

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
March 13, 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 Office, Wahoo, NE on Monday, March 13, 2017.

1. NOTICE OF MEETING

The advanced notice of our March 13, 2017 board meeting was published on March 2, 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 | Clausen | Folsom |
| Hannah | Hilger | Kavan |
| McDermott (left 3:45 p.m.) | Meduna | Olson |
| Pollard | Saalfeld | Sabatka |
| Sobota | Veskerna | Birkel |

DIRECTORS ABSENT

| | | |
|-------|--------|---------|
| Feala | Gibney | Ruzicka |
| Seier | | |

STAFF AND GUESTS:

| | | |
|----------|------------|---------|
| Miyoshi | Breunig | Heimann |
| Benal | Oaklund | TePoel |
| 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

Jami Thoene 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

Neil Johnson from the Phoenix Group gave an update on the work they have been doing on our Master

Database.

5. APPROVAL OF MINUTES

Olson made the motion, seconded by Sobota, to approve the minutes from the February 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 Update

2. Meetings

a. Pending

1. 2017 Water and Natural Resources Tour – Update Given

2. Angle’s Retirement/Open House – Update Given

b. Reports – None

3. Management Items

a. Director Absences - None

b. Monthly Education Program – Update Given

c. Ourada Claim

Ourada’s attorney Tom Thompson was present and addressed the Board.

d. Murren Claim – No New Information

e. Fiscal Year 2017 Audit

Olson made the motion, seconded by Sobota, to advertise Request for Proposals for our annual audit asking for a three year commitment from auditing firms. Motion carried on consent agenda.

4. Equipment - None

a. Replacement of Telephone System

Olson made the motion, seconded by Sobota, to advertise Request for a new phone system that will included the system, service and other amenities their company may offer. Motion carried on consent agenda.

5. Personnel

a. Manager Selection Process - Update Given

b. Leave Payout for Angle

Folsom made the motion, seconded by Clausen, to approve the leave time payout to Larry Angle of \$21,502.55 less deductions. Motion carried all members present aye.

6. Finance

a. Approval of Financial Reports

Cindy Love was present and reviewed the October and November Financial Statements with the Board of

Directors. Saalfeld made the motion, seconded by Pollard, to approve the October and November Financial Statements as distributed to all board members. Motion carried all members present voting aye.

b. Approval of Managers Expenses

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

Olson made the motion, seconded by Sobota, that the March 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

Olson made the motion, seconded by Sobota, to pay Standing C Excavating \$3,750 for contracted tree removal at Czechland Lake. Motion carried on consent agenda.

3. OPERATION AND MAINTENANCE & OTHER ITEMS

a. Olsson Associate Wanahoo Dam Monitoring

Hannah made the motion, seconded by Olson, to approve the Olsson Associates 2017 Lake Wanahoo Dam Monitoring contract at a cost of \$14,212.50. Motion carried all members present voting aye.

b. Lake Wanahoo Lake Level

Folsom made the motion, seconded by Sabatka, to not pursue the Section 408 request with the Army Corp's of Engineers for lowering Lake Wanahoo at this time and to return the unopened 408 proposals to JEO Consulting Group and Olsson Associates. Motion carried all members present voting aye.

c. Lake Wanahoo SRA

Olson made the motion, seconded by Sobota, to direct staff in clarifying items listed with Game and Parks for a potential amendment to the interlocal agreement. Motion carried on consent agenda.

d. Fremont GI Study – Update Given

e. Sand/Duck Creek Dam Deficiency Items – Update Given

f. Rawhide Land Partnership Paul Gifford Box Culvert

4. ROCK AND JETTY - NONE

5. EROSION & SEDIMENT RULES & REGULATIONS

6. INFORMATION & EDUCATION

a. Information

1. Radio and Web Ads – Update Given

2. 2017 County Fairs

Olson made the motion, seconded by Sobota, to approve having LPNNRD exhibit booths at up to 6 county fairs in our district during summer 2017. Motion carried on consent agenda.

