




## Memorandum

**Date:** October 12, 2017  
**To:** Executive Subcommittee Members  
**From:** Paul D. Zillig, General Manager   
**Subject:** Executive Subcommittee Meeting Minutes

The Executive Subcommittee met at 4:30 pm on Wednesday, October 11, 2017 in the NRD Conference Room in Lincoln. Subcommittee members present included Ray Stevens, Larry Ruth, Jeremie Kerkman, Greg Osborn, Deborah Eagan & Milt Schmidt. Others present included Will Hays & Matt O’Gorman of Unanimous, Steve Seglin, Nathan Kuhlman, Dave Potter and myself.

Chair Stevens opened the meeting and reported that the first item on the agenda was to resolve our concerns with the proposed professional services contract with Unanimous to redesign the NRD website, the motion to approve this contract was “tabled” until the October Board Meeting. Stevens asked Nathan Kuhlman and Will Hays & Matt O’Gorman of Unanimous to answer questions concerning the proposed professional services contract to redesign the NRD website.

One of the main concerns by the Directors was the security issues and how they were being applied to our site. Unanimous answered questions by Eagan and Osborn about security patches/updates/backups and how they would be applied to the NRD website as well as how the site is monitored 24 hours. Unanimous also let the Subcommittee know that they use Liquid Web for the hosting service and we would utilize a PCI Compliant payment processor for any online orders. Unanimous would do a complete backup of the site once it is live and incremental backups ran on a nightly basis to ensure changes are saved.

Directors also discussed adding a hold harmless clause to the contract to protect both the NRD and Unanimous as well as adding signature lines to the end of the contract. The Subcommittee agreed to add the signature lines at the end of the contract as well as having NRD legal counsel add a hold harmless clause to the contract. The proposed contract is attached.

It was moved by Ruth, seconded by Schmidt, and unanimously approved by the Subcommittee (5-0 vote, Eagan had left for a prior commitment) to **recommend the**

**Board of Directors approve the updated professional services contract with Unanimous of Lincoln, Nebraska for Website Redesign and Development at an estimated cost of \$23,850, subject to legal counsel review.**

The next item on the agenda was to present the Subcommittee's motion from September recommending the Board not approve the Kocian's request for an access easement to utilize ¾ of a mile of the Oak Creek Trail to access their property. A copy of the Kocian's request is attached. At the September Executive Subcommittee Meeting the following was reported.

"The Subcommittee reviewed a request for an easement from Thomas and Jamie Kocian to use the Oak Creek Trail for access between their properties approximately 3 miles west of Valparaiso. The Subcommittee plans for the Board to consider this request at the October Board Meeting. It was moved by Eagan, seconded by Osborn, and unanimously approved by the Subcommittee (Kerkman was out of town and unable to attend) to **recommend the Board of Directors deny the request for an access easement on the Oak Creek Trail** at their October Board Meeting. Prior to considering the request Hellerich requested that the NRD consider the importance of being neighborly and working with the Kocians. There were concerns about safety, damage to the trail, liability and that the trail is for non-motorized use."

The next item on the agenda was to consider changing the date of the December Board Meeting. I reported that the 3<sup>rd</sup> Wednesday is December 20<sup>th</sup> and with this late date there will be some holiday travel conflicts and the Board should consider moving the meeting one week earlier. It was moved by Osborn, seconded by Kerkman, and unanimously approved by the Subcommittee to **recommend the Board approve holding the December Board of Directors Meeting on Wednesday, December 13<sup>th</sup> beginning at 2:00 pm in the NRD Office in Lincoln.**

There was no other business and the meeting adjourned at 5:30 pm.

PDZ/pz

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