

LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
October 9, 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, October 9, 2017.

1. NOTICE OF MEETING

The advanced notice of our October 9, 2017 board meeting was published on September 28, 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	Hannah
Hilger	Kavan	McDermott
Meduna	Olson	Pollard
Ruzicka	Saalfeld	Sabatka (arrived 6:05 pm)
Seier	Sobota	Veskerna
Birkel		

DIRECTORS ABSENT

STAFF AND GUESTS:

Gottschalk	Breunig	TePoel
Mountford	Andersen	Schomer
Heimann	Oaklund	

Legal Counsel Lausterer

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. Director Resignation

Hilger made the motion, seconded by Meduna, to accept the resignation letter from Director Gibney, declare a vacancy in Sub-District 8, notify Secretary of State of vacancy and place a public notice in the Wahoo Newspaper notifying the public of this vacancy. Motion carried all members present voting aye.

c. Director Vacancy Sub-Committee Report

Director Saalfeld reported that the Sub-Committee met and interviewed candidates for Sub-District #1 and Sub-District #2.

Saalfeld on behalf of the Sub-Committee nominated Kelly Thompson to fill the vacancy in Sub-District #1.

With no further nominations Ruzicka made the motion, seconded by Pollard, that nominations cease and a unanimous ballot be cast for Kelly Thompson to fill the vacancy in Sub-District #1. Motion carried all members present voting aye.

Saalfeld on behalf of the Sub-Committee nominated Bill Saeger to fill the vacancy in Sub-District #2.

With no further nominations Ruzicka made the motion, seconded by Feala, that nominations cease and a unanimous ballot be cast for Bill Saeger to fill the vacancy in Sub-District #2. Motion carried all members present voting aye.

At this time Breunig administered the Oath of Office to Thompson and Saeger.

d. NRCS Report - None

e. NARD Report

Hilger gave the NARD Report.

f. NRC Report - None

g. Managers Report - None

h. Education Program

Jim Cannia was present to give a presentation on the AEM Flights.

5. APPROVAL OF MINUTES

Ruzicka made the motion, seconded by Hannah, to approve the minutes from the September 11, 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 New Information

b. Ourada Lawsuit – No New Information

2. Meetings

a. Pending

1. UNL Annual Water Symposium - Update Given

b. Reports

1. NARD Fall Conference – Update Given

2. National Watershed Coalition – Update Given

3. Management Items

a. Director Absences

Ruzicka made the motion, seconded by Hannah, to approve Director Gibney's excuse of absence from the September Board Meeting. Motion carried on consent agenda.

b. Monthly Education Program – Update Given

c. Water Strategies Report – Update Given

d. Paul Gifford Global Settlement Agreement and Release – Update Given

e. LARM Insurance Payment

Pollard made the motion, seconded by Saalfeld, to make payment of \$65,031.24 to LARM for our Commercial Property Insurance effective dates of 10/01/2017 – 10/01/2018 as attached to the Executive Committee Minutes. Motion carried all members present voting aye.

f. Director Per Diem and Expense Approval – Update Given

4. Equipment – None

5. Personnel

a. Discussion on Banking Hours

Hannah made the motion, seconded by McDermott, to approve the banking hour procedure as attached to the Executive Committee Minutes to be included into Lower Platte North NRD’s Human Resource Policy and Procedures Policy #VI-B – Vacation. Motion carried all members present voting aye.

b. Miyoshi Annual Leave and Sick Leave Payout

Ruzicka made the motion, seconded by Feala, to approve the leave time payout to John Miyoshi of \$35,742.47 less deductions. Motion carried all members present voting aye.

c. Miyoshi as Contract Employee

McDermott made the motion, seconded by Seier, to have John Miyoshi as a contracted “employee on call” so he can be utilized when needed for meetings or projects at the rate of pay set at \$40 per hour as attached to the Executive Committee Minutes. Motion carried.

AYE: Bailey, Feala, Hannah, Hilger, McDermott, Meduna, Olson, Pollard, Ruzicka, Saalfeld, Sabatka, Saeger, Seier, Sobota, Thompson, Veskerna, Birkel

NAY: Kavan

6. Finance

a. Fiscal Year 2017 Audit

Kyle Overturf representing Almquist, Maltzahn, Galloway and Luth was present to give the Lower Platte North NRD’s June 30, 2017 Audit Report. Olson made the motion, seconded by Sobota, to accept and place on file the June 30, 2017 Annual Audit as prepared and presented by Almquist, Maltzahn, Galloway and Luth. Motion carried all members present voting aye.

b. Approval of Financial Report

Ruzicka made the motion, seconded by Hannah, to approve the July Financial Statement as distributed to all board members. Motion carried on consent agenda.

c. Approval of Managers Expenses

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

c. Accounts over 90 Days – Update Given

Ruzicka made the motion, seconded by Hannah, that the October 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

Hannah made the motion, seconded by Ruzicka, to take the tabled motion “to have FYRA Engineering continue with a weather modeling policy/procedures in operating the current gate system on the Wanahoo Dam” off the table. Motion carried all members present voting aye.

