



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 FEBRUARY 15, 2023

The Board of Directors of the Lower Platte South Natural Resources District met at the Lower Platte South NRD Office on Wednesday, February 15, 2023 at 2:00 p.m. Directors participating were Aldridge, Andersen, Baker, Eagan, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Seacrest, Spangler, Stevens and Vogel. Landis called the meeting to order at 2:00 p.m.

Landis welcomed those in attendance, and the pledge of allegiance was recited. He noted that the public meetings law is posted in the room and that carrying concealed weapons is prohibited at board meetings and on District property. He requested all cell phones be put on silent mode. He reminded everyone a recording of the meeting will be on the NRD website. Landis requested anyone wishing to speak on an agenda item to provide their name on the sign-in sheet 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

Seventeen Directors were present upon roll call.

ITEM 2. PUBLICATION OF LEGAL NOTICE OF MEETING

Landis reported that the legal notice for the Directors' Meeting was published in the Lincoln Journal Star on February 2, 2023.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES

Landis stated that there were requests for excused absences from Gary Hellerich for January 18, 2023 Board of Directors meeting, Tom Green, Luke Peterson and John Yoakum for the February 15, 2023 Board of Directors meeting and Stacie Sinclair for the February, March, April and May Board of Directors meeting.

Chair Landis stated that there would be three motions.

It was moved by Andersen and seconded by Seacrest to accept the request for excused absences from Gary Hellerich for the January 18, 2023 Board of Directors meeting. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Seacrest, Spangler, Stevens and Vogel

ABSTAIN: Hellerich

NAY: None

NOT PRESENT: Green, Peterson, Sinclair and Yoakum

It was moved by Eagan and seconded by Lamberty to accept the requests for excused absences from Tom Green, Luke Peterson and John Yoakum for the February 15, 2023 Board of Directors meeting. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Seacrest, Spangler, Stevens and Vogel

NAY: None

NOT PRESENT: Green, Peterson, Sinclair and Yoakum

It was moved by Stevens and seconded by Johnson to accept the request for an excused absence from Stacie Sinclair for the February 15, 2023 Board of Directors meeting.

General Manager Paul Zillig and Legal Counsel Cory Wasserburger answered questions of the Board regarding Director Sinclair's request for an excused absence.

The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Seacrest, Stevens and Vogel

NAY: Spangler

NOT PRESENT: Green, Peterson, Sinclair and Yoakum

ITEM 4. ADOPT AGENDA

It was moved by Hellerich and seconded by Eagan to adopt the Agenda. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Seacrest, Spangler, Stevens and Vogel

NAY: None

NOT PRESENT: Green, Peterson, Sinclair and Yoakum

ITEM 5. APPROVAL OF BOARD OF DIRECTORS MEETING MINUTES

It was moved by Stevens and seconded by Baker to approve the Minutes of the January 18, 2023 Board of Directors Meeting. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Seacrest, Spangler, Stevens and Vogel

NAY: None

NOT PRESENT: Green, Peterson, Sinclair and Yoakum

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

Johnson stated that the Finance & Planning Subcommittee met on February 15, 2023, just prior to the Board meeting.

Johnson stated that the financial reports for the period July 1, 2022 through January 31, 2023 had been distributed.

It was moved by Johnson and seconded by Andersen to approve the financial reports for the period of July 1, 2022 through January 31, 2023 and publish the expenditures for January, 2023.

Paul Zillig answered questions of the Board regarding the financial reports.

The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Seacrest, Spangler, Stevens and Vogel

NAY: None

NOT PRESENT: Green, Peterson, Sinclair and Yoakum

Johnson moved the Finance & Planning Subcommittee's recommendation that the Board of Directors approve the budget overrun in budget code 439050, Professional Services - Lobbyist.

It was moved by Aldridge to amend the motion by striking \$24,200 and inserting \$1. The motion failed for lack of a second.

It was moved by Aldridge to amend the motion by striking \$24,200 and inserting \$2. The motion was withdrawn.

The original motion to recommend that the Board of Directors approve the budget overrun in budget code 439050, Professional Services – Lobbyist was approved.

AYE: Andersen, Baker, Eagan, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Seacrest, Spangler, Stevens and Vogel

NAY: Aldridge

NOT PRESENT: Green, Peterson, Sinclair and Yoakum

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

Landis stated that the Executive Subcommittee met on February 10, 2023.

Kristen Hassebrook from Mueller Robak LLC addressed the Board and highlighted the Legislative Bills and positions before the Board.

Landis moved the Executive Subcommittee's recommendation that the Board of Directors approve the positions on the following legislative bills: Support – LB218, 281, 401, 428, 506*, 534, 560, 571 & 651; Oppose – LB394, 396 & 662**; Monitor – LB40, 49, 241, 304, 312, 576, 656, and LR30CA. *testify or write letter on Bostar's Lincoln Water Supply Bill; **based on impacts to the NRD.

Paul Zillig, General Manager and Kristen Hassebrook answered questions of the Board regarding legislation.

It was moved by Baker and seconded by Jacobson to amend the subcommittee motion to add LB814 as Monitor. The motion was approved.

