



LOWER PLATTE SOUTH natural resources district

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BOARD OF DIRECTORS' MEETING NOVEMBER 15, 2023

The Board of Directors of the Lower Platte South Natural Resources District met at the Lower Platte South NRD Office on Wednesday, November 15, 2023 at 7:00 p.m. Directors participating were Aldridge, Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Ruth, Schutz, Seacrest, Sinclair, 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

15 Directors were present upon roll call. Spangler arrived after 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 November 3, 2023.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES

Landis stated that requests for excused absences were received from Bob Andersen, Melissa Baker, Chelsea Johnson and Luke Peterson for the November 15, 2023 Board of Directors meeting.

It was moved by Landis and seconded by Yoakum to approve the requests for excused absences from Bob Andersen, Melissa Baker, Chelsea Johnson and Luke Peterson for the November 15, 2023 Board of Directors meeting. The motion was approved.

A YE: Aldridge, Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Ruth, Schutz, Seacrest, Sinclair, Stevens, Vogel and Yoakum

ABSTAIN: Spangler

NAY: None

NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

ITEM 4. ADOPT AGENDA

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

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

NO: Spangler

NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

ITEM 5. APPROVAL OF BOARD OF DIRECTORS MEETING MINUTES

It was moved by Landis and seconded by Seacrest to approve the Minutes of the October 18, 2023 Board of Directors Meeting. The motion was approved.

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

ABSTAIN: Spangler

NO: None

NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

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

Stevens stated that the Finance & Planning Subcommittee met on November 7, 2023. He stated that the financial reports for the period July 1, 2023 through October 31, 2023 had been distributed.

Stevens stated that Item 6(b) would be heard later in the meeting in closed session.

It was moved by Stevens and seconded by Yoakum to approve the financial reports for the period of July 1, 2023 through October 31, 2023 and publish the expenditures for October 2023. The motion was approved.

AYE: Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NO: Aldridge

NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

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

Seacrest stated that the Water Resources Subcommittee met on November 13, 2023.

Seacrest moved the Water Resources Subcommittee's recommendation that the Board of Directors approve the Class 5 replacement water well permit for Monolith Nebraska LLC to replace the existing Olice Creek #3 (OC#3) well, to be located approximately 450 feet southeast of the current OC#3 well.

Dick Ehrman, Water Resources Coordinator, Mike Sousek, General Manager, Mallory Morton with Olsson and Anna Wishart with Monolith answered questions of the Board regarding the Monolith request to drill a replacement well.

It was moved by Vogel and seconded by Yoakum to table this motion and vote first on the next motion regarding a variance. The motion was approved.

AYE: Aldridge, Eagan, Green, Hellerich, Lamberty, Landis, Lewis, Ruth, Schutz, Sinclair, Vogel and Yoakum
NO: Jacobson, Seacrest, Spangler and Stevens
NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

Seacrest moved the Water Resources Subcommittee's recommendation that the Board of Directors grant a variance to Monolith Nebraska LLC for the proposed Class 5 replacement well, specifically exempting the Class 5 72-hours pumping test requirement and allowing them to locate this replacement well greater than 150 feet from the well to be replaced as per Section C of the Groundwater Rules and Regulations. The motion was approved.

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

It was moved by Yoakum and seconded by Vogel to bring from the table the motion regarding the replacement well. The motion was approved.

AYE: Aldridge, Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum
NO: None
NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

Seacrest moved the Water Resources Subcommittee's recommendation that the Board of Directors approve the Class 5 replacement water well permit for Monolith Nebraska LLC to replace the existing Olice Creek #3 (OC#3) well, to be located approximately 450 feet southeast of the current OC#3 well. The motion was approved.

AYE: Aldridge, Eagan, Green, Jacobson, Lamberty, Landis, Lewis, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum
NO: Hellerich
NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

ITEM 8. REPORT OF THE RECREATION, FORESTRY & WILDLIFE SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Schutz stated that the Recreation, Forestry & Wildlife Subcommittee met on November 6, 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 to add \$34,890.00 of NRCS funds for contractual services related to the Little Salt Creek Watershed Flood Prevention Operations (WFPO) Plan – Environmental Assessment. The motion was approved.

AYE: Aldridge, Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum
NO: None
NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

Schutz moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors approve the construction services agreement with Olsson in the amount of \$15,463.75 for the MoPac Trail Wood Box Culvert Replacement project. The motion was approved.

AYE: Aldridge, Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NO: None

NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

ITEM 9 REPORT OF THE SALT CREEK FLOOD RESILIENCY SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Ruth stated that the Salt Creek Flood Resiliency Subcommittee met on November 13, 2023.

