

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
July 11, 2016**

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, Wahoo, NE on Monday, July 11, 2016.

1. NOTICE OF MEETING

The advanced notice of our July 11, 2016 board meeting was published on June 23, 2016 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Hannah 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	Clausen
Feala	Gibney	Hagerbaumer
Hilger	Kavan	McDermott
Meduna	Olson	Pollard
Ruzicka	Saalfeld	Sabatka
Seier	Sobota	Veskerna
Hannah		

DIRECTORS ABSENT

STAFF AND GUESTS:

Miyoshi	Mountford	Murren
Breunig	Heimann	Deerson
TePoel	Oaklund	O'Reilly
Gottschalk		
Legal Counsel Freeman-Caddy		

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. NRCS Report

Mark Walkenhorst gave the NRCS/NRD July report.

c. NARD Report

Hilger reported on the NARD Board has not met this month.

d. NRC Report

None

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

Representatives from the Greater Fremont Development Council updated the board prior to Board Meeting on the proposed poultry plant near Fremont.

McDermott made the motion, seconded by Pollard, to move the following items up on the agenda: 6.B.2.c. and 6.B.2.d. Motion carried all members present voting aye.

McDermott made the motion, seconded by Ruzicka, to make a formal request to the Nebraska Natural Resources Commission to allow LPNDRD to operate the Lake Wanahoo pool elevation at 1207 that is three feet below normal conservation pool and that other funding partners be notified of this action and asked for their opinion. Motion carried.

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

NAY: Gibney, Olson, Hannah

Gibney made the motion, seconded by McDermott, to use the remaining \$2,600 in the FYRA contract to work with landowners to study stream bank erosion along Sand and Wahoo Creek downstream of Wahoo.

Hannah moved to amend the motion, seconded by Meduna, by adding “and to study recent rainfall departure from normal in the Sand and Wahoo Creek watersheds” to the main motion. Amendment carried all members present voting aye.

The Amended motion now reads: “To use the remaining \$2,600 in the FYRA contract to work with landowners to study stream bank erosion along Sand and Wahoo Creek downstream of Wahoo and to study recent rainfall departure from normal in the Sand and Wahoo Creek watersheds. Motion carried.

AYE: Bailey, Feala, Gibney, Hagerbaumer, Hilger, Kavan, Meduna, Olson, Saalfeld, Sabatka, Seier, Veskerna, Hannah

NAY: Birkel, Clausen, McDermott, Pollard, Ruzicka, Sobota

5. APPROVAL OF MINUTES

Ruzicka made the motion, seconded by Pollard, to approve the minutes from the June 13, 2016 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending – None

2. Management Items

a. Director Absences – None

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

Ruzicka made the motion, seconded by Pollard, to approve payment of \$3,400 to Bob Weaver for June services and bill LPSNRD and Papio NRD for their share. Motion carried on consent agenda.

c. Riparian Taskforce Representative

Ruzicka made the motion, seconded by Pollard, to nominate and support Rich Tesar as a NRD representative for the Riparian Taskforce. Motion carried on consent agenda.

d. Education Program – Update Given

e. Director Computer Allowance Change – Update Given

f. Sale of Lickteig Property

Ruzicka made the motion, seconded by Pollard, to approve the “First Amendment to Settlement Agreement and Release” with Dave Lickteig and authorize the Board Chair to sign and to ratify action of the Executive Committee to honor the terms of the Settlement Agreement and approve the sale of the Lickteig property. Motion carried on consent agenda.

g. Ourada Complaint – No New Information

h. Payment of FYRA Contract – Update Given

i. Charitable Donations

Ruzicka made the motion, seconded by Pollard, to approve and accept donations for Trail Benches from: Robert McPeck, Joni Wimmer, St Wenceslaus Church, Tracey Johnson, Wahoo State Bank, Wahoo Dairy Queen, JEO Consulting Group, Paul Johnson, Corner Market and Scott’s Tree Service. Motion carried on consent agenda.

3. Equipment - None

4. Personnel – This item will be taken at the end of the meeting

5. Finance

a. Approval of Financial Reports

Ruzicka made the motion, seconded by Pollard, to approve the April and May Financial Reports as distributed to all board members. Motion carried on consent agenda.

b. Approval of Managers Expenses

Ruzicka made the motion, seconded by Pollard, 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. Budget

Ruzicka made the motion, seconded by Pollard, to hold the FY17 Budget Hearing at 5:00 p.m. on Monday, August 8, 2016 and the FY17 Levy Hearing at 5:00 p.m. on September 12, 2016 both conducted at the Lower Platte North NRD office in Wahoo. Motion carried on consent agenda.

e. Budget Workshop – Update Given

f. Tax Refund to Butler County

Ruzicka made the motion, seconded by Pollard, to declare special circumstances and refund Butler County \$1,092.68 for over payment of tax receipts and that this payment be made the same day as

approved by the Executive Committee. Motion carried on consent agenda.

g. AEM Flight Payment

Ruzicka made the motion, seconded by Pollard, to honor the Water Committee recommendation and declare special circumstances and make payment of \$125,000 to AGF for the AEM flights, making the payment the same day as approved by the Executive Committee. Motion carried on consent agenda.

h. Annual Schuyler Levee Payment

Ruzicka made the motion, seconded by Pollard, to honor the Projects Committee recommendation and declare special circumstances and make payment to Schuyler in the amount of \$25,000 toward our annual payment to Schuyler for the Schuyler 205 Project (total payments for FY16 would now be \$125,000). Motion carried on consent agenda.

