



LOWER PLATTE SOUTH

natural resources district

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BOARD OF DIRECTORS' MEETING SEPTEMBER 20, 2023

The Board of Directors of the Lower Platte South Natural Resources District met at the Lower Platte South NRD Office on Wednesday, September 20, 2023 at 7:00 p.m. Directors participating were Aldridge, Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Sinclair, Spangler, Stevens, Vogel and Yoakum. Andersen called the meeting to order at 7:00 p.m.

Andersen 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. Andersen 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

18 Directors were present upon roll call. Yoakum arrived after roll call.

ITEM 2. PUBLICATION OF LEGAL NOTICE OF MEETING

Andersen reported that the legal notice for the Directors' Meeting was published in the Lincoln Journal Star on September 7, 2023.

ITEM 3. CONSIDERATION OF DIRECTORS' ABSENCES

Andersen stated that a request for an excused absence was received from Dave Landis for the September 20, 2023 Board of Directors meeting.

It was moved by Stevens and seconded by Lamberty to approve the request for an excused absence from Dave Landis for the September 20, 2023 Board of Directors meeting. The motion was approved.

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

NAY: None

NOT PRESENT: Landis, Nolte and Yoakum

ITEM 4. ADOPT AGENDA

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

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

NAY: None

NOT PRESENT: Landis, Nolte and Yoakum

ITEM 5. APPROVAL OF BOARD OF DIRECTORS MEETING MINUTES

It was moved by Seacrest and seconded by Stevens to approve the Minutes of the August 16, 2023 Board of Directors Meeting. The motion was approved.

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

NAY: None

NOT PRESENT: Landis, Nolte and Yoakum

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

Johnson stated that the Finance & Planning Subcommittee met on September 13, 2023. She stated that the financial reports for the period July 1, 2023 through August 31, 2023 had been distributed.

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

Mike Sousek, General Manager answered questions of the Board regarding the financial statements.

The motion was approved.

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

NAY: None

NOT PRESENT: Landis, Nolte and Yoakum

Johnson moved the Finance & Planning Subcommittee's recommendation that the Board of Directors approve the FY24 Property Tax Levy Resolution.

Mike Sousek, General Manager, answered questions of the Board regarding the property tax resolution.

The motion was approved.

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

NAY: Aldridge

NOT PRESENT: Landis and Nolte

Johnson moved the Finance & Planning Subcommittee's recommendation that the Board of Directors adopt the FY 2024 - 2028 Long Range Implementation Plan as presented. The motion was approved.

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

NAY: None

NOT PRESENT: Landis and Nolte

Johnson moved the Finance & Planning Subcommittee's recommendation that the Board of Directors declare the residential house on 9600 N. 27th St. as District surplus property and instruct staff to begin the process of selling said house.

Mike Sousek, General Manager, answered questions of the Board regarding the residential house on 9600 N. 27th and the declaration of the house as surplus property.

The motion was approved.

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

NAY: None

NOT PRESENT: Landis and Nolte

Johnson moved the Finance & Planning Subcommittee's recommendation that the Board of Directors purchase a 2024 2500HD Diesel truck from Husker Auto Group of Lincoln, NE not to exceed an amount of \$58,899.00.

Mike Sousek, General Manager, answered questions of the Board regarding the purchase of a diesel from Husker Auto Group.

The motion was approved.

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

NAY: Aldridge

NOT PRESENT: Landis and Nolte

Johnson moved the Finance & Planning Subcommittee's recommendation that the Board of Directors approve to trade in a 2015 Ford F-250 with approximately 114,000 miles and purchase a 2024 2500HD Crew Cab truck from Husker Auto Group of Lincoln, NE not to exceed an amount of \$33,997.00.

Bryce Jensen, Operation/Maintenance Technician, answered questions regarding the trade-in vehicle and the new purchase.

The motion was approved.

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

NAY: None

NOT PRESENT: Landis and Nolte

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

Andersen stated that the Executive Subcommittee met on September 14, 2023 and September 20, 2023.

Johnson moved the Executive Subcommittee’s recommendation that the Board of Directors approve the General Manager signing the new contract agreement with Water Strategies LLC. The motion was approved.

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

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

Spangler stated that there were 12 cost-share application 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 Lewis and seconded by Vogel to approve the 12 identified Fall cost-share applications totaling an amount of \$131,542.00.

David Potter, Assistant General Manager, answered questions from the Board regarding the fall cost-share applications.

Applicant Name	County	Practice	Amount
Joyce M. Johnson	Cass	Terraces	\$12,500.00
Robert Meinsinger	Cass	Terraces	\$12,500.00
James Meisinger	Cass	Terraces	\$12,500.00
Charles A. Hagen & Janis L. Hagen RLTA	Cass	Terraces	\$12,500.00
ABA Wiles Family Farms LLC	Otoe	Terraces	\$12,500.00
Gary Snide	Lancaster	Terraces	\$12,500.00
Paulson Family Living Trust	Lancaster	Terraces	\$12,500.00
Shawn Smith	Lancaster	Terraces	\$3,000.00
John F. Tvrdy	Saunders	Terraces	\$12,500.00
Marvin Potter	Saunders	Grassed Waterways	\$5,013.00
Chris Zetocha	Saunders	Terraces	\$12,500.00
Jeff Kanger	Saunders	Terraces	\$11,029.00
		TOTAL	\$131,542.00

The motion was approved.

