



LOWER PLATTE SOUTH natural resources district

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BOARD OF DIRECTORS' MEETING September 18, 2019

The Board of Directors of the Lower Platte South Natural Resources District met on Wednesday, September 18, 2019 at 7:00 p.m., at the Lower Platte South NRD office, 3125 Portia, Lincoln, Nebraska. Directors present were Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson. Eagan called the meeting to order at 7:00 p.m.

Eagan welcomed those in attendance, and the pledge of allegiance was recited. She noted that the public meetings law is posted in the room and that carrying concealed weapons is prohibited at board meetings. She requested all cell phones be put on silent mode. She reminded everyone a recording of the meeting can be found on the NRD website. She offered an opportunity for public present to speak to non-agenda items.

Dr. Harriet Gould from Raymond Central Public School Board of Education addressed the Board regarding health and water quality concerns due to a proposed nearby chicken farm. Don Olson addressed the Board regarding his concerns over the design and operation of his neighbors water and sediment control basin.

Al Langdale introduced Drew Ratkovec as the new NRD Maintenance Technician.

ITEM 1. ROLL CALL OF DIRECTORS.

Seventeen Directors were present upon roll call.

ITEM 2. PUBLICATION OF LEGAL NOTICE OF MEETING.

Eagan reported that the legal notice for the Directors' Meeting was published in the Lincoln Journal Star on September 11, 2019.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES.

Eagan stated that requests for excused absence were received from Chelsea Johnson and Dan Steinkruger for the September 18, 2019 Board of Directors Meeting.

It was moved by Landis and seconded by Stevens to approve the requests for excused absences from Chelsea Johnson and Dan Steinkruger for the September 18, 2019 Board of Directors meeting. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson

NAY: None

NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

ITEM 4. ADOPT REVISED AGENDA

It was moved by Osborn and seconded by DeKalb to adopt the Revised Agenda. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson

NAY: None

NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

ITEM 5. APPROVE MINUTES OF AUGUST 21, 2019 BOARD OF DIRECTORS MEETING.

It was moved by Barrett and seconded by Jacobson to approve the minutes of the August 21, 2019 Board of Directors Meeting. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson

NAY: None

NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

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

Andersen reported that the Finance & Planning Subcommittee met on September 11, 2019. He stated that the financial reports for the period July 1, 2019 through August 31, 2019 and expenditures for August 2019 had been distributed.

Paul Zillig, General Manager and Kathy Spence, Administrative Assistant, answered questions of the Board regarding the financial reports.

It was moved by Andersen and seconded by Osborn to approve the financial reports for the period of July 1, 2019 through August 31, 2019 and publish the General Expenditures for August 2019. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson

NAY: None

NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

Andersen moved the Finance & Planning Subcommittee's recommendation that the Board of Directors approve the Property Tax Request Resolution dated September 18, 2019. The motion was approved.

AYE: Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson

NAY: Aldridge

NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

Paul Zillig, General Manager answered questions of the Board regarding the Long Range Implementation Plan.

Andersen moved the Finance & Planning Subcommittee's recommendation that the Board of Directors approve the Long Range Implementation Plan for the period July 1, 2019 to June 30, 2024. The motion was approved.

AYE: Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson

NAY: Aldridge

NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

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

DeKalb stated that the Urban Subcommittee met on September 11, 2019.

DeKalb moved the Urban Subcommittee's recommendation that the Board of Directors approve the Community Assistance Program application from the City of Louisville for the Mill Creek Bank Stabilization Project – Phase I, in an amount of 50% of the estimated cost, not to exceed \$7,000 NRD funds. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson

NAY: None

NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

Paul Zillig, General Manager, answered questions from the Board on the Shadow Pines Townhome Project.

DeKalb moved the Urban Subcommittee's recommendation that the Board of Directors approve the Community Assistance Program application from the Shadow Pines Townhome Association Bank Stabilization Project – Phase 2, in an amount of 50% of the estimated cost, not to exceed \$42,500 NRD funds. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson

NAY: None

NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

Paul Zillig, General Manager, answered questions from the Board regarding the Salt Creek Levee Beal Slough Tieback project.

