



LOWER PLATTE SOUTH natural resources district

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BOARD OF DIRECTORS' MEETING April 21, 2021

The Board of Directors of the Lower Platte South Natural Resources District met virtually via video / teleconference on Wednesday, April 21, 2021 at 7:00 p.m. Directors participating were Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum. Eagan called the meeting to order at 7:00 p.m.

Eagan welcomed those in attendance, and the pledge of allegiance was recited. She noted that the public meetings law is posted on the NRD Website. She requested all cell phones be put on silent mode. She reminded everyone a recording of the meeting will be on the NRD website. Eagan 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 on non-agenda items.

ITEM 1. ROLL CALL OF DIRECTORS.

Nineteen Directors were present upon roll call. Schutz arrived after roll call.

ITEM 2. PUBLICATION OF LEGAL NOTICE OF MEETING.

Eagan reported that the legal notice for the Directors' Meeting was published in the Lincoln Journal Star on April 8, 2021.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES.

Eagan stated that there were no requests for excused absences received for the April 21, 2021 Board of Directors Meeting.

ITEM 4. ADOPT AGENDA

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

AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Jacobson and Schutz

ITEM 5. APPROVAL OF MINUTES OF MARCH 17, 2021 BOARD OF DIRECTORS MEETING AND MARCH 24, 2021 SPECIAL BOARD OF DIRECTORS MEETING.

It was moved by Hellerich and seconded by Stevens to approve the minutes of the March 17, 2021 Board of Directors Meeting. The motion was approved.

AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Jacobson and Schutz

It was moved by Barrett and seconded by Stevens to approve the minutes of the March 24, 2021 Special Board of Directors Meeting. The motion was approved.

AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Jacobson and Schutz

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

Andersen reported that the Finance & Planning Subcommittee did not meet prior to the Board Meeting.

Andersen stated that the financial reports for the period July 1, 2020 through March 31, 2021 had been distributed.

Paul Zillig, General Manager answered questions of the Board regarding the financial reports.

It was moved by Andersen and seconded by Landis to approve the financial reports for the period of July 1, 2020 through March 31, 2021 and publish the General Expenditures for March 2021. The motion was approved.

AYE: Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: Aldridge

NOT PRESENT: Jacobson and Schutz

It was moved by Andersen and seconded by Yoakum to publish the expenditures for Directors Aldridge, Amen, Andersen, Barrett, Eagan, Green, Hellerich and Jacobson for March 2021. The motion was approved.

AYE: Aldridge, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

ABSTAIN: Andersen, Barrett, Eagan, Green and Hellerich

NAY: None

NOT PRESENT: Jacobson

It was moved by Andersen and seconded by Seacrest to publish the expenditures for Directors B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte and Peterson for March 2021. The motion was approved.

AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, Nolte, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

Abstain: B. Johnson, C. Johnson, Lamberty, Landis, Lewis and Peterson

NAY: None

NOT PRESENT: Jacobson

It was moved by Andersen and seconded by Landis to publish the expenditures for Directors Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum for March 2021. The motion was approved.

AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte and Peterson

ABSTAIN: Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Jacobson

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

Eagan stated that the Executive Subcommittee met on April 14, 2021.

Paul Zillig, General Manager, answered questions of the Board regarding the salary increase.

Eagan moved the Executive Subcommittee's recommendation that the Board of Directors approve for FY 2022 at 2.0% salary increase for all qualified employees and an additional \$19,000 for merit to be determined by the General Manager. The motion was approved.

AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Jacobson

Paul Zillig, General Manager, answered questions of the Board regarding the Annual Operational Agreement with NRCS.

Eagan moved the Executive Subcommittee's recommendation that the Board of Directors approve the FY 2022 Annual Operational Agreement with the USDA Natural Resources Conservation Service. The motion was approved.

AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Jacobson

Eagan moved the Executive Subcommittee's recommendation that the Board of Directors approve the Memorandum of Agreement with the National Association of Conservation Districts (NACD) for FY 2021 Technical Assistance Funds. The motion was approved.

AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Jacobson

ITEM 8. REPORT OF THE INFORMATION & EDUCATION SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Landis stated that the Information & Education Subcommittee met on April 7, 2021.

Paul Zillig, General Manager, and Mike Mascoe, Public Information Specialist answered questions regarding Lower Platte South NRD advertising and Newsletter.

Landis moved the Information & Education Subcommittee's recommendation that the Board of Directors approve the proposed Agreement from the Lincoln Journal Star for advertising at a cost not to exceed \$17,988, pending review by legal counsel. The motion was approved.

AYE: Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: Aldridge and C. Johnson

NOT PRESENT: Jacobson

Landis 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 at a cost not to exceed \$47,970 pending approval by legal counsel. The motion was approved.

AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Jacobson

Landis moved the Information & Education Subcommittee's recommendation that the Board of Directors approve the proposed Agreement from Firespring for television airtime at a cost not to exceed \$20,000, pending approval by legal counsel. The motion was approved.

AYE: Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Seacrest, Stevens, Vogel and Yoakum

NOT VOTING: Peterson

NAY: Aldridge, C. Johnson, Schutz and Spangler

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 indicated that 26 cost-share assistance applications for Fiscal Year 2022 were received. All applications are for installing conservation measures on cropland and qualify for the Summer Conservation Program.

It was moved by Hellerich and seconded by Andersen to approve the 26 identified surface water quality best management practices cost-share applications for the District's Summer Conservation Program totaling \$370,536. The motion was approved.