Ruth moved the Salt Creek Flood Resiliency Subcommittee's recommendation that the Board of Directors accept the Joint Salt Creek Flood Resiliency work-plan as written. The motion was approved.

AYE: Aldridge, Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NO: None

NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

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

Yoakum stated that the Urban Subcommittee met on November 8, 2023.

Yoakum moved the Urban Subcommittee's recommendation that the Board of Directors approve the Lincoln Flood Mitigation Master Plan with the City of Lincoln.

Tim Zach with the City of Lincoln, Transportation and Utilities, answered questions of the Board regarding the Lincoln Flood Mitigation Master Plan.

The motion was approved.

AYE: Aldridge, Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NO: None

NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

Yoakum moved the Urban Subcommittee's recommendation that the Board of Directors approve the Community Assistance Program application request for the Wedgewood Manor Lake Association Dam Repair Project, in an amount not to exceed \$119,022 of NRD funds, pending legal counsel review.

Drew Ratkovec, Stormwater / Watershed Specialist, and Travis Hazard with Hazard Engineering answered questions of the Board regarding the Wedgewood Manor Lake Association Dam Repair Project.

The motion was approved.

AYE: Aldridge, Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NO: None

NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

Yoakum moved the Urban Subcommittee’s recommendation that the Board of Directors approve and adopt the Community Assistance Program Policy.

Drew Ratkovec, Stormwater / Watershed Specialist, and Mike Sousek, General Manager, answered questions of the Board regarding the Community Assistance Program Policy.

The motion was approved.

AYE: Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NO: Aldridge

NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

ITEM 11. REPORT OF THE LAND RESOURCES SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Spangler stated that there were 8 cost-share applications for installing water quality improvement practices. He stated that the Land Resources Subcommittee did not meet prior to the Board meeting but that the applications were reviewed by the Eastern and Western Review Groups.

It was moved by Spangler and seconded by Stevens to approve the 8 identified Fall cost-share applications totaling an amount of \$87,755.

Applicant Name	County	Practice	Amount	Targeted Area
Jeffrey Simanek	Butler	Terraces	\$5,702.00	SVL – Branched Oak
George Klein	Cass	Terraces	\$12,500.00	
Larry Vogler	Cass	Terraces	\$12,500.00	
John B. Wenzel	Cass	Terraces	\$12,500.00	
Otley Thompson Trust	Lancaster	Grassed Waterways	\$3,008.00	
Anne E. Hansen Rev. Trust / Mark A. Hansen Irrev. Trust	Lancaster	Terraces	\$17,500.00	SVL - Yankee Hill Lake
Keegan Pope	Otoe	Terraces	\$10,607.00	
Elaine M. Olson Rev. Trust	Saunders	Terraces	\$13,438.00	SVL - Wildwood Lake
		TOTAL	\$87,755.00	

The motion was approved.

AYE: Aldridge, Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NO: None

NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

ITEM 12. ITEMS REQUIRING CLOSED SESSION

Corey Wasserburger, Legal Counsel, briefed the Board on the issues to be discussed in closed session.

It was moved by Stevens and seconded by Lamberty that the Board of Directors go into closed session at 8:39 p.m. to protect the public interest and develop strategy with respect to negotiations for a land purchase agreement with Solidago. The motion was approved.

AYE: Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NO: Aldridge

NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

It was moved by Stevens and seconded by Eagan to return to open session at 9:24 p.m. The motion was approved.

AYE: Eagan, Green, Hellerich, Jacobson, Lamberty, Landis, Lewis, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NO: Aldridge

NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

Stevens moved the Finance & Planning Subcommittee's recommendation that the Board of Directors authorize the General Manager to negotiate a land purchase agreement with Solidago Conservancy. The motion was approved.

AYE: Aldridge, Eagan, Jacobson, Lamberty, Landis, Lewis, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum

NAY: Hellerich, Ruth and Schutz

NOT VOTING: Green

NOT PRESENT: Andersen, Baker, Johnson, Nolte and Peterson

ITEM 13. NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS (NARD) REPORT

Tom Green gave an overview of items discussed at the NARD Board Meeting held on November 5th & 6th.

ITEM 14. PERMIT AND PROGRAM APPROVALS

A report of permit and program approvals was distributed.

ITEM 15. SCHEDULE OF UPCOMING EVENTS AND ACTIVITIES

A schedule of upcoming events and activities was mailed out.

ITEM 16. FOR INFORMATION ONLY

Various memos were mailed out.

There being no other business, the meeting was adjourned at 9:34 p.m. The undersigned, the 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 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