



LOWER PLATTE SOUTH natural resources district

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BOARD OF DIRECTORS' MEETING

April 15, 2020

The Board of Directors of the Lower Platte South Natural Resources District met via video / teleconference on Wednesday, April 15, 2020 at 7:00 p.m. Directors participating were Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson. Ruth called the meeting to order at 7:05 p.m.

Ruth welcomed those in attendance, and the pledge of allegiance was recited. He noted that the public meetings law is posted in the NRD Office and is on the NRD Website. He stated that carrying concealed weapons is prohibited on NRD property. He requested all cell phones be put on silent mode. He reminded everyone a recording of the meeting will be on the NRD website. Ruth requested anyone wishing to speak on an agenda item to give their name and which agenda item they wished to speak on. An opportunity for public present to speak to non-agenda items was given. No one wished to speak to either an agenda item or non-agenda item.

ITEM 1. ROLL CALL OF DIRECTORS.

Twenty Directors were present upon roll call.

Present: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

Absent: Jacobson

ITEM 2. PUBLICATION OF LEGAL NOTICE OF MEETING.

Ruth reported that the legal notice for the Directors' Meeting was published in the Lincoln Journal Star on April 3, 2020.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES.

Ruth stated that no requests for excused absences were received for the April 15, 2020 Board of Directors meeting.

ITEM 4. ADOPT AGENDA

It was moved by Osborn and seconded by Landis to adopt the Agenda. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Jacobson

ITEM 5. APPROVE OF MINUTES.

It was moved by Landis and seconded by Schmidt to approve the minutes of the February 19, 2020 Board of Directors Meeting. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Jacobson

It was moved by Amen and seconded by Peterson to approve the minutes of the March 19, 2020 Emergency Board of Directors Meeting. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Jacobson

It was moved by Eagan and seconded by Landis to approve the minutes of the April 9, 2020 Emergency Board of Directors Meeting. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Jacobson

ITEM 6. REPORT OF THE FINANCE AND PLANNING SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Steinkruger stated that the financial reports for the period July 1, 2019 through March 31, 2020 had been distributed.

Paul Zillig, General Manager, Kathy Spence, Administrative Assistant, Mike Mascoe, Public Information Specialist answered questions of the Board regarding the financial reports.

It was moved by Steinkruger and seconded by Andersen to approve the financial reports for the period of July 1, 2019 through March 31, 2020 and publish the General Expenditures for March 2020. The motion was approved.

AYE: Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: Aldridge

NOT PRESENT: Jacobson

It was moved by Steinkruger and seconded by Stevens to publish the expenditures for Directors Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan and Green for March 2020. The motion was approved.

AYE: Aldridge, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

ABSTAIN: Amen, Andersen, Barrett, DeKalb, Eagan and Green

NAY: None

NOT PRESENT: Jacobson

It was moved by Steinkruger and seconded by Schmidt to publish the expenditures for Directors Hellerich, Jacobson, B. Johnson, C. Johnson, Landis, Osborn and Peterson for March 2020. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

ABSTAIN: Hellerich, B. Johnson, C. Johnson, Landis, Osborn and Peterson

NAY: None

NOT PRESENT: Jacobson

It was moved by Steinkruger and seconded by Landis to publish the expenditures for Directors Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson for March 2020. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn and Peterson

ABSTAIN: Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Jacobson

Paul Zillig, General Manager, and Cory Wasserburger, General Counsel answered questions of the Board regarding the modifications in District financial services providers.

It was moved by Steinkruger and seconded by Osborn that the Board of Directors bring the recommendation off the table from the December Board Meeting and now recommend the Board of Directors authorize continuing under agreement NPAIT/PMA and designate Paul Zillig, General Manager as the Authorized Representative with Full Rights, Kathy Spence, Administrative Assistant as an Authorized Representative with Limited Rights and Dan Steinkruger, Treasurer and Bob Andersen, Treasurer Designee as Authorized Representatives with Limited Rights.. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Jacobson

ITEM 7. REPORT OF THE EXECUTIVE SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Ruth stated that the Executive Subcommittee met on April 7, 2020.

