



LOWER PLATTE SOUTH natural resources district

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BOARD OF DIRECTORS' MEETING OCTOBER 18, 2023

The Board of Directors of the Lower Platte South Natural Resources District met at the Lower Platte South NRD Office on Wednesday, October 18, 2023 at 7:00 p.m. Directors participating were Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Peterson, Ruth, Schutz, Seacrest, Sinclair, Stevens Vogel and Yoakum. Landis called the meeting to order at 7:00 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

Eighteen Directors were present upon 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 October 9, 2023.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES

Landis stated that there were requests for excused absences from Chelsea Johnson and Ron Nolte for the October 18, 2023 Board of Directors meeting.

It was moved by Landis and seconded by Yoakum to accept the requests for excused absences from Chelsea Johnson and Ron Nolte for the October 18, 2023 Board of Directors meeting. The motion was approved.

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

NAY: None

NOT PRESENT: Johnson, Nolte and Spangler

ITEM 4. ADOPT AGENDA

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

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

NAY: None

NOT PRESENT: Johnson, Nolte and Spangler

ITEM 5. APPROVAL OF BOARD OF DIRECTORS MEETING MINUTES

It was moved by Stevens and seconded by Eagan to approve the Minutes of the September 20, 2023 Board of Directors Meeting. The motion was approved.

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

NAY: None

NOT PRESENT: Johnson, Nolte and Spangler

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

Andersen stated that the Finance & Planning Subcommittee met on October 10, 2023. He stated that the financial reports for the period July 1, 2023 through September 30, 2023 had been distributed.

It was moved by Andersen and seconded by Vogel to approve the financial reports for the period of July 1, 2023 through September 30, 2023 and publish the "Expenditures without Director's expenditures" for September 2023. The motion was approved.

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

NAY: Aldridge

NOT PRESENT: Johnson, Nolte and Spangler

It was moved by Andersen and seconded by Seacrest to publish the "Director Group 1" (Aldridge, Andersen, Baker, Eagan, Green, Hellerich and Jacobson) expenditures for September 2023. The motion was approved.

AYE: Aldridge, Lamberty, Landis, Lewis, Peterson, Ruth, Schutz, Seacrest, Sinclair, Stevens, Vogel and Yoakum

ABSTAIN: Andersen, Baker, Eagan, Green, Hellerich and Jacobson

NAY: None

NOT PRESENT: Johnson, Nolte and Spangler

It was moved by Andersen and seconded by Stevens to publish the "Director Group 2" (Johnson, Lamberty, Landis, Lewis, Nolte, Peterson and Ruth) expenditures for September 2023. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Schutz, Seacrest, Sinclair, Stevens, Vogel and Yoakum

ABSTAIN: Lamberty, Landis, Lewis, Peterson and Ruth

NAY: None

NOT PRESENT: Johnson, Nolte and Spangler

It was moved by Andersen and seconded by Baker to publish the “Director Group 3” (Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum) expenditures for September 2023. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Peterson and Ruth

ABSTAIN: Schutz, Seacrest, Sinclair, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Johnson, Nolte and Spangler

A report of the Audit was presented by Kiley Wiechman and Lucas Post with HBE LLC.

It was moved by Andersen and seconded by Vogel to accept the FY23 Audit as presented by HBE. The motion was approved.

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

NAY: None

NOT PRESENT: Johnson, Nolte and Spangler

Andersen stated that three bids were received for the storage building at 9600 N. 27th Street.

Bidder	Bid
Astro Buildings	\$301,722.81
Cleary Building Corp.	\$358,987.00
Morton Buildings, Inc.	\$442,704.00

Andersen moved the Finance & Planning Subcommittee’s recommendation that the Board of Directors accept the low bid of \$301,722.81 from Astro Building and have staff place the order for the building.

Mike Sousek, General Manager, and Al Langdale, Operation / Maintenance Coordinator, answered questions of the Board regarding the storage building.

The motion was approved.

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

NAY: Aldridge

NOT PRESENT: Johnson, Nolte and Spangler

Chair Landis stated that due to there being public present to speak on Agenda Item #10, Report of the MoPac East – Lied Trail Connector Subcommittee item it would be taken up next.

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

Schutz stated that the MoPac-Lied Trail Connector Subcommittee met on October 9, 2023. He stated that three firms were interviewed to conduct an evaluation of the MoPac connector trail. Those firms included Felsburg Holt & Ullevig, Olsson, and JEO Consulting Group.

