



# LOWER PLATTE SOUTH natural resources district

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## BOARD OF DIRECTORS' MEETING JUNE 21, 2023

The Board of Directors of the Lower Platte South Natural Resources District met at the Lower Platte South NRD Office on Wednesday, June 21, 2023 at 6:00 p.m. Directors participating were Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Landis, Nolte, Peterson, Ruth, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum. Landis called the meeting to order at 6:00 p.m.

Landis 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 and on District property. He requested all cell phones be put on silent mode. He reminded everyone a recording of the meeting will be on the NRD website. Landis requested anyone wishing to speak on an agenda item to provide their name on the sign-in sheet and which agenda item they wished to speak on. An opportunity for public present to speak to non-agenda items was given.

### ITEM 1. ROLL CALL OF DIRECTORS

Seventeen Directors were present upon roll call. Hellerich and Sinclair arrived after roll call.

### ITEM 2. PUBLICATION OF LEGAL NOTICE OF MEETING

Landis reported that the legal notice for the Directors' Meeting was published in the Lincoln Journal Star on June 9, 2023.

### ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES

Landis stated that a request for an excused absence for the June 21, 2023 Board of Directors meeting was received from Lisa Lewis.

It was moved by Landis and seconded by Andersen to approve the request for an excused absence from Lisa Lewis for the June 21, 2023 Board of Directors Meeting. The motion was approved.

AYE: Aldridge, Andersen, Baker, Green, Hellerich, Jacobson, Johnson, Lamberty, Landis, Nolte, Peterson, Ruth, Seacrest, Stevens, Vogel and Yoakum

NAY: Eagan and Spangler

NOT PRESENT: Lewis, Schutz and Sinclair

### ITEM 4. ADOPT AGENDA

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

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Landis, Nolte, Peterson, Ruth, Seacrest, Stevens, Vogel and Yoakum

NAY: Spangler

NOT PRESENT: Lewis, Schutz and Sinclair

ITEM 5. APPROVAL OF BOARD OF DIRECTORS MEETING MINUTES

It was moved by Yoakum and seconded by Eagan to approve the Minutes of the May 17, 2023 Board of Directors Meeting. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Landis, Nolte, Peterson, Ruth, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Lewis, Schutz and Sinclair

ITEM 6. RECOGNITION OF EMPLOYMENT ANNIVERSARIES

Dick Ehrman and Paul Zillig recognized Steve Herdzina, Water Resources Compliance Specialist and Chris Witthuhn, Water Resources Conservation, for fifteen years of service each to the District.

ITEM 7. REPORT OF THE FINANCE & PLANNING SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Johnson stated that the Finance & Planning Subcommittee met on June 14, 2023. She stated that the financial reports for the period July 1, 2022 through May 31, 2023 had been distributed.

It was moved by Johnson and seconded by Stevens to approve the financial reports for the period of July 1, 2022 through May 31, 2023 and publish the expenditures for May 2023. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Landis, Nolte, Peterson, Ruth, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Lewis, Schutz and Sinclair

Johnson moved the Finance & Planning Subcommittee's recommendation that the Board of Directors approve the budget overrun in budget code 469041 Wetlands Operation & Maintenance. The motion was approved.

AYE: Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Landis, Nolte, Peterson, Ruth, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: Aldridge

NOT PRESENT: Lewis, Schutz and Sinclair

Paul Zillig, General Manager gave a presentation of Draft #1 of the Fiscal Year 2024 Budget. There were no public comments on the Budget.

Johnson moved the Finance & Planning Subcommittee’s recommendation to withdraw the existing motion and move that the Lower Platte South NRD Board of Directors authorize the General Manager to accept the offer to sell and execute the seller’s proposed Purchase Agreement for the property located at 9600 N. 27<sup>th</sup> Street, Davey, Nebraska.

Paul Zillig, General Manager, Corey Wasserburger, Legal Counsel and Al Langdale, Operation/Maintenance Coordinator, answered questions of the Board.

The motion was approved.

AYE: Andersen, Baker, Eagan, Green, Jacobson, Johnson, Lamberty, Landis, Nolte, Peterson, Ruth, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NAY: Aldridge and Hellerich

NOT PRESENT: Lewis and Schutz

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

Matt Schaeffer with Mueller Robak stated that the Legislature has adjourned for the session and gave an update on the Legislative session.