AYE: Andersen, Baker, Eagan, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Seacrest, Spangler, Stevens and Vogel

NOT VOTING: Aldridge

NAY: None

NOT PRESENT: Green, Peterson, Sinclair and Yoakum

The original motion as amended to recommendation that the Board of Directors approve the positions on the following legislative bills: Support – LB218, 281, 401, 428, 506*, 534, 560, 571 & 651; Oppose – LB394, 396 & 662**; Monitor – LB40, 49, 241, 304, 312, 576, 656, 814 and LR30CA. *testify or write letter on Bostar’s Lincoln Water Supply Bill; **based on impacts to the NRD was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Seacrest, Spangler, Stevens and Vogel

NAY: None

NOT PRESENT: Green, Peterson, Sinclair and Yoakum

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

Baker reported that the Urban subcommittee met on Wednesday, February 8, 2023.

Baker moved the Urban Subcommittee’s recommendation that the Board of Directors approve the Professional Services Agreement with Felsburg, Holt, and Ullevig in an amount not to exceed \$51,190 for the Deadmans Run Bank Repair Project from North 66th to Vine Street, Left Bank.

Paul Zillig, General Manager, and Al Langdale, Operation/Maintenance Coordinator, answered questions of the Board regarding the Deadmans Run Bank Repair Project.

The motion was approved.

AYE: Andersen, Baker, Eagan, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Seacrest, Spangler, Stevens and Vogel

NOT VOTING: Aldridge

NAY: None

NOT PRESENT: Green, Peterson, Sinclair and Yoakum

Baker moved the Urban Subcommittee’s recommendation that the Board of Directors approve the authorization of staff to begin the process for acquisition of landrights for the Lynn Creek Master Plan Stream Stability Project #9, pending legal counsel review. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Spangler, Stevens and Vogel

NAY: None

NOT PRESENT: Green, Peterson, Seacrest, Sinclair and Yoakum

ITEM 11. REPORT OF THE RECREATION, FORESTRY & WILDLIFE SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Schutz stated that the Recreation, Forestry & Wildlife Subcommittee met on February 7, 2023.

Schutz reported two bids were received for the MoPac East Trail Resurfacing Project from 262nd to 274th Streets.

Bidder	Bid
Pavers, Inc.	\$62,755.71
Gana Trucking and Excavating, Inc.	\$92,862.60

Schutz moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors approve the low bid from Pavers, Inc. in the amount of \$62,755.71 for the MoPac Trail Resurfacing Project from 262nd to 274th Street. The motion was approved.

AYE: Andersen, Baker, Eagan, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Seacrest, Spangler, Stevens and Vogel

NOT VOTING: Aldridge

NAY: None

NOT PRESENT: Green, Peterson, Sinclair and Yoakum

Schutz reported that three bids were received for the Schleich Community Wetland Headcut Repair Project.

Bidder	Bid
Yost Excavating, Inc.	\$119,487.00
Ray Lipsey, Inc.	\$234,930.00
MTZ Construction LLC	\$257,917.00

Schutz moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors approve the low bid from Yost Excavating, Inc. in the amount of \$119,487.00 for the Schleich Community Wetland Headcut Repair Project. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Seacrest, Spangler, Stevens and Vogel

NAY: None

NOT PRESENT: Green, Peterson, Sinclair and Yoakum

Schutz stated that the third item was consideration of bids for the Prairie Corridor at Haines Branch Bobcat Prairie WMA Grassland Restoration Seeding Project that was postponed from the January Board Meeting.

Three bids were received for the Prairie Corridor at Haines Brach Bobcat Prairie WMA Grassland Restoration Seeding Project.

Contractor	Bid
Diversity Farms, Inc.	\$36,464.40
Prairie Legacy, Inc.	\$40,595.00
Prairie Plains Resource Institute	\$69,000.00

Schutz moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors approve the low bid from Diversity Farms, Inc. of \$36,464.40 for the Prairie Corridor at Haines Branch Bobcat Prairie WMA Grassland Restoration Seeding Project.

Vogel expressed his concerns about the project.

Paul Zillig, General Manager, Cory Wasserburger, Legal Counsel and Will Inselman, Resources Coordinator, answered questions of the Board regarding the Prairie Corridor at Haines Branch Bobcat Prairie WMA Grassland Restoration Seeding Project.

The motion was approved.

AYE: Aldridge, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Schutz, Spangler and Stevens

NAY: Andersen, Baker, Eagan, Hellerich, Ruth, Seacrest and Vogel

NOT PRESENT: Green, Peterson, Sinclair and Yoakum

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

Seacrest stated that the Water Resources Subcommittee met on February 8, 2023.

Seacrest reported that there were no action items and gave a review of Well Permit requirements and discussion on the proposed Well Permit Study Assistance Program.

ITEM 11. REPORT OF THE PLATTE RIVER SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Vogel stated that the Platte River Subcommittee met on February 9, 2023.

Vogel moved the Platte River Subcommittee's recommendation that the Board of Directors approve the Interlocal Cooperation Agreement with Papio-Missouri River NRD for the Elkhorn / Platte River Cameras Project.

The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Ruth, Schutz, Seacrest, Spangler, Stevens and Vogel

NAY: None

NOT PRESENT: Green, Peterson, Sinclair and Yoakum

ITEM 12. PERMIT AND PROGRAM APPROVALS

A report of permit and program approvals was provided.

ITEM 13. SCHEDULE OF UPCOMING EVENTS AND ACTIVITIES

A schedule of upcoming events and activities was provided.

ITEM 14. FOR INFORMATION ONLY

Various memos were provided.

There being no other business, the meeting was adjourned at 4:06 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 February 15, 2023 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.

Lisa Lewis, Secretary

/dr