Alex DeGarmo and John Winkler, Cass County Commissioners, addressed the Board regarding the selection of JEO as a consultant for the MoPac evaluation.

It was moved by Schutz and seconded by Vogel to recommend that the Board of Directors authorize the General Manager to sign a contract with JEO Consulting which includes the scope of work presented which will not exceed \$395,643 for the purpose of evaluating the connector trail between MoPac East and Lied Platte River Bridge.

Andrea Gebhart with JEO Consulting answered questions of the Board regarding the evaluation of the MoPac – Lied Trail Connector.

The motion was approved.

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

NAY: None

NOT PRESENT: Johnson, Nolte and Spangler

ITEM 7. REPORT OF THE WATER RESOURCES SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Seacrest stated that the Water Resources Subcommittee met on October 12, 2023.

Seacrest moved the Water Resources Subcommittee’s recommendation that the Board of Directors approve the 2023 Annual Joint Funding Agreement with USGS for operation of 16 streamgages in the Lower Platte South NRD in the amount of \$122,765. The motion was approved.

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

NAY: None

NOT PRESENT: Johnson, Nolte, Schutz and Spangler

Seacrest moved the Water Resources Subcommittee’s recommendation that the Board of Directors authorize staff to prepare a revised easement for Upper Salt 11-4 and authorize the General Manager to execute said easement on behalf of the Board of Directors.

Drew Ratkovec, Stormwater / Watershed Specialist, David Potter, Assistant General Manager and Corey Wasserburger, Legal Counsel, answered questions of the Board regarding the easement modification at Upper Salt 11-4.

The motion was approved.

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

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

Yoakum stated that the Urban Subcommittee met on October 11, 2023.

Yoakum moved the Urban Subcommittee’s recommendation that the Board of Directors approve the Community Assistance Program application request for the Low Flow Channel Liner Repair Construction Project from Rolling Hills Park Association, Inc. / Homeowners Association, at a cost-share amount of \$29,298.64 of NRD funds, with the City reimbursing the NRD \$5,327.03.

Mike Sousek, General Manager, and Drew Ratkovec, Stormwater / Watershed Specialist, answered questions of the Board regarding the Community Assistance Program application from Rolling Hills Park Association, Inc. / Homeowners Association.

The motion was approved.

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

Yoakum moved the Urban Subcommittee’s recommendation that the Board of Directors approve the Professional Services Agreement with Felsburg, Holt and Ullevig for Construction Management Services for the Deadmans Run N. 66th to Vine Street Bank Repair Project, at an amount not to exceed \$29,555.

Mark Lindemann, District Engineer, answered questions of the Board regarding the Deadmans Run construction administration.

The motion was approved.

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

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

Schutz stated that the Recreation, Forestry & Wildlife Subcommittee met on October 9, 2023. Schutz stated that five bids were received for the MoPac Trail Wood Box Culvert Replacement Project.

Contractor	Bid
Kenneth Drewes	\$164,103.84
Nebraska Digging	\$174,296.00

Empire Construction and Trenching	\$207,883.00
Yost Excavating	\$209,971.00
Husker Grading	\$227,569.00

It was moved by Schutz and seconded by Yoakum to approve the low bid from Kenneth Drewes in the amount of \$164,103.84 for the MoPac Trail Wooden Box Culvert Replacement Project.

Ariana Kennedy, Resources Conservationist, and Will Inselman, Resources Coordinator, answered questions of the Board regarding the wooden box culvert replacement project.

The motion was approved.

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

NAY: None

NOT PRESENT: Johnson, Nolte and Spangler

It was moved by Schulz and seconded by Yoakum to approve the construction services agreement with Olsson in the amount of \$44,842.50 (time not to exceed) for the MoPac Trail and Homestead Trail Bank Stabilization Projects.

Ariana Kennedy, Resources Conservationist, answered questions of the Board regarding the bank stabilization project.

The motion was approved.

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

NAY: None

NOT PRESENT: Johnson, Nolte and Spangler

It was moved by Schutz and seconded by Stevens to approve the changes to the guidelines and prices increase of seedings for the FY 2024 Conservation Forestry Tree Seedling Program.

