

# LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT



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## BOARD OF DIRECTORS' MEETING June 21, 2016

The Board of Directors of the Lower Platte South Natural Resources District met on Wednesday, June 21, 2016 at 6:00 p.m., at the Lower Platte South NRD office, 3125 Portia, Lincoln, Nebraska. Directors present were Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman. Osborn called the meeting to order at 6:00 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.

Jim Group, Gary Aldridge and Don Olson addressed the Board

### ITEM 1. ROLL CALL OF DIRECTORS.

Sixteen 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 June 7, 2016.

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

Osborn stated there were requests for excused absences from Daryl Bohac and Dave Landis for the June 21, 2016 Board of Directors meeting.

It was moved by Schmidt and seconded by Svoboda to approve the request for an excused absence from Daryl Bohac for the June 21, 2016 Board of Directors meeting. The motion was approved.

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman

NAY: None

NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

It was moved by Potter and seconded by Zimmerman to approve the request for an excused absence from Dave Landis for the June 21, 2016 Board of Directors meeting. The motion was approved.



AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman

NAY: None

NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

ITEM 4. ADOPT TENTATIVE AGENDA

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

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman

NAY: None

NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

ITEM 5. APPROVE MINUTES OF MAY 18, 2016 BOARD OF DIRECTORS MEETING.

It was moved by Bolte and seconded by Amen to approve the minutes of the May 18, 2016 Board of Directors Meeting. The motion was approved.

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman

NAY: None

NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

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

Stevens stated that the Finance and Planning Subcommittee met on June 10, 2016. He indicated that the financial reports for the period July 1, 2015 through May 31, 2016 had been distributed.

Paul Zillig, General Manager Designate, outlined Draft #1 FY 2017 and 2018 Budgets.

It was moved by Stevens and seconded by Jacobson to approve the financial reports for the period of July 1, 2015 through May 31, 2016 and publish the expenditures for May 2016. The motion was approved.

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman

NAY: None

NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

Stevens moved the Finance & Planning Subcommittee's recommendation that the Lower Platte South NRD continue budgeting on an annual, rather than biennial basis. The motion was approved

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

Stevens moved the Finance & Planning Subcommittee's recommendation that the Board of Directors approve the proposal from Springer Custom Woodworking, Inc. in the amount of \$11,045 to construct and install the reception desk and from Carpetland for flooring in the amount of \$8,300. The motion was approved.

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman  
NAY: None  
NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

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

Osborn stated that the Executive Subcommittee met on June 14, 2016.

Osborn moved the Executive Subcommittee's recommendation that the Board of Directors approve the Wage Rate Comparability Study for comparable wage ranges for the Lower Platte South NRD, increased by 2.5% for FY 2017. The motion was approved.

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman  
NAY: None  
NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

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

DeKalb stated that the Urban Subcommittee met on June 14, 2016 at the NRD Office.

DeKalb moved the Urban Subcommittee's recommendation that the Board of Directors enter into the Real Estate Purchase Agreement with EADO, LLC, for the sale of Lot 1, Block 7, Antelope Valley 2<sup>nd</sup> Addition, Lincoln, Lancaster County, Nebraska (2101 "N" Street) and an Access Easement with EADO, LLC, across the same property, authorizing the General Manager to execute all documents and subject to legal counsel review. The motion was approved

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman  
NAY: None  
NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

DeKalb moved the Urban Subcommittee's recommendation that the Board of Directors direct legal counsel to file a Complaint in the District Court against Robbers Roost, LLC, for an order to cease and desist using the Lower Platte South Natural Resources District's property, specifically Lot 149 IT, located in the Southeast Quarter of Section 22, T-14-N, R-6-E for parking, drive and storage, a permanent injunction from trespass and damages. The motion was approved.

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman

NAY: None

NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

DeKalb moved the Urban Subcommittee's recommendation that the Board of Directors enter into a purchase agreement with Barbara Ann Delgado for the purchase of Parcel C from Delgado in the amount of \$5,818.00 and declare NRD Parcels A & B surplus and sell to Delgado in the amount of \$89,766.00, pending legal counsel review. The motion was approved.

