

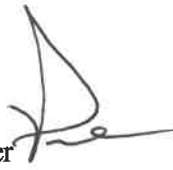


LOWER PLATTE SOUTH natural resources district

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Agenda Item #10

Memorandum

Date: July 14, 2021
To: Each Director
From: Paul D. Zillig, General Manager 
Subject: Executive Subcommittee Meeting Minutes

The Executive Subcommittee met at noon on Tuesday, July 13, 2021 via video/teleconference. Directors participating were Deborah Eagan, Chelsea Johnson, David Landis, Bob Andersen and Luke Peterson. Others participating included Steve Seglin, Corey Wasserburger, Kristin Buntemyer, Nathan Kuhlman, David Potter and myself.

Chair Eagan called the meeting to order, welcomed those in attendance and moved to the agenda item concerning the proposed change in the date for the August Board Meeting. I reported that the Finance & Planning Subcommittee was recommending the August Board Meeting be moved back to Thursday, August 26th in accordance with the FY 2022 Budget schedule. It was moved by Andersen, seconded by Landis, and unanimously approved by the Subcommittee to **recommend the Board of Directors approve to change the August Board Meeting to Thursday, August 26, 2021 starting at 7:00 pm.**

The next item on the agenda was to review the complaint to the Attorney General by Director Gary Aldridge alleging a violation of the Open Meetings Act with respect to certain votes taken at the April 21st NRD Board Meeting. I reported that a copy of the complaint had been provided to all of the Directors, a copy is attached. Wasserburger reported that the complaint centered around a number of votes by Director Ron Nolte where his audio connection to the virtual meeting was limited and he was only able to communicate via visual means (thumbs up). All the motions/votes that relied on Nolte's visual indication are highlighted on the attached copy of the April 21, 2021 Board of Directors Meeting Minutes. NRD Legal Counsel is preparing a response to the Attorney General, the response is due July 21st.

Wasserburger reported that a lack of court cases limits the degree of certainty as to the validity of Nolte's votes. He felt the Board should take steps to re-affirm the Board's vote and ensure the action taken by the Board is not in question.

The Subcommittee discussed the complaint, that it needed to be resolved, that the Board desires to follow the Open Meetings Act, and that there was disappointment that the matter wasn't brought directly to the Board to resolve. It was moved by Landis, seconded by Andersen, and unanimously

approved by the Subcommittee **that the Board of Directors re-vote on the motions from Agenda items #7b, #7c, #8a, #8b, #8c, #9a, and #10a from the April 21, 2021 NRD Board of Directors Meeting.**

There being no further business the meeting adjourned at 12:50 pm.

PDZ/pz

pc: Steve Seglin
Corey Wasserburger