



LOWER PLATTE SOUTH natural resources district

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BOARD OF DIRECTORS' MEETING FEBRUARY 21, 2024

The Board of Directors of the Lower Platte South Natural Resources District met at the Lower Platte South NRD Office on Wednesday, February 21, 2024 at 2:00 p.m. Directors participating were Aldridge, Andersen, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Peterson, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum. Landis called the meeting to order at 2:00 p.m.

Landis 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. Landis 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

Eighteen Directors were present upon roll call. Peterson arrived after roll.

ITEM 2. PUBLICATION OF LEGAL NOTICE OF MEETING

Landis reported that the legal notice for the Directors' Meeting was published in the Lincoln Journal Star on February 8, 2024.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES

Landis stated that there were requests for excused absences from Chelsea Johnson and Lisa Lewis for the February 21, 2024 Board of Directors meeting.

It was moved by Landis and seconded by Stevens to accept the requests for excused absences from Chelsea Johnson and Lisa Lewis for the February 21, 2024 Board of Directors meeting. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Johnson, Lewis and Peterson

ITEM 4. ADOPT AGENDA

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

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Ruth, Schutz, Seacrest, Sinclair, Stevens, Vogel and Yoakum

NAY: Spangler

NOT PRESENT: Johnson, Lewis and Peterson

ITEM 5. APPROVAL OF BOARD OF DIRECTORS MEETING MINUTES

It was moved by Landis and seconded by Eagan to approve the Minutes of the January 17, 2024 Board of Directors Meeting. The motion was approved.

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

ABSTAIN: Schutz, Sinclair and Stevens

NAY: None

NOT PRESENT: Johnson and Lewis

It was moved by Landis and seconded by Yoakum to approve the Minutes of the February 7, 2024 Special Board of Directors Meeting. The motion was approved.

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

ABSTAIN: Stevens

NAY: None

NOT PRESENT: Johnson and Lewis

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

Stevens stated that the Finance & Planning Subcommittee met on February 14, 2024.

Stevens stated that the financial reports for the period July 1, 2023 through January 31, 2024 had been distributed.

It was moved by Stevens and seconded by Andersen to approve the financial reports for the period of July 1, 2023 through January 31, 2024 and publish the expenditures for January 2024.

Mike Sousek, General Manager, Chris Barber, Administration and Finance Manager, and Mark Lindemann, District Engineer, answered questions of the Board regarding the financial reports.

The motion was approved.

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

NAY: None

NOT PRESENT: Johnson and Lewis

Stevens moved the Finance & Planning Subcommittee's recommendation that the Board of Directors approve the Professional Services Agreement with JEO Consulting Group, Inc. for the LPSNRD Hazard Mitigation Plan 2025 Update at a cost not to exceed \$117,850.00, subject to legal counsel review.

David Potter, Assistant General Manager, answered questions of the Board regarding the Hazard Mitigation Plan 2025 Update.

The motion was approved.

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

NAY: None

NOT PRESENT: Johnson and Lewis

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

Landis stated that the Executive Subcommittee met on February 12, 2024.

Landis moved the Executive Subcommittee's recommendation that the Board of Directors authorize the transfer of 2.289 acres of wetland mitigation credits from the Blue Heron Wetland Mitigation Bank to the Lower Platte South NRD for the District's Piening Water Quality Basin Project, pending legal counsel review.

Will Inselman, Resources Coordinator, Mark Lindemann, District Engineer, and David Potter, Assistant General Manager, answered questions of the Board regarding the wetland mitigation bank.

The motion was approved.

AYE: Andersen, Baker, Eagan, Green, Lamberty, Landis, Peterson, Ruth, Schutz, Seacrest, Sinclair, Stevens, Vogel and Yoakum

Voting "Present": Aldridge

NAY: Hawkins, Hellerich, Jacobson and Spangler

NOT PRESENT: Johnson and Lewis

ITEM 8. REPORT OF THE LAND RESOURCES SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Jacobson stated that the Land Resources Subcommittee met on February 8, 2024.

Jacobson moved the Land Resources Subcommittee's recommendation that the Board of Directors approve the 2024 LPSNRD Average Costs for the Surface Water Quality BMP Cost-Share Program.

Tom Cowen, NRCS District Conservationist, and David Potter, Assistant General Manager, answered questions of the Board average costs for the Surface Water Quality BMP Cost-Share Program.

The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Peterson, Ruth, Schutz, Seacrest, Sinclair, Stevens, Vogel and Yoakum

NAY: Spangler

NOT PRESENT: Johnson and Lewis

Jacobson moved the Land Resources Subcommittee's recommendation that the Board of Directors approve a \$2,500 increase in the maximum cost-share amounts for the LPSNRD Surface Water Quality BMP Cost-Share Fall and Summer Programs.

