

# LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT



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## BOARD OF DIRECTORS' MEETING January 20, 2016

The Board of Directors of the Lower Platte South Natural Resources District met on Wednesday, January 20, 2016 at 2:00 p.m., at the Lower Platte South NRD office, 3125 Portia, Lincoln, Nebraska. Directors present were Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Jacobson, Johnson, Kerkman, Landis, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman. Osborn called the meeting to order at 2:00 p.m.

Osborn 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. He requested all cell phones be put on silent mode. He offered an opportunity for public present to speak to non-agenda items.

Gary Aldridge addressed the Board

### ITEM 1. ROLL CALL OF DIRECTORS.

Twenty Directors were present upon roll call.

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

Osborn reported that the legal notice for the Directors' Meeting was published in the Lincoln Journal Star on January 10, 2016.

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

Osborn stated that there were no requests for excused absences received.

### ITEM 4. ADOPT TENTATIVE AGENDA

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

AYE: Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Jacobson, Johnson, Kerkman, Landis, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman

NAY: None

NOT PRESENT: Svoboda



ITEM 5. APPROVE MINUTES OF DECEMBER 16, 2015 BOARD OF DIRECTORS MEETING.

It was moved by Eagan and seconded by Bleed to approve the minutes of the December 16, 2015 Board of Directors Meeting. The motion was approved.

AYE: Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Jacobson, Johnson, Kerkman, Landis, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman

ABSTAIN: Hall

NAY: None

NOT PRESENT: Svoboda

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

Stevens stated that the Finance and Planning Subcommittee met on January 15, 2016. He indicated that the financial reports for the period July 1, 2015 through December 31, 2015 had been distributed.

It was moved by Stevens and seconded by Jacobson to approve the financial reports for the period of July 1, 2015 through December 31, 2015 and publish the expenditures for December 2015. The motion was approved.

AYE: Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Jacobson, Johnson, Kerkman, Landis, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman

NAY: None

NOT PRESENT: Svoboda

Stevens moved the Finance and Planning Subcommittee's recommendation that the Board of Directors approve the budget expenditure overrun in Account 767010 Automobile and Trucks with funds of \$4,358 from the Cash Reserve. The motion was approved.

AYE: Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Jacobson, Johnson, Kerkman, Landis, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman

NAY: None

NOT PRESENT: Svoboda

General Manager Glenn Johnson gave a six month review of financials for the Board.

Stevens moved the Finance and Planning Subcommittee's recommendation that the Board of Directors implement a biennial budget process, beginning in FY2017 and for FY2018. The motion was approved.

AYE: Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Jacobson, Johnson, Kerkman, Landis, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman

NAY: None

NOT PRESENT: Svoboda

ITEM 7. REPORT OF THE PLATTE RIVER SUBCOMMITTEE AND CONSIDERATION OF  
RECOMMENDATIONS

Skopp stated that the Platte River Subcommittee met just prior to the Board Meeting.

Skopp moved the Platte River Subcommittee's recommendation that the Board of Directors approve the Amendment to the Recreational Trails Program Project Agreement with Nebraska Game and Parks Commission for the removal of obstructions from the Platte River near Two Rivers State Recreation Area. The motion was approved.

AYE: Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Jacobson, Johnson, Kerkman, Landis, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman

NAY: None

NOT PRESENT: Svoboda

Skopp moved the Platte River Subcommittee's recommendation that the Board of Directors approve the Amendment to the Agreement with HDR for Environmental Suitability Assessment Task Order #6 for Watershed Management Plan revisions. The motion was approved.

AYE: Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Jacobson, Johnson, Kerkman, Landis, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman

NAY: None

NOT PRESENT: Svoboda

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

DeKalb stated that the Urban Subcommittee met on January 14, 2016.

DeKalb moved the Urban Subcommittee's recommendation that the Board of Directors approve the request from the Village of Murray under the Community Assistance Program for a project to improve drainage for the amount of and not to exceed \$74,500 NRD share, or 50% of \$150,967.60. The motion was approved

AYE: Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Jacobson, Johnson, Kerkman, Landis, Osborn, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman

ABSTAIN: Potter

NAY: None

NOT PRESENT: Svoboda

DeKalb moved the Urban Subcommittee's recommendation that the Board of Directors acknowledge the request for assistance from Mr. Frank McArthur to undertake a study of streambank erosion on Beal Slough on his property but deny that any erosion was caused by any negligent act or omission of the NRD and authorize staff to contract for a geomorphic evaluation of the Beal Slough channel on the McArthur property at 501 Pioneers Boulevard at a cost not to exceed \$10,000. The motion was approved.

