

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
February 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, February 13, 2017.

1. NOTICE OF MEETING

The advanced notice of our February 13, 2017 board meeting was published on February 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	Feala
Folsom	Gibney	Hannah (arrive 1:32 p.m.)
Hilger	Kavan	McDermott
Meduna (arrived 1:32 p.m.)	Pollard	Ruzicka
Saalfeld	Sabatka	Seier
Sobota	Veskerna	Birkel

DIRECTORS ABSENT

Olson

STAFF AND GUESTS:

Miyoshi	Breunig	Heimann
Benal	Oaklund	TePoel
Angle	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

Becky Pieper was present to give the NRCS Report.

c. NARD Report

Hilger reported that the NARD Legislative Conference was held the end of January.

d. NRC Report

None

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

Director Birkel gave an update on the Water Leaders Academy and Dr. Richard Ferguson updated the Board

on Project SENSE.

5. APPROVAL OF MINUTES

Ruzicka made the motion, seconded by Feala, to approve the minutes from the January 9, 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. Water For Food Conference – Update Given

b. Reports – Update Given

3. Management Items

a. Director Absences

Ruzicka made the motion, seconded by Feala, to approve Sobota’s absence from the November Board Meeting. Motion carried on consent agenda.

b. Monthly Education Program – Update Given

c. Director Retreat – Update Given

d. Sand Creek Site 15

1. Rental of Crop Ground and CRP

Hannah made the motion, seconded by Saalfeld, to approve Harvey Brabec as the tenant for the NRD farm on Sand Creek Site 15 under the same terms as were previously used. Motion carried all members present voting aye.

2. Ourada Complaint – Update Given

e. Reports from Water Strategies - Update Given

f. Murren Claim – Update Given

4. Equipment - None

5. Personnel

a. Unemployment Payment – Update Given

b. Water Manager Position – This item will be taken at the end of the Meeting

6. Finance

a. Approval of Financial Reports

Grant Nuttelmann was present review the July, August and September Financial Statements with the Board of Directors. Pollard made the motion, seconded by Meduna, to approve the July, August and

September Financial Statements as presented. Motion carried all members present voting aye.

b. Approval of Managers Expenses

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

c. Accounting Update from HBE360 – Update Given

Ruzicka made the motion, seconded by Feala, that the February LPNNRD Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

B. OPERATIONS, EDUCATION & RURAL WATER COMMITTEE REPORT

1. COMMITTEE CHAIR AND VICE-CHAR – UPDATE GIVEN

2. UNFINISHED BUSINESS – NONE

3. WILD NE/CREP REPORT – UPDATE GIVEN

4. OPERATION AND MAINTENANCE & OTHER ITEMS

a. Fremont GI Study – Update Given

b. Rawhide Land Partnership Paul Gifford Drive

Ruzicka made the motion, seconded by Feala, to have Lausterer prepare an addendum to "Escrow Agreement for Box Culvert Funds" agreement with Paul Gifford that would transfer the liability for construction of the "Gifford Box Culvert" as part of the LPNNRD Rawhide Section 10 Project to the City of Fremont at a cost to LPNNRD of \$55,000. Motion carried on consent agenda.

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

Meduna made the motion, seconded by Sobota, to budget up to \$15,000 of LPNNRD funds along with other outside available funds for conservation measures on neighboring properties and have staff work with the neighbors adjacent to the Sand/Duck Creek Dam sites to remedy erosion issues and also repair problems on the dam sites as well. Motion carried.

