

**LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
October 8, 2012**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 6:00 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, October 8, 2012.

**1. NOTICE OF MEETING**

The advanced notice of our October board meeting was published on September 20, 2012 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Pieke 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	Birkel	Casey
Clausen	Hagerbaumer	Hannah
Hilger	Johannes	Kavan
McDermott	Meduna	Pollard
Ruzicka	Saalfeld	Sabatka
Taylor	Veskerna	Pieke

**DIRECTORS ABSENT**

Olson

**STAFF AND GUESTS:**

Miyoshi	Mountford	Breunig
Murren	Schomer	Angle
Gottschalk		

Sign in sheet attached to original minutes.

**3. APPROVAL OF AGENDA**

**4. COMMENTS - ADVISORS/GUESTS/DIRECTORS**

**a. Guest Comments**

**b. NRCS Report**

Mark Walkenhorst was present and reviewed the NRCS written report.

**c. NARD Report**

Kavan reported on the NARD Fall Conference that was held in Kearney on September 24-25. He also reported that the NACD Annual Meeting will be held January 27-30 in San Antonio, TX.

**d. NRC Report**

Johannes reported that minutes from the Commission Meeting were in each Director's box.

**e. Managers Report**

Manager Miyoshi reviewed his written report.

**f. Education Program**

Legal Counsel Lindahl was present to give an update to the board on land acquisition through

condemnation proceedings.

## **5. APPROVAL OF MINUTES**

Saalfeld made the motion, seconded by Sabatka, to approve the minutes from the September 10, 2012 Board Meeting. Motion carried on consent agenda.

## **6. REPORT OF STANDING COMMITTEES**

### **A. EXECUTIVE COMMITTEE REPORT**

#### **1. Meetings**

##### **a. Pending**

**1. Water Science Practice & Policy – Update Given**

**2. Water Law Conference – Update Given**

**3. National No-Tillage Conference – January 9-12, 2013 – Update Given**

**4. NACD – San Antonio, TX – January 27-30, 2013**

Saalfeld made the motion, seconded by Sabatka, to send up to two staff and two directors to the NACD Annual Meeting in San Antonio, Texas, January 27-30, 2013. Motion carried on consent agenda.

##### **b. Reports – None**

#### **2. Management Items**

##### **a. Directors Absence**

Saalfeld made the motion, seconded by Sabatka, to approve Director’s Taylor and Bailey excuse of absence from the September Board Meeting as attached to the Executive Committee Minutes. Motion carried on consent agenda.

##### **b. Bob Weaver**

**1. Monthly Conference Call and Report - Update Given**

**2. Monthly Bill**

Saalfeld made the motion, seconded by Sabatka, to approve payment of \$3,100 to Bob Weaver for September services and bill LPSNRD and Papio NRD for their share. Motion carried on consent agenda.

**c. Drowning in Wanahoo Dam Spillway – Update Given**

**d. Monthly Education Program – Update Given**

**e. Lake Wanahoo Finances**

Saalfeld made the motion, seconded by Sabatka, to ratify the August payment to Rembolt-Ludtke in the amount of \$1,000.00. Motion carried on consent agenda.

**f. Condemnation Proceedings – Update Given**

**g. CCEI Lawsuit**

Saalfeld made the motion, seconded by Sabatka, to ratify the August payment to Bromm-Lindahl

Freeman-Caddy & Lausterer in the amount of \$2,900 for work done in defense of the CCEI Lawsuit. Motion carried all members present voting aye.

**h. HBE Payments**

Meduna made the motion, seconded by Veskerna, to make payment of \$9,500 to HBE toward our annual audit expense and for \$2,330 for accounting assistance. Motion carried all members present voting aye.

**i. NIROC Funding Request - Update Given**

**j. Water Leaders Academy**

Saalfeld made the motion, seconded by Sabatka, to approve registration in the amount of \$2,000 and travel expenses for Director Dave Saalfeld to attend the Nebraska Water Leaders Academy. Motion carried on consent agenda.