County	Applicant Name	Sec	Twn	Rng	Practice	Amount	Targeted Area
BU	Arnold Vandenberg	25	13	4	Terraces	\$22,500.00	Meadowlark Lake
CA	Danny Bornemeier	12	10	10	Terraces	\$15,000.00	
CA	Randy Bornemeier	15	10	10	Terraces	\$17,500.00	
CA	Thomas Dorr	1	10	10	Terraces w/ Grassed Waterways	\$8,349.00	
CA	John Oehlerking	22	10	10	Terraces	\$17,160.00	
CA	Lake Family Farm Trust	3	10	10	Terraces	\$17,500.00	
CA	Kenneth Ahrens	29 / 33	11	12	Terraces	\$17,500.00	
CA	Tanner Bornemeier	27	11	10	Terraces	\$17,500.00	
CA	Oak N Ridge	10	12	13	Terraces	\$17,500.00	
LA	Marvin W. Meinke	20	7	5	Terraces	\$15,000.00	
LA	Lavina Schwaninger	21	7	6	Terraces	\$4,118.00	
LA	Brad Braunsroth	16	8	5	Terraces	\$17,500.00	
LA	Gary Aerts	25	11	5	Terraces	\$11,000.00	
LA	Wilma Sundeen	26	11	8	Terraces	\$17,500.00	
LA	Duane & Irene Family Lt. Partnership	26	11	8	Terraces	\$5,561.00	
LA	School District #161	9	12	6	Grassed Waterways	\$5,686.00	
LA	Mark Masek	9	12	6	Grassed Waterways	\$1,422.00	
LA	Captain Agnew LLC	11	12	7	Terraces	\$14,994.00	
LA	John W. Spader	9	12	8	Terraces	\$11,280.00	
LA	Ramon Johnson	9	12	8	Terraces	\$13,000.00	
OT	Rodney Ruhge	5	9	12	Terraces	\$11,742.00	
OT	Barbara Meyer	9	9	12	Terraces	\$17,500.00	
OT	Jay Farms, Inc.	24	9	13	Terraces	\$17,500.00	
SA	Darlene A. Stanek	19	13	6	Terraces	\$17,500.00	
SE	Larry Schildt	2	10	4	Terraces	\$17,658.00	Pawnee Lake
SE	Richard Hain	5	12	4	Terraces	\$21,066.00	Branched Oak Lake
					TOTAL	\$370,536.00	

AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: Schutz

NOT PRESENT: Jacobson

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

Green stated that the Urban Subcommittee met on April 15, 2021.

Green moved the Urban Subcommittee’s recommendation that the Board of Directors approve the Fiscal Year 2021 – 2022 Work Plan for the Interlocal Agreement on Stormwater Management, with the City of Lincoln. The motion was approved.

AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Jacobson

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

Ruth stated that the Water Resources Subcommittee met on April 20, 2021.

Ruth moved the Water Resources Subcommittee's recommendation that the Board of Directors grant a variance to Monolith Nebraska LLC for proposed wells OC2 #2 (LPSP-210423) and OC2 #3 (LPSP-210422), specifically Section C, Rule 2(c)(i)(A)(3) ("aquifer test"), and Section C, Rule 2(c)(i)(A)(5) ("hydrogeologic analysis report"), and deny the variance request for proposed wells OC2 #2 (LPSP-210423) and OC2 #3 (LPSP-210422), specifically Section C, Rule 2(c)(i)(A)(2) ("accurate static water level measurement"), and Section C, Rule 2(c)(i)(A)(4) ("water quality samples").

Paul Zillig, LPSNRD General Manager; Dick Ehrman, LPSNRD Water Resources Specialist; Corey Wasserburger, LPSNRD General Counsel; Amy Ostermeyer, Monolith; Dave Hume, LRE Water; Brian Dunnigan and Jim Schneider with Olsson addressed the Board and answered questions.

It was moved by Stevens and seconded by Barrett to divide the question and take up each half separately. The motion was approved.

AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Peterson, Ruth, Schutz, Seacrest, Stevens, Vogel and Yoakum

NAY: Spangler

NOT PRESENT: Jacobson and Nolte

The first half of the divided question that the Water Resources Subcommittee's recommendation that the Board of Directors grant a variance to Monolith Nebraska LLC for proposed wells OC2 #2 (LPSP-210423) and OC2 #3 (LPSP-210422), specifically Section C, Rule 2(c)(i)(A)(3) ("aquifer test"), and Section C, Rule 2(c)(i)(A)(5) ("hydrogeologic analysis report") was approved.

AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Jacobson and Nolte

It was moved by Stevens and seconded by Hellerich to table the second part of the divided question (Water Resources Subcommittee's recommendation that the Board of Directors deny the Monolith Nebraska LLC variance request for proposed wells OC2 #2 (LPSP-210423) and OC2 #3 (LPSP-210422), specifically Section C, Rule 2(c)(i)(A)(2) ("accurate static water level measurement"), and Section C, Rule 2(c)(i)(A)(4) ("water quality samples") until the next monthly Board Meeting. The motion was approved.

AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Jacobson and Nolte

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

Luke Peterson, NARD Representative for the Lower Platte South NRD stated that he had no report on NARD activities this month but that there would be a report in May.

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.

General Manager Paul Zillig reminded Directors that there are several subcommittee meetings coming up and that two (Platte River and Information & Education) were in person meetings. He reminded Directors to check to see if their upcoming meeting is a Zoom or in-person meeting.

There being no other business, the meeting was adjourned at 10:42 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 21, 2021, 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.

Chelsea Johnson, Secretary

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