Saalfeld made the motion, seconded by Pollard, that the June LPNDRD Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

B. OPERATIONS, EDUCATION & RURAL WATER COMMITTEE REPORT

1. Wild NE/CREP Report – None

2. OPERATION AND MAINTENANCE & OTHER ITEMS

a. O & M Crew – Update Given

b. Ice Jam Agreement Invoice

Ruzicka made the motion, seconded by Pollard, to pay Papio-Missouri River NRD \$1,723.60 for expenses accrued during 2015 and 2016 as per the Ice Jam Interlocal Agreement in which the fund balance is kept at \$150,000. Motion carried on consent agenda.

c. Lake Wanahoo Water Level – This item was taken earlier

d. Erosion Downstream from Lake Wanahoo – This item was taken earlier

e. Eagle Scout Project Expenses

Ruzicka made the motion, seconded by Pollard, to pay Max Hohn \$169.84 for construction cost to install four park benches at Lake Wanahoo for his Eagle Scout Project. Motion carried on consent agenda.

f. Robert Schmit Bellwood Dam Repair Request

McDermott made the motion, seconded by Sabatka, to assist Robert Schmit in repairing his dam located in the Bellwood Watershed at \$4,000. This work will prevent potential dam failure and any future damage to Bellwood, County roads and landowners downstream. Motion carried all members present voting aye.

g. Trouble Creek Dam & Rawhide Ditch Kremlacek Request – Update Given

h. Wanahoo SRA Electrical panel Bollard – Update Given

i. Equipment

McDermott made the motion, seconded by Hagerbaumer, to budget and purchase a John Deere XUV 825i at the quoted price of \$12,650 and a trailer at approximately \$1,400. Motion carried all members present voting aye.

j. Wanahoo Wildlife Area Parking

Ruzicka made the motion, seconded by Pollard, to develop a five vehicle parking lot with limestone surface at the old farmstead site on County Road 17 North of County Road O. (third mile of project, west side) Motion carried on consent agenda.

3. ROCK AND JETTY - None

4. EROSION & SEDIMENT RULES & REGULATIONS – Update Given

5. INFORMATION & EDUCATION

a. Information

1. Radio and Web Ads – Update Given

2. Viaduct/Annual Report – Update Given

b. Education

1. Husker Harvest Days - Update Given

2. Platte River Time-lapse Project

Ruzicka made the motion, seconded by Pollard, to participate in the Platte River Time-lapse Project for three years at a cost of up to \$1,800 per year. Motion carried on consent agenda.

3. Nature Education Trail/Disc Golf Course

Ruzicka made the motion, seconded by Pollard, to approve staff working to acquire sponsorship commitments for the Nature Education Trail/Disc Golf Course Project as outlined in the O, E & RW committee minutes. Motion carried on consent agenda.

c. Computer – None

6. RURAL WATER SYSTEMS – Update Given

a. Colon – Update Given

b. Bruno – Update Given

c. Other – None

Ruzicka made the motion, seconded by Pollard, that the July LPNNRD 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. Variance Requests in the Hydrologically Connected Area – Update Given

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

3. Variance Requests in the Restricted Development Areas – None

4. Well Permit Program

2. WATERSHEDS

a. Shell Creek Watershed

1. Dan Waak Dam Repair Project – Update Given

b. Wahoo Creek Watershed

Bailey made the motion, seconded by Saalfeld to budget funds in FY17 to pay off our existing Sand Creek Environmental Restoration Project indebtedness and to place future project reimbursements from NDNR into our Wahoo Creek and Shell Creek sinking funds for future flood damage reduction projects. Motion carried all member present voting aye.

3. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report – Update Given

b. LPRCA FY 2017 Budget

Bailey made the motion, seconded by Olson, to approve the LPRCA 2017 selected budget project and program items (as attached to the Projects Committee Minutes) totaling \$51,200 (as shown in black) and to budget an additional \$34,167 for projects and programs (50% of the total shown in red) that will require Board approval before moving forward. Motion failed.

AYE: Bailey, Feala, Gibney, Olson, Sabatka, Seier, Sobota, Veskerna, Hannah

NAY: Birkel, Clausen, Hagerbaumer, Hilger, Kavan, McDermott, Meduna, Pollard, Ruzicka, Saalfeld

4. OTHER

a. Update on Army COE 205 Studies

1. Fremont 205 – Update Given

2. Schuyler 205

A. Schuyler Assistance Payment Request

Ruzicka made the motion, seconded by Pollard, to approve payment of the remaining FY 2016 budgeted amount of \$25,000 to the city of Schuyler toward the construction expense of the Shell Creek 205 Levee Project. Motion carried on consent agenda.

b. Shell Creek Landowner Levee Project – Update Given

c. Review of Projects Financial Statement – Update Given

d. Lake Wanahoo Bathymetric Survey

Bailey made the motion, seconded by Birkel, to approve budgeting \$11,277 for completing a bathymetric survey and sediment analysis of Lake Wanahoo. To further approve hiring LakeTech and authorize the Board Chair to sign the attached contract to complete this work subject to obtaining \$7,500 grant assistance from NDEQ. Motion carried.