3. Long Range Plan

Olson made the motion, seconded by Sobota, to approve and adopt the 2017 Long Range Plan. Motion carried on consent agenda.

b. Education

1. Shell Creek Watershed Monitoring Program Scholarship - Update Given

2. Soil & Water Stewardship Week – Update Given

3. Test Your Well Night – Update Given

c. Computer – None

8. RURAL WATER SYSTEMS

a. Colon – Update Given

b. Bruno – Update Given

c. Other – None

Olson made the motion, seconded by Sobota, that the March 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 – NONE

2. REGULATORY

a. Groundwater Management Area

1. Variance Request in the Hydrologically Connected Area

a. Rohwer Variance Application

Olson made the motion, seconded by Sobota, to approve the next three variance applications of LPN-V-013-0323 for McDermott Farms for 17 acres in the SW 1/4, Section 4, T15N, R7E of the Todd Valley Subarea, for LPN-V-014-0388 for L & J Farms Inc for 24 acres in the NW1/4 of the NE1/4, Section 20, T14N, R8E of the Todd Valley subarea, and LPN-V-016-0446 for Lyle Herchenbach for 8 acres in the NW1/4 and SW1/4 of the SW 1/4, Section 4, T20N, R3W of the Newman Grove Subarea for a total of 49 acres. Motion carried on consent agenda.

2. Variance Requests in the Non-Hydrological Connected Area – None

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

4. Well Permit Program

a. Well Permits Approved – Update Given

b. David Rasmussen Well Permit

Olson made the motion, seconded by Sobota, to approve the supplemental well for David Rasmussen to be drilled in the SW¼ of the SW¼, Section 7, T20N, R4W Upper Newman Grove Subarea for 62.4 certified irrigated acres. Motion carried on consent agenda.

c. Kment Well Permit Application

Olson made the motion, seconded by Sobota, to follow current LPNNRD policy and deny the supplemental well for Dave Kment in the NW1/4 of the SE1/4, Section 34, T17N, R3E, Octavia Subarea of Butler County. Motion carried on consent agenda.

5. Special Quantity Sub-Areas

Pollard made the motion, seconded by Saalfeld, to begin the process of issuing cease and desist orders to the landowners on the attached list who have not submitted the required flow meter reports giving them until March 29 to turn in the requested reports or ask for a public hearing. Motion carried all members present voting aye.

6. Lower Platte River Basin Water Management Plan Coalition – Update Given

7. Voluntary Integrated Water Management Plan LENRD and LPNNRD – Update Given

8. Cost-Share Programs

a. Irrigation Well Sample Kits – Update Given

b. Flow Meter Maintenance Program

Olson made the motion, seconded by Sobota, to approve payment of \$1,562.10 to purchase cable and crimping tools as part of the Flow Meter Maintenance Program (FMMP). Motion carried on consent agenda.

c. Flow Meter Cost Share in SQS #2

1. Question on Flow Meter Cost-Share Program

Olson made the motion, seconded by Sobota, to approve cost-share funding of \$538.50 to Mark Luchsinger to upgrade his existing flow meter. Motion carried on consent agenda.

2. Flow Meter Cost Share Payments in SQS #2

Olson made the motion, seconded by Sobota, to approve payment of \$6,004 of cost share funding with \$230 from LPNNRD and \$5,774 from the WSF for the following individuals: Wemhoff, Milton for \$770; Siefken, Kathleen for \$1,000; Noonan, Joan for \$770; Brandt, Susan for \$770; Goedeken Trust, Paul for \$577; Cattau, Clifford for \$577; Cattau, Arlyn for \$770; and Kasik, Marvin for \$770. Motion carried on consent agenda.

3. Expansion of Flow Meter Cost-Share Program

Olson made the motion, seconded by Sobota, to request amending the Water Sustainability Fund grant by allowing expansion of the Flow Meter Cost Share Program to producers in the Butler - Saunders Special Quantity Subarea (SQS #1) and for producers to install meters one mile outside the sections of the SQS #2 border. Motion carried on consent agenda.

4. No Flow Meter Installed in SQS #2

Pollard made the motion, seconded by Saalfeld, to begin the process of issuing cease and desist orders to the following individuals: Bryce Grotelueschen, Martin Grotelueschen, Robert Beckstrom, Dale Lutjens, Dean Goehring, Ricky Heller, Terry Lutjens, William Biermann, for failing to install flow meters in the SQS #2 area. Motion carried all members present voting aye.

9. Bellwood Phase 2 Area – Update Given

10. Richland - Schuyler Phase 2 Area – Update Given

11. Richland - Schuyler Phase 3 Area

Saalfeld made the motion, seconded by Sabatka, to begin the cease and desist process against Mark Horejsi for failure to submit fertilizer application reports for fields he farms in both the Richland - Schuyler Phase 2 and Phase 3 areas. Motion carried all members present voting aye.

