



LOWER PLATTE SOUTH natural resources district

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BOARD OF DIRECTORS' MEETING NOVEMBER 20, 2024

The Board of Directors of the Lower Platte South Natural Resources District met at the Lower Platte South NRD Office on Wednesday, November 20, 2024 at 7:00 p.m. Directors participating were Aldridge, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum. Stevens called the meeting to order at 7:00 p.m.

Stevens welcomed those in attendance, and the pledge of allegiance was recited. He noted that the public meetings law is posted at the entrance to the room. He requested all cell phones be put on silent mode. He reminded everyone that a recording of the meeting will be on the NRD website. Stevens 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 the public to speak to non-agenda items was given.

ITEM 1. ROLL CALL OF DIRECTORS

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

ITEM 2. PUBLICATION OF LEGAL NOTICE OF MEETING

Stevens reported that the legal notice for the Directors' Meeting was published in the Lincoln Journal Star on November 4, 2024.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES

Stevens stated that there were requests for excused absences from Bob Andersen, Dave Landis and Greg Osborn for the November 20, 2024 Board of Directors meeting.

It was moved by Stevens and seconded by Yoakum to accept the requests for excused absences from Bob Andersen, Dave Landis and Greg Osborn for the November 20, 2024 Board of Directors meeting. The motion was approved.

AYE: Aldridge, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Andersen, Landis, Osborn and Schutz

ITEM 4. ADOPT AGENDA

It was moved by Stevens and seconded by Eagan to adopt the Agenda. The motion was approved.

AYE: Aldridge, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Andersen, Landis, Osborn and Schutz

ITEM 5. APPROVAL OF BOARD OF DIRECTORS MEETING MINUTES

It was moved by Stevens and seconded by Seacrest to approve the Minutes of the October 16, 2024 Board of Directors Meeting. The motion was approved.

AYE: Aldridge, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Andersen, Landis, Osborn and Schutz

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

Johnson reported that the Finance & Planning Subcommittee met on November 14, 2024.

Johnson stated that the financial reports for the period July 1, 2024 through October 31, 2024 had been distributed.

It was moved by Yoakum and seconded by Baker to approve the financial reports for the period of July 1, 2024 through October 31, 2024 and publish the expenditures for October 2024.

The motion was approved.

AYE: Aldridge, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Andersen, Landis and Osborn

Johnson moved the Finance & Planning Subcommittee's recommendation that the Board of Directors accept the FY2024 Audit as presented by HBE.

Kiley Wiechman and Lucas Post with HBE presented the Audit to the Directors.

The motion was approved.

AYE: Aldridge, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Andersen, Landis and Osborn

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

Green reported that the Executive Subcommittee met on October 24, 2024 and November 14, 2024.

Green stated that Item 7d would be moved to closed session at the end of the Board meeting.

Green moved the Executive Subcommittee's recommendation that the Board of Directors approve that beginning in December 2024 and moving forward, that board meetings be held at 5:30 p.m. on the third Wednesday of the month.

It was moved by Yoakum and seconded by Eagan to amend the motion to add after "forward" the words "for the months of December, January, February and March". The motion was approved.

AYE: Aldridge, Baker, Eagan, Green, Hawkins, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens and Yoakum

NAY: Hellerich and Vogel

NOT PRESENT: Andersen, Landis and Osborn

The amended motion that the Board of Directors approve that beginning in December 2024 and moving forward, for the months of December, January, February and March, that the board meetings be held at 5:30 p.m. on the third Wednesday of the month was approved.

AYE: Baker, Eagan, Green, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Stevens and Yoakum

NAY: Aldridge, Hawkins, Hellerich, Spangler and Vogel

NOT PRESENT: Andersen, Landis and Osborn

Green moved the Executive Subcommittee's recommendation that the Board of Directors have the General Manager sign the Agreement with Mueller Robak LLC for lobbying services. The motion was approved.

AYE: Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Stevens, Vogel and Yoakum

NAY: Aldridge, Hawkins and Spangler

NOT PRESENT: Andersen, Landis and Osborn

Green moved the Executive Subcommittee's recommendation that the Board of Directors instruct the General Manager to negotiate a Professional Services Contract with Riley Consulting LLC for approval by the Board. The motion was approved.

AYE: Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: Aldridge

NOT PRESENT: Andersen, Landis and Osborn

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

Yoakum stated that the Urban subcommittee met on November 14, 2024.

Yoakum moved the Urban Subcommittee's recommendation that the Board of Directors approve the Easement for Utility Lines and/or Underground Utility Facilities with Lincoln Electric System. The motion was approved.

AYE: Aldridge, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Andersen, Landis and Osborn

Yoakum moved the Urban Subcommittee's recommendation that the Board of Directors approve the Joint Funding Agreement with USGS for operation of the Deadman's Run 38th Street Streamgage.

AYE: Aldridge, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Andersen, Landis and Osborn

ITEM 9. REPORT OF THE RECREATION, FORESTRY & WILDLIFE SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Hawkins stated that the Recreation, Forestry & Wildlife Subcommittee met on November 12, 2024.