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman

NAY: None

NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

DeKalb moved the Urban Subcommittee's recommendation that the Board of Directors approve filing a petition to institute friendly eminent domain proceedings to acquire fee title over that part of Lot 62 IT, north of West "E" Street, located in the Southwest Quarter of Section 27, T-10-N, R-6-E, Lincoln, Lancaster County, Nebraska for the purposes of construction of the Middle Creek Tie-Back Levee. The motion was approved

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman

NAY: None

NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

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

Jacobson stated that the Water Resources Subcommittee met on June 15, 2016.

Jacobson moved the Water Resources Subcommittee's recommendation that the Board of Directors pass a resolution approving the City of Lincoln's Variance Request #013 to forgo the variable pumping rate sampling requirements during the 24 hour pump test required for salt water well permit located in Section 5, T-9-N, R-6-E, Lancaster County, Nebraska. The motion was approved.

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman

NAY: None

NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

Jacobson moved the Water Resources Subcommittee's recommendation that the Board of Directors, on behalf of ENWRA, authorize the General Manager to sign the Water Sustainability Fund Grant Agreement (Application #4125) with the Nebraska Department of Natural Resources to receive funds for the sampling of bedrock aquifers in the amount of \$96,300, subject to legal counsel review. The motion was approved.

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman  
NAY: None  
NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

Jacobson moved the Water Resources Subcommittee's recommendation that the Board of Directors, on behalf of ENWRA, authorize the General Manager to sign the Cooperative Joint Funding Agreement with USGS for an amount not to exceed \$210,000 to conduct bedrock aquifer sampling, subject to legal counsel review. The motion was approved.

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman  
NAY: None  
NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

Jacobson moved the Water Resources Subcommittee's recommendation that the Board of Directors authorize the General Manager to sign the Water Sustainability Fund Grant Agreement (Application #4132) with the Nebraska Department of Natural Resources to receive funds for additional AEM flights in the amount of \$250,000, subject to legal counsel review. The motion was approved.

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman  
NAY: None  
NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

Jacobson moved the Water Resources Subcommittee's recommendation that the Board of Directors authorize the General Manager to sign the professional services contract with Aqua Geo Frameworks, LLC to complete the AEM flights and flight data reports for an amount not to exceed \$416,666 subject to legal counsel review and subsequent to the execution of the Water Sustainability Fund Grant Agreement for Application #4132. The motion was approved.

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman  
NAY: None  
NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

ITEM 10. REPORT OF THE INTEGRATED MANAGEMENT SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Potter stated that the Integrated Management Subcommittee met just prior to the Board meeting.

Potter moved the Integrated Management Subcommittee's recommendation that the Board of Directors approve submitting an application to the Water Sustainability Fund for a grant to conduct the Lower Platte River Drought Contingency Plan. The motion was approved.

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman  
 NAY: None  
 NOT PRESENT: Bohac, Eagan, Hall, Landis, Ruth and Spangler

Item 11. REPORT OF THE RECREATION, FORESTRY & WILDLIFE SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Schmidt stated that the Recreation, Forestry & Wildlife subcommittee just prior to the Board meeting. He stated that two bids were received for the MoPac Trail Bridge Abutment Repair Project.

Bidder	Bid
Valley Corporation, Inc. (Valley, NE)	\$146,370.03
Gana Trucking & Excavating, Inc. (Martell, NE)	\$153,193.08

It was moved by Schmidt and seconded by DeKalb that the Board of Directors approve the Notice of Award to Valley Corporation for the MoPac Trail Bridge Abutment Repairs Project on the bridge located north of Fletcher Avenue at a cost not to exceed \$146,370.03. The motion was approved.

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman  
 NAY: None  
 NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

ITEM 12. REPORT OF THE LAND RESOURCES SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS:

Zimmerman stated that the Land Resources Subcommittee did not meet prior to the Board meeting.

Zimmerman stated that the following application for surface water quality BMP cost-share should to be considered.

County	Name	SCP	Practice	Amount
SE	Richard Hain	Y	Terraces	\$20,000
			Total	\$20,000

It was moved by Zimmerman and seconded by Jacobson that the Board of Directors approve the surface water quality best management practices application. The motion was approved.

AYE: Amen, Barrett, Bleed, Bolte, DeKalb, Eagan, Jacobson, Johnson, Kerkman, Osborn, Potter, Schmidt, Skopp, Stevens, Svoboda and Zimmerman

NAY: None

NOT PRESENT: Bohac, Hall, Landis, Ruth and Spangler

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 7:35 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 June 21, 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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