



LOWER PLATTE SOUTH natural resources district

3125 Portia Street | P.O. Box 83581 • Lincoln, Nebraska 68501-3581
P: 402.476.2729 • F: 402.476.6454 | www.lpsnrd.org

Agenda Item #7

Memorandum

Date: July 20, 2020
To: Board of Directors
From: Paul D. Zillig, General Manager
Subject: Executive Subcommittee Meeting Minutes

The Executive Subcommittee met at 1:00 pm on Friday, July 17, 2020 via video/teleconference. Directors participating were Larry Ruth, Deborah Eagan, Milt Schmidt, Bruce Johnson, Ray Stevens, and Dan Steinkruger. Others participating included Steve Seglin, Corey Wasserburger, David Potter, and myself.

Chair Ruth called the meeting to order and welcomed those participating. Ruth asked Wasserburger to report on the Deadman's Run gabion damage/bank stabilization problems north of 70th & O Street. Wasserburger reported that our preference was to mediate with the representatives from those companies responsible for all aspects of the construction of Tommy's Car Wash. He reported that 2 of the 3 parties agreed to mediate but one party did not agree to mediate. For this reason he felt we need to file a lawsuit. The Subcommittee discussed the recommendation and our communication with the parties in an attempt to get them to mediate. It was moved by Steinkruger, seconded by Schmidt, and unanimously approved by those members present (Steinkruger, Eagan, Stevens, Schmidt, and Ruth) to **recommend that the Board of Directors authorize legal counsel to initiate litigation to resolve the District's claim for damage relating to the sloughing of the south bank of Deadman's Run located near 70th & O Street.**

The next item on the agenda was to discuss plans for the July Board Meeting. I reported that the meeting will be held in the Lancaster County Extension Office conference room. The seating arrangement will be similar to the Board Meetings at our Office, with social distancing for Directors and the public. Masks will be strongly encouraged, unless required, we will limit staff attendance and we will do what we can to promptly take care of business and not prolong the meeting. Ruth reported that at future meetings we will consider utilizing a "consent agenda" to approve with one vote, those motions the Directors do not wish to debate and vote to approve. The Subcommittee discussed their experiences with this and they felt it was something we should consider utilizing in order to shorten the length of the meeting. The Subcommittee discussed other options to shorten the length of the Board meeting, Board authorization to GM/Chair to approve certain items was considered and not approved this spring, some other variation of that motion to authorize approval could be considered.

The next item on the agenda was to discuss the continuation of the Legislative Session on July 20th. The Subcommittee discussed a proposed amendment (AM 2975) to allow political subdivisions to meet via video/teleconferencing of Board Meetings for 1 year. Wasserburger reviewed the amendment that ties in with the Open Meetings Act. The Subcommittee is in favor of having the option to meet via video/teleconferencing and is in support of a bill that would accomplish that option. It was moved by B. Johnson, seconded by Stevens, and unanimously approved by all members of the Subcommittee to **recommend the Board of Directors support amended bills in the current Legislative Session that would allow NRD Boards to meet via video/teleconferencing.**

I reported that the August Board Meeting will be held on August 26th, as per the Finance & Planning Subcommittee's recommendation in order to complete the Budget hearings and set the tax rate. The Subcommittee discussed that due to Legislative amendment 2975 or other changes we cannot finalize the details of the time, place, and location of that meeting. The Board has authorized the Chair to determine those details and felt that is definitely the best way to handle it.

The next item on the agenda was to continue discussion on updating the NRDs anti-discrimination policies. The Subcommittee discussed many suggestions and felt that the Subcommittee needs to review the US Supreme Court ruling, at a minimum must follow Federal guidelines, better definitions would be helpful, more general policies need to be considered, might need an HR firm to assist, legal counsel needs to review. The Subcommittee is interested in moving forward with some proposed improvements.

I reported that the NARD has notified the NRDs that the deadline for submitting resolutions for the fall NARD Annual Conference is August 14th. The Subcommittee discussed this Board's support of LB 283 – Provide for a climate change study. The Subcommittee feels that the NRDs should again discuss the merits of this bill and directed staff to prepare a resolution and submit the resolution to NARD for consideration at the NARD Annual Conference.

The Subcommittee discussed Director emailing.

There being no further business the meeting adjourned at 2:25 pm.

PDZ/pz

pc: Steve Seglin
Corey Wasserburger