

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
April 10, 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, April 10, 2017.

1. NOTICE OF MEETING

The advanced notice of our April 10, 2017 board meeting was published on March 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:

| | | |
|----------|----------------------------|----------|
| Clausen | Feala | Folsom |
| Gibney | Hannah | Hilger |
| Kavan | Meduna (arrived 6:09 p.m.) | Olson |
| Pollard | Ruzicka | Saalfeld |
| Sabatka | Seier | Sobota |
| Veskerna | Birkel | |

DIRECTORS ABSENT

| | |
|--------|-----------|
| Bailey | McDermott |
|--------|-----------|

STAFF AND GUESTS:

| | | |
|----------|------------|---------|
| Miyoshi | Breunig | Heimann |
| Benal | Oaklund | TePoel |
| Andersen | Gottschalk | Schomer |

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

Directors Birkel and Hilger along with Miyoshi and Mountford gave an update on the Washington DC Trip.

5. APPROVAL OF MINUTES

Saalfeld made the motion, seconded by Hannah, to approve the minutes from the March 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. GMDA Summer Technical Conference

Saalfeld made the motion, seconded by Hannah, to approve sending up to four LPNNRD representatives to the Summer GMDA Technical Conference. Motion carried on consent agenda.

b. Reports

1. Washington DC Reports – Update Given

3. Management Items

a. Director Absences - None

b. Monthly Education Program – Update Given

c. LARM Files Suit – Update Given

d. Lower Platte River Corridor Alliance – Update Given

e. Workers Compensation Audit

Saalfeld made the motion, seconded by Hannah, to make payment of \$2,722.16 to LARM for the balance of our Workers Compensation following their annual audit. Motion carried on consent agenda.

f. Water Strategies Monthly Bill

Saalfeld made the motion, seconded by Hannah, to make payment to Water Strategies in the amount of \$4,500 for April services and bill Lower Platte South and Papio NRD's for their portion. Motion carried on consent agenda.

g. Ourada Claim – This item will be taken at the end of the meeting.

h. Manager Selection Committee

Chair Birkel appointed the following Directors to the Manager Selection Committee: Hannah, Hilger, Ruzicka and Birkel.

Saalfeld made the motion, seconded by Hannah, to advertise for the LPNNRD General Manager Position the last week of April and the first two weeks of May. Motion carried on consent agenda.

4. Equipment - None

5. Personnel

a. Angle as Contract Employee

Ruzicka made the motion, seconded by Feala, to have Larry Angle as an “employee on call” so he can be utilized when needed for meetings or projects by the Water Department with approval from the General Manager with the rate of pay set at \$30 per hour. Motion carried all members present aye.

6. Finance

a. Approval of Financial Reports

Ruzicka made the motion, seconded by Meduna, to approve the December Statements as distributed to all board members. Motion carried all members present voting aye.

b. Approval of Managers Expenses

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

Saalfeld made the motion, seconded by Hannah, that the April 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

a. FYRA Contract – Lake Wanahoo Level

2. WILD NE/CREP REPORT – Update Given

3. OPERATION AND MAINTENANCE & OTHER ITEMS

a. Lake Wanahoo Lake Level – Update Given

b. Lake Wanahoo SRA

Saalfeld made the motion, seconded by Hannah, to purchase 1,000 of ½” galvanized cable, 14 buoys and one white can buoy at an estimated price of \$3,300 which does not include shipping, to repair the buoy system on Lake Wanahoo. Motion carried on consent agenda.

c. Fremont GI Study – Update Given

d. Rawhide Land Partnership Paul Gifford Box Culvert – Update Given

e. Clear Creek Levee & Camp Ashland – Update Given

f. Vehicle Equipment

Saalfeld made the motion, seconded by Hannah, to purchase a pick-up topper for the 2005 Dodge (for use at Czechland Lake) as the best available price not to exceed \$2,000. Motion carried on consent agenda.

g. Emergency Action Plans (EAP) – Update Given

h. Dam Assessments on Clear Creek 22-A and Bellwood 2-C – Update Given

i. Community Forestry Request

Saalfeld made the motion, seconded by Hannah, to assist St. Peter Lutheran Church of North Bend with their community tree planting at 50% cost-share up to \$1,000. Motion carried on consent agenda.

