



# LOWER PLATTE SOUTH natural resources district

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## BOARD OF DIRECTORS' MEETING MAY 17, 2023

The Board of Directors of the Lower Platte South Natural Resources District met at the Lower Platte South NRD Office on Wednesday, May 17, 2023 at 7:00 p.m. Directors participating were Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum. Landis called the meeting to order at 7:00 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

Twenty 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 May 5, 2023.

### ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES

Landis stated that there were no requests for excused absences for the May 17, 2023 Board of Directors meeting.

### ITEM 4. ADOPT AGENDA

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

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

NAY: Spangler

NOT PRESENT: Sinclair

### ITEM 5. APPROVAL OF BOARD OF DIRECTORS MEETING MINUTES

It was moved by Landis and seconded by Andersen to approve the Minutes of the April 19, 2023 Board of Directors Meeting. The motion was approved.

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

ABSTAIN: Schutz

NOT VOTING: Peterson

NAY: None

NOT PRESENT: Sinclair

It was moved by Landis and seconded by Yoakum to approve the Minutes of the May 3, 2023 Special Board of Directors Meeting. The motion was approved.

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

ABSTAIN: Johnson

NAY: None

NOT PRESENT: Sinclair

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

Johnson stated that the Finance & Planning Subcommittee met on May 11, 2023. She stated that the financial reports for the period July 1, 2022 through April 30, 2023 had been distributed.

It was moved by Johnson and seconded by Stevens to approve the financial reports for the period of July 1, 2022 through April 30, 2023 and publish the expenditures for April 2023.

Paul Zillig, General Manager, and Parker Robinson, Public Communications Specialist, answered questions regarding District expenses.

The motion was approved.

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

NAY: None

NOT PRESENT: Sinclair

Johnson moved the Finance & Planning Subcommittee's recommendation that the Board of Directors approve Resolution 5-17-23 authorizing the NRD to become a participant in the Nebraska CLASS Trust and the Declaration of Trust and Interlocal Agreement.

Paul Zillig, General Manager and Aaron Bos with Public Trust Advisors, answered questions of the Board regarding the Trust.

The motion was approved.

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

NAY: Aldridge

NOT PRESENT: Sinclair

Johnson stated that no action was needed regarding the Storage and Maintenance Yard Acquisition. Paul Zillig, General Manager, explained the circumstances of the LPSNRD not getting the building in question.

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

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

Kristen Hassebrook with Mueller Robak gave an update on the Legislative session and status of Legislative Bills of interest to the District.

Landis moved the Executive Subcommittee's recommendation that the Board of Directors approve the proposed Professional Services Contract with Mueller Robak for lobbying services for 2024.

Paul Zillig, General Manager, answered questions of the Board regarding the contract and need for a lobbyist.

The motion was approved.

AYE: Andersen, Baker, Eagan, Green, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Stevens, Vogel and Yoakum

NAY: Aldridge, Hellerich and Spangler

NOT PRESENT: Sinclair

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

Yoakum stated that the Urban Subcommittee met on May 10, 2023.

Yoakum moved the Urban Subcommittee's recommendation that the Board of Directors approve the Community Assistance Program application request from the Rolling Hills Association for channel repair engineering design, at a cost-share amount of \$8,250 of NRD funds, with the City reimbursing the NRD \$1,500.

Drew Ratkovec, Stormwater /Watershed Specialist answered questions of the Board regarding the Rolling Hills Association Community Assistance Program Application.

The motion was approved.

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

NAY: Hellerich

NOT PRESENT: Sinclair

Yoakum moved the Urban Subcommittee's recommendation that the Board of Directors approve the Community Assistance Program application for the Pine Lake Dam Rehabilitation Project from Pine Lake Association, at a cost-share amount of 50% of the total eligible costs for construction and construction observation of \$1,122,231.41, not to exceed \$561,115 of NRD funds pending Legal Counsel review. The Pine Lake Association shall be responsible for all permits, construction plans and specifications, construction observation, certification of work, and the operation and maintenance of this project. NRD reimbursement shall be contingent upon the dam rehabilitation construction meeting the requirements of the project plans and specifications of the Nebraska Department of Natural Resources Construction Certification of Dams. The motion was approved.

