



## LOWER PLATTE SOUTH natural resources district

3125 Portia Street | P.O. Box 83581 • Lincoln, Nebraska 68501-3581  
P: 402.476.2729 • F: 402.476.6454 | [www.lpsnrd.org](http://www.lpsnrd.org)

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### BOARD OF DIRECTORS' MEETING APRIL 16, 2025

The Board of Directors of the Lower Platte South Natural Resources District met at the Lower Platte South NRD Office on Wednesday, April 16, 2025 at 5:30 p.m. Directors participating were Aldridge, Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer, Peterson, Ruth, Schutz, Seacrest, Spangler, Vogel and Yoakum. Andersen called the meeting to order at 5:30 p.m.

Andersen welcomed those in attendance, and the pledge of allegiance was recited. He noted that the public meetings law is posted in the room and that carrying concealed weapons is prohibited at board meetings and on District 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. Andersen requested anyone wishing to speak on an agenda item to provide their name on the sign-in sheet and which agenda item they wished to speak on. An opportunity for the public to speak to non-agenda items was given.

#### ITEM 1. ROLL CALL OF DIRECTORS

Twenty-one Directors were present upon roll call.

#### ITEM 2. PUBLICATION OF LEGAL NOTICE OF MEETING

Andersen reported that the legal notice of the Board Meeting was published on April 4, 2025 in the Lincoln Journal Star and on the Lincoln Journal Star & Nebraska Press Association Websites.

#### ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES

Andersen stated that there were no requests for excused absences.

#### ITEM 4. ADOPT AGENDA

It was moved by Hassebrook and seconded by Yoakum to adopt the Agenda.

Legal Counsel Corey Wasserburger answered questions of the Board regarding the facilitation of the closed session portion of the agenda.

The motion was approved..

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer, Peterson, Ruth, Schutz, Seacrest, Spangler, Vogel and Yoakum

NAY: None

NOT PRESENT: None

ITEM 5. APPROVAL OF BOARD OF DIRECTORS MEETING MINUTES

It was moved by Landis and seconded by Seacrest to approve the Minutes of the March 26, 2025 Board of Directors' Meeting. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Matejka, Mealer, Peterson, Ruth, Schutz, Seacrest, Spangler, Vogel and Yoakum

ABSTAIN: Lewis

NAY: None

NOT PRESENT: None

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

Lewis stated that the Finance and Planning Subcommittee did not meet prior to the Board meeting.

Lewis stated that the financial reports for the period July 1, 2024 through March 31, 2025 had been distributed.

It was moved by Jacobson and seconded by Eagan to publish the "Expenditures without Director's expenditures" for March 2025.

Mike Sousek, General Manager, answered questions of the Board regarding the financials.

The motion was approved.

AYE: Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer, Peterson, Ruth, Schutz, Seacrest, Spangler, Vogel and Yoakum

NAY: Aldridge

NOT PRESENT: None

It was moved by Seacrest and seconded by Yoakum to publish the "Director Group 1" (Aldridge, Andersen, Baker, Eagan, Green, Hassebrook, Hawkins and Hellerich) expenditures for March 2025. The motion was approved.

AYE: Green, Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer, Peterson, Ruth, Schutz, Seacrest, Spangler, Vogel and Yoakum

ABSTAIN: Andersen, Baker, Eagan, Hassebrook, Hawkins and Hellerich

NAY: Aldridge

NOT PRESENT: None

It was moved by Hassebrook and seconded by Yoakum to publish the "Director Group 2" (Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer and Peterson) expenditures for March 2025. The motion was approved.

AYE: Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Ruth, Schutz, Seacrest, Spangler, Vogel and Yoakum

NAY: Aldridge

ABSTAIN: Lamberty, Landis, Lewis, Matejka, Mealer and Peterson

NOT PRESENT: None

It was moved by Matejka and seconded by Lamberty to publish the "Director Group 3" (Ruth, Schutz, Seacrest, Spangler, Vogel and Yoakum) expenditures for March 2025. The motion was approved.

AYE: Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer and Peterson,  
NAY: Aldridge  
ABSTAIN: Ruth, Schutz, Seacrest, Spangler, Vogel and Yoakum  
NOT PRESENT: None

ITEM 7. REPORT OF THE WATER RESOURCES SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Jacobson stated that the Water Resources Subcommittee met on April 8, 2025.

Jacobson moved the Water Resources Subcommittee's recommendation that the Board of Directors authorize the Village of Davey to be reimbursed for 100% of the cost of a standard well decommissioning, and in addition reimburse the Village for 50% of the difference in cost between a standard well decommissioning and an advanced well decommission, not to exceed \$7,965.00.

Steve Herdzina, Water Resources Compliance Specialist, answered questions of the Board regarding well decommissioning.

The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer, Peterson, Ruth, Schutz, Seacrest, Spangler, Vogel and Yoakum  
NAY: None  
NOT PRESENT: None

Jacobson moved the Water Resources Subcommittee's recommendation that the Board of Directors approve the General Manager to sign Supplement NO. 6 to Agreement for the Janssen Road Structure. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer, Peterson, Ruth, Schutz, Seacrest, Spangler, Vogel and Yoakum  
NAY: None  
NOT PRESENT: None

ITEM 8. REPORT OF THE URBAN SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Landis stated that the Urban subcommittee met on April 9, 2025.

Landis moved the Urban Subcommittee's recommendation that the Board of Directors approve the Fiscal Year 2025 – 2026 Work Plan for the Interlocal Agreement on Stormwater Management with the City of Lincoln.