12. LPNRND Operator Certification

a. Certification Classes – Update Given

b. Chemigation – Update Given

c. Livestock Waste Permits – Update Given

3. GROUND WATER PROGRAMS

a. Decommissioned Well Program

1. Well Estimates – Update Given

2. Plugged Wells - None

b. LPNNRD Ground Water Studies

1. Eastern Nebraska Water Resources Assessment (ENWRA)

a. ENWRA Annual Membership

Pollard made the motion, seconded by Meduna, to approve payment of \$20,850 to the Eastern Nebraska Water Resources Assessment (ENWRA) for annual dues. Motion carried all members present voting aye.

b. ENWRA Geo-Cloud Program

Saalfeld made the motion, seconded by Meduna, to approve the Geo-Cloud contract at a cost of \$3,400 for each year, FY18, FY19 and FY20 for a total to ENWRA as the LPNNRD portion of the Geo-Cloud program. Motion carried all members present.

2. Lower Platte River Consortium – Update Given

c. Ground Water Energy Levels – Update Given

d. Water Use Reports

Olson made the motion, seconded by Sobota, to approve a policy change that well owners using hour meters to report water use before May 8, 2008 will no longer be required to submit those reports to the LPNNRD. Motion carried on consent agenda.

4. OTHER

a. Comments from the Public – Update Given

Olson made the motion, seconded by Sobota, that the March 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 – None

c. SWCP Cancelations – None

d. Wahoo Creek Cost-Share Approvals - None

e. Wahoo Creek 319 Payments

Olson made the motion, seconded by Sobota, to approve a \$3,339.14 Wahoo Creek 319 program cost-share payment to Douglas Kavan for completed conservation work. Motion carried on consent agenda.

f. SWCP Policy Review – Update Given

3. WATERSHEDS

a. Shell Creek Watershed

1. Shell Creek Environmental Enhancement Plan Implementation – Update Given

2. Shell Creek Science Group Assistance

Olson made the motion, seconded by Sobota, to assist Newman Grove High School Science Club with Shell Creek Water testing supplies and equipment as attached to the Projects Committee Minutes up to a maximum of \$1,300. Motion carried on consent agenda.

b. Wahoo Creek Watershed

1. Wahoo Creek Regional Conservation Partnership Program (RCPP) – Update Given

2. Wahoo Creek FYRA Contract Approval for RCPP & WSF Tasks

Meduna made the motion, seconded by Bailey, to approve and authorize LPNNRD Board Chair to sign the FYRA Contract for updating the Wahoo Creek Watershed Plan for Dam Sites 26 and 27 and to prepare a Water Sustainability cost share application as attached to the Project Committee Minutes. Motion carried all members present voting aye.

3. Wahoo Creek Watershed Water Quality Plan Phase I – Update Given

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

4. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report – Update Given

5. OTHER

a. Update on Army COE 205 Studies

1. Fremont 205 – Update Given

2. Schuyler 205 – Update Given

b. Shell Creek Landowner Levee Project Update – Update Given

- c. Review of Projects Financial Statement – Update Given**
- d. NRCS 2016 Federal EQIP Assistance in LPNNRD – Update Given**
- e. Review of LPNNRD Long Range Plan Implementation Plant – Update Given**
- f. NRCS/NRD Local Work Group Meeting – Update Given**
- g. LPNNRD GPS Survey Equipment**

Olson made the motion, seconded by Sobota, to complete necessary paperwork with NRCS passing ownership of our outdated GPS survey equipment to NRCS, if it is determined that NRCS can replace this equipment with an updated version at no cost to LPNNRD. Motion carried on consent agenda.

6. Western Sarpy/Clear Creek Levee Report – Update Given

Olson made the motion, seconded by Sobota, that the March LPNNRD Projects Committee Minutes be received and placed on file. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS - NONE

a. Wahoo Creek Watershed 319 Grant Approvals

Sabatka made the motion, seconded by Sobota, to approve the Lands for Conservation 319 Grant Approvals as listed in the amount of \$106,785.00. Motion carried all members present voting aye.

b. Novacek Water Transfer

Saalfeld made the motion, seconded by Pollard, to approve the transfer of 11.6 irrigated acres for Dennis Novacek in PT SW 1/4, NW 1/4, 3-16-3E as described in the March 2017 Board Minutes. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Hilger made the motion, seconded by Veskerna, 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

Olson made the motion, seconded by Sobota, to approve the amended March Consent Agenda (by deleting 6.D.3.b.2.). Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The April Directors Meeting will be held on Monday, April 10, 2017, 6:00 p.m. Meeting adjourned at 4:56 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 March 13, 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