AYE: Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Jacobson, Johnson, Kerkman, Landis, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman

NAY: None

NOT PRESENT: Svoboda

DeKalb moved the Urban Subcommittee's recommendation that the Board of Directors approve the following in relation to the installation of the temporary measures for restoration of flood-risk protection along the Salt Creek Levee – Middle Creek Tie-Back at Folsom Street prior to the 2016 flood season: (1) authorize staff to negotiate an agreement with the City of Lincoln on the right-of-way for installation of a temporary tie-back levee barrier, (2) authorize staff to negotiate a lease with the private property owner for the temporary restoration and to procure an appraisal for the private property needed for a permanent restoration, (3) purchase HESCO barricades at an estimated cost of \$50,000 for the temporary restoration and (4) solicit proposals from at least three contractors for the installation. The motion was approved.

AYE: Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Jacobson, Johnson, Kerkman, Landis, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman

NAY: None

NOT PRESENT: Svoboda

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

Jacobson stated that the Water Resources Subcommittee met just prior to the Board meeting. He stated that four bids were received for the Vadose Zone Sampling Project.

| Company                       | Location        | Bid         |
|-------------------------------|-----------------|-------------|
| Plains Environmental Services | Salina, KS      | \$6,567.50  |
| DETECH                        | Lawrence, KS    | \$7,685.00  |
| Saberprobe LLC                | Omaha, NE       | \$10,025.00 |
| Matrix Environmental LLC      | Maple Grove, MN | \$13,087.50 |

Jacobson moved the Water Resources Subcommittee's recommendation that the Board of Directors approve the low proposal from Plains Environmental Services for \$6,567.50 to obtain vadose zone soil and sediment samples from nine locations in the Lower Salt Creek Ground Water Reservoir and the Ceresco Community Water System Protection Area. The motion was approved.

AYE: Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Jacobson, Johnson, Kerkman, Landis, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman

NAY: None

NOT PRESENT: Svoboda

ITEM 10. REPORT OF THE RECREATION, FORESTRY & WILDLIFE SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Bohac stated that the Recreation, Forestry & Wildlife subcommittee met just prior to the Board

meeting.

Bohac moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors approve the Letter Agreement Amendment #1 with Olsson Associates for the MoPac East Trail bridge repair at a cost not to exceed \$14,500. The motion was approved.

AYE: Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Jacobson, Johnson, Kerkman, Landis, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman

NAY: None

NOT PRESENT: Svoboda

Bohac moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors approve Merganser Lake Road work estimate with Gana Trucking & Excavating, Inc. at a cost not to exceed \$15,312.50 utilizing budgeted funds for potential Oak Woodland Alliance projects in LRIP for Timber Point and Red Cedar. The motion was approved.

AYE: Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Jacobson, Johnson, Kerkman, Landis, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman

NAY: None

NOT PRESENT: Svoboda

ITEM 11. REPORT OF THE EXECUTIVE SUBCOMMITTEE AND CONSIDERATION OF  
RECOMMENDATIONS

Osborn stated that the Executive Subcommittee met on December 30, 2015 and on January 19, 2016.

Osborn moved the Executive Subcommittee's recommendation that the Board of Directors adopt the following procedure and schedule for selection of a new General Manager: to publish notice of vacancy and solicitation of applications on January 22, 2016 and closing applications on February 19<sup>th</sup>; the Executive Subcommittee would review applications, select applicants for interviews and conduct interviews before March 10, 2016; and to present a recommended candidate and recommended hiring package to the Board of Directors for an interview for consideration at the March 2016 Director's Meeting. The motion was approved

AYE: Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Jacobson, Johnson, Kerkman, Landis, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman

NAY: None

NOT PRESENT: Svoboda

Osborn moved the Executive Subcommittee's recommendation that the Board of Directors approve rescheduling the March 2016 Board of Directors meeting from March 16, 2016 to March 23, 2016 at 1:00 p.m.