4. ROCK AND JETTY

Saalfeld made the motion, seconded by Hannah, to assist Kay Poppe on her levee repair along Skull Creek in Saunders County at 50% cost-share not to exceed \$2,000. Motion carried on consent agenda.

5. EROSION & SEDIMENT RULES & REGULATIONS

6. INFORMATION & EDUCATION

a. Information

1. Radio and Web Ads – Update Given

2. Awards Picnic

Saalfeld made the motion, seconded by Hannah, to approve having the LPNNRD Recognition Picnic at Czechland Lake on June 4 following the same format as in past years. Motion carried on consent agenda.

b. Education

1. Spring Conservation Sensation - Update Given

2. Soil & Water Stewardship Week – Update Given

3. Education Presentations – Update Given

c. Computer – None

8. RURAL WATER SYSTEMS

a. Colon – Update Given

b. Bruno – Update Given

c. Other – None

Saalfeld made the motion, seconded by Hannah, that the April 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. Flow Meter Compliance Hearing

Hilger made the motion, seconded by Pollard, to give producers Bryce Grotelueschen and Terry Lutjens until May 1, 2017 to have meters installed or cease and desist orders will be issued on May 8, 2017 at the LPNNRD Board Meeting. Motion carried.

2. Irrigated Acres for 2016 in the HCA And NHCA – None

- 3. Variance Requests in the Hydrological Connected Area – None**
- 4. Variance Requests in the Non-Hydrological Connected Area – None**
- 5. Variance Requests in the Restricted Development Areas – None**
- 6. Well Permit Program**
 - a. Well Permits Approved – Update Given**
 - b. John Vandenberg Well Permit**

Saalfeld made the motion, seconded by Hannah, to approve the supplemental well in the SW¼ of SE¼ of Section 34-T15N-R3E Butler County, David City subarea for John Vandenberg. Motion carried on consent agenda.
- 7. Well Interference Complaints – None**
- 8. Potential Violation of Expended Irrigation – None**
- 9. Special Quantity Sub-Areas – Update Given**
- 10. Lower Platte River Basin Water Management Plan Coalition – Update Given**
- 11. Voluntary Integrated Water Management Plan LENRD and LPNRRD – Update Given**
- 12. Cost-Share Programs**
 - a. Irrigation Well Sample Kits – Update Given**
 - b. Nebraska Agricultural Water Management Network (NAWMN)**
 - c. Flow Meter Maintenance Program – Update Given**
 - d. Flow Meter Cost Share in SQS #2**
 - 1. Flow Meter Cost-Share Program - Update Given**

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**

Saalfeld made the motion, seconded by Hannah, to approve payment of \$9,047 of cost share funding from the WSF for the following individuals:
Rosche, Matt for \$770; Noonan, Joan for \$770; Schmit, Pat for \$770; Schreiber, Art for \$770; Schmidt, Craig for \$770; Kasik, Lawrence for \$577; Foltz, James for \$3,080; Foltz, Robert for \$770; and Lambert, Mark for \$770. Motion carried on consent agenda.
- 13. Bellwood Phase 2 Area – Update Given**
- 14. Richland - Schuyler Phase 2 Area – Update Given**
- 15. Richland - Schuyler Phase 3 Area – Update Given**

16. LPNRND Operator Certification

a. Certification Classes – Update Given

17. Certifying Acres in Saunders and Dodge Counties – Update Given

18. Water Use Reports

Pollard made the motion, seconded by Saalfeld, that the 12 meters that were installed after the 2016 crop season will be assessed 9 inches of water for the 2016 crop year. Motion carried all members present voting aye.

b. Chemigation – Update Given

c. Livestock Waste Permits – None

3. GROUND WATER PROGRAMS

a. Decommissioned Well Program

1. Well Estimates – Update Given

2. Plugged Wells

Saalfeld made the motion, seconded by Hannah, to approve cost-share payment of \$654.34 to Morbach Inc. and \$568.89 to Terry McDonald for decommissioning wells in Butler County. Motion carried on consent agenda.