ITEM 9. REPORT OF THE URBAN SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Yoakum stated that the Urban Subcommittee met on June 7, 2023.

There were two bids received for the Deadmans Run South Bank Repair Project – 70<sup>th</sup> & “O” Street.

Contractor	Bid
M.C. Wells Contracting LLC	\$144,030.00
Yong Construction Company	\$369,308.00

Yoakum moved the Urban Subcommittee’s recommendation that the Board of Directors approve the low bid of \$144,030 by M.C. Wells Contracting LLC, for the Deadmans Run South Bank Repair Project at 70<sup>th</sup> & “O” Street, pending legal counsel review. The motion was approved.

AYE: Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Landis, Nolte, Peterson, Ruth, Sinclair, Spangler, Stevens, Vogel and Yoakum

NAY: Aldridge

NOT PRESENT: Lewis, Schutz and Seacrest

Yoakum moved the Urban Subcommittee’s recommendation that the Board of Directors approve the Professional Services Agreement Amendment #2 with Olsson for Construction Management and Observation Services for the Deadmans Run South Bank Repair Project at 70<sup>th</sup> and “O” Street, at an amount not to exceed \$48,825.00. The motion was approved.

AYE: Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Landis, Nolte, Peterson, Ruth, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NAY: Aldridge

NOT PRESENT: Lewis and Schutz

ITEM 10. REPORT OF THE RECREATION, FORESTRY & WILDLIFE SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Hellerich stated that the Recreation, Forestry & Wildlife Subcommittee met on June 8, 2023.

Hellerich moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors authorize the General Manager to sign the Lancaster County Engineering Department Right-Of-Way Contract for their purchase of a permanent easement of 0.05 acres on Wildwood Wildlife Management Area to replace a culvert on NW 84<sup>th</sup> Street, pending legal counsel review.

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

The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Landis, Nolte, Peterson, Ruth, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Lewis and Schutz

Hellerich moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors approve the temporary easement release to Blue Rock Investments LLC and Herbert Development, Inc., and authorize the General Manager to approve the permanent easement release once the District has agreed that the drainage construction has been completed, pending legal counsel review. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Landis, Nolte, Peterson, Ruth, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Lewis and Schutz

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

Spangler stated that the Land Resources Subcommittee did not meet prior to the Board meeting. He reported that two cost-share applications have been received for installing water quality improvement practices for the NRD's Summer Conservation Program. The applications were reviewed by the Eastern and Western Review Groups and meet the criteria for the Cost-Share Program.

It was moved by Spangler and seconded by Andersen to approve the Summer Conservation Program Cost-Share Applications from Gene F. Wehrbein and Paulsen Family Living Trust in the amount of \$35,000.00. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Landis, Nolte, Peterson, Ruth, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Lewis and Schutz

ITEM 12 REPORT OF THE WATER RESOURCES SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Seacrest stated that the Water Resources Subcommittee met on June 13, 2023.

It was moved by Seacrest and seconded by Peterson to authorize the General Manager to sign Change Order #2 with LRE Water for \$58,997.00 to purchase additional AEM data for the Three-Dimensional Hydrogeologic Framework Project, pending legal counsel review.

Dick Ehrman, Water Resources Coordinator, and Paul Zillig, General Manager, answered questions of the Board regarding the AEM data.

The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Landis, Nolte, Peterson, Ruth, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Lewis and Schutz

ITEM 13 CONSIDERATION OF AGENDA ITEMS REQUIRING CLOSED SESSION

Chair Landis stated that there were no items requiring closed session.

ITEM 14. NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS (NARD) REPORT

Tom Green informed the Board about the recent Board meeting and NARD Basin Tour held June 12<sup>th</sup> – 13<sup>th</sup>. He reminded Directors that the NARD Annual Conference would be September 24<sup>th</sup> – 26<sup>th</sup> in Kearney and urged that they consider attending.

ITEM 15. PERMIT AND PROGRAM APPROVALS

A report of permit and program approvals was distributed.

ITEM 16. SCHEDULE OF UPCOMING EVENTS AND ACTIVITIES

A schedule of upcoming events and activities was mailed out.

ITEM 17. FOR INFORMATION ONLY

Various memos were mailed out.

There being no other business, the meeting was adjourned at 7:44 p.m. The undersigned, the 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, 2023 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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Donna Reid, Acting Secretary

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