Benefits Committee voted unanimously to recommend the NRD Managers and NARD Board approve an increase on employee contribution from 5.5% to 6.5% and employer contribution from 6.0% to 7.0% effective January 1, 2025; and

**WHEREAS**, on June 5, 2024, the NRD Managers voted 21-1-1 to request the NARD Board approve an increase on employee contribution from 5.5% to 6.5% and employer contribution from 6.0% to 7.0% effective January 1, 2025; and

**THEREFORE, LET IT BE RESOLVED**, that the following Mandatory Employee Contributions Section 30.c, of the Nebraska Association of Resources Districts 414(h) Plan is to be amended as follows:

30.c. [X] An Eligible Employee must contribute to the Plan 6.5% (not to exceed 25% of Compensation. Effective January 1, 2025.

**THEREFORE, LET IT BE RESOLVED**, that the following Employer Matching Conditions Section 26.B.e.1 and 27.A.c of the Nebraska Association of Resources Districts 414(h) Plan is to be amended as follows:

26.B.e.1 [X] Fixed - uniform rate/amount. The Employer will make matching contributions equal to 100% of the Participant's "matched Employee contributions" that do not exceed 7.0% of a Participant's Compensation. Effective January 1, 2025.

27.A.c [X] 7% of Compensation.

**RESOLVED**, that the undersigned is hereby authorized to execute, on behalf of the Employer, all documents necessary to effect the changes authorized herein.

Such resolution was approved by the NARD Board of Directors on June 10, 2024.

The following individual addressed the Board:

- Justin Novak, Project Manager for the Papio NRD

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. 10:** It was moved by Director Fowler and seconded by Director Thompson that the following resolution be adopted:

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (1) claims listed on the June 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 Supply System, the Elkhorn River Bank Stabilization Project, the Elk/Pigeon Creek Drainage Project, the Western Sarpy Drainage District, the Papillion Creek Watershed Partnership, and the Southern Sarpy Watershed Partnership project bills listed on the June 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 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

**CHAIRMAN'S REPORT:** Chairman Sopinski gave his report on monthly activities.

**GENERAL MANAGER'S REPORT:** The General Manager gave his monthly report to the Board. The July GM Report is posted to the District's website.

## **ELECTION OF PAPIO-MISSOURI RIVER NRD OFFICERS:**

A. **Chairman:** The floor was opened for nomination for Chairman. Director Tesar nominated Director McCormick and Director Conley nominated Director Bradley for Chairman. The floor was closed by acclamation and secret ballots were cast. Director McCormick was elected as Chairman.

B. **Vice-Chairman:** The floor was opened for nominations for Vice-Chairman. Director Tesar nominated Director Bradley and Director McCormick nominated Director Thompson for Vice-Chairman. Director Thompson declined the nomination. The floor was closed, and Director Bradley was elected as Vice-Chairman by acclamation.

C. **Secretary:** The floor was opened for nominations for Secretary. Director Thompson nominated Director Tesar as Secretary. There were no other nominations. The floor was closed, and Director Tesar was elected as Secretary by acclamation.

D. **Treasurer:** The floor was opened for nominations for Treasurer. Director Bonnett nominated Director Fowler as Treasurer. There were no other nominations. The floor was closed, and Director Fowler was elected as Treasurer by acclamation.

Treasurer Fowler ratified his appointment of Assistant Treasurer to Director Bonnett.

## **ELECTION OF NARD DIRECTOR AND ALTERNATE DIRECTOR:**

The floor was opened for nominations for NARD Director and Alternate Director. Director Thompson nominated Director Tesar as NARD Director. There were no other nominations. The floor was closed, and Director Tesar was elected as NARD Director by acclamation.

Director Henningsen gave comments on District Policy 3.3 regarding the authority given to the NARD delegate on behalf of the Board. He also recommended Policy 2.5 be reviewed to include a Staff Code of Conduct, in order to determine what action(s) a staff member takes when representing the Papio NRD and/or the Board, is or is not considered to be an official act.

Director Bradley nominated Director Fowler as the NARD Alternate Director. There were no other nominations. The floor was closed, and Director Fowler was elected as NARD Alternate Director by acclamation.

- **MOTION NO. 11:** It was moved by Sopinski and seconded by Director Thompson that the following resolution be adopted:

BE IT RESOLVED that the following directors be and are hereby elected officers of the Papio-Missouri River Natural Resources District for the coming year and until a successor has been elected: Tim McCormick, Chairman; Larry Bradley, Vice-Chairman; Rich Tesar, Secretary; and Tim Fowler, Treasurer.

BE IT FURTHER RESOLVED that the Treasurer's written designation of Patrick Bonnett as Assistant Treasurer is concurred by the Board of Directors.



BE IT FURTHER RESOLVED that Director Rich Tesar is hereby elected the Nebraska Association of Resources Districts Director for the coming year and that Director Tim Fowler is hereby elected the Nebraska Association of Resources Districts Alternate Director for the coming year.

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

**INFORMATIONAL ITEMS:**

A. Future Meetings/Events:

August 3, 2024	Platte River Bridge Trail, Ribbon Cutting, 10:00 a.m., at 1198 Allied Road, Bellevue, NE <a href="https://maps.app.goo.gl/WBycNB2Wtm8QE6ie6">https://maps.app.goo.gl/WBycNB2Wtm8QE6ie6</a>
August 6, 2024	Papio NRD Subcommittee Meetings
August 8, 2024	Papio NRD Board Meeting

B. Next Meeting – The next scheduled meeting of the Papio NRD Board of Directors will be held on August 8, 2024, at the NRC.

**ADJOURNMENT:** Being no further business, the Chairman declared that the meeting was adjourned at 4:54 p.m.

**NOTE:** These minutes reflect the actions and votes taken at the July 11, 2024, Board of Directors Meeting of the Pappio-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 Pappio-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 July 11, 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