**k. November Board Meeting – Update Given**

**3. Equipment - None**

**4. Personnel**

Saalfeld made the motion, seconded by Sabatka, to move the hiring of Duke Dukulil from temporary to full time status to the full Board for discussion. Motion carried on consent agenda.

Kavan made the motion, seconded by Ruzicka, to keep Duke Dukulil at his current status, which is a temporary seasonal employee. Motion carried.

AYE: Clausen, Hagerbaumer, Hannah, Hilger, Kavan, McDermott, Meduna, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Pieke

NAY: Bailey, Birkel, Casey, Johannes

**5. Finance**

**a. Approval of Financial Report – Update Given**

**b. Approval of Managers Expenses**

Saalfeld made the motion, seconded by Sabatka, to approve Manager Miyoshi's time and expense sheets as attached to the Executive Committee Minutes. Motion carried on consent agenda.

**c. Accounts Receivable Over 90 Days – Update Given**

**d. Monthly Accounting Update – Update Given**

**e. Union Bank Accounts**

Meduna made the motion, seconded by Veskerna, that we refinance the Wanahoo Land Note and SRF #2 now and that SRF #1 be refinanced after January 1, 2013 all with Union Bank. Motion carried all members present voting aye.

Casey made the motion, seconded by Saalfeld, to:

1. Approve the Union Bank Resolution, which allows the "Line of Credit" as attached to the Executive Committee Minutes.

2. Approve and authorize the General Manager to sign the Union Bank Line of Credit Note for \$1,100,000 as attached to the Executive Committee Minutes.
3. Approve the Union Bank Addendum to the Line of Credit and authorize the General Manager to sign this addendum as attached to the Executive Committee Minutes.
4. Approve the Union Bank Business Note for the Line of Credit and Authorize the General Manager to sign the Note as attached to the Executive Committee Minutes.
5. Approve the Addendum to the Union Bank Business Loan Agreement and authorize the General Manager to sign the addendum as attached to the Executive Committee Minutes.
6. Approve the Union Bank Security Agreement and authorize the General Manager to sign the Agreement as attached to the Executive Committee Minutes.

Motion carried all members present voting aye.

**f. Closing Wahoo State Bank Accounts**

Saalfeld made the motion, seconded by Sabatka, to close our Wahoo State Bank Checking account and Money Market Account over the next 30 days. Motion carried on consent agenda.

**g. Wanahoo NPAIT Account**

Saalfeld made the motion, seconded by Sabatka, to close the Wanahoo NPAIT account once the Wanahoo Partner Settlement Agreement is fully executed. Motion carried on consent agenda.

Saalfeld made the motion, seconded by Sabatka, that the October LPNNRD Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

**B. OPERATIONS, EDUCATION & RURAL WATER COMMITTEE REPORT**

**1. WHIP/WILD NE REPORT**

**a. Payments & Information**

Saalfeld made the motion, seconded by Sabatka, to make CREP Payments to Mohrman Farms in Platte County, 1.1 acre, \$20.68 & 5 acres, \$90.90. Motion carried on consent agenda.

Saalfeld made the motion, seconded by Sabatka, to approve a new 10-year WILD NE contract for Jim Chambers, Butler County for Invasive Plant Control & Re-establishing Grasses at an NRD expense of \$2,893.75. Motion carried on consent agenda.

**2. OPERATION AND MAINTENANCE**

**a. Operation and Maintenance - Update Given**

**b. South Fremont 205 Feasibility Study**

**c. Czechland Lake**

**1. Car Club Request**

Saalfeld made the motion, seconded by Sabatka, to not allow the use of alcohol at Czechland Lake for the 7-Mile Ride & Car Club event in August 2013. Motion carried on consent agenda.

**2. Shelter Roof Replacement**

Saalfeld made the motion, seconded by Sabatka, to purchase the 26-gauge tin for the Czechland shelters from Oak Valley Lumber in Valparaiso for \$1,271.50. Motion carried on consent agenda.

