



LOWER PLATTE SOUTH natural resources district

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BOARD OF DIRECTORS' MEETING SEPTEMBER 14, 2022

The Board of Directors of the Lower Platte South Natural Resources District met at the Lower Platte South NRD Office on Wednesday, September 14, 2022 at 7:00 p.m. Directors participating were Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum. 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 will be on the NRD website. Eagan 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.

Eighteen Directors were present upon roll call. Director Schutz arrived after 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 1, 2022.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES.

Eagan stated that requests for excused absences from Bruce Johnson for the September 14, 2022 Board of Directors meeting and Deborah Eagan for the October 19, 2022 Board of Directors meeting.

It was moved by Eagan and seconded by Stevens to accept the requests for excused absences from Bruce Johnson for the September 14, 2022 Board of Directors meeting and from Deborah Eagan for the October 19, 2022 Board of Directors meeting. The motion was approved.

AYE: Aldridge, Andersen, Barrett, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Seacrest, Spangler, Stevens, Vogel and Yoakum

ABSTAIN: Eagan

NAY: None

NOT PRESENT: B. Johnson, C. Johnson and Schutz

ITEM 4. ADOPT AGENDA.

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

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

NAY: None

NOT PRESENT: B. Johnson, C. Johnson and Schutz

ITEM 5. APPROVAL OF BOARD OF DIRECTORS MEETING MINUTES.

It was moved by Yoakum and seconded by Stevens to approve the Minutes of the August 17, 2022 Board of Directors Meeting. The motion was approved.

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

NAY: None

NOT PRESENT: B. Johnson, C. Johnson and Schutz

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

Andersen stated that the Finance & Planning Subcommittee met on September 7, 2022.

Andersen stated that the financial reports for the period July 1, 2022 through August 31, 2022 had been distributed. Paul Zillig, General Manager, Kristin Buntmeyer, Administration & Finance Manager, and Parker Robinson, Public Communications Specialist, answered questions of the Board regarding the financial reports.

It was moved by Andersen and seconded by Jacobson to approve the financial reports for the period of July 1, 2022 through August 31, 2022 and publish the General Expenditures for August 2022. The motion was approved.

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

NAY: None

NOT PRESENT: B. Johnson, C. Johnson and Schutz

Andersen moved the Finance & Planning Subcommittee's recommendation that the Board of Directors approve the Resolution to set the FY'23 tax request and file the FY'23 NRD Budget. The motion was approved.

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

NAY: Aldridge

NOT PRESENT: B. Johnson, C. Johnson and Schutz

Andersen moved the Finance & Planning Subcommittee's recommendation that the Board of Directors approve the updated Engagement Letter with HBE LLP. The motion was approved.

Paul Zillig, General Manager, answered questions of the Board regarding the Engagement Letter with HBE.

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

NAY: None

NOT PRESENT: B. Johnson, C. Johnson and Schutz

Andersen moved the Finance & Planning Subcommittee's recommendation that the Board of Directors approve the Long Range Implementation Plan for the period July 1, 2022 to June 30, 2027. The motion was approved.

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

NAY: None

NOT PRESENT: B. Johnson, C. Johnson and Schutz

Andersen moved the Finance & Planning Subcommittee's recommendation that the Board of Directors authorize the General Manager, with concurrence of the Board Chair and Treasurer, to commit District funds in an amount no greater than \$20,000 to purchase and option contract to acquire a storage facility / maintenance yard, but that only \$5,000 of such amount may be non-refundable. The motion was approved.

Corey Wasserburger, District Counsel, gave a presentation on the motion regarding storage facilities and answered questions of the Board.

AYE: Andersen, Barrett, Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NOT VOTING; Aldridge

NAY: None

NOT PRESENT: B. Johnson and C. Johnson

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

Eagan stated that the Executive Subcommittee did not meet and so there would be no report.

ITEM 8. REPORT OF THE INFORMATION & EDUCATION SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Yoakum stated that the Information & Education Subcommittee met on September 12, 2022.

Parker Robinson, Public Communications Specialist, answered questions of the Board regarding the media contracts.

Yoakum moved the Information & Education Subcommittee's recommendation that the Board of Directors approve a one year radio contract to provide District information totaling \$11,979 with Alpha Media, pending review by legal counsel. The motion was approved.

AYE: Andersen, Barrett, Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: Aldridge

NOT PRESENT: B. Johnson and C. Johnson

Yoakum moved the Information & Education Subcommittee's recommendation that the Board of Directors approve a one year radio contract to provide District information with Broadcast House, totaling \$13,304, pending review by legal counsel. The motion was approved.