Paul Zillig, General Manager and Kathy Spence, Administrative Assistant answered questions of the Board.

Ruth moved the Executive Subcommittee's recommendation that the Board of Directors approve for FY 2021 a 2.5% salary increase for all qualified employees and an additional \$22,000 for merit and adjustments to be determined by the General Manager. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Jacobson

Ruth moved the Executive Subcommittee's recommendation that the Board of Directors approve the 2021 Operational Agreement with NRCS/USDA. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Jacobson

Ruth moved the Executive Subcommittee's recommendation that the Board of Directors ratify the program and projects approvals delegated to the General Manager, with concurrence of the Chair, at the March Board Meeting. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Jacobson

ITEM 8. REPORT OF THE PLATTE RIVER SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Chelsea Johnson stated that the Platte River Subcommittee met on April 9, 2020.

C. Johnson moved the Platte River Subcommittee's recommendation that the Board of Directors approve a Joint Funding Agreement modification between USGS and LPRCA for the National Guard Platte River Chute Monitoring Gage to extend water quality monitoring for an additional year at no additional cost. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Jacobson

ITEM 9. REPORT OF THE LAND RESOURCES SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Hellerich stated that the Land Resources Subcommittee did not meet prior to the Board Meeting. He reported that there are a total of four applications before the Board for approval. All are for terraces and meet the qualifications for the cost-share program. He indicated that the applications have been

reviewed by the Eastern and Western Review Groups.

| Applicant | Legal | County | Practice | Cost |
|------------------|---------|-----------|--------------|--------------------|
| Thomas Hohman | 22-10-9 | Cass | Terraces | \$15,000.00 |
| William R. Meyer | 21-9-12 | Otoe | Terraces | \$9,972.74 |
| Brad Braunsroth | 16-8-5 | Lancaster | Terraces | \$15,000.00 |
| Charles L. Braum | 21-9-5 | Lancaster | Terraces | \$15,000.00 |
| | | | TOTAL | \$54,972.74 |

It was moved by Hellerich and seconded by DeKalb that the Board of Directors approve the Summer Surface Water Best Management Practices cost-share applications from Thomas Hohman, William R. Meyer, Brad Braunsroth and Charles L. Braum for a total amount of \$54,972.74. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson
NAY: None
NOT PRESENT: Jacobson

ITEM 10. REPORT OF THE INFORMATION & EDUCATION SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Osborn stated that the Information & Education Subcommittee met on April 8, 2020.

Mike Mascoe, Public Information Specialist answered questions of the Board regarding the Journal Star agreements.

Osborn moved the Information & Education Subcommittee's recommendation that the Board of Directors approved the proposed agreement from the Lincoln Journal Star for advertising at a cost not to exceed \$18,000, pending approval by legal counsel. The motion was approved.

AYE: Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Stevens and Wilson
NAY: Aldridge, B. Johnson, C. Johnson and Steinkruger
NOT PRESENT: Jacobson

Osborn moved the Information & Education Subcommittee's recommendation that the Board of Directors approve the proposed agreement from Lincoln Journal Star for printing and distribution of three newsletters on 60-pound glossy paper at a cost not to exceed \$47,912.73, pending approval by legal counsel. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson
NAY: None
NOT PRESENT: Hellerich and Jacobson

Hellerich left the meeting at 8:36 p.m.

ITEM 11. REPORT OF THE WATER RESOURCES SUBCOMMITTEE AND CONSIDERATION OF
RECOMMENDATIONS

Andersen stated that the Water Resources Subcommittee met on April 6, 2020.

