

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
December 11, 2017**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 1:30 p.m. at Lower Platte North NRD, Wahoo, NE on Monday, December 11, 2017.

1. NOTICE OF MEETING

The advanced notice of our December 11, 2017 board meeting was published on November 30, 2017 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Birkel informed those present that a copy of the "Open Meeting Act" is posted for public viewing.

Pledge of Allegiance

2. ROLL CALL - INTRODUCTIONS

DIRECTORS PRESENT AND CONSTITUTING A QUORUM:

Bailey	Feala	Hannah
Hilger	Kavan, Alex	Kavan, Don
McDermott	Meduna (arrived 2:22)	Olson (left 4:10)
Pollard (arrived 2:44)	Ruzicka	Sabatka
Saeger	Seier	Sobota
Thompson	Veskerna	Birkel

DIRECTORS ABSENT

Saalfeld

STAFF AND GUESTS:

Gottschalk	Breunig	Heimann
Schomer	Mountford	Andersen
Oaklund	Benal	Brueggemann

Elliott

Legal Counsel Lausterer

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. NRCS Report

Jami Thoene was present to give the NRCS Report.

c. NARD Report

Hilger gave the NARD Report.

d. NRC Report - None

e. Managers Report

Gottschalk reviewed his written report.

f. Education Program

Matt Moser from USGS was present to give an update on the Shell Creek and Leshara Stream Gauges.

5. APPROVAL OF MINUTES

Seier made the motion, seconded by Veskerna, to approve the minutes from the November 13, 2017 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. UNFINISHED BUSINESS

a. Off Site Table Concerns Near Sand Creek – No New Information

b. Ourada Lawsuit – Update Given

2. Meetings

a. Pending

1. Director Retreat – Update Given

b. Reports

1. Wanahoo Lake Level Panel – Update Given

3. Management Items

a. Director Absences

Seier made the motion, seconded by Veskerna, to approve Directors Bailey, Meduna and Sobota’s Excuse of Absence from the November Board Meeting. Motion carried on consent agenda.

b. Monthly Education Program – Update Given

c. Gifford

Olson made the motion, seconded by Ruzicka to authorize Chair to sign the Settlement Agreement and Release and pay Gifford \$55,200 as full and final consideration of obligations. Motion carried all members present voting aye.

d. Murren Lawsuit - Update Given

e. Lake Wanahoo Recreation – This item will be taken at the end of the meeting

f. NRD Farm Business – Update Given

4. Equipment – None

5. Personnel - None

6. Finance

a. Approval of Financial Reports

Seier made the motion, seconded by Veskerna, to approve the October Financial Statement as distributed to all board members. Motion carried on consent agenda.

b. Approval of Managers Expenses

Seier made the motion, seconded by Veskerna, to approve Manager Gottschalk’s time and expense sheets as attached to the Executive Committee Minutes. Motion carried on consent agenda.

c. Accounts over 90 Days – Update Given

d. Union Bank Interest Payment

McDermott made the motion, seconded by Feala, to pay Union Bank and Trust \$9,823.41 for our interest due on Loan #1606489. Motion carried all members present voting aye.

Seier made the motion, seconded by Veskerna, that the December LPNNRD Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

B. OPERATIONS, EDUCATION & RURAL WATER COMMITTEE REPORT

1. UNFINISHED BUSINESS - None

2. WILD NE/CREP REPORT – Update Given

3. OPERATION AND MAINTENANCE & OTHER ITEMS

a. Lake Wanahoo Lake Level – Update Given

b. Lake Wanahoo SRA – Update Given

c. Lake Wanahoo Wildlife Areas – Update Given

d. Czechland Lake – Update Given

e. Fremont Study – Update Given

4. ROCK AND JETTY – Update Given

5. EROSION & SEDIMENT RULES & REGULATIONS – Update Given

6. INFORMATION & EDUCATION

a. Information

1. Radio and eAds – Update Given

2. Long Range Plan

Seier made the motion, seconded by Veskerna, to approve and adopt the Fiscal Year 2018 Long Range Plan. Motion carried on consent agenda.

b. Education - None

7. RURAL WATER SYSTEMS

a. Colon – Update Given

b. Bruno – Update Given

c. Other – None

Seier made the motion, seconded by Veskerna, that the December LPNNRD Operations, Education and Rural Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

C. WATER COMMITTEE REPORT

1. UNFINISHED BUSINESS

2. REGULATORY

a. Groundwater Management Area – Update Given

1. Variance Requests Extension – Update Given

2. Irrigation Agreement

Hannah made the motion, seconded by Hilger, to approve the Irrigation Agreement for Richard Gustafson for the NE¼ Section 20-T15N-R7E. Motion carried.

AYE: Bailey, Feala, Hannah, Hilger, Kavan-Alex, Kavan-Don, McDermott, Meduna, Pollard, Ruzicka, Sabatka, Saeger, Seier, Sobota, Thompson, Birkel

ABSENT: Olson

ABSTAIN: Veskerna

3. Kenneth Pestal Supplemental Well Application

Ruzicka made the motion, seconded by McDermott, to approve the supplemental well permit for Kenneth Pestal for the SE¼ NW¼ Section 12-T14N-R6E of the same section. Motion carried all members present voting aye.

