



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

BOARD OF DIRECTORS' MEETING July 21, 2021

The Board of Directors of the Lower Platte South Natural Resources District met at the Lower Platte South NRD Office on Wednesday, July 21, 2021 at 7:00 p.m. Directors participating were Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, Jacobson, B. Johnson, C. Johnson, 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 an audio recording of the meeting can be found 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.

ITEM 1. ROLL CALL OF DIRECTORS.

21 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 July 9, 2021.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES

Eagan stated that there were no requests for excused absences.

ITEM 4. ADOPT AGENDA

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

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

NAY: None

NOT PRESENT: None

ITEM 5. APPROVAL OF MINUTES OF JUNE 16, 2021 BOARD OF DIRECTORS MEETING AND JUNE 29, 2021 SPECIAL BOARD OF DIRECTORS MEETING

It was moved by Yoakum and seconded by Seacrest to approve the minutes of the June 16, 2021 Board of Directors Meeting. The motion was approved.

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

NAY: None

NOT PRESENT: None

It was moved by Landis and seconded by Stevens to approve the minutes of the June 29, 2021 Special Board of Directors Meeting. The motion was approved.

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

ABSTAIN: Jacobson and Schutz

NAY: None

NOT PRESENT: None

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

Andersen reported that the Finance & Planning Subcommittee met on July 14, 2021.

Andersen stated that the financial reports for the period July 1, 2020 through June 30, 2021 had been distributed.

Paul Zillig, General Manager, and Kristin Buntmeyer, Administration and Finance Manager, answered questions of the Board regarding the financial reports.

It was moved by Andersen and seconded by Landis to approve the financial reports for the period of July 1, 2020 through June 30, 2021 and publish the General Expenditures for June 2021. The motion was approved.

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

NAY: Aldridge

NOT PRESENT: None

It was moved by Andersen and seconded by Yoakum to publish the expenditures for Directors Aldridge, Andersen, Barrett, Eagan, Green, Hellerich and Jacobson for June 2021. The motion was approved.

AYE: Aldridge, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

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

NAY: None

NOT PRESENT: None

It was moved by Andersen and seconded by Yoakum to publish the expenditures for Directors B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte and Peterson for June 2021. The motion was approved.

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

ABSTAIN: B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte and Peterson

NAY: None

NOT PRESENT: None

It was moved by Andersen and seconded by Peterson to publish the expenditures for Directors Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum for March 2021. The motion was approved.

AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, Jacobson, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Nolte and Peterson

ABSTAIN: Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

NAY: None

NOT PRESENT: None

Bob Andersen gave a presentation of Draft #2 of the Fiscal Year 2022 Budget and answered questions of the Board. Paul Zillig, General Manager, also answered questions of the Board. There were no questions or comments from the public.

Andersen moved the Finance and Planning Subcommittee's recommendation that the Board of Directors give tentative approval of Draft #2 of the FY 2022 Lower Platte South NRD Budget, totaling \$33,798,697, and publicize and present the Budget at the public hearing. The motion was approved.

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

NAY: Aldridge

NOT PRESENT: None

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

Hellerich reported that the Land Resources Subcommittee met on July 13, 2021. David Potter, Assistant General Manager, reported on the proposed changes to the Cover Crop Program.

Hellerich moved the Land Resources Subcommittee's recommendation that the Board of Directors approve the identified and noted changes to the Lower Platte South NRD Cover Crop Program. The motion was approved.

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

NAY: None

NOT PRESENT: None

Hellerich moved the Land Resources Subcommittee's recommendation that the Board of Directors approve the Inter-Local Agreement between the Nebraska Department of Environment and Energy (NDEE) and the Lower Platte South NRD regarding the Twin Lakes Watershed Targeted Area Implementation Project, subject to Legal Counsel review. The motion was approved

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

NAY: None

NOT PRESENT: None

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

Green stated that the Urban Subcommittee met on July 15, 2021.

Green moved the Urban Subcommittee's recommendation that the Board of Directors approve Amendment #2 to the Professional Services Agreement between Intuition & Logic Engineering and the Lower Platte South NRD, in an amount not to exceed \$13,601, for additional services for the Beal Slough Channel Stabilization – 70th to Pine Lake Project. The motion was approved.

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

NAY: Aldridge

NOT PRESENT: None

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

Schutz stated that the Recreation, Forestry & Wildlife Subcommittee met on July 20, 2021.

