



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 November 17, 2021

The Board of Directors of the Lower Platte South Natural Resources District met at the Lower Platte South NRD Office on Wednesday, November 17, 2021 at 7:00 p.m. Directors participating were Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, Jacobson, B. Johnson, Lamberty, Landis, Lewis, Nolte, 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.

19 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 November 4, 2021.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES

Eagan stated that a request for an excused absence was received from Luke Peterson for the November 17, 2021 Board of Directors meeting.

It was moved by Eagan and seconded by Landis to approve the request for an excused absence from Luke Peterson for the November 17, 2021 Board of Directors meeting. The motion was approved.

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

NAY: None

NOT PRESENT: C. Johnson and Peterson

ITEM 4. ADOPT AGENDA

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

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

ABSTAIN: B. Johnson and Schutz

NAY: None

NOT PRESENT: C. Johnson and Peterson

ITEM 5. APPROVAL OF MINUTES OF OCTOBER 20, 2021 BOARD OF DIRECTORS MEETING

It was moved by Landis and seconded by Stevens to approve the minutes of the October 20, 2021 Board of Directors Meeting. The motion was approved.

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

ABSTAIN: Barrett, B. Johnson, Schutz and Spangler

NAY: None

NOT PRESENT: C. Johnson and Peterson

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

Andersen stated that the financial reports for the period July 1, 2021 through October 31, 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 Stevens to approve the financial reports for the period of July 1, 2021 through October 31, 2021 and publish the General Expenditures for October 2021. The motion was approved.

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

NAY: None

NOT PRESENT: C. Johnson and Peterson

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

Chair Eagan stated that the Executive Subcommittee met on November 15, 2021.

General Manager Paul Zillig gave a report on the Lower Platte South NRD re-districting required due to the 2020 Census. Eagan stated that no action was being taken at this meeting and that the matter would be taken up at the December Board of Directors Meeting.

ITEM 8. REPORT OF THE LAND RESOURCES SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Hellerich reported that Land Resources Subcommittee did not meet prior to the Board, however, one cost-share application was received and reviewed by the Eastern Review Group.

Name	County	Practice	SEC	TWN	RNG	Amount Requested	Notes
James Buchholz	Cass	Terraces	36	10	11	\$6,124.00	
TOTAL						\$6,124.00	

It was moved by Hellerich and seconded by Andersen to approve the application for James Buchholz in an amount of \$6,124.00. The motion was approved.

- AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, Jacobson, B. Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum
- NAY: None
- NOT PRESENT: C. Johnson and Peterson

ITEM 9. REPORT OF THE URBAN SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

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

Paul Zillig, General Manager, Al Langdale, Operation and Maintenance Coordinator and Lindy Rogers with FYRA Engineering answered questions of the Board regarding the Professional Services Agreement for the Salt Creek Pipe Inspection Project.

Green moved the Urban Subcommittee’s recommendation that the Board of Directors approve the Professional Services Agreement between FYRA Engineering and the Lower Platte South NRD, in an amount not to exceed \$298,085.00, for inspection of Salt Creek Levee Drainage Structures. The motion was approved.

- AYE: Aldridge, Andersen, Barrett, Eagan, Green, Hellerich, Jacobson, B. Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum
- NAY: None
- NOT PRESENT: C. Johnson and Peterson

ITEM 10. REPORT OF THE WATER RESOURCES SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Ruth stated that the Water Resources Subcommittee met on November 9, 2021.

He stated that the subcommittee discussed changes to the Groundwater Rules & Regulations and that they would be brought to the Board at a later date.

Ruth stated that the second item involving Oak-Middle 82-B would be heard in closed session.

ITEM 11. CONSIDERATION OF AGENDA ITEMS REQUIRING CLOSED SESSION

It was moved by Vogel and seconded by Yoakum that the Board of Directors go into closed session at 7:38 p.m. to protect the public interest concerning potential litigation due to certain actions related to enforcing provisions in the Oak-Middle 82-B construction contract. The motion was approved.

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

NAY: Aldridge

NOT PRESENT: C. Johnson and Peterson

It was moved by Stevens and seconded by Landis to return to Open Session at 8:01 p.m. The motion was approved.

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

NAY: Aldridge

NOT PRESENT: C. Johnson and Peterson

It was moved by Vogel and seconded by Landis that the Lower Platte South NRD close out the Oak-Middle 82-B project contract with a final payment of \$153,053.44 per legal counsel advice. The motion was approved.

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

ABSTAIN: Nolte

NAY: Aldridge

NOT PRESENT: C. Johnson and Peterson

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 8:04 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 November 17, 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.

Donna Reid, Acting Secretary

/dr