b. LPNNRD Ground Water Studies

1. Elkhorn Loup Model (ELM) – None

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

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

4. Lower Platte River Consortium – Update Given

c. New Monitoring Wells – Update Given

d. Ground Water Energy Levels – Update Given

e. Ground Water Quality Sampling – None

f. Former Ordnance Plant Mead – None

4. SURFACE WATER PROGRAMS

a. State Lakes

1. Bacteria Sampling – None

2. Toxic Algae – None

5. OTHER

a. Phoenix Web Group

Olson made the motion, seconded by Ruzicka, to approve Amendment A to the software development agreement with Phoenix Web Group as attached to the Water Committee Minutes at a cost of \$80,000 with the understanding that no payment be made until after July 1, 2017. Motion carried all members present voting aye.

b. GMDA Summer Conference – Update Given

c. 2017 Summer Interns – Update Given

d. Comments from the Public – Update Given

Saalfeld made the motion, seconded by Hannah, that the April LPNDRD 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 Approval for Conservation Repair

Saalfeld made the motion, seconded by Hannah, to approve the conservation repair project up to \$1,000 maximum assistance to Margie Vrana as shown in the Projects Committee Minutes. Motion carried on consent agenda.

b. Sand Creek Dam Site 16 Conservation Practice Project

Saalfeld made the motion, seconded by Hannah, that the LPNDRD be responsible for completing the needed terrace repair and tile project on the Stevens-Smid Family Trust land above Sand Creek Dam Site 16 at an estimated cost of \$5,359.77 as shown in the Projects Committee Minutes. Motion carried on consent agenda.

c. SWCP Summer Approvals

Saalfeld made the motion, seconded by Hannah, to approve nine summer SWCP applications totaling \$82,332.12 as shown in the Projects Committee Minutes. Motion carried on consent agenda.

d. SWCP Payments – None

e. SWCP Cancelations

Saalfeld made the motion, seconded by Hannah, to approve two SWCP application cancellations totaling \$24,879.13 as shown in the Projects Committee Minutes. Motion carried on consent agenda.

d. Wahoo Creek Cost-Share Approvals

Saalfeld made the motion, seconded by Hannah, to approve two Lands for Conservation contracts totaling \$8,684 as shown in the Projects Committee Minutes. Motion carried on consent agenda.

g. SWCP Dam Contract Discussion – Update Given

h. SWCP Policy Approval

Saalfeld made the motion, seconded by Hannah, to approve the 2017 SWCP Policy with proposed changes as attached to the Projects Committee Minutes. Motion carried on consent agenda.

3. WATERSHEDS

a. Shell Creek Watershed

1. NDEQ Final Approved Shell Creek Watershed Water Quality Plan – Update Given

2. Shell Creek Student Awards Invoice

Saalfeld made the motion, seconded by Hannah, to approve an \$84 payment to Awards and Engraving for Shell Creek student medals in recognition of their outstanding water quality sampling efforts. Motion carried on consent agenda.

b. Wahoo Creek Watershed – Update Given

4. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report – Update Given

5. OTHER

a. Update on Army COE 205 Studies

1. Fremont GI Study – 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. Woodcliff Project - Update Given

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

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

7. ADDITIONAL ACTION ITEMS - NONE

a. NSWCP Payments

Pollard made the motion, seconded by Sobota, to make payment of \$8,013.35 to Edward Kratky for terrace work completed. Motion carried all members present voting aye.

b. NRD 45th Anniversary Shirts

Pollard made the motion, seconded by Sobota, to cost-share with Staff and Directors up to \$24 to purchase a 45th NRD anniversary shirt. Motion carried all members present voting aye.

c. NSWCP Application Approval

Pollard made the motion, seconded by Sobota, to approve Todd Gronenthal Windbreak Renovation cost-share application at 50% up to \$1,000. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Ruzicka made the motion, seconded by Sabatka, 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 Hannah, to approve the April Consent Agenda. Motion carried all

members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

Item 6.A.3.g. was taken at this time

Meduna made the motion, seconded by Pollard, to go into Executive Session at 8:13 for the protection of public interest due to the potential for litigation and to authorize the following to stay: Legal Counsel Lausterer, Miyoshi, Mountford and Heimann. Motion carried all members present voting aye.

Pollard made the motion, seconded by Saalfeld, to go out of Executive Session at 8:52 p.m. Motion carried all members present voting aye.

Legal Counsel Lausterer made several comments concerning discussion during Executive Session.

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The May Directors Meeting will be held on Monday, May 8, 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 April 10, 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