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

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

Schutz stated that the Recreation, Forestry & Wildlife Subcommittee met on September 11, 2023.

Schutz reported that five bids were received for the MoPac Trail and Homestead Trail bank stabilization project.

Contractor	Bid Amount
Gana Trucking and Excavation	\$470,330.13
Van Dorn Valley Construction LLC	\$559,694.00
MC Wells	\$736,410.00
Nebraska Digging Services LLC	\$998,814.55
HR Bookstrom	\$1,600,713.00

Schutz moved the Recreation, Forestry & Wildlife Subcommittee’s recommendation that the Board of Directors approve the low bid from Gana Trucking and Excavating in the amount of \$470,330.13 for the MoPac Trail and Homestead Trail Bank Stabilization Project.

Ariana Kennedy, Resources Conservationist, answered questions of the Board regarding the bank stabilization project.

The motion was approved.

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

NAY: None

NOT PRESENT: Landis and Nolte

Schutz reported that packets were sent to six contractors with one bid received for the Red Cedar WMA Grassland and Oak Woodland Restoration Project.

Contractor	Bid Amount
Midwest Tree Cutters, Inc.	\$17,000.00
Uncle Loyd’s Tree Shearing	No Bid
MRT Sales and Service, LLC	No Bid
Bentzinger Pasture Clearing	No Bid
Cedar Wrangler Forestry Services	No Bid
Bohemian Lumberjack Company LLC	No Bid

Schutz moved the Recreation, Forestry & Wildlife Subcommittee’s recommendation that the Board of Directors approve the low bid from Midwest Tree Cutters, Inc. in the amount of \$17,000.00 for the Red Cedar WMA Grassland and Oak Woodland Restoration Project and an additional \$1,000.00 for additional tree removal at the site. The motion was approved.

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

NAY: None

NOT PRESENT: Landis and Nolte

Schutz moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors approve the Memorandum of Understanding between the Lower Platte South NRD and the City of Lincoln for the purposes of acquiring a Conservation Easement from The National Audubon Society.

Will Inselman, Resources Coordinator, answered questions of the Board regarding the memorandum of understanding in regard to the conservation with The National Audubon Society.

The motion was approved.

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

NAY: Hellerich

NOT PRESENT: Landis and Nolte

Schutz moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors approve the appraised value and authorize District staff to negotiate and acquire a Conservation Easement on the Next to Nine Mile Prairie LLC property. The motion was approved.

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

NAY: None

NOT PRESENT: Landis and Nolte

Schutz moved the Recreation, Forestry & Wildlife Subcommittee's recommendation that the Board of Directors authorize the General Manager to sign the Lancaster County Engineering Department Right-Of-Way Contract for the purchase of a permanent easement of 0.48 acres on the Honvlez Prairie to replace a bridge on SW 91st Street, pending Legal Counsel review. The motion was approved.

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

NAY: None

NOT PRESENT: Landis and Nolte

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

Yoakum stated that the Urban Subcommittee met on September 14, 2023.

Yoakum moved the Urban Subcommittee's recommendation that the Board of Directors revise the original approve motion and recommend that the Board of Directors approve that the Pine Lake Association be reimbursed through the Community Assistance Program for the Dam Rehabilitation Project while the construction phase is ongoing as the contractor submits payment requests. All payment requests shall be reviewed and approved by the Engineer of Record. The final NRD reimbursement payment will be contingent upon the dam rehabilitation construction meeting the requirements of the project plans and specifications and the Nebraska Department of Natural Resources Construction Certification for Dams. 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, pending Legal Counsel review. The cost-share amount will be 50% of the total eligible costs for construction and construction observation of \$1,122,231.41, not to exceed \$561,115 of NRD funds, with the final \$100,000 to be held by the District until the Nebraska Department of Natural Resources Construction Certification of Dams is received.

Drew Ratkovec, Stormwater/Watershed Specialist, Corey Wasserburger, Legal Counsel, Mark Lindemann, District Engineer and Mike Sousek, General Manager, answered questions regarding the payment schedule for the Pine Lake Community Assistance Program project.

The motion was approved.

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

NAY: Aldridge

NOT PRESENT: Landis and Nolte

Yoakum stated that two bids were received for the South Salt Creek Watershed Master Plan Project #6.

Contract	Bid Amount
Yost Excavating, Inc.	\$728,885.00
H.R. Bookstrom Construction, Inc.	\$1,387,836.00

Yoakum moved the Urban Subcommittee's recommendation that the Board of Directors approve the low bid of \$728,885 by Yost Excavating, Inc. for the South Salt Creek Master Plan Project #6. The motion was approved.