**3. Non-paying Camper, Repeat Offender (letters attached)**

Ruzicka made the motion, seconded by Hagerbaumer, to ban Deb Wotipka from all LPNNRD

recreation areas until the \$36 camping fee owed to the district is paid in full and if caught on any recreation site, trespassing charges be filed. Mrs. Wotipka is to be notified by certified mail with a return receipt. Motion carried.

AYE: Bailey, Birkel, Casey, Clausen, Hagerbaumer, Hannah, Hilger, Johannes, Kavan, McDermott, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Pieke

ABSTAIN: Meduna

**d. Haying Wanahoo – Update Given**

**e. Equipment – Update Given**

**f. Renovation of Cottonwood 42-A**

Ruzicka made the motion, seconded by Meduna, to pay F&S Trenching \$9,200 for work done on Cottonwood 42-A dam. Motion carried all members present voting aye.

**g. Rawhide Creek Maintenance – Update Given**

**h. Cottonwood 6-C – Update Given**

**3. ROCK AND JETTY**

**a. Applications - None**

**b. Payment Requests**

Saalfeld made the motion, seconded by, Sabatka, to approve payments to Martin Masek in Butler Co. on the Platte River for \$1,260 and to the City of North Bend for \$1,662.50 for Rock and Jetty work pending inspection by staff. Motion carried on consent agenda.

**4. EROSION & SEDIMENT RULES & REGULATIONS – Update Given**

**5. INFORMATION & EDUCATION**

**a. Information**

**1. KTIC Ads – Update Given**

**2. Viaduct – Update Given**

**3. Wanahoo Signs – Update Given**

**4. Husker Harvest Days – Update Given**

**b. Education**

**1. Land Judging – Update Given**

**c. Computers**

**1. Windows Server - Update Given**

**6. RURAL WATER ACTIVITIES**

**a. Bruno/David City Rural Water – Update Given**

**b. Colon/Wahoo Rural Water System – Update Given**

**c. Mead – Update Given**

**d. Bellwood**

Sabatka made the motion, seconded by Birkel, to return the \$50 deposits to 15 respondents from the Bellwood Rural Water Interest Survey. Motion carried all members present voting aye.

**e. Other – Update Given**

Saalfeld made the motion, seconded by Sabatka, that the October LPNRRD Operations, Education and Rural Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

**C. WATER COMMITTEE REPORT**

**1. REGULATORY**

**a. GROUNDWATER MANAGEMENT AREA**

**1. 2012 Drought Conditions – Update Given**

**2. Variance Requests for Limited Development (Hydrologically Connected) Area**

**a. September Variance Requests – Update Given**

**b. Limited Development Areas**

Saalfeld made the motion, seconded by Pollard, to award up to 2,912.74 acres from the 2009 – 2012 allocation and the 2013 allocation as shown on the attached spreadsheet using the LPNRRD approved ranking criteria within each of the three different ranking regions and to move 334.33 acres left over from the Platte Valley ranking region and grant 167.17 additional acres to the Shell Creek ranking region and 167.17 additional acres to the Todd Valley ranking region and to issue those acres on January 1, 2013. Motion carried.

AYE: Bailey, Casey, Clausen, Hagerbaumer, Hannah, Hilger, Johannes, Kavan, McDermott, Meduna, Pollard, Saalfeld, Sabatka, Taylor, Veskerna, Pieke

ABSTAIN: Birkel, Ruzicka

Saalfeld made the motion, seconded by Pollard, to award Robert Schmek 120 acres in the Shell Creek ranking region and to issue those acres on January 1, 2013. Motion carried all members present voting aye.

**3. Well Permit Program**

**a. Pending Well Permits**

Saalfeld made the motion, seconded by Hilger, to approve the following well permits:

<u>Applicant</u>	<u># of Wells</u>	<u># of New Irrigated Acres</u>	<u>Type of Well</u>	<u>County</u>	<u>Subarea</u>
<u>Grosch Irrigation</u>	<u>1</u>	<u>0</u>	<u>Well to fill water trucks (LDA)</u>	<u>Dodge</u>	<u>North Bend</u>
<u>Lyman-Richey Corporation</u>	<u>1</u>	<u>0</u>	<u>Industrial (LDA)</u>	<u>Dodge</u>	<u>Fremont East</u>
<u>Randall Benson</u>	<u>1</u>	<u>0</u>	<u>Replacement (LDA) No new irrigated acres</u>	<u>Boone</u>	<u>Upper Shell Creek</u>
<u>Paul Wilke</u>	<u>1</u>	<u>8,000 head</u>	<u>Livestock (NDA)</u>	<u>Platte</u>	<u>Platte Center</u>

Motion carried.