DeKalb moved the Urban Subcommittee's recommendation that the Board of Directors approve Amendment #1 to Task Order #2 for additional Professional Services with JEO Consulting Group, for the Beal Slough Tieback Levee SWIF Implementation Project, in an amount not to exceed \$14,200, subject to legal counsel review. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson

NAY: None

NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

ITEM 8 REPORT OF THE WATER RESOURCES SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Andersen stated that the Water Resources Subcommittee met on September 16, 2019.

Andersen reported that two bids were received for the construction of Oak-Middle Creek Watershed 82-B Rehabilitation Project.

Bidder	Bid
Goes Construction, LLC	\$485,078.40
High Plains Enterprises, Inc.	\$693,546.25

Paul Zillig, General Manager, answered question of the Board regarding the Oak-Middle Creek Watershed 82-B Rehabilitation Project.

Andersen moved the Water Resources Subcommittee’s recommendation that the Board of Directors approve the low bid from Goes Construction, LLC of Talmage, Nebraska in the amount of \$485,078.40 for the construction of the Oak-Middle Creek Watershed 82-B Rehabilitation Project. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson
NAY: None
NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

Andersen moved the Water Resources Subcommittee’s recommendation that the Board of Directors, on behalf of the Eastern Nebraska Water Resources Assessment, approve Modification #002 to the USGS Age Dating Project Agreement 16EMNE00280. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson
NAY: None
NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

Andersen reported that information regarding the landrights negotiations for Upper Salt 3-A Watershed Rehabilitation Project were not received prior to the Board meeting and therefore, no action was required at this time.

Leo Benes addressed the Board. Paul Zillig, General Manager, answered questions of the Board regarding Irrigation Complaint 002.

Andersen moved the Water Resources Subcommittee’s recommendation that the Board of Directors, approve the September 11, 2019 Report of Investigation and find that there was no irrigation runoff in violation of the NRD’s April 22, 2015 Cease and Desist Order against Benes Service Company, Inc. The motion was approved.

AYE: Amen, Andersen, Barrett, DeKalb, Eagan, Green, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson
NOT VOTING: Aldridge and Hellerich
NAY: None
NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

Dan Schulz, Resources Coordinator, and Dick Ehrman, Water Resources Specialist, answered questions of the Board regarding the draft modifications to the Groundwater Rules and Regulations.

Andersen moved the Water Resources Subcommittee's recommendation that the Board of Directors, direct staff to conduct a public hearing on the draft modifications to the Groundwater Rules and Regulations. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson
NAY: None
NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

ITEM 9. REPORT OF THE PLATTE RIVER SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Jacobson stated that the Platte River Subcommittee met on September 9, 2019 and again just prior to the Board Meeting. David Hanson, Omaha Fish & Wildlife Club, addressed the Board.

Jacobson moved the Platte River Subcommittee's recommendation that the Board of Directors, pending Omaha Fish & Wildlife Club agreeing to fulfill all project sponsor responsibilities, approve the Cooperative Agreement between the Department of the Army, Omaha Fish & Wildlife Club and the Lower Platte South Natural Resources District for the 2019 Levee Rehabilitation of the Omaha Fish & Wildlife Club Platte River Right Bank Cedar Creek Levee Project (PL84-99), subject to legal counsel review. The motion was approved.

AYE: Aldridge, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson
ABSTAIN: Amen and B. Johnson
NAY: None
NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

Jacobson moved the Platte River Subcommittee's recommendation that the Board of Directors authorize the General Manager to sign the Cooperative Agreement with the Department of the Army for the PL84-99 Flood Rehabilitation Clear Creek – Platte River Right Bank Levee System, subject to legal counsel review. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson
NAY: None
NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

It was moved by Jacobson and seconded by Hellerich that the Board of Directors authorize the General Manager to sign the Cooperative Agreement with the Department of the Army for the PL84-99 Flood Rehabilitation

Western Sarpy Left Bank Levee System, subject to legal counsel review. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson

NAY: None

NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

ITEM 10. REPORT OF THE INFORMATION & EDUCATION SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Osborn stated that the Information & Education Subcommittee met on September 17, 2019.