Tom Cowen, NRCS District Conservationist, and David Potter, Assistant General Manager, answered questions of the Board regarding the cost-share maximum amounts.

The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Peterson, Ruth, Schutz, Seacrest, Sinclair, Stevens, Vogel and Yoakum

NAY: Spangler

NOT PRESENT: Johnson and Lewis

Jacobson moved the Land Resources Subcommittee's recommendation that the Board of Directors approve the farm pond application for Andy and Dana Cotter at a cost-share not to exceed \$14,400.

David Potter, Assistant General Manager answered questions of the Board regarding the farm pond application.

The motion was approved.

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

NAY: None

NOT PRESENT: Johnson and Lewis

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

Lamberty stated that the Recreation, Forestry & Wildlife Subcommittee met on February 12, 2024. She stated that there was not a quorum at the meeting and that the motion would need a second.

It was moved by Lamberty and seconded by Stevens that the Board of Directors authorize the General Manager to approve the Saline Wetland Conservation Partnership Interlocal Cooperative Agreement effective FY 2025 – 2029, pending legal counsel review.

Will Inselman, Resources Coordinator, and Tom Malmstrom, Saline Wetland Conservation Partnership Coordinator, addressed the Board regarding the Interlocal Cooperative Agreement and the Saline Wetland Conservation Partnership.

The motion was approved.

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

NAY: None

NOT PRESENT: Johnson and Lewis

ITEM 10. REPORT OF THE URBAN SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Sinclair stated that the Urban Subcommittee met on February 14, 2024.

Sinclair reported that two bids were received for the Salt Creek Levee Trail Resurfacing.

Contractor	Bid
Gana Trucking and Excavating	\$17.50 / ft + Bollards @ \$3,000
Pavers, Inc.	\$27.85 / ft + Bollards @ \$2,100

Sinclair moved the Urban Subcommittee's recommendation that the Board of Directors approve the low bid of \$17.50 / foot + \$3,000 for bollard work, by Gana Trucking and Excavating, for the Salt Creek Levee Project for a total of \$138,825. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Landis, Peterson, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Johnson, Lamberty and Lewis

Sinclair stated that six bids were received for the Beal Slough Bank Stabilization Project Near 40th and Nebraska Parkway.

Contractor	Bid
K2 Construction	\$68,251.50
Yost Excavating	\$88,198.00
Nebraska Digging	\$97,685.25
Gana Trucking	\$98,659.55
Midwest Infrastructure	\$134,129.17
H.R. Bookstrom	\$216,140.00

Sinclair moved the Urban Subcommittee's recommendation that the Board of Directors approve the lowest responsible bid of \$88,198.00 by Yost Excavating, for the Beal Slough Bank Stabilization Project near 40th and Nebraska Parkway. The motion was approved.

AYE: Andersen, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Peterson, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NAY: Aldridge

NOT PRESENT: Johnson and Lewis

ITEM 10.5. ITEMS REQUIRING CLOSED SESSION

It was moved by Andersen and seconded by Landis that the Board of Directors go into closed session at 3:14 p.m. to discuss litigation which is imminent as evidenced by the communication of a claim. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Lamberty, Peterson, Ruth, Schutz, Seacrest, Sinclair, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Johnson, Landis, Lewis and Spangler

It was moved by Andersen and seconded by Yoakum to return to open session at 3:41 p.m. The motion was approved.

AYE: Andersen, Eagan, Green, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Peterson, Ruth, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NAY: Aldridge

NOT PRESENT: Baker, Johnson, Lewis and Schutz

It was moved by Stevens and seconded by Jacobson that the Board of Directors accept the recommendations of Director Yoakum regarding litigation. The motion was approved.

AYE: Aldridge, Andersen, Eagan, Green, Hawkins, Hellerich, Jacobson, Lamberty, Landis, Peterson, Ruth, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Baker, Johnson, Lewis and Schutz

ITEM 11. NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS (NARD) REPORT

Tom Green reminded the Directors that the NARD Annual Washington DC conference is scheduled for March 16 - 20. He also reported on the recent NACD Conference that he, Director Yoakum and David Potter attended in San Diego.

ITEM 12. PERMIT AND PROGRAM APPROVALS

A report of permit and program approvals was distributed.

ITEM 13. SCHEDULE OF UPCOMING EVENTS AND ACTIVITIES

A schedule of upcoming events and activities was mailed out.

ITEM 14. FOR INFORMATION ONLY

Various memos were mailed out.

There being no other business, the meeting was adjourned at 3:45 p.m. The undersigned, the 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 February 21, 2024 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.

Donna Reid, Acting Secretary

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