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

NAY: McDermott, Veskerna

5. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

Ruzicka made the motion, seconded by Pollard, that the July LPNNRD Projects Committee Minutes be

received and placed on file. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7a. Second Amended Interlocal Agreement for the Lower Platte River Phragmites Management Program

Sabatka made the motion, seconded by Meduna, to approve the Second Amended Interlocal Agreement for the Lower Platte River Phragmites Management Program as attached and authorize Manager Miyoshi to sign. Motion carried all members present voting aye.

7b. Fremont GI Payment Request

Ruzicka made the motion, seconded by Birkel, to make payment of \$75,000 to the US Army Corps of Engineers for the Fremont GI Study. Motion carried all members present voting aye.

7c. 2016 Hay Bids

McDermott made the motion seconded by Ruzicka, to approve the hay bids from Chuck Andel \$41.00 per ton at Homestead, Dan Ourada \$52.00 per ton at Czechland and Meduna Family Farms \$45.00 per ton at Wanahoo and that all bales be counted and paid for before they are removed. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Olson made the motion, seconded by Feala, 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 Pollard, to approve the July Consent Agenda. Motion carried all members present voting aye.

Item 6.A.4.a – Report from Personnel Sub-Committee was taken at this time

Meduna made the motion, seconded by Sabatka, to go into Executive Session at 8:59 p.m. to discuss Personnel and authorize the following staff to stay: Miyoshi, Mountford, and Legal Counsel Freeman-Caddy. Motion carried all members present voting aye. Motion carried all members present voting aye.

The Board returned to open session at 9:50 p.m.

Meduna made the motion, seconded by Hilger, to move up the following agenda item 6.A.4.i. - Hire Staff Engineer. Motion carried all members present voting aye.

6.A.4.i. Hire Staff Engineer

Hilger made the motion, seconded by Meduna, to pursue hiring a staff engineer and have them in place within six months.

Meduna moved to amend the main motion, seconded by Birkel, to have the Personnel Sub-Committee do the interviews and select the Engineer. Amendment failed.

AYE: Bailey, Birkel, Clausen, Hilger, Kavan, Meduna, Ruzicka, Veskerna, Hannah

NAY: Feala, Gibney, Hagerbaumer, McDermott, Olson, Pollard, Saalfeld, Sabatka, Seier, Sobota

The original motion was voted and motion carried with all members present voting aye.

6.A.4.b. Revised Job Description and Job Codes

Saalfeld made the motion, seconded by Olson, to approve the new Job Descriptions and Job Codes for LPNNRD employees as recommended by Zelle HR as attached to the Executive Committee Minutes. Motion carried all members present voting aye.

6.A.4.c. Performance Ratings

Meduna made the motion, seconded by Hilger, to lower one employees performance rating from 4.84 to 4.00 and approve the amended employee performance ratings as attached to the Executive Committee Minutes. Motion carried.

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

NAY: Olson

6.A.4.d. Cost of Living Adjustment – Update Given

6.A.4.e. Removal of Jobs from the Salary Range List

Saalfeld made the motion, seconded by Olson, to remove the following positions from the LPNNRD job list; Bookkeeper, Information & Education Specialist II, Operations & Maintenance Manger II and GIS Assistant.

Hilger made the motion, seconded by Ruzicka to amend the main motion by include Large Projects Coordinator in the list of positions to be removed. Freeman-Caddy advised that this amendment was not listed as an agenda item and should not be moved forward. The maker of the amendment asked that it be withdrawn

Original motion carried all members present voting aye.

6.A.4.f. FY17 Salary Ranges

Olson made the motion, seconded by Ruzicka, to approve the FY17 Salary Ranges with a 10% limit on changes from last year as attached to the Executive Committee Minutes. Motion carried all members present voting aye.

6.A.4.g. FY17 Step Changes

Ruzicka made the motion, seconded by Saalfeld, to approve the following step advances for FY17: Angle from Step 6 to Step 7, Heimann from Step 6 to Step 7 and Gottschalk from Step 3 to Step 4. Motion carried.

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

NAY: Kavan

6.A.4.h. Approval of FY17 Salaries

Ruzicka made the motion, seconded by Sobota, to approve a 1.1% salary increase for all employees and fund the Step increases with a limit on any individual salary increase to 7.5% with the exception of the starting wage that must be a least 80% of midpoint as shown on the FY17 Salary Sheet. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The August Directors Meeting will be held on Monday, August 8, 2016, 6:00 p.m. Meeting adjourned at 10:24

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 July 11, 2016, 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.

Joe Birkel, Secretary