AYE: Andersen, Barrett, Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: Aldridge

NOT PRESENT: B. Johnson and C. Johnson

Yoakum moved the Information & Education Subcommittee’s recommendation that the Board of Directors approve a one year radio contract to provide District information with Radio Lobo, totaling \$5,200, pending review by legal counsel. The motion was approved.

AYE: Andersen, Barrett, Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: Aldridge

NOT PRESENT: B. Johnson and C. Johnson

ITEM 9. REPORT OF THE LAND RESOURCES SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Hellerich stated that the Land Resources met by Zoom on September 13, 2022. He reported there were 30 cost-share application for installing water quality improvement practices.

Hellerich moved the Land Resources Subcommittee’s recommendation that the Board of Directors approve the 28 identified fall cost-share applications as listed on the attached table, totaling an amount of \$299,050.

Name	County	Amount Requested	Notes
Richard Clements	Cass	\$3,415.00	
Ingwerson Ent. LLC	Cass	\$12,500.00	
Brad Rikli	Cass	\$12,500.00	
Robert L. Rikli	Cass	\$10,230.00	
Randall Reinke	Cass	\$5,560.00	
Eric & Ann Kruger Trust	Cass	\$3,659.00	
Rosalyn Vogler	Cass	\$2,440.00	
Jay Farms, Inc.	Otoe	\$12,500.00	
Keegan Pope	Otoe	\$12,500.00	
Rodger Jensen	Otoe	\$12,500.00	
Rod Ruhge	Otoe	\$12,500.00	
Brad Berner	Otoe	\$8,071.00	
ABA Wiles Family Farms LLC	Otoe	\$12,500.00	
RST Land Holdings Ltd.	Otoe	\$12,500.00	
Paul Barnett	Otoe	\$12,500.00	
William Timblin	Cass	\$10,372.00	
Carl Maahs	Lancaster	\$17,500.00	Stevens Creek
Gary Snide	Lancaster	\$17,500.00	SVL - Yankee Hill
Woodruff Family LLC	Lancaster	\$12,500.00	
Kluth Property LLC	Seward	\$7,089.00	SVL - Branched Oak
Jeff Kanger	Saunders	\$10,899.00	
Chris Zetocha	Saunders	\$12,500.00	

Name	County	Amount Requested	Notes
John Tvrdy	Saunders	\$12,500.00	
Elaine M. Olson	Lancaster	\$7,318.00	
Elaine M. Olson Revocable Trust	Saunders	\$14,577.00	SVL Wildwood
Duane Theasmeyer	Lancaster	\$12,500.00	
Phillip Nalley	Lancaster	\$9,204.00	
Kenneth Virgil	Lancaster	\$8,716.00	
	TOTAL	\$299,050.00	

David Potter, Assistant General Manager answered questions of the Board.

The motion was approved.

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

ABSTAIN: Nolte

NAY: None

NOT PRESENT: B. Johnson, C. Johnson, and Landis

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

Schutz stated that the Recreation, Forestry & Wildlife Subcommittee met on September 8, 2022.

Will Inselman, Resources Coordinator, and Luke Rief with EA Engineering, Science & Technology, Inc. answered questions of the Board.

Schutz moved the Recreation, Forestry & Wildlife Subcommittee’s recommendation that the Board of Directors approve the consulting services agreement from EA Engineering, Science and Technology, Inc. for the Wildwood Lake sediment basin survey, with a total cost not to exceed \$13,975, subject to legal counsel review. The motion was approved.

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

NAY: Spangler

NOT PRESENT: B. Johnson and C. Johnson

Three bids were received for the Cottontail WMA Grassland Restoration Project. Will Inselman, Resources Coordinator answered questions of the Board regarding the Cottontail Restoration Project.

Contractor	Bid
Midwest Tree Cutters, Milford, NE	\$20,000.00
Bohemian Lumberjack Company, LLC, Morse Bluff, NE	\$50,004.00
Hofeling Enterprises, Inc., Lincoln, NE	\$147,500.00

Schutz moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors approve the low bid from Midwest Tree Cutters, Inc. in the amount of \$20,000.00 for the Cottontail WMA Grassland Restoration Project and further authorize additional work to be done at Cottontail by Midwest Tree Cutters, Inc. at a unit cost, not to exceed a total of \$35,000.00. The motion was approved.

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

NAY: None

NOT PRESENT: B. Johnson and C. Johnson

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

Green stated that the Urban Subcommittee met on September 12, 2022.