AYE: Bailey, Birkel, Casey, Clausen, Hagerbaumer, Hannah, Hilger, Johannes, Kavan, Meduna, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Pieke

ABSTAIN: McDermott

Saalfeld made the motion, seconded by Sabatka, to allow the transfer of 79.2 surface water acres to 66 ground water acres and approve the well permit for Jim McDermott in the NW1/4, Section 4, T15N, R7E in Saunders County with the additional well permit condition that Jim McDermott has to relinquish his surface water rights with the Department of Natural Resources. Motion carried on consent agenda.

**4. Extension of LPNNRD Ground Water Management Area Rules and Regulations**

Johannes made the motion, seconded by McDermott, to approve changes to the LPNNRD Ground Water Management Area Rules and Regulations as modified by the LPNNRD Water Committee with the following sentence stricken in Section M, Rule 5, Sub-section (2), Page 37. Landowners and/or operators requesting a reevaluation of their ranking status must provide any additional information to the District office by the close of office hours on the Friday preceding the October LPNNRD Board Meeting.

Hannah moved to amend the main motion, seconded by Kavan, that in Section D, Rule 1 on page 13: to set a sunset date of 2015. Amendment failed.

AYE: Hannah, Kavan

NAY: Bailey, Birkel, Casey, Clausen, Hagerbaumer, Hilger, Johannes, McDermott Meduna, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Pieke

The Original Motion was now voted on; Motion carried all members present voting aye.

**5. Voluntary Integrated Water Management Plan – Update Given**

**6. Cost-Share Programs**

**a. Irrigation Well Sample Kits - Update Given**

**b. Domestic Well Sample Kits - Update Given**

**c. NAWMDN Water Mark Sensors and ET Gauges – Update Given**

**d. Cost-Share 319 Grant for Phase 2 Ground Water Management Area – Update Given**

**7. LPNNRD Certification Classes – Update Given**

**8. Bellwood Phase 2 Area**

**9. Richland/Schuyler Phase II Area - Update Given**

**10. Check of Water Quality Well Sampling Results in Phase 2 Areas – Update Given**

**11. Certifying Acres – Update Given**

**b. Chemigation**

Saalfeld made the motion, seconded by Pollard, to approve changes to the LPNNRD Chemigation Rules and Regulations as recommended by the Water Committee and forward these revised Rules and Regulations as required by State Law to the Nebraska Department of Environmental Quality for their review and approval. Motion carried all members present voting aye.

**c. Livestock Waste Permits - Update Given**

**2. GROUND WATER PROGRAMS**

**a. Decommissioned Well Program**

**1. Well Estimates - Update Given**

**2. Plugged Wells**

Saalfeld made the motion, seconded by Sabatka, to approve cost share payment to decommission the domestic well for Fred Wignigton for \$230.21. Motion carried on consent agenda.

**b. LPNNRD Ground Water Studies**

**1. LPNNRD Platte River Ground Water Model – Update Given**

**2. Elkhorn Loup Model (ELM) – Update Given**

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

**c. Ground Water Energy Levels – Update Given**

**1. Future Monitoring Wells – Update Given**

**2. Wann Basin Measurements – Update Given**

**e. Former Ordnance Plant Near Mead – Update Given**

**3. SURFACE WATER PROGRAMS**

**a. State Lakes, for the Week September 16-22, 2012 – Update Given**

**1. Bacteria Sampling – Update Given**

**2. Toxic Algae – Update Given**

**b. USGS Invoices for Stream Gauging and Water Quality**

Saalfeld made the motion, seconded by Sabatka, to approve payment to USGS for the Shell Creek gauge near Columbus for water quality measurements for the period of July 1 to September 30, 2012. Motion carried on consent agenda.

