

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
August 14, 2017**

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, August 14, 2017.

1. NOTICE OF MEETING

The advanced notice of our August 14, 2017 board meeting was published on July 27, 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	Folsom
Gibney	Hannah	Hilger
Kavan	McDermott	Meduna
Olson	Pollard	Ruzicka
Saalfeld	Seier	Sobota
Veskerna	Birkel	

DIRECTORS ABSENT

Clausen	Sabatka
---------	---------

STAFF AND GUESTS:

Miyoshi	Breunig	TePoel
Mountford	Andersen	Gottschalk

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

Mark Walkenhorst was present to give the NRCS Report.

c. NARD Report

Hilger gave the NARD Report.

d. NRC Report

None

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program - None

5. APPROVAL OF MINUTES

Saalfeld made the motion, seconded by Ruzicka, to approve the minutes from the July 10, 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

Legal Counsel Lausterer gave an update to the Board.

b. Ourada Lawsuit – No New Information

2. Meetings

a. Pending

1. NARD Fall Conference – Update Given

2. National Watershed Conference – Update Given

b. Reports - None

3. Management Items

a. Director Absences

Saalfeld made the motion, seconded by Ruzicka, to approve Director Seier’s excuse of absence from the July Board Meeting. Motion carried on consent agenda.

b. Monthly Education Program – None

c. LARM Renewal Proposal and Resolution

Ruzicka made the motion, seconded by Sobota, to approve the LARM Insurance Renewal Resolution with 2 years prior to termination and 180 day termination notice. Motion carried all members present voting aye.

d. Prague Playground Equipment

Saalfeld made the motion, seconded by Ruzicka, to not bid on the used playground equipment at Prague. Motion carried on consent agenda.

4. Equipment – None

5. Personnel

a. Rural Water and Projects Manager

Due to Eric Gottschalk being promoted to General Manager this job is replacing Eric Gottschalk’s previous duties. Saalfeld made the motion, seconded by Ruzicka, to create a new position titled Rural Water and Projects Manager with an assigned Job Code of 19.1031/11.9021. Motion carried on consent agenda.

b. Filling the Rural Water and Projects Manager Position

Saalfeld made the motion, seconded by Ruzicka, to approve the Rural Water and Projects Manager job description and job code as attached to the Executive Committee Minutes. Motion carried on consent agenda.

6. Finance

a. Approval of Financial Reports – Update Given

b. Approval of Managers Expenses

Saalfeld made the motion, seconded by Ruzicka, to approve Manager Miyoshi'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. Approval of Fiscal Year 2018 Budget

Meduna made the motion, seconded by Olson, to approve the Fiscal Year 2018 Budget with total expenditures of \$6,245,565 and total income of \$7,228,594. Motion carried all members present voting aye.

Saalfeld made the motion, seconded by Ruzicka, that the August LPNRRD Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

B. OPERATIONS, EDUCATION & RURAL WATER COMMITTEE REPORT

1. UNFINISHED BUSINESS

a. Lake Wanahoo Lake Level

Saalfeld made the motion, seconded by Ruzicka, to consult with FYRA Engineering regarding the Lake Level Plan and whether keeping the lake one foot below conservation pool can be incorporated into the planning and whether it would be allowable with other partners. Motion carried on consent agenda.

2. WILD NE/CREP REPORT

Saalfeld made the motion, seconded by Ruzicka, to pay CREP contract Tim & John Gronenthal Trust \$72.16 on 4.4 acres in Platte County. Motion carried on consent agenda.

3. OPERATION AND MAINTENANCE & OTHER ITEMS

a. Lake Wanahoo SRA

Saalfeld made the motion, seconded by Ruzicka, to move forward with the purchase of retaining wall materials at the kiosk and crumb rubber for the playgrounds at an estimated cost of \$3,500 and \$6,000 respectively and add a concrete floor in the G & P portion of the shed at an estimated cost of \$2,500 - \$3,000 pending G&P administration approval. Motion carried on consent agenda.

Saalfeld made the motion, seconded by Ruzicka, to have Chairman Birkel put together a 5 member committee to review the Wanahoo SRA Interlocal Agreement with G&P Administration in September. Motion carried on consent agenda.

b. Wanahoo & Czechland Haying – Update Given

c. Czechland Dam Re-survey – Bill Warner

Saalfeld made the motion, seconded by Ruzicka, to have the District's property below Czechland Lake Dam re-surveyed in conjunction with the Bill and Rae Gene Warner property sale not to exceed \$2,000 to

the District and file the corrected legal description for the Warranty Deed with the Deeds office. Motion carried on consent agenda.

d. Rawhide Land Partnership Paul Gifford Box Culvert

Ruzicka made the motion, seconded by Meduna, to approve a global settlement agreement between Paul Gifford (Rawhide Land Partners), LPNNRD and the City of Fremont that will complete the “Escrow Agreement for Box Culvert Funds” agreement dated 8-2-91 between the three parties and authorize the Board Chair to sign the agreement on behalf of LPNNRD. This settlement is for a total of \$73,600 that will be paid by LPNNRD with Fremont reimbursing \$18,400 to LPNNRD, this offer is valid until 8-31-17. Motion carried.