4. Well Permit Program

a. Well Permits Approved - Update Given

b. Livestock Well Permits for Poultry Operation – Update Given

5. Livestock Information – Update Given

6. Irrigation to Livestock Well Conversion

Olson made the motion, seconded by Pollard, to approve the request from Bob and Laura Kobza on Section 19-T16N-R3E Butler County to convert their irrigation well to a livestock well, but cannot sell or transfer the certified irrigated acres. A water flow meter will still be required on the livestock well. Motion carried all members present voting aye.

7. Irrigation Endgun Violation Policy – Update Given

8. Lower Platte River Basin Water Management Plan Coalition (LPRBC)

Hannah made the motion, seconded by Meduna, to approve the Lower Platte Basin Water Management Plan Coalition Interlocal Agreement and the Lower Platte River Basin Water Management Plan. Motion carried all members present voting aye.

9. Voluntary Integrated Water Management Plan – Update Given

10. Ground Water Energy Levels – Update Given

11. Cost Share Programs

a. Cover Crop Project – Update Given

b. Flow Meter Cost-Share in SQS #2

Seier made the motion, seconded by Veskerna, to approve payment of \$386 of cost-share funding from WSF and NRD funds to the following individuals: Loeske, Ryan \$193; Loeske, Ryan \$193. Motion carried on consent agenda.

12. Lower Platte North NRD Operator Certification

a. LPNNRD Certification Classes for Nitrogen and Water Management – Update Given

b. Chemigation

1. Rules and Regulations – Update Given

3. GROUND WATER PROGRAMS

a. Decommissioned Well Program

1. Well Estimates – Update Given

2. Plugged Wells

Seier made the motion, seconded by Veskerna, to approve the well decommissioning cost-share of \$436.46 to James Poulas for the proper decommissioning of well G-137805. Motion carried on consent agenda.

b. Lower Platte North NRD Ground Water Studies

1. Eastern Nebraska Water Resources Assessment (ENWRA) – Update Given

2. Lower Platte River Consortium – Update Given

5. OTHER

a. GMDA Annual Conference – Update Given

b. Comments from the Public – Update Given

Seier made the motion, seconded by Veskerna, that the December LPNNRD Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

D. PROJECTS COMMITTEE REPORT

1. UNFINISHED BUSINESS – NONE

2. SWCP REPORT

a. SWCP Application Approvals - None

b. SWCP Payments

Seier made the motion, seconded by Veskerna, to approve payment to Todd Gronethal for \$1,000 as shown in the Projects Committee Minutes. Motion carried on consent agenda.

c. SWCP Cancellations – None

d. Wahoo Creek Cost-Share Approvals - None

3. WATERSHEDS

a. Shell Creek Watershed

1. Kramer Shell Creek Stabilization Project – Update Given

2. Shell Creek Enhancement Plan Approvals/Payments

Seier made the motion, seconded by Veskerna, to approve the Ed Wemhoff Septic System payment of \$1,408.56 and the Andrew Klug no-till incentive payment of \$619.20 as shown in the Projects Committee Minutes. Motion carried on consent agenda.

b. Wahoo Creek Watershed

1. Wahoo Creek Watershed Progress Report – Update Given

4. LOWER PLATTE RIVER CORRIDOR ALLIANCE - Update Given

5. OTHER

a. Review of Projects Financial Statement – Update Given

Seier made the motion, seconded by Veskerna, that the December LPNNRD Projects Committee Minutes be received and placed on file. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7a. SWCP Payment

McDermott made the motion, seconded by Sobota, to make payment of \$938.38 to Paseka Family Revocable Trust for cropland diversion. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Ruzicka made the motion, seconded by Hannah, that all bills be approved and warrants be drawn in payment of the same. Motion carried.

AYE: Bailey, Feala, Hannah, Hilger, Kavan-Alex, McDermott, Meduna, Olson, Pollard, Ruzicka, Sabatka, Saeger, Seier, Sobota, Thompson, Veskerna, Birkel

ABSTAIN: Kavan-Don

9. CONSENT AGENDA ADOPTION

Seier made the motion, seconded by Veskerna, to approve the December Consent Agenda. Motion carried all members present voting aye.

Lake Wanahoo Recreation

Ruzicka made the motion, seconded by McDermott, to go into Executive Session at 3:25 p.m. for the protection of public interest due to the potential liability of the NRD's contract with Game and Parks and to authorize the following to stay: Legal Counsel Lausterer, Gottschalk, Heimann and Mountford. Motion carried all members present voting aye.

McDermott made the motion, seconded by Ruzicka, to go out of Executive Session at 4:25 p.m. Motion carried all members present voting aye.

Chair Birkel made a few comments.

Meduna made the motion, seconded by Hannah, to provide written notice to terminate the interlocal agreement with the Nebraska Game & Parks Commission effective December 31, 2018 pursuant to Section 22(d) of the agreement and to request that the Commission agree to voluntarily terminate the current

agreement effective December 31, 2017 so that the parties can work towards negotiating the terms of a new agreement. Motion carried.

AYE: Bailey, Feala, Hannah, Hilger, Kavan-Alex, Kavan-Don, McDermott, Meduna, Pollard, Ruzicka, Sabatka, Seier, Sobota, Thompson, Veskerna, Birkel

NAY: Saeger

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The January Directors Meeting will be held on Monday, January 8, 2018, 1:30 p.m. Meeting adjourned at 4:49 p.m.

Discussion on all agenda items that have "Update Given" can be found in corresponding Committee Minutes.

The undersigned, the duly elected and acting Secretary of the Lower Platte North 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 December 11, 2017, 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 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.

Frank Pollard, Secretary