**4. OTHER**

**a. Review Article for the Journal of National Ground Water Association – Update Given**

**b. Comments From The Public – Update Given**

Saalfeld made the motion, seconded by Sabatka, that the October LPNNRD Water Committee Minutes be received and placed on file. Motion carried on consent agenda.



**D. PROJECTS COMMITTEE REPORT****1. SWCP REPORT****a. SWCP Application Approvals**

Saalfeld made the motion, seconded by Sabatka, to approve the following SWCP flow meter application

			<u>50%</u>
Weber Farms Rev. Trust	Dodge Co.	Flow Meter	<u>\$642.50</u>

Motion carried on consent agenda.

**b. SWCP Payments**

Saalfeld made the motion, seconded by Sabatka, to approve the following SWCP payments:

			<u>Approved</u>	<u>Total</u>
11-D-39	Gordon Miller	Flow Meter	<u>\$642.50</u>	<u>\$305.98</u>
11-S-37	Bruce/Brad & Amy Williams	Flow Meter	<u>\$625.00</u>	<u>\$525.00</u>
11-S-40	AM SC Investments	Flow Meter	<u>\$642.50</u>	<u>\$525.00</u>
12-S-06	Richard Bartek	Flow Meter	<u>\$625.00</u>	<u>\$551.00</u>
12-S-04	Ralph/Velma Schneider/ Eric Nelson	Tile/Terrace/Basins	<u>\$12,500.00</u>	<u>\$14,406.98</u>

Motion carried on consent agenda.

**c. SWCP Cancellations – None****d. Sand/Duck Creek Approvals**

Saalfeld made the motion, seconded by Sabatka, to approve the following Sand/Duck Creek cost-share application:

		<u>25%</u>	<u>15% SWCP</u>
Vernon Virka	Terrance/Tile	<u>\$5,400</u>	<u>\$4,800</u>

Motion carried on consent agenda.

**e. Sand/Duck Creek Cost-Share Payments – Update Given****2. WATERSHEDS****a. Shell Creek Improvement Group – Update Given****b. Wahoo Creek Watershed Water Quality Plan – Update Given****3. LOWER PLATTE RIVER CORRIDOR ALLIANCE****a. Monthly Report - Update Given****4. OTHER****a. Update on Army COE 205 Studies****1. South Fremont 205 – Update Given****2. Schuyler 205**

Kavan made the motion, seconded by Meduna, to pay the Army COE \$40,385 toward design of the Schuyler 205 Levee Project. Motion carried all members present voting aye.

**b. NW David City Project Tour – Update Given****5. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT REPORT****a. Lake Wanahoo**

**1. Wanahoo Dedication – Update Given**

**2. June Drowning – Update Given**

**3. CCEI Lawsuit – Update Given**

**4. Recreation**

Saalfeld made the motion, seconded by Sabatka, to allow Wahoo Fire and Rescue to construct a 30' x 30' building on Lake Wanahoo Recreation Area for storing emergency rescue equipment. It was further recommended that this building is for Wahoo Fire and Rescue use only and that the LPNNRD will not provide cost share assistance toward construction. It was further recommended that before construction begins, that an Interlocal Agreement be approved that will outline building ownership, and/or disposal if no longer needed as originally intended, building maintenance, road access maintenance, required utilities, and liability. Motion carried on consent agenda.

**5. O & M of Wanahoo & Pheasants Forever Wetland Wildlife Habitat Areas – Update Given**

**b. Upstream Structures – Update Given**

**1. Landrights – Update Given**

**2. Payment Request to the Army COE**

Kavan made the motion, seconded by Meduna, to ratify approval of the \$408,512 payment made to the Army COE for completing the final two Sand Creek structures (Sites #6 & #15). Motion carried.