Andersen moved the Water Resources Subcommittee's recommendation that the Board of Directors authorize the General Manager to sign the Nebraska GeoCloud Interlocal Cooperative Agreement. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Hellerich and Jacobson

Andersen moved the Water Resources Subcommittee's recommendation that the Board of Directors authorize the General Manager to sign the Nebraska GeoCloud Sub-Agreement with the University of Nebraska Conservation & Survey Division. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Hellerich and Jacobson

Andersen moved the Water Resources Subcommittee's recommendation that the Board of Directors authorize the General Manager to sign the Nebraska GeoCloud Sub-Agreement with the United States Department of the Interior – Geologic Survey. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Hellerich and Jacobson

Andersen moved the Water Resources Subcommittee's recommendation that the Board of Directors authorize the General Manager to sign the Nebraska GeoCloud Sub-Agreement for Professional Services with Aqua Geo Frameworks, LLC. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Hellerich and Jacobson

Andersen moved the Water Resources Subcommittee's recommendation that the Board of Directors authorize the General Manager to sign the Eastern Nebraska Water Resources Assessment Interlocal Agreement Amendment No. 6 to continue ENWRA Coordinator services. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Hellerich and Jacobson

Andersen moved the Water Resources Subcommittee's recommendation that the Board of Directors authorize the General Manager to sign the Eastern Nebraska Water Resources Assessment Cooperative Agreement Amendment #1 with the University of Nebraska Conservation and Survey Division to provide 60 percent of the salary and benefits plus operating costs for the ENWRA Coordinator Position thru June 30, 2022. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Spangler, Steinkruger, Stevens and Wilson

ABSTAIN: Schutz

NAY: None

NOT PRESENT: Hellerich and Jacobson

Andersen stated that bids were received for the Plattsmouth Watershed Dam 7-C Spillway Rehabilitation Project. He stated that one bid was received from C&L Water Solutions, Inc. for an amount of \$91,542.

Andersen moved the Water Resources Subcommittee's recommendation that the Board of Directors approve the bid of \$91,542 from C&L Water Solutions, Inc. for the Plattsmouth Dam 7-C Spillway Rehabilitation Project.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Hellerich and Jacobson

Paul Zillig, General Manager, answered questions of the Board regarding the relocation agreements.

Director Hellerich rejoined the meeting at 9:01 p.m.

Andersen moved the Water Resources Subcommittee's recommendation that the Board of Directors approve the Removal and Replacement Agreement with Norris Public Power District for a power line relocation for the Upper Salt Creek 3-A Watershed Rehabilitation Project. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Jacobson

Andersen moved the Water Resources Subcommittee's recommendation that the Board of Directors approve the Removal and Replacement Agreement with Windstream Communications for a line relocation for the Upper Salt Creek 3-A Watershed Rehabilitation Project. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Jacobson

Andersen moved the Water Resources Subcommittee's recommendation that the Board of Directors approve the proposal from Fulton Construction to relocate and replace the Vergith driveway, fence, gates, mailbox, etc. at an estimated cost of \$18,520.

Paul Zillig, General Manager, and Mike Murren, Projects Manager, answered questions of the Board regarding the Vergith property project. It was reported that the updated final cost was not correctly listed in the motion.

The subcommittee motion as written was withdrawn by Andersen and replaced with the correct motion approved by the subcommittee.

Andersen moved the Water Resources Subcommittee's recommendation that the Board of Directors approve the proposal from Fulton Construction to relocate and replace the Vergith driveway, fence, gates, mailbox, etc at a cost of \$24,505. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger and Stevens

NAY: None

NOT PRESENT: Jacobson and Wilson

Andersen moved the Water Resources Subcommittee's recommendation that the Board of Directors approve 50% cost-share, not to exceed \$5,000 of NRD cost, with the City of Waverly for the Waverly Best Management Practice Demonstration Farm project. The motion was approved.