It was moved by Bohac and seconded by Landis to amend the motion to reflect a start time of 2:00 p.m. The motion was approved.

AYE: Amen, Barrett, Bleed, Bohac, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Landis, Osborn, Ruth, Schmidt, Skopp, Spangler and Stevens  
NAY: Bolte, Hall, Potter and Zimmerman  
NOT PRESENT: Svoboda

The amended motion to reschedule the March 2016 Board of Directors meeting from March 16, 2016 to March 23, 2016 at 2:00 p.m. was approved.

AYE: Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Jacobson, Johnson, Kerkman, Landis, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler and Stevens  
NAY: Zimmerman  
NOT PRESENT: Svoboda

Osborn moved the Executive Subcommittee's recommendation that the Board of Directors approve the purchase of Apple iPads for the Board of Directors to establish a paperless process for the Board of Directors Meetings.

Nathan Kuhlman, Information Systems Administrator, answered questions from the Board.

It was moved by Kerkman and seconded by Bohac to amend the motion to recommend that the Board of Directors commit to a paperless board meeting process and that the Board of Directors approve the purchase of Apple iPads to the Board Directors who request such devices. The motion was approved.

AYE: Amen, Barrett, Bleed, Bohac, Bolte, DeKalb, Eagan, Hall, Johnson, Kerkman, Landis, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman  
NAY: Jacobson  
NOT PRESENT: Svoboda

The amended motion recommended that the Board of Directors commit to a paperless board meeting process and that the Board of Directors approve the purchase of Apple iPads to provide the Board Directors who request such devices was approved.

AYE: Amen, Bleed, Bohac, Bolte, Eagan, Johnson, Kerkman, Osborn, Potter, Ruth, Schmidt, Skopp, Spangler, Stevens and Zimmerman  
NAY: Barrett, DeKalb, Hall, Jacobson, Landis  
NOT PRESENT: Svoboda

General Manager Johnson gave a report of Legislation that the NRD is tracking.

ITEM 12. REPORT OF NOMINATION SUBCOMMITTEE AND ELECTION OF NRD OFFICERS AND NARD REPRESENTATIONS FOR 2016

Osborn reported that due to the retirement of the General Manager and biennial budget the Nominating Subcommittee was suggesting that the policy on officer term limits be set aside for 2016 and that the current Executive Subcommittee remain in office for another year. The Nominating Subcommittee submitted the following slate of nominees for NRD officers and NARD Representative and



Alternate for 2016

|                     |              |
|---------------------|--------------|
| Chair               | Greg Osborn  |
| Vice-Chair          | Dick Bolte   |
| Treasurer           | Ray Stevens  |
| Secretary           | Milt Schmidt |
| NARD Representative | David Potter |
| NARD Alternate      | Larry Ruth   |

General Counsel Seglin conducted the election for the office of Chair. The subcommittee nomination of Osborn for Chair was placed on the floor. No other nominations were submitted. Osborn was elected Chair on a secret ballot receiving 20 votes.

Seglin conducted the election for the office of Vice-Chair. The subcommittee nomination of Bolte for Vice-Chair was placed on the floor. No other nominations were submitted. Bolte was elected Vice-Chair on a secret ballot receiving 20 votes.

Seglin conducted the election for the office of Treasurer. The subcommittee nomination of Stevens for Treasurer was placed on the floor. No other nominations were submitted. Stevens was elected Treasurer on a secret ballot receiving 20 votes.

Seglin conducted the election for the office of Secretary. The subcommittee nomination of Schmidt for Secretary was placed on the floor. No other nominations were submitted. Schmidt was elected Secretary on a secret ballot receiving 20 votes.

Seglin conducted the election for the office of NARD Representative. The subcommittee nomination of Potter for NARD Representative was placed on the floor. No other nominations were submitted. Potter was elected NARD Representative on a secret ballot receiving 20 votes.

Seglin conducted the election for the office of NARD Alternate. The subcommittee nomination of Ruth for NARD Alternate was placed on the floor. Ruth was elected NARD Alternate on a secret ballot receiving 20 votes.

No action was needed on the bank resolution for the Treasurer.

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 4:05 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 January 20, 2016, 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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Milt Schmidt, Secretary

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