Hawkins moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors authorize the General Manager to sign an agreement with the Nebraska Game and Parks Commission that provides funding to the NRD for grassland habitat projects on Bobcat Prairie WMA.

Will Inselman, Resources Coordinator, answered questions from the Board regarding the projects on Bobcat Prairie WMA.

The motion was approved.

AYE: Aldridge, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Andersen, Landis and Osborn

Hawkins stated that three bids were received for tree removal projects on three Prairie Corridor on Haines Branch properties.

Contractor	Bid
Midwest Tree Cutters, Inc.	\$32,300.00
Morrissey Enterprises	\$108,750.00
Gana Trucking and Excavating	No Bid

Hawkins moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors approve the low bid of \$32,300.00 submitted by Midwest Tree Cutters, Inc. for tree removal projects on three Prairie Corridor on Haines Branch properties. The motion was approved.

AYE: Aldridge, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum
NAY: None
NOT PRESENT: Andersen, Landis and Osborn

Hawkins stated that three bids were received for a fencing project on Oak Creek Trail

Contractor	Bid
Josoff Custom Contracting	\$25,080.00
Morrissey Enterprises	\$25,905.00
Rock Creek Ventures LLC	\$47,029.40

Hawkins moved the Recreation, Forestry & Wildlife Subcommittee’s recommendation that the Board of Directors approve the low bid of \$25,080.00 submitted by Josoff Custom Contracting for a fencing project on Oak Creek Trail.

Mike Sousek, General Manager, and Will Inselman, Resources Coordinator, answered questions of the Board regarding the fencing project on Oak Creek Trail.

The motion was approved.

AYE: Aldridge, Baker, Green, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum
NAY: Hawkins
NOT PRESENT: Andersen, Eagan, Landis and Osborn

ITEM 10. REPORT OF THE MOPAC EAST – LIED CONNECTOR SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Stevens stated that the MoPac East – Lied Connector Subcommittee met on October 30, 2024.

Stevens moved the MoPac East – Lied Connector Subcommittee’s recommendation that the Board of Directors approve Alignment “D” as the final route selected for the placement of the connecting trail between the MoPac East Trail and the Lied-Platte River Bridge.

Mike Sousek, General Manager, Will Inselman, Resources Coordinator, and Corey Wasserburger, Legal Counsel answered questions of the Board regarding the route selected for the MoPac East Trail and the Lied-Platte River Bridge.

The following public addressed the Board regarding the proposed connecting trail between the MoPac East Trail and the Lied-Platte River Bridge: Theresa Johnson, Marie Gregoire, Brad Johnson, Jason Buss, Gary Bentrup, Karen Griffin, Julie Harris and Gerry Oligmueller.

The motion was approved.

AYE: Baker, Eagan, Green, Hellerich, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Stevens, Vogel and Yoakum
NAY: Aldridge, Hawkins, Jacobson and Spangler
NOT PRESENT: Andersen, Landis and Osborn

Stevens moved the MoPac East – Lied Connector Subcommittee’s recommendation that the Board of Directors authorize the General Manager to sign an Interlocal Agreement with Cass County to grant the Lower Platte South NRD the authority to construct, operate, and maintain a trail within Cass County right-of-way on Alignment “D”.

Corey Wasserburger, Legal Counsel, answered questions of the Board regarding the Interlocal Agreement with Cass County. Alex DeGarmo, Cass County Commissioner, addressed the Board regarding the Agreement.

The motion was approved.

AYE: Baker, Eagan, Green, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Stevens, Vogel and Yoakum
VOTING “PRESENT”: Aldridge
NAY: Hawkins, Hellerich and Jacobson
NOT PRESENT: Andersen, Landis, Osborn and Spangler

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

Seacrest stated that the Water Resources Subcommittee met on November 14, 2024.

Seacrest moved the Water Resources Subcommittee’s recommendation that the Board of Directors approve the Nitrogen Reduction Incentive Act Cost-Share Program.

It was moved by Hellerich and seconded by Spangler to amend the application rate of the Nitrogen Reduction Incentive Act in Priority A from \$15/acre to \$45/acre, Priority B from \$12/acre to \$42/acre and Priority C from \$10/acre to \$40/acre. The motion failed.

AYE: Aldridge, Baker, Hellerich, Ruth, Spangler and Yoakum
NAY: Eagan, Green, Hawkins, Jacobson, Johnson, Lamberty, Lewis, Peterson, Schutz, Seacrest, Stevens and Vogel
NOT PRESENT: Andersen, Landis and Osborn

Mike Sousek, General Manager, and David Potter, Assistant General Manager, answered questions of the Board regarding the Nitrogen Reduction Incentive Act Cost-Share Program.

The original motion to approve the Nitrogen Reduction Incentive Act Cost-Share Program was approved.

AYE: Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Seacrest, Spangler, Stevens, Vogel and Yoakum
NAY: Aldridge and Schutz
NOT PRESENT: Andersen, Landis and Osborn

Seacrest moved the Water Resources Subcommittee’s recommendation that the Board of Directors approve the General Manager to sign the Second Amendment of the Lower Platte River Consortium Interlocal Cooperative Agreement, extending the Agreement for a five-year period through December 4, 2029, and changing the title of the Consortium to the “Lower Platte River Drought Consortium.” The motion was approved.

