



LOWER PLATTE SOUTH natural resources district

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BOARD OF DIRECTORS' MEETING January 20, 2021

The Board of Directors of the Lower Platte South Natural Resources District met virtually via video / teleconference on Wednesday, January 20, 2021 at 2:00 p.m. Directors participating were Aldridge, Amen, Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Peterson, Ruth, Schutz, Spangler, Stevens, Vogel and Yoakum. Ruth called the meeting to order at 2:00 p.m.

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

ITEM 2. PUBLICATION OF LEGAL NOTICE OF MEETING.

Ruth reported that the legal notice for the Directors' Meeting was published in the Lincoln Journal Star on January 7, 2021.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES.

Ruth stated that a request for an excused absence as received from Don Jacobson for the January 20, 2021 Board of Directors Meeting.

It was moved by Landis and seconded by Yoakum to approve the request for an excused absence from Don Jacobson for the January 20, 2021 Board of Directors meeting. The motion was approved.

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

NAY: None

NOT PRESENT: Jacobson and Nolte

ITEM 4. ADOPT TENTATIVE AGENDA

It was moved by Hellerich and seconded by Barrett to adopt the Tentative Agenda. The motion was approved.

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

NAY: None

NOT PRESENT: Jacobson and Nolte

ITEM 5. APPROVAL OF MINUTES OF DECEMBER 16, 2020 BOARD OF DIRECTORS MEETING.

It was moved by Barrett and seconded by Stevens to approve the minutes of the December 16, 2020 Board of Directors Meeting. The motion was approved.

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

NAY: None

NOT PRESENT: Jacobson and Nolte

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 December 31, 2020 had been distributed.

Paul Zillig, General Manager and Nathan Kuhlman, Information Systems Administrator answered questions of the Board regarding the financial reports.

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

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

NAY: Aldridge

NOT PRESENT: Jacobson and Nolte

It was moved by Andersen and seconded by Stevens to publish the expenditures for Directors Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan and Green for December 2020. The motion was approved.

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

ABSTAIN: Amen, Andersen, Barrett, Eagan and Green

NAY: None

NOT PRESENT: Jacobson and Nolte

It was moved by Andersen and seconded by Lewis to publish the expenditures for Directors Hellerich, Jacobson, B. Johnson, C. Johnson, Landis, Osborn and Peterson for December 2020. The motion was approved.

AYE: Aldridge, Andersen, Amen, Barrett, Eagan, Green, Lamberty, Lewis, Ruth, Schutz, Spangler, Stevens, Vogel and Yoakum

ABSTAIN: Hellerich, B. Johnson, C. Johnson, Landis and Peterson

NAY: None

NOT PRESENT: Jacobson and Nolte

It was moved by Andersen and seconded by Barrett to publish the expenditures for Directors Ruth, Schmidt, Schutz, Spangler, Steinkruger, Stevens and Wilson for December 2020. The motion was approved.

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

ABSTAIN: Ruth, Schutz, Spangler and Stevens

NAY: None

NOT PRESENT: Jacobson and Nolte

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

Ruth stated that the Executive Subcommittee met on January 14, 2020.

Paul Zillig answered questions of the Board regarding the USDA Farm Services Agency documents.

Ruth moved the Executive Subcommittee's recommendation that the Board of Directors authorize the General Manager to sign USDA Farm Services Agency documents for the Lower Platte South NRD. The motion was approved.

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

NAY: None

NOT PRESENT: Jacobson and Nolte

General Manager Zillig answered questions of the Board regarding the professional services agreement with Grafton & Associates, amending Personnel Policy 31, and salary adjustments and additional services.

Ruth moved the Executive Subcommittee's recommendation that the Board of Directors approve the Professional Services Agreement with Grafton & Associates for accounting and financial transition services. The notion was approved

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

NAY: None

NOT PRESENT: Jacobson and Nolte

Ruth moved the Executive Subcommittee's recommendation that the Board of Directors approve amending Personnel Policy #31 to grant additional access to the District's employee records for the sole purpose of preparing employee payroll. The motion was approved.

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

NAY: None

NOT PRESENT: Amen, C. Johnson, Jacobson and Nolte

Ruth moved the Executive Subcommittee's recommendation that the Board of Directors approve the proposed salary adjustment, increasing the salary of the NRD Bookkeeper to \$26.44 / hour. The motion was approved.

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

NAY: None

NOT PRESENT: Jacobson and Nolte

Ruth moved the Executive Subcommittee's recommendation that the Board of Directors authorize the General Manager to negotiate and approve a Consulting Services Agreement with Kathy Spence for a maximum of 80 hours of work over a seven-month period. The motion was approved.

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

NAY: None

NOT PRESENT: Jacobson and Nolte

General Manager Paul Zillig answered questions of the Board regarding legislation and the NARD Legislative Conference.

Ruth moved the Executive Subcommittee's recommendation that the Board of Directors support LB83. The motion was approved.

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

NAY: Aldridge and Spangler

NOT PRESENT: Jacobson and Nolte

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

Green stated that the Urban Subcommittee met on January 12, 2021.

He reported that five bids were received for the Beal Slough Stream Stabilization Project – 70th to Pine Lake.

Contractor	Bid
High Plains Enterprise	\$399,081.50
Gana Trucking	\$453,498.64
H.R. Bookstrom	\$522,424.00
Yost Excavating	\$597,648.00
MTZ Construction	\$761,136.50

Green moved the Urban Subcommittee recommendation that the Board of Directors approve the bid from High Plains Enterprises in the amount of \$399,082 for the Beal Slough Stream Stabilization Project – 70th to Pine Lake. The motion was approved.