It was moved by Vogel and seconded by Yoakum to amend the motion to include "no Eastern Red Cedar trees will be offered for sale in the LPSNRD Community Forestry Tree Seedling Program".

Mike Sousek, General Manager, and Will Inselman, Resources Coordinator, answered questions of the Board regarding the Community Forestry Tree Seedling Program and Eastern Red Cedar trees.

The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Lamberty, Landis, Ruth, Seacrest, Sinclair, Stevens, Vogel and Yoakum

NAY: Jacobson, Lewis, Peterson and Schutz

NOT PRESENT: Johnson, Nolte and Spangler

The amended motion to approve the changes to the guidelines and price increase of seedings for the FY 2024 Community Forestry Tree Seedling Program and that no Eastern Red Cedar trees will be offered for

sale in the LPSNRD Community Forestry Tree Seedling Program was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Lamberty, Landis, Lewis, Ruth, Schutz, Seacrest, Sinclair, Stevens, Vogel and Yoakum

NAY: Jacobson and Peterson

NOT PRESENT: Johnson, Nolte and Spangler

It was moved by Schutz and seconded by Lamberty to approve the rules and guidelines for the Good Neighbor Wildlife Habitat Improvement Program for FY24.

Mike Sousek, General Manager, David Potter, Assistant General Manager, Will Inselman, Resources Coordinator and Cory Wasserburger, Legal Counsel, answered questions of the Board regarding the Good Neighbor Wildlife Habitat Improvement Program.

The motion was approved.

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

NAY: Aldridge, Landis and Vogel

NOT PRESENT: Johnson, Nolte and Spangler

ITEM 11. REPORT OF THE EXECUTIVE SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Landis stated that the Executive Subcommittee met on October 10, 2023.

Landis moved the Executive Subcommittee's recommendation that the Board of Directors authorize the General Manager to sign a license agreement with Jacoby and Michelle Bowhay for property withing the easement of U.S. 1-A.

David Potter, Assistant General Manager, and Corey Wasserburger, Legal Counsel, answered questions of the Board regarding the license agreement on Upper Salt Creek 1-A.

The motion was approved.

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

NAY: Aldridge

NOT PRESENT: Johnson, Nolte and Spangler

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

Lewis stated that there were 11 cost-share applications for installing water quality improvement practices. She stated that the Land Resources Subcommittee did not meet prior to the Board meeting but the applications were reviewed by the Eastern and Western Review Groups.

It was moved by Lewis and seconded by Andersen to approve the 11 identified Fall cost-share applications totaling an amount of \$120,238.00.

Applicant Name	County	Practice	Amount
Gary Hall	Cass	Terraces	\$7,194.00
Vogler Trust	Cass	Terraces	\$12,500.00
William Timblin Trust	Cass	Terraces	\$12,500.00
Robert Clements	Cass	Terraces	\$12,500.00
Lowell R. Bell Trust	Cass	Terraces	\$12,500.00
Donald Long	Cass	Terraces	\$5,915.00
Jay Farms	Otoe	Terraces	\$12,500.00
RST Land Holdings LTD & Rita S. Treckmen Irr. Living Trust	Otoe	Terraces	\$7,129.00
Leonard Buchholz Trust	Cass	Terraces	\$12,500.00
James Buchholz	Otoe	Terraces	\$12,500.00
Charlene Brown	Lancaster	Terraces	\$12,500.00

The motion was approved.

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

NAY: None

NOT PRESENT: Johnson, Nolte and Spangler

ITEM 13. REPORT OF THE INTEGRATED MANAGEMENT SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Jacobson stated that the Integrated Management Subcommittee met on October 5, 2023.

It was moved by Jacobson and seconded by Yoakum to authorize the General Manager to approve the amended Lower Platte River Consortium Interlocal Cooperation Agreement between Lower Platte South NRD, Lower Platte North NRD, Papio-Missouri River NRD, City of Lincoln, MUD, and NE Department of Natural Resources.

Mike Sousek, General Manager, answered questions of the Board regarding the Lower Platte River Consortium Interlocal Cooperation Agreement.

The motion was approved.

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

NAY: None

NOT PRESENT: Johnson, Nolte and Spangler

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

Tom Green that the NARD Board would be meeting in the upcoming weeks and that he would have a full report at the November Board Meeting.

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 9:26 p.m. The undersigned, the duly elected 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 October 18, 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.

Lisa Lewis, Secretary

/dr