Schutz moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors approve the Mentored Hunt Agreement with the Nebraska Game and Parks Commission on the District's Warner Wetland property. The motion was approved.

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

NAY: None

NOT PRESENT: None

Dan Schulz, Resources Coordinator, answered questions from Directors regarding the request for a property access agreement across Homestead Trail Corridor.

Schutz moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors approve a non-transferable Access License Agreement with Ken and Carolyn Mohr to cross the Homestead Conservation Corridor, subject to Legal Counsel review. The motion was approved.

AYE: Andersen, Barrett, Eagan, Green, Jacobson, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Peterson, Ruth, Schutz, Seacrest, Stevens, and Yoakum

NAY: Aldridge, Hellerich, Nolte, Spangler and Vogel

NOT PRESENT: None

ITEM 10. REPORT OF THE EXECUTIVE SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Eagan stated that the Executive Subcommittee met on July 13, 2021.

Paul Zillig, General Manager, answered questions of the Board regarding changing the meeting date.

Eagan moved the Executive Subcommittee's recommendation that the Board of Directors approve to change the August Board Meeting to Thursday, August 26, 2021 starting at 7:00 p.m. The motion was approved.

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

NAY: None

NOT PRESENT: None

Cory Wasserburger, LPSNRD Legal Counsel, and Paul Zillig, General Manager, addressed the Board and answered questions regarding revoting on motions from the April 21, 2021 meeting due to a complaint filed with the Attorney General by Director Gary Aldridge.

It was moved by Landis and seconded by Andersen to approve the motion identified as 10(b) - Approve the FY 2022 Annual Operational Agreement with USDA Natural Resources Commission. The motion was approved.

AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

ABSTAIN: Jacobson and Nolte

NAY: None

NOT PRESENT: None

It was moved by Landis and seconded by Andersen to approve the motion identified as 10(c) - Approve Memorandum of Agreement with the National Association of Conservation Districts (NACD) for FY 2021 Technical Assistance Funds. The motion was approved.

AYE: Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

ABSTAIN: Jacobson and Nolte

NAY: None

NOT PRESENT: Aldridge

It was moved by Landis and seconded by Andersen to approve the motion identified as 10(d) - Approve the proposed Agreement from the Lincoln Journal Star for advertising at a cost not to exceed \$17,988, pending review by Legal Counsel. The motion was approved.

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

ABSTAIN: Jacobson and Nolte

NAY: C. Johnson

NOT PRESENT: Aldridge

It was moved by Landis and seconded by Andersen to approve the motion identified as 10(e) – Approve proposed Agreement from Lincoln Journal Star for printing and distribution of three newsletters at a cost not to exceed \$47,970, pending approval by Legal Counsel. The motion was approved.

AYE: Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

ABSTAIN: Jacobson and Nolte

NAY: None

NOT PRESENT: Aldridge

It was moved by Landis and seconded by Andersen to approve the motion identified as 10(f) – Approve the proposed Agreement from Firespring for television airtime at a cost not to exceed \$20,000, pending approval by Legal Counsel. The motion was approved.

AYE: Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, Lamberty, Landis, Lewis, Peterson, Ruth, Seacrest, Stevens, Vogel and Yoakum

ABSTAIN: Jacobson and Nolte

NAY: C. Johnson, Schutz and Spangler

NOT PRESENT: Aldridge

It was moved by Landis and seconded by Andersen to approve the motion identified as 10(g) – Approve the 26 identified surface water quality best management practices cost-share applications for the District’s Summer Conservation Program totaling \$370,536. The motion was approved.

AYE: Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

ABSTAIN: Jacobson and Nolte

NAY: None

NOT PRESENT: Aldridge

It was moved by Landis and seconded by Andersen to approve the motion identified as 10(h) – Approve the Fiscal Year 2021 – 2022 Work Plan for the Interlocal Agreement on Stormwater Management, with the City of Lincoln. The motion was approved.

AYE: Andersen, Barrett, Eagan, Green, Hellerich, B. Johnson, C. Johnson, Lamberty, Landis, Lewis, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum

ABSTAIN: Jacobson and Nolte

NAY: None

NOT PRESENT: Aldridge

ITEM 11. NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS (NARD) REPORT

Luke Peterson, NARD Representative for the Lower Platte South NRD stated that he had no report for this month.

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.

There being no other business, the meeting was adjourned at 9:05 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 July 21, 2021, 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.

Chelsea Johnson, Secretary

/dr