AYE: Bailey, Clausen, Feala, Gibney, Hannah, Hilger, Kavan, McDermott, Meduna, Pollard, Ruzicka, Saalfeld, Sabatka, Seier, Sobota, Veskerna, Birkel

NAY: Folsom

d. Lake Wanahoo Lake Level

Ruzicka made the motion, seconded by Feala, to table the Section 408 proposal opening in order to allow the private property owner group to obtain answers to questions it has from the Corps of Engineers and report back to the advisory panel in order to see if additions and/or changes should be integrated into the Request for Proposals. Motion carried on consent agenda.

e. Lake Wanahoo Lake Level Proactive Flood Management Proposal

Ruzicka made the motion, seconded by Feala, to move ahead with and have FYRA Engineering prepare a proposal for Proactive Flood Management Proposal in which they develop an operating policy in managing the Wanahoo Lake level based on weather and potential incoming flows. Motion carried on consent agenda.

f. Vehicle Replacement

Saalfeld made the motion, seconded by Feala, to purchase a 2017 Chevy Silverado 1500 LS Extended Cab 4 x 4 through Sid Dillion on State Contract #14618 for \$27,923 and to sell the 2002 Chevy after delivery. Motion carried all members present voting aye.

g. Equipment Upkeep and Information

Ruzicka made the motion, seconded by Feala, to purchase four new tires for the JD4430 from Bill's Tire Service and have them mounted by Ourada Tire Service at an estimated price of \$2,700. Motion carried on consent agenda.

h. Emergency Action Plans (EPA) -Cottonwood Dams 7A, 21A & Lake Wanahoo – Update Given

i. Wanahoo Recreation Area – Update Given

5. ROCK AND JETTY - NONE

6. EROSION & SEDIMENT RULES & REGULATIONS

7. INFORMATION & EDUCATION

a. Information

1. Radio and Web Ads – Update Given

2. Viaduct – Update Given

b. Education

1. Test Your Well Nights – Update Given

2. Pheasants Forever Donation Request

Ruzicka made the motion, seconded by Feala, to donate \$250 to the Pheasants Forever Lower Platte Chapter for the Annual Banquet in recognition of their partnership and assistance to Lower Platte North NRD projects and efforts. Motion carried on consent agenda.

c. Computer – None

8. RURAL WATER SYSTEMS

a. Colon – Update Given

b. Bruno – Update Given

c. Other – None

Ruzicka made the motion, seconded by Feala, that the February 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. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON – UPDATE GIVEN

3. WATER COMMITTEE DAY AND TIME – UPDATE GIVEN

4. REGULATORY

a. Groundwater Management Area

1. Variance Request in the Hydrologically Connected Area – Update Given

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

3. Variance Requests in the Restricted Development Areas

a. Variance Request by Martin Erickson First Request

Pollard made the motion, seconded by Ruzicka, that the well pump and irrigation system on Martin Erickson’s well run at night between the hour of 9:00 p.m. and 6:00 a.m. of the following day for 9 hours in any 24 hour period, but to allow a longer time period during the day or night on a trial basis for one year and this variance condition will be reevaluated in early 2018. Motion carried.

AYE: Bailey, Clausen, Feala, Folsom, Gibney, Hilger, Kavan, McDermott, Meduna, Pollard, Ruzicka, Saalfeld, Sabatka, Seier, Sobota, Veskerna, Birkel

NAY: Hannah

b. Variance Request by Martin Erickson Second Request – No Action Taken

4. Well Permit Program

a. Well Permits Approved – Update Given

5. Special Quantity Sub-Areas – Update Given

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. Nebraska Agricultural Water Management Network (NAWMN) – Update Given

c. Flow Meter Maintenance Program – Update Given

d. Flow Meter Cost Share in SQS #2

Ruzicka made the motion, seconded by Feala, to approve total flow meter cost share payments of \$9,891 for the 13 applications as attached to the Water Committee Minutes with \$9,431 to be reimbursed from the Water Sustainability Fund grant and \$460 from LPNNRD for the 1 LPNNRD Groundwater Energy Network cooperator well. Motion carried on consent agenda.