AYE: Aldridge, Amen, Barrett, DeKalb, Eagan, Green, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Andersen, Jacobson and Hellerich

ITEM 12. REPORT OF THE RECREATION, FORESTRY & WILDLIFE SUBCOMMITTEE AND
CONSIDERATION OF RECOMMENDATIONS

Schutz stated that the Recreation, Forestry & Wildlife Subcommittee met on April 8, 2020. He indicated that items 12a would be heard in closed session. Dan Schulz, Resources Coordinator, answered questions of the Board.

Schutz moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors further apply for United States Department of Agriculture / Natural Resources Conservation Service funding of the Little Salt Creek Watershed Plan by authorizing the General Manager to sign and submit forms AD-3031 United States Department of Agriculture Assurance Regarding Felony Convictions or Tax Delinquent Status for Corporate Applicants; Certification Regarding Lobby; Application for Federal Assistance SF-424; Assurances Non-Construction Program; Budget Narrative Watershed and Flood

Prevention Operations Program Project; Little Salt Creek Watershed, Lancaster County, Nebraska; Watershed and Flood Prevention Operations Program Statement of Work for the Little Salt Creek Watershed Plan. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: None

NOT PRESENT: Hellerich and Jacobson

ITEM 11. CONSIDERATION OF AGENDA ITEMS REQUIRING CLOSED SESSION

Paul Zillig, General Manager, explained the closed session procedures to the Directors.

It was moved by Schutz and seconded by Landis to go into closed session at 9:28 p.m. to protect the public interest and to with respect to negotiations related to the acquisition of the Honvlez/Roberts properties for the Prairie Corridor on Haines Branch Project. The motion was approved

AYE: Amen, Andersen, Barrett, DeKalb, Eagan, Green, B. Johnson, C. Johnson, Landis, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson

NAY: Aldridge

NOT PRESENT: Hellerich and Jacobson

It was moved by Stevens and seconded by Andersen to return to open session at 9:55 p.m. The motion was approved.

AYE: Amen, Andersen, Barrett, DeKalb, Eagan, Green, B. Johnson, C. Johnson, Osborn, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger and Stevens

NAY: Aldridge and Wilson

NOT PRESENT: Hellerich, Jacobson and Landis

Schutz moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors approve the Prairie Corridor on Haines Branch Honvlez/Roberts property appraisal and authorize staff to negotiate and acquire fee title in accordance with Steven's guidance. The motion was approved.

AYE: Amen, Andersen, Barrett, DeKalb, Eagan, Green, C. Johnson, Peterson, Ruth, Schmidt, Schutz, Spangler, Steinkruger and Stevens

NAY: Aldridge, B. Johnson, Osborn and Wilson

NOT PRESENT: Hellerich, Jacobson and Landis

ITEM 14. PERMIT AND PROGRAM APPROVALS

A report of permit and program approvals was distributed.

ITEM 15. SCHEDULE OF UPCOMING EVENTS AND ACTIVITIES.

A schedule of upcoming events and activities was mailed out.

ITEM 16. FOR INFORMATION ONLY.

Various memos were mailed out.

Paul Zillig, General Manager, gave a report on the NARD Budget and the City of Lincoln's progress on using Fire Station #10 for PPE Decontamination. He further reported the LeRoy Sievers, candidate for Subdistrict #4, was monitoring the Board Meeting.

Greg Osborn gave an update of Environmental Education activities during the COVID 19 Pandemic closures.

There being no other business, the meeting was adjourned at 10:11 p.m. The undersigned, the duly elected and acting Secretary of the Lower Platte South Natural Resources District (the "District"), hereby certifies that the foregoing is a true and correct copy of the minutes of the meeting of the Board of Directors of the District held on April 15, 2020, that all of the matters and subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the 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 above minutes were in written form and available for public inspection within ten working days or prior to the next convened meeting, whichever occurred earlier; and, that reasonable efforts were made to provide all news media requesting notification of the meeting and of the time and place of said meeting and the subjects to be discussed at said meeting.

Bruce Johnson, Secretary

/dr