Mark Lindemann, District Engineer, answered questions of the Board regarding the Pine Lake Dam Rehabilitation Project Community Assistance Program Application.

The motion was approved.

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

NAY: Hellerich

NOT PRESENT: Sinclair

Yoakum moved the Urban Subcommittee's recommendation that the Board of Directors approve the Community Assistance Program application request for the Hobson Branch Stream Restoration Project from the Village of Ceresco, at a cost-share amount of 50% of the eligible costs of \$35,400, not to exceed \$17,700 of NRD funds, pending Legal Counsel review. The motion was approved.

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

NAY: None

NOT PRESENT: Sinclair

Five bids were received for the Beal Slough Bank Stabilization Project near 52<sup>nd</sup> (5200) and Nebraska Parkway

Bidder	Bid
Gana Trucking and Excavating	\$37,007
HR Bookstrom	\$73,100
Yost Excavating	\$70,250
Strong Ties	\$98,780
Van Dorn Valley Construction	\$0

Yoakum moved the Urban Subcommittee's recommendation that the Board of Directors approve the low bid of \$37,007 by Gana Trucking and Excavating for the Beal Slough Bank Stabilization Project near 52<sup>nd</sup> & Nebraska Parkway. The motion was approved.

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

NAY: None

NOT PRESENT: Sinclair

Yoakum moved the Urban Subcommittee's recommendation that the Board of Directors approve the Professional Services Agreement with E&A Consulting Group, Inc. for Construction Observation Administration Services for the Beal Slough Bank Stabilization Project near 52<sup>nd</sup> & Nebraska Parkway, at an amount not to exceed \$8,500. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum  
NAY: None  
NOT PRESENT: Sinclair

Yoakum moved the Urban Subcommittee's recommendation that the Board of Directors approve the Professional Services Agreement Amendment #1 with E&A Consulting Group, Inc. for the Beal Slough Bank Stabilization Project near 40<sup>th</sup> and Nebraska Parkway, at an amount not to exceed \$26,500. The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum  
NAY: None  
NOT PRESENT: Sinclair

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

Schutz stated that the Recreation, Forestry & Wildlife Subcommittee met on May 4, 2023.

Schutz moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors authorize the General Manager to approve the Contract Amendment with The Flatwater Group for contractual services related to the Little Salt Creek WFPO (Watershed Flood Preventing Operations) Plan – Environmental Assessment, pending Legal Counsel review. The motion passed.

Paul Zillig, General Manager, answered questions of the Board regarding the Contract Amendment.

The motion was approved.

AYE: Aldridge, Andersen, Baker, Eagan, Green, Jacobson, Johnson, Lamberty, Landis, Lewis, Nolte, Peterson, Ruth, Schutz, Seacrest, Spangler, Stevens, Vogel and Yoakum  
NAY: Hellerich  
NOT PRESENT: Sinclair

ITEM 10. NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS (NARD) REPORT

Tom Green reminded the Board about the NARD Basin Tour coming up. He also stated that the NARD Board meeting is coming up in June and he would report on it at the next meeting. He reminded Directors that the NARD Annual Conference would be in September in Kearney and urged that they consider attending.

ITEM 11. PERMIT AND PROGRAM APPROVALS

A report of permit and program approvals was distributed.

ITEM 12. SCHEDULE OF UPCOMING EVENTS AND ACTIVITIES

A schedule of upcoming events and activities was mailed out.

ITEM 13. FOR INFORMATION ONLY

Various memos were mailed out.

There being no other business, the meeting was adjourned at 7:57 p.m. The undersigned, the duly elected 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 May 17, 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.

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Lisa Lewis, Secretary

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