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

NAY: None

NOT PRESENT: Landis and Nolte

Yoakum moved the Urban Subcommittee's recommendation that the Board of Directors approve the Professional Services Agreement Amendment #1 with Intuition & Logic Engineering, Inc., for Construction Management and Observation Services for the South Salt Creek Watershed Master Plan Project #6, at an amount not to exceed \$83,402.00, pending Legal Counsel review. The motion was approved.

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

NAY: None

NOT PRESENT: Landis and Nolte

Yoakum moved the Urban Subcommittee's recommendation that the Board of Directors approve the Professional Services Agreement with JEO Consulting Group, Inc., in an amount not to exceed \$120,123.00 for the Salt Creek Levee Sheet Pile Toe Repair Project near N. 19th Street (Station 309+00L – 312+00L).

Al Langdale, Operation/Maintenance Coordinator, answered questions of the Board regarding the Salt Creek Levee Sheet Pile Toe Repair project.

The motion was approved.

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

NAY: None

NOT PRESENT: Landis and Nolte

Yoakum moved the Urban Subcommittee's recommendation that the Board of Directors approve the Professional Services Agreement with E&A Consulting Group, Inc., in an amount not to exceed \$61,925.00 for the Salt Creek Levee Drainage Structure Replacement Project near Charleston Street (Station 238+90R).

Travis Figard, E&A Consulting Group, Inc., answered questions of the Board regarding the Drainage Structure Repair Project.

The motion was approved.

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

NAY: None

NOT PRESENT: Landis and Nolte

Yoakum moved the Urban Subcommittee's recommendation that the Board of Directors approve the Professional Services Agreement with Olsson, in an amount not to exceed \$24,000.00 for Monitor and Reporting of the Oak Creek Mitigation Site.

Al Langdale, Operation/Maintenance Coordinator, answered questions of the Board regarding the Oak Creek Mitigation Site.

The motion was approved.

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

NAY: None

NOT PRESENT: Landis and Nolte

ITEM 11. REPORT OF THE INFORMATION & EDUCATION SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Lamberty stated the the Information & Education Subcommittee met on September 12, 2023.

Lamberty moved the Information & Education Subcommittee's recommendation that the Board of Directors approve a one-year advertising agreement to provide district information totaling \$14,850.00 with the Lincoln Journal Star, pending review by Legal Counsel.

Parker Robinson, Public Communications Specialist, answered questions of the Board regarding advertising in Lincoln Journal Star.

The motion was approved.

AYE: Andersen, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Sinclair, Stevens, Vogel and Yoakum

NAY: Aldridge, Baker and Spangler

NOT PRESENT: Landis and Nolte

Lamberty moved the Information & Education Subcommittee's recommendation that the Board of Directors approve a one-year radio contract to provide district information with Firespring, totaling \$20,049.46, pending review by Legal Counsel.

Parker Robinson, Public Communications Specialist, answered questions of the Board regarding Firespring services.

The motion was approved.

AYE: Andersen, Baker, Eagan, Green, Hellerich, Jacobson, Johnson, Lamberty, Lewis, Peterson, Ruth, Schutz, Seacrest, Sinclair, Stevens and Vogel

NAY: Aldridge and Spangler

ABSTAIN: Yoakum

NOT PRESENT: Landis and Nolte

ITEM 12 REPORT OF THE WATER RESOURCES SUBCOMMITTEE AND CONSIDERATION OF RECOMMENDATIONS

Seacrest stated that the Water Resources Subcommittee met on September 12, 2023.

Seacrest moved the Water Resources Subcommittee's recommendation that the Board of Directors approve the Professional Services Agreement with Houston Engineering, Inc. for engineering services for design, permitting, bidding and construction oversight of the Upper Salt 3-2 Watershed Dam Rehabilitation Project at a cost not to exceed \$37,071.00.

Craig Matulka, Operation/Maintenance Technician, answered questions of the Board regarding the Upper Salt 3-2 Watershed Dam Rehabilitation.

The motion was approved.

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

NAY: None

NOT PRESENT: Landis and Nolte

Seacrest moved the Water Resources Subcommittee's recommendation that the Board of Directors approve the Professional Services Agreement with Houston Engineering, Inc. for engineering services for design, permitting, bidding and construction oversight of the Harshman Road Structure Waver Berm and Slope Repair Project at the cost not to exceed \$31,078.00. The motion was approved.

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

NAY: None

NOT PRESENT: Landis and Nolte

Seacrest moved the Water Resources Subcommittee's recommendation that the Board of Directors approve Amendment Number 1 to the Agreement for Professional Services with Schemmer Associates, Inc. for the Piening Dam Refresh and Permitting Project No. 09020.001 in the amount of \$13,375.00. The motion was approved.

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

NAY: None

NOT PRESENT: Landis and Nolte

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

Tom Green reminded Directors that the NARD Annual Conference would be September 24th – 26th in Kearney.

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 6. FOR INFORMATION ONLY

Various memos were mailed out.

There being no other business, the meeting was adjourned at 8:36 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 September 20, 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