9. Bellwood Phase 2 Area – Update Given

10. Richland - Schuyler Phase 2 Area – Update Given

11. Richland - Schuyler Phase 3 Area – Update Given

12. LPNRND Operator Certification

- a. Certification Classes – Update Given**
- b. Chemigation – Update Given**
- c. Livestock Waste Permits – Update Given**

5. GROUND WATER PROGRAMS

- a. Decommissioned Well Program**
 - 1. Well Estimates – None**

2. Plugged Wells

Ruzicka made the motion, seconded by Feala, to approve cost-share payment of \$581.81 to Carson Day for decommissioning of an irrigation well in Dodge County. Motion carried on consent agenda.

- b. LPNNRD Ground Water Studies**

- 1. Eastern Nebraska Water Resources Assessment (ENWRA) – Update Given**
- 2. Platte and Elkhorn River Valley Integrated Water Monitoring – Update Given**
- 3. Lower Platte River Consortium – Update Given**

6. SURFACE WATER PROGRAMS

- a. USGS Water Quality Monitoring on Shell Creek – Update Given**

7. OTHER

- a. Comments from the Public – Update Given**

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

D. PROJECTS COMMITTEE REPORT

- 1. SELECTION OF PROJECTS CHAIR AND VICE-CHAIR – UPDATE GIVEN**

- 2. PROJECTS COMMITTEE TIME AND DATE – UPDATE GIVEN**

- 3. UNFINISHED BUSINESS - NONE**

4. SWCP REPORT

- a. SWCP Application Approvals - None**

b. SWCP Payments

Ruzicka made the motion, seconded by Feala, to approve the following SWCP payment:

16-D-9 Darrell Umschied Diversion \$315.58

Motion carried on consent agenda.

- c. SWCP Cancelations – None**

d. Wahoo Creek Cost-Share Approvals

Ruzicka made the motion, seconded by Feala, to approve the following Wahoo Creek Cost-Share Application:

Ronald Furasek Terraces/Tile/Waterway \$12,186.42

Motion carried on consent agenda. (This represents 25% cost-share, coordinating with EQIP)

e. SWCP Policy Changes – Update Given

5. WATERSHEDS

a. Shell Creek Watershed

1. Shell Creek Environmental Enhancement Plan Implementation 319 Project – Update Given

b. Wahoo Creek Watershed

1. Wahoo Creek Dam Sites 26 & 27 Regional Partnership Program Funds Awarded - Update Given

2. FYRA Proposal for Water Sustainability Fund/Wahoo Creek Plan Update

Ruzicka made the motion, seconded by Feala, to have FYRA Engineering prepare a contract agreement for updating the Wahoo Creek Watershed Plan and to help prepare a Water Sustainability Fund application for Wahoo Creek Dam Sites 26 and 27. Motion carried on consent agenda.

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

6. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report – Update Given

McDermott made the motion, seconded by Veskerna, to have Bob Clausen be the LPNNRD spokesman at the LPRCA Planning Meeting on February 24th. Motion carried.

AYE: Clausen, Feala, Folsom, Hilger, Kavan, McDermott, Meduna, Ruzicka, Sabatka, Sobota, Veskerna

NAY: Bailey, Gibney, Hannah, Pollard, Saalfeld, Seier, Birkel

7. 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

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

Ruzicka made the motion, seconded by Feala, that the February 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 Ruzicka, 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

Ruzicka made the motion, seconded by Feala, to approve the amended February Consent Agenda (by deleting 6.B.4.c.). Motion carried all members present voting aye.

At this time item 6.A.5.b. – Water Manager Position was taken

Ruzicka made the motion, seconded by Saalfeld, to go into Executive Session at 4:10 p.m. for the protection of the public interest, prevention of needless injury to the reputation of an individual and have Miyoshi, Mountford, Angle and Legal Counsel Lausterer remain. Motion carried all members present voting aye.

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

Discussion occurred on the Water Resources Manager candidates that had applied for the position.

Ruzicka made the motion, seconded by Meduna, to hire Daryl Andersen to fill the Water Resources Manager position with the terms as recommended by Miyoshi. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The March Directors Meeting will be held on Monday, March 13, 2017, 1:30 p.m. Meeting adjourned at 4:27 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 February 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