AYE: Aldridge, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Andersen, Landis and Osborn

Seacrest stated that four bids were received for the construction of the Piening Water Quality Basin.

Contractor	Bid
Tim Sisco Construction	\$428,153.85
Gana Trucking	\$882,947.50
Brandt Excavating	\$991,174.00
Ashland Road Excavating	\$1,257,700.35

Seacrest moved the Water Resources Subcommittee’s recommendation that the Board of Directors accept the low bid from Tim Sisco Construction for \$428,153.85 for the construction of the Piening Water Quality Basin.

Mike Sousek, General Manager, David Potter, Assistant General Manager and Drew Ratkovec, Projects Coordinator, answered questions of the Board regarding the construction of the Piening Water Quality Basin.

The motion was approved.

AYE: Aldridge, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Andersen, Landis and Osborn

ITEM 12. REPORT OF LAND RESOURCES SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Jacobson stated that the Land Resources Subcommittee met on November 7, 2024.

Jacobson moved the Land Resources Subcommittee’s recommendation that the Board of Directors approve the Lower Platte South NRD District-Wide Water Quality Management Plan 2024 – 2029 Revision. The motion was approved.

AYE: Aldridge, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Andersen, Landis and Osborn

Jacobson stated that there were four application for fall surface water quality BMP cost-share.

Applicant Name	SEC	TWN	RNG	County	Practice	Amount	Targeted Area
Merry S. Drake	16	11	11	Cass	Terraces	\$2,849.00	
Acre Management LLC	10	8	5	Lancaster	Grassed Waterways	\$3,013.00	
Timothy Benes	9	12	6	Lancaster	Terraces	\$6,192.00	
St. Wenceslaus Catholic Church Bee	23	12	4	Seward	Terraces	\$11,131.00	SVL – Branched Oak
TOTAL						\$23,185.00	

Jacobson moved the Land Resources Subcommittee’s recommendation that the Board of Directors approve the four identified cost-share applications totaling an amount of \$23,185.00. The motion was approved.

- AYE: Aldridge, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Stevens, Vogel and Yoakum
- NAY: None
- ABSTAIN: Spangler
- NOT PRESENT: Andersen, Landis and Osborn

ITEM 13. REPORT OF THE PLATTE RIVER SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Vogel stated that the Platte River Subcommittee met on November 7, 2024.

Vogel moved the Platte River Subcommittee’s recommendation that the Board of Directors approve the 2024 – 2029 Revision to the Water Quality Management Plan for the Lower Platte River Corridor Alliance. The motion was approved.

- AYE: Aldridge, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum
- NAY: None
- NOT PRESENT: Andersen, Landis and Osborn

Vogel moved the Platte River Subcommittee’s recommendation that the Board of Directors approve the First Amendment to the Interlocal Cooperative Act Agreement for the Platte River and Elkhorn River Cameras between Lower Platte South NRD and Papio-Missouri River NRD. The motion was approved.

- AYE: Aldridge, Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum
- NAY: None
- NOT PRESENT: Andersen, Landis, Osborn and Ruth

ITEM 14. REPORT OF THE INFORMATION & EDUCATION SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Vogel stated that the Information & Education Subcommittee met on November 12, 2024.

Vogel moved the Information & Education Subcommittee’s recommendation that the Board of Directors approve the Website Development Proposal submitted by Unanimous to rebuild, upgrade, host and maintain the website platform using Drupal 10 at a cost of \$25,000.00.

Jodi Delozier, Communication Coordinator / Adult Environmental Education, and Nathan Kuhlman, IS Administrator, answered questions of the Board regarding the website development proposal and website upgrade.

The motion was approved.

AYE: Eagan, Green, Hellerich, Jacobson, Lamberty, Lewis, Peterson, Ruth, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: Aldridge, Baker, Hawkins, Johnson and Schutz

NOT PRESENT: Andersen, Landis and Osborn

ITEM 15. ITEMS REQUIRING CLOSED SESSION

It was moved by Johnson and seconded by Eagan to go into closed session at 9:53 p.m. in order to protect the public interest during discussion of litigation. The motion was approved.

AYE: Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: Aldridge

NOT PRESENT: Andersen, Landis and Osborn

It was moved by Johnson and seconded by Eagan to return to open session at 10:44 p.m.

AYE: Baker, Eagan, Green, Hawkins, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: Aldridge

NOT PRESENT: Andersen, Landis and Osborn

ITEM 16. NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS (NARD) REPORT

Tom Green reported on the NARD Board Meeting held and spoke of the Legislative Conference scheduled for January 28 & 29, 2025.

ITEM 17. PERMIT AND PROGRAM APPROVALS

A report of permit and program approvals was distributed.

ITEM 18. SCHEDULE OF UPCOMING EVENTS AND ACTIVITIES

A schedule of upcoming events and activities was mailed out.

ITEM 19. FOR INFORMATION ONLY

Various memos were mailed out.

There being no other business, the meeting was adjourned at 10:47 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 November 20, 2024 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.

Lisa Lewis, Secretary

/dr