AYE: Bailey, Gibney, Hannah, Kavan, McDermott, Meduna, Olson, Pollard, Ruzicka, Saalfeld, Seier, Sobota, Veskerna, Birkel

NAY: Feala, Folsom, Hilger

e. Lower Platte Weed Management

Hannah made the motion, seconded by Kavan, to pay the Lower Platte Weed Management Group through the Papio-Missouri River NRD as per the Interlocal agreement for managing noxious and invasive weeds on the Platt River and its tributaries. Motion carried all members present voting aye.

f. Saunders County Grass Drill – Update Given

g. Eagle Scout Project

Saalfeld made the motion, seconded by Ruzicka, to approve and support the Eagle Scout Project of 12 monofilament collection sites by Josh Varner on the Lake Wanahoo SRA. Motion carried on consent agenda.

h. O & M Budget – Update Given

i. Fremont GI Study

Olson made the motion, seconded by Pollard, to proceed with completion of the Fremont GI Study as long as all partners are in agreement and follow the lead of Fremont pertaining to which of the four alternative is preferred. Motion carried.

AYE: Bailey, Feala, Folsom, Gibney, Hannah, Hilger, Kavan, McDermott, Olson, Pollard, Ruzicka, Saalfeld, Seier, Sobota, Veskerna, Birkel

NAY: Meduna

4. ROCK AND JETTY

Saalfeld made the motion, seconded by Ruzicka, to pay/reimburse Kay Poppe \$2,000 for work accomplished on her Skull Creek levee repair completed in May. Motion carried on consent agenda.

5. EROSION & SEDIMENT RULES & REGULATIONS

6. INFORMATION & EDUCATION

a. Information

1. Radio and Web Ads – Update Given

b. Education

1. Fertig Prairie – Update Given

c. Computer – None

7. RURAL WATER SYSTEMS

a. Colon – Update Given

b. Bruno – Update Given

c. Other – None

Saalfeld made the motion, seconded by Ruzicka, that the August 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

a. Aquifer Risk Map

Meduna made the motion, seconded by Pollard, to take budgeting \$20,000 for the development of an aquifer risk map for FY17-18 off the table. Motion carried all member present voting aye.

2. REGULATORY

a. Groundwater Management Area

1. Irrigated Acres for 2017 in the HCA And NHCA – None

2. Variance Requests in the Hydrological Connected Area – Update Given

3. Variance Requests in the Non-Hydrological Connected Area – Update Given

4. Variance Requests in the Restricted Development Areas – Update Given

5. Variance Requests in the Special Quantity Subareas – Update Given

6. Well Permit Program

a. Well Permits Approved - Update Given

b. Martin Erickson Well Permit - Update Given

7. Irrigation Runoff Complaint – None

8. Well Interference Complaints – None

9. Potential Violation of Expanded Irrigation – None

10. Special Quantity Sub-Areas – Update Given

11. Lower Platte River Basin Water Management Plan Coalition – None

12. Voluntary Integrated Water Management Plan – LENRD and LPNNRD

13. Cost-Share Programs

a. Irrigation Well Sample Kits – Update Given

b. Flow Meter Cost-Share in SQS #2 – Update Given

14. Bellwood Phase 2 Area – Update Given

15. Richland - Schuyler Phase 2 Area– Update Given

16. Richland - Schuyler Phase 3 Area – None

17. LPNRND Operator Certification –None

c. Chemigation

Saalfeld made the motion, seconded by Ruzicka, to change Chemigation fess to \$300 for emergency permits, \$90 for new permits and keep renewal permits at \$30, the next time our Groundwater Rules and Regulations are modified. Motion carried on consent agenda.

1. Chemigation Violation

McDermott made the motion, seconded by Hannah, to turn over the Francis Emanuel Chemigation Violation to the Dodge County Attorney (Oliver Glass) for prosecution. Motion failed.

AYE: Hannah, McDermott

NAY: Bailey, Feala, Folsom, Gibney, Hilger, Kavan, Meduna, Olson, Pollard, Saalfeld, Seier, Sobota, Veskerna, Birkel

ABSTAIN: Ruzicka

d. Livestock Waste Permits – None

3. GROUND WATER PROGRAMS

a. Decommissioned Well Program

1. Well Estimates – None

2. Plugged Wells – None

b. LPNNRD Ground Water Studies

1. Elkhorn Loup Model (ELM) – None

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

3. Lower Platte River Consortium – Update Given

4. Platte and Elkhorn River Valley Integrated Water Monitoring – None

c. Monitoring Well Equipment

Saalfeld made the motion, seconded by Ruzicka, to approve the proposal from the Phoenix Webgroup as presenting and pay the \$7,500 deposit, with the remaining amount paid after completion; authorizing the Board Chairman to sign. Motion carried all members present voting aye.