Mike Sousek, General Manager, and Tim Zach, City of Lincoln, addressed the Board regarding the Agreement on Stormwater Management with the City of Lincoln.

The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer, Peterson, Ruth, Schutz, Seacrest, Spangler, Vogel and Yoakum

NAY: None

NOT PRESENT: None

ITEM 9. REPORT OF THE RECREATION, FORESTRY & WILDLIFE SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Hawkins stated that the Recreation, Forestry & Wildlife Subcommittee met on April 7, 2025 and April 14, 2025.

Hawkins moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors authorize the General Manager to sign a license agreement for private crossing for agricultural purposes on the MoPac East Trail with W&S Nicholson Trust. The motion was approved.

AYE: Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer, Peterson, Ruth, Schutz, Seacrest, Spangler, Vogel and Yoakum

NAY: Aldridge

NOT PRESENT: None

Hawkins moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that Board of Directors authorize the General Manager to execute the Agreement Regarding Property Acquisition Project with the Solidago Conservancy and to disburse up to \$425,000 to the Solidago Conservancy under the terms of the Agreement. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer, Peterson, Ruth, Schutz, Seacrest, Spangler, Vogel and Yoakum

NAY: None

NOT PRESENT: None

ITEM 10. REPORT OF THE LAND RESOURCES SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Vogel stated that the Land Resources Subcommittee did not meet prior to the Board meeting. He reported that five cost-share applications have been received for installing water quality improvement practices for the NRD's Summer Conservation Program. The applications were reviewed by the Eastern and Western Review Groups and meet the criteria for the Cost-Share Program.

| Applicant Name      | SEC | TWN | RNG | County    | Practice                     | Amount             | Targeted Area     |
|---------------------|-----|-----|-----|-----------|------------------------------|--------------------|-------------------|
| Gary Snide          | 6   | 8   | 6   | Lancaster | Terraces                     | \$25,000.00        | SVL - Yankee Hill |
| Kenneth Virgil      | 24  | 12  | 5   | Lancaster | Terraces                     | \$20,000.00        |                   |
| Bockelman Farms LLC | 8   | 11  | 9   | Cass      | Terraces & Grassed Waterways | \$9,357.00         |                   |
| Randy Bornemeier    | 7   | 11  | 11  | Cass      | Terraces                     | \$20,000.00        |                   |
| Patrick J. Ulrich   | 9   | 12  | 12  | Cass      | Terraces                     | \$20,000.00        |                   |
|                     |     |     |     |           | <b>TOTAL</b>                 | <b>\$94,357.00</b> |                   |

It was moved by Vogel and seconded by Jacobson to approve the five identified Surface Water Quality BMP cost-share applications for summer work totaling \$94,357. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer, Peterson, Ruth, Schutz, Seacrest, Vogel and Yoakum  
Abstain: Spangler  
NAY: None  
NOT PRESENT: None

ITEM 11. ITEMS REQUIRING CLOSED SESSION

It was moved by Green and seconded by Jacobson that the Board of Directors go into closed session at 6:16 p.m. in order to protect the public interest during discussion of pending litigation in the Barry v. Lower Platte South NRD matter. The motion was approved.

AYE: Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer, Peterson, Ruth, Schutz, Seacrest, Vogel and Yoakum  
NAY: Aldridge  
NOT PRESENT: Spangler

It was moved by Green and seconded by Landis to return to open session at 7:38 p.m. The motion was approved.

AYE: Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer, Peterson, Ruth, Schutz, Seacrest, Spangler, Vogel and Yoakum  
NAY: Aldridge  
NOT PRESENT: None

It was moved by Landis and seconded by Jacobson to follow Landis' interpretation of question 1 with regard to Barry v. Lower Platte South NRD. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer, Ruth, Schutz, Seacrest, Spangler, Vogel and Yoakum  
NAY: Peterson  
NOT PRESENT: None

It was moved by Vogel and seconded by Landis to proceed with adjustments made in closed session with regard to Barry v. Lower Platte South NRD. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer, Peterson, Ruth, Schutz, Seacrest, Vogel and Yoakum  
NAY: Spangler  
NOT PRESENT: None

It was moved by Green and seconded by Matejka that the Board of Directors go into closed session at 7:42 p.m. to discuss personnel matters and to prevent needless injury to the reputation of a person. The motion was approved.

AYE: Andersen, Baker, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Lewis, Matejka, Mealer, Peterson, Ruth, Schutz, Seacrest, Spangler, Vogel and Yoakum

NAY: Aldridge

NOT PRESENT: None

It was moved by Green and seconded by Eagan to return to open session at 8:34 p.m. The motion was approved.

AYE: Andersen, Eagan, Green, Hassebrook, Hawkins, Hellerich, Jacobson, Lamberty, Lewis, Matejka, Mealer, Peterson, Ruth, Schutz, Seacrest, Spangler and Vogel

NAY: Aldridge

NOT PRESENT: Baker, Landis and Yoakum

ITEM 12. NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS (NARD) REPORT

John Yoakum stated that an Arbor Day tree planting and celebration will be held at the State Capitol Building on April 25, 2025. He stated that he would be a speaker and invited Directors to come.

ITEM 13. PERMIT AND PROGRAM APPROVALS

A report of permit and program approvals was distributed.

ITEM 14. SCHEDULE OF UPCOMING EVENTS AND ACTIVITIES

A schedule of upcoming events and activities was mailed out.

ITEM 15. FOR INFORMATION ONLY

Various memos were mailed out.

There being no other business, the meeting was adjourned at 8:36 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 16, 2025 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.

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Christine Lamberty, Secretary

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