Tim Zach with the City of Lincoln and Kevin Kruse with JEO Consulting Group gave a presentation and answered questions of the Board regarding the Lincoln Comprehensive Watershed Master Plan.

Green moved the Urban Subcommittee's recommendation that the Board of Directors approve the Lincoln Comprehensive Watershed Master Plan. The motion was approved.

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

NAY: None

NOT PRESENT: B. Johnson and C. Johnson

Green moved the Urban Subcommittee's recommendation that the Board of Directors authorize staff to begin the acquisition of landrights for the South Salt Creek #6 Stream Stability project and approve the professional services agreement with Kubert Appraisal Group, P.C., at a cost not to exceed \$8,400, subject to legal counsel review. The motion was approved.

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

NAY: None

NOT PRESENT: B. Johnson and C. Johnson

Al Langdale, Operation / Maintenance Coordinator, answered questions of the Board. He indicated that one bid was received for the Antelope Creek 40th – Scott Avenue Repair Project.

Green moved the Urban Subcommittee's recommendation that the Board of Directors approve the Bid Proposal by Gana Construction Company in an amount not to exceed \$26,112 for site demo and grading services on the Wilson property to enable use as a temporary construction access for the Antelope Creek 40th – Scott Avenue Project. The motion was approved.

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

NAY: None

NOT PRESENT: B. Johnson and C. Johnson

Green moved the Urban Subcommittee's recommendation that the Board of Directors approve the Professional Services Agreement with Houston Engineering, in an amount not to exceed \$45,334 for professional services on the Salt Creek Levee Drainage Pipe Replacement Project near South Street (STA 98+25L).

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

NAY: None

NOT PRESENT: B. Johnson and C. Johnson

Al Langdale, Operation / Maintenance Coordinator, answered questions of the Board regarding the Salt Creek Levee Driveway Access Project.

Green moved the Urban Subcommittee's recommendation that the Board of Directors approve the Professional Services Agreement with Houston Engineering, Inc. in an amount not to exceed \$62,100 for professional services on the Salt Creek Levee Driveway Access Project near "A" Street (STA 126+27L to 127+82L). The motion was approved.

AYE: Aldridge, Andersen, Eagan, Green, Hellerich, Jacobson, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: Barrett, B. Johnson, C. Johnson and Lamberty

Paul Zillig, General Manager and Lindy Rogers, Houston Engineering answered questions of the Board regarding the Salt Creek Levee Drainage Pipe Repair (P Street)

Green moved the Urban Subcommittee's recommendation that the Board of Directors approve the Professional Services Agreement with Houston Engineering, in an amount not to exceed \$63,802 for engineering services on the Salt Creek Levee Drainage Pipe Repair and Replacement Project near "P" Street (STA 183+25L & 184+90R). The motion was approved.

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

ABSTAIN: Barrett

NAY: None

NOT PRESENT: B. Johnson and C. Johnson

Green moved the Urban Subcommittee's recommendation that the Board of Directors approve the Professional Services Agreements with Houston Engineering, in an amount not to exceed \$48,962 for professional services on the Salt Creek Levee Drainage Pipe Repair Project near Haymarket Park (STA 216+50R). The motion was approved.

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

NAY: None

NOT PRESENT: B. Johnson and C. Johnson

Paul Zillig, General Manager and Mark Lindemann, District Engineer, answered questions of the Board regarding the Lynn Creek Master Plan Stream Stability Project #9.

Green moved the Urban Subcommittee's recommendation that the Board of Directors approve the Professional Services Agreement with Intuition and Logic Engineering, Inc., in an amount not to exceed \$91,041 for engineering services for the Lynn Creek Master Plan Stream Stability Project #9 near 9th Street. The motion was approved.

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

NAY: None

NOT PRESENT: B. Johnson and C. Johnson

ITEM 12. CONSIDERATION OF AGENDA ITEMS REQUIRING CLOSED SESSION

Eagan stated that there were no items requiring closed session.

ITEM 13. NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS (NARD) REPORT.

Luke Peterson reported that the NARD Annual Conference in Kearney would be held September 25th through the 27th.

ITEM 14. PERMIT AND PROGRAM APPROVALS

A report of permit and program approvals was distributed.

ITEM 15. SCHEDULE OF UPCOMING EVENTS AND ACTIVITIES.

A schedule of upcoming events and activities was mailed out.

ITEM 16. FOR INFORMATION ONLY.

Various memos were mailed out.

There being no other business, the meeting was adjourned at 8:55 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 14, 2022, 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.

Donna Reid, Acting Secretary

/dr