d. Ground Water Energy Levels – Update Given

e. Ground Water Quality Sampling – None

4. SURFACE WATER PROGRAMS

a. State Lakes – Update Given

b. USGS Water Quality Monitoring on Shell Creek – None

c. USGS Stream Flow Gauging Sites – Update Given

5. OTHER

a. LPNNRD Water Program Budget FY17-18 – Update Given

b. Phoenix WebGroup

Saalfeld made the motion, seconded by Hannah, to pay the invoice for \$18,000 to the Phoenix Webgroup with the remaining amount paid after completion; authorizing the Board Chairman to sign the agreement. Motion carried all members present voting aye.

c. Drought Map – Update Given

d. Project SENSE Field Day – Update Given

e. Comments from the Public – Update Given

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

D. PROJECTS COMMITTEE REPORT

1. UNFINISHED BUSINESS

2. SWCP REPORT

a. SWCP Application Approvals

Saalfeld made the motion, seconded by Ruzicka, to approve twelve SWCP fall applications totaling \$110,153.65 as listed in the Projects Committee Minutes. Motion carried on consent agenda.

b. SWCP Payments

Saalfeld made the motion, seconded by Ruzicka, to make the \$10,000 SWCP payment to Hartman Family Trust for conservation work completed 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. Shell Creek Environmental Enhancement Plan Implementation

Saalfeld made the motion, seconded by Ruzicka, to authorize Assistant Manager, Mountford to work

with Colfax County Engineering Mark Mainelli for putting together an advertising and construction bid package for completion of the Kramer Shell Creek Bank Stabilization project. Motion carried on consent agenda.

Saalfeld made the motion seconded by Ruzicka, to approve and authorize the Chair to sign the Shell Creek Environmental Enhancement Plan Implementation grant funding agreement with NDEQ. Motion carried on consent agenda.

2. Shell Creek Landowner Levee Project – Update Given

b. Wahoo Creek Watershed

1. Wahoo Creek Regional Conservation Partnership Program (RCPP) MOU Approval

Bailey made the motion, seconded by Olson, to approve and authorize the Board Chair to sign the RCPP Memorandum of Understanding (MOU) with NRCS as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

2. FYRA RCPP/WSF Invoice & Moving Forward on Wahoo Creek RCPP/WSF Contract

Meduna made the motion, seconded by McDermott, to support the submitted Water Sustainability Fund (WSF) grant application to NDNR for \$2,269,194 to assist with the construction of Wahoo Creek dam sites 26 & 27. Motion carried all members present voting aye.

3. Federal Watershed P.L. 566 Funds for Wahoo Creek Watershed

Hannah made the motion, seconded by Seier, to authorize staff to work with FYRA Engineering on a P.L. 566 application to submit to NRCS by August 28, 2017 for potential assistance for completing the remaining unfunded eight Wahoo Creek Watershed Dams as identified in the NRCS's 1998 Watershed Plan. Motion carried all members present voting aye.

4. Wahoo Creek Watershed Water Quality Plan Phase II – Update Given

4. LOWER PLATTE RIVER CORRIDOR ALLIANCE

1. LPRCA Watershed Water Quality Plan Draft – Update Given

5. OTHER

a. Village of Prague's Water Issue – Update Given

b. Platte Center Payment Assistance – Elm Creek Bank Stabilization

Saalfeld made the motion, seconded by Ruzicka, to pay Platte Center \$7,728.21 assistance (50% of \$15,456.42 tot project cost) toward their Elm Creek Bank Stabilization Project, contingent on favorable staff inspection of the completed work. Motion carried on consent agenda.

c. NRCS Soil Health Sponsorship Request

Saalfeld made the motion, seconded by Ruzicka, to be a sponsor of the September 6, 2017 Soil Health Conference in Albion and approve \$500 toward this event. Motion carried on consent agenda.

d. Lower Platte River Restoration Study

Meduna made the motion, seconded by Ruzicka, to approve LPNDR signing the letter of intent to be a partner with LPSNRD and PMRNRD for completion of the Lower Platte River Restoration Study as attached to the Projects Committee Minutes. Motion carried.

AYE: Bailey, Feala, Folsom, Gibney, Hannah, Kavan, McDermott, Olson, Pollard, Ruzicka, Saalfeld, Seier, Sobota, Veskerna, Birkel
NAY: Hilger, Meduna

e. Review of Projects Financial Statement – Update Given

Saalfeld made the motion, seconded by Ruzicka, that the August LPNNRD Projects Committee Minutes be received and placed on file. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS - NONE

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

Saalfeld made the motion, seconded by Ruzicka, to approve the August July Consent Agenda. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The September Directors Meeting will be held on Monday, September 11, 2017, 6:00 p.m. Meeting adjourned at 8:02 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 August 14, 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.

Bob Clausen, Secretary