Osborn moved the Information & Education Subcommittee's recommendation that the Board of Directors approve the radio advertising agreements with Alpha Media for \$14,760 and NRG Media for \$13,150 for advertising from October 1, 2019 thru September 30, 2020, at a cost not to exceed \$27,910, pending legal counsel review. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson

NAY: None

NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

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

Eagan stated that the Executive Subcommittee met on September 9, 2019. Paul Zillig, General Manager, answered questions of the Board regarding the Cooperative Agreement.

It was moved by Eagan and seconded by Stevens that the Board of Directors approve the Interlocal Cooperative Agreement with the Upper Big Blue NRD for shared personnel services. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson

NAY: None

NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

Paul Zillig, General Manager, stated that a short tour of the area would be held prior to the Board Meeting in Hickman. He then answered questions of the Board.

Eagan moved the Executive Subcommittee's recommendation that the Board of Directors approve holding the October 2019 Board of Directors Meeting at the Hickman Community Center in Hickman, NE on Wednesday, October 16th beginning at 7:00 p.m. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson

NAY: None

NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

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

Hellerich stated that the Land Resources Subcommittee did not meet prior to the Board meeting.

It was moved by Hellerich and seconded by DeKalb that the Board of approve the 15 identified cost-share applications total an amount of \$125,347.69. The motion was approved.

County	Applicant Name	SEC	TWN	RNG	Targeted Area	Practice	Amount
Cass	Ann Eddy	27	12	11		Terraces	\$10,000.00
Cass	Larry Ludwig	17	10	12		Terraces	\$10,000.00
Cass	Travis Ahrens	35	10	13		Terraces	\$10,000.00
Cass	Christine M. Ahrens	15	10	11		Terraces	\$10,000.00
Cass	Dutch & Oneatta Rikli Trust	11	11	10		Terraces	\$10,000.00
Lancaster	Kenneth McMillan	31	8	5	Tanglewood	Terraces	\$15,000.00
Lancaster	Dixie Lostroh Wulf	4	10	5		Terraces	\$10,000.00
Lancaster	Jerold B. Schmidt	6	12	7		Terraces	\$10,000.00
Lancaster	Paul Kadavy	23	12	5		Terraces	\$10,000.00
Lancaster	Jim & Teri Hamsa	33	11	8		Terraces	\$4,632.00
Lancaster	Sunny Slope Farms	8	7	7		Terraces	\$10,000.00
Lancaster	Charles V. Carlson	4	11	6		Seeding	\$455.78
Lancaster	Don Wolf	4	11	6		Seeding	\$1,253.41
Saunders	Allen Mumm	16	13	7		Terraces	\$7,732.50
Saunders	Marilyn Engler	29	13	5		Terraces	\$6,274.00
						TOTAL	\$125,347.69

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson

NAY: None

NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

ITEM 13. REPORT OF RECREATION, FORESTRY & WILDLIFE SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Schutz stated that the Recreation, Forestry & Wildlife subcommittee met on September 10, 2019. Dan Schulz, Resources Coordinator, answered questions of the Board regarding the conservation easement grass seeding.

Schutz moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors accept the proposal from Prairie Plains Resources Institute to provide the seed and to plant 61 acres located on the Honvlez Conservation Easement at a cost not to exceed \$30,510.00. The motion was approved.

AYE: Aldridge, Amen, Andersen, Barrett, DeKalb, Eagan, Green, Hellerich, Jacobson, B. Johnson, Landis, Osborn, Peterson, Schmidt, Schutz, Stevens and Wilson

NAY: None

NOT PRESENT: C. Johnson, Ruth, Spangler and Steinkruger

ITEM 14. CONSIDERATION OF AGENDA ITEMS REQUIRING CLOSED SESSION.

Andersen stated that the Board would not need to go into closed session at this meeting.

ITEM 12. PERMIT AND PROGRAM APPROVALS

A report of permit and program approvals was distributed.

ITEM 13. SCHEDULE OF UPCOMING EVENTS AND ACTIVITIES.

A schedule of upcoming events and activities was mailed out.

ITEM 14. FOR INFORMATION ONLY.

Various memos were mailed out.

Milt Schmidt reminded everyone of the upcoming NARD Annual Conference.

There being no other business, the meeting was adjourned at 8:40 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 September 18, 2019, 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