AYE: Bailey, Birkel, Casey, Clausen, Hagerbaumer, Hannah, Johannes, Kavan, McDermott, Meduna, Pollard, Ruzicka, Saalfeld, Sabatka, Veskerna, Pieke

ABSTAIN: Hilger, Taylor

**6. WESTERN SARPY/CLEAR CREEK LEVEE REPORT – Update Given**

Saalfeld made the motion, seconded by Sabatka, to accept and place on file the October Projects Committee Minutes. Motion carried on consent agenda.

**7. ADDITIONAL ACTION ITEMS**

**7a. Review/Approval of 3 Well Permits**

Ruzicka made the motion, seconded by Meduna, to approve three well permits for Jeana Buhman – Platte County - NE ¼- S4-T18N-R1E - NE ¼-S3- T18N-R1E - SE ¼ -S3-T18N-R1E. Motion carried.

AYE: Bailey, Birkel, Casey, Clausen, Hagerbaumer, Hannah, Hilger, Johannes, Kavan, McDermott, Meduna, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Pieke

NAY: Hannah

**7b. Advertise for Auctioneer Services**

Ruzicka made the motion, seconded by Meduna, to advertise for Auctioneer Services for sale of land below Lake Wanahoo. Motion carried.

AYE: Bailey, Birkel, Casey, Clausen, Hagerbaumer, Hannah, Hilger, Johannes, Kavan, McDermott,

Meduna, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Pieke

NAY: Hannah

**7c. Colon RW Annual Loan Payment**

Ruzicka made the motion, seconded by Meduna, to ratify the payment of \$3,355 to USDA RD for the yearly loan payment for the Colon RW System. Motion carried.

AYE: Bailey, Birkel, Casey, Clausen, Hagerbaumer, Hannah, Hilger, Johannes, Kavan, McDermott, Meduna, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Pieke

NAY: Hannah

**7d. SWCP and Sand/Duck Creek Payments**

Ruzicka made the motion, seconded by Meduna, to approve the following SWCP and Sand/Duck Creek payments:

<u>SWCP</u>		<u>Approved</u>	<u>Final Pmt.</u>
<u>Iver Bygland</u>	<u>Flow Meter</u>	<u>\$625.00</u>	<u>\$596.61</u>
<u>Vernon Virka</u>	<u>Terraces/Tile</u>	<u>\$4,800.00</u>	<u>\$4,684.59</u>
<u>Sand/Duck Creek</u>			
<u>Vernon Virka</u>	<u>Terraces/Tile</u>	<u>\$5,400.00</u>	<u>\$5,309.19</u>

Motion carried.

AYE: Bailey, Birkel, Casey, Clausen, Hagerbaumer, Hannah, Hilger, Johannes, Kavan, McDermott, Meduna, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Pieke

NAY: Hannah

**8. BILLS TO BE APPROVED**

Birkel made the motion, seconded by Meduna, that all bills be approved and warrants be drawn in payment of same. Motion carried all members present voting aye.

**9. CONSENT AGENDA ADOPTION**

Saalfeld made the motion, seconded by Ruzicka, to approve the October consent agenda. Motion carried all members present voting aye.

Sabatka made the motion, seconded by Meduna, that as discussed earlier in the meeting, we go into executive session at 8:54 p.m. to discuss the Tort Claim filed against the NRD and Condemnation/Landrights on Site #6 and #15 due to potential litigation and ask that staff members Miyoshi, Murren and Mountford remain. Motion carried all members present voting aye

Meduna made the motion, seconded by Sabatka, to come out of closed session at 9:13 p.m. Motion carried all members present voting aye.

Meduna made the motion, seconded by Saalfeld, to approve the "Purchase Agreement" as prepared by Lindahl for the Virka Property for the Sand Creek Up-Stream Dams Project. Motion carried all members present voting aye.

**10. COMMENTS FROM DIRECTORS/GUESTS**

**11. MEETING ESTABLISHMENT AND ADJOURNMENT**

The November Directors Meeting will be held on Monday, November 12, 2012, 6:00 p.m. Meeting adjourned at 9:30 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 October 8, 2012, 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.

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Ray Casey, Secretary