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

NAY: None

NOT PRESENT: Jacobson and Nolte

Paul Zillig, General Manager answered questions of the Board regarding the Professional Services Agreement Amendment #1 with Intuition & Logic.

Green moved the Urban Subcommittee’s recommendation that the Board of Directors approve Amendment #1 to the Professional Services Agreement between Intuition & Logic Engineering and the Lower Platte South NRD in the amount of \$37,507 for construction services for the Beal Slough Stream Stabilization Project – 70th to Pine Lake. The motion was approved.

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

NAY: Aldridge

NOT PRESENT: Jacobson and Nolte

Green moved the Urban Subcommittee’s recommendation that the Board of Directors approve the Community Assistance Program application from the Village of Malcolm, for the Elk Creek Bank Stabilization Project, in an amount of 50% of the estimated cost, not to exceed \$24,118 of NRD funds. The motion was approved.

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

NAY: None

NOT PRESENT: Jacobson and Nolte

General Manager Zillig answered questions of the Board regarding the Edenton North HOA Community Assistance Program application.

Green moved the Urban Subcommittee’s recommendation that the Board of Directors approve the Community Assistance Program application from the Edenton North HOA, for the Pond Bank Stabilization Project, in an amount of 50% of the estimated cost, not to exceed \$19,470 of NRD funds. The motion was approved.

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

NAY: Aldridge

NOT PRESENT: Jacobson and Nolte

Green moved the Urban Subcommittee's recommendation that the Board of Directors approve the Rain-Ready Landscapes Program cost-share request from Dan and Rebecca Heun for the Heun Rain Garden Project, at a cost-share amount of 50% of the total cost, not to exceed \$2,000 in NRD funds. The motion was approved.

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

NAY: None

NOT PRESENT: Jacobson, Nolte and Schutz

ITEM 9. REPORT OF THE AD-HOC NOMINATING SUBCOMMITTEE

Chair Ruth announced that the Nominating Committee consisted of Ray Stevens, Chair, Gary Hellerich and Don Jacobson.

Stevens stated that the Nominating Subcommittee submitted the following slate of nominees for NRD officers and NARD Representative and Alternate for 2021

Chair	Deborah Eagan
Vice-Chair	David Landis
Treasurer	Bob Andersen
Secretary	Chelsea Johnson
NARD Representative	Luke Peterson
NARD Alternate	Tom Green

It was moved by Stevens and seconded by Yoakum to set-a-side that portion of Operating Policy C-8 and Operating Policy C-14 requiring the election of Officers by secret ballot. The motion was approved.

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

NAY: None

NOT PRESENT: Aldridge, Jacobson, Nolte and Schutz

Stevens placed the subcommittee nomination of Eagan for Chair on the floor. No other nominations were submitted.

It was moved by Stevens and seconded by Landis to election Deborah Eagan to the Office of Chair. The motion was approved.

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

NAY: None

NOT PRESENT: Aldridge, Jacobson, Nolte and Schutz

Stevens placed the subcommittee nomination for Landis for Vice-Chair on the floor. No other nominations were submitted.

It was moved by Stevens and seconded by Andersen to elect David Landis to the Office of Vice-Chair. The motion was approved.

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

NAY: None

NOT PRESENT: Aldridge, Jacobson, Nolte and Schutz

Stevens placed the subcommittee nomination for Andersen as Treasurer on the floor. No other nominations were submitted.

It was moved by Stevens and seconded by Landis to elect Bob Andersen to the Office of Treasurer. The motion was approved.

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

ABSTAIN: Andersen

NAY: None

NOT PRESENT: Aldridge, Jacobson, Nolte and Schutz

Stevens placed the subcommittee nomination for C. Johnson as Secretary on the floor. No other nominations were submitted.

It was moved by Stevens and seconded by Landis to elect Chelsea Johnson to the Office of Secretary. The motion was approved.

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

NAY: None

NOT PRESENT: Aldridge, Jacobson, Nolte and Schutz

Stevens placed the subcommittee nomination for Peterson as NARD Representative on the floor. No other nominations were submitted.

It was moved by Stevens and seconded by Landis to elect Luke Peterson as the NARD Representative. The motion was approved.

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

NAY: None

NOT PRESENT: Aldridge, Jacobson, Nolte and Schutz

Stevens placed the subcommittee nomination for Green as NARD Alternate on the floor. No other nominations were submitted.

It was moved by Stevens and seconded by Yoakum to elect Tom Green as the NARD Alternate. The motion was approved.

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

NAY: None

NOT PRESENT: Aldridge, Jacobson, Nolte and Schutz

It was moved by Andersen and seconded by Landis to adopt the Bank Resolution naming Bob Andersen Treasurer and naming Ray Stevens as the Treasurer Designee to sign NRD financial documents. The motion was approved.

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

NAY: None

NOT PRESENT: Aldridge, Jacobson, Nolte and Schutz

ITEM 10. PERMIT AND PROGRAM APPROVALS

A report of permit and program approvals was distributed.

ITEM 11. SCHEDULE OF UPCOMING EVENTS AND ACTIVITIES.

A schedule of upcoming events and activities was mailed out.

ITEM 12. FOR INFORMATION ONLY.

Various memos were mailed out.

General Manager Paul Zillig commented on the upcoming NARD Legislative Conference which is being held in a combination of in person and virtual meetings. He also explained the subcommittee caucus' to elect directors to the Finance & Planning Subcommittee.

Discussion was held regarding introduced legislation.

Director Karen Amen announced her resignation from the Board of Directors effective January 31, 2021.

There being no other business, the meeting was adjourned at 4:24 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 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.

Bruce Johnson, Secretary

/dr