Meduna made the motion, seconded by Ruzicka, to have FYRA Engineering finish the Lake Wanahoo Reservoir/Gate Operation Policy/Procedures contract then discuss with the Game and Park Fisheries Department and COE if attempting to operate the lake level from 1209 to 1208 from February 1st/ice out/fish survey, whichever happens last, when using FYRA’s weather monitoring policy/procedures is appropriate for lake ecosystem. Motion carried.

AYE: Bailey, Feala, Hannah, Hilger, Kavan, Meduna, Ruzicka, Saalfeld, Seier, Sobota, Veskerna

NAY: McDermott, Olson, Pollard, Sabatka, Birkel

ABSTAIN: Saeger, Thompson,

2. WILD NE/CREP REPORT

Ruzicka made the motion, seconded by Hannah, to make final payment of \$223.16 on a CREP contract to Mohrman Farms, the payment is doubled due to the previous year’s payment being lost. Motion carried on consent agenda.

3. OPERATION AND MAINTENANCE & OTHER ITEMS

a. Lake Wanahoo Lake Level

b. Lake Wanahoo SRA – Update Given

c. Lake Wanahoo Wildlife Areas

Ruzicka made the motion, seconded by Hannah, to get bid estimates to bulldoze the Elm area on Wanahoo and if appropriate use hay revenue to support this maintenance item. Motion carried on consent agenda.

d. Fremont GI Study – Update Given

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

f. Dump Trailer Replacement

Ruzicka made the motion, seconded by Hannah, to advertise and solicit bids for a new triple axle dump trailer up to 21,000 lb capacity and 16’ in length and to sell the old trailer after the purchase. Motion carried on consent agenda.

g. Wanahoo Dirt/Sand Sales – Update Given

4. ROCK AND JETTY – Update Given

5. EROSION & SEDIMENT RULES & REGULATIONS – Update Given

6. INFORMATION & EDUCATION

a. Information

1. Radio and eAds – Update Given

2. Website RFP

Ruzicka made the motion, seconded by Hannah, to advertise for RFPs for website design and development. Motion carried on consent agenda.

3. FY2017 Long Range Plan – Update Given

b. Education

1. Wonderful World of Water – Update Given

c. Computer – None

7. RURAL WATER SYSTEMS

a. Colon – Update Given

b. Bruno – Update Given

c. Other – None

Ruzicka made the motion, seconded by Hannah, that the October 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. Variance Requests – Update Given

2. REGULATORY

a. Groundwater Management Area

1. Lower Platte River Basin Water Management Plan Coalition (LPRBC) – Update Given

2. Irrigated Acres for 2018 in the HCA And NHCA – None

3. Variance Requests in the Hydrological Connected Area

Pollard made the motion, seconded by Feala, to table the approval of variances until a policy can be put in place on handling variance violations and determination of the allotment of Acre Feet within the Hydrological Connected Area. Motion carried all members present voting aye.

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

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

5. Well Permit Program

a. Well Permits Approved - Update Given

6. Irrigation Runoff Policy– Update Given

7. Chemigation Policy – Update Given

8. Cost Share Programs

a. Flow Meter Cost-Share in SQS #2

Ruzicka made the motion, seconded by Hannah, to approve payment of \$2,310 of cost-share funding from WSF and NRD funds to the following individuals: Jarosz, Ray for \$770; Janssen, Warren for \$1,540. Motion carried on consent agenda.

b. Irrigation Well Sample Kits – Update Given

9. Bellwood Phase 2 Area – Update Given

10. Richland - Schuyler Phase 2 Area– Update Given

11. Richland - Schuyler Phase 3 Area – None

12. Lower Platte North NRD Operator Certification

a. LPNNRD Certification Classes for Nitrogen and Water Management – Update Given

3. GROUND WATER PROGRAMS

a. Decommissioned Well Program

1. Well Estimates – Update Given

2. Plugged Wells

Ruzicka made the motion, seconded by Hannah, to approve the well decommissioning cost-share of \$720.47 to Westland Inc. Dodge County. Motion carried on consent agenda.

b. LPNNRD Ground Water Studies

1. GW Elevation Wann Basin – Update Given

c. New Monitoring Wells

Ruzicka made the motion, seconded by Hannah, to approve Amendment #2 from UNL CSD division of School of Natural Resources for the purpose of drilling monitoring wells and test holes in Spring 2018. Motion carried on consent agenda.

d. Ground Water Quality Sampling – None

e. Conversion of Irrigation Well to Livestock Well - Update Given

4. SURFACE WATER PROGRAMS – Update Given

5. OTHER

a. GMDA Annual Conference – Update Given

b. Phoenix Webgroup – Update Given

c. Comments from the Public – Update Given

Ruzicka made the motion, seconded by Hannah, that the October 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

Ruzicka made the motion, seconded by Hannah, to approve SWCP application allocations for Paul Tank (\$4,311.60), Paseka Family Revocable Trust (\$938.38) as shown in the Projects Committee Minutes. Motion carried on consent agenda.

b. SWCP Payments

Ruzicka made the motion, seconded by Hannah, to approve three payments for Eric Nelson (\$10,000), Lyle Hammond (\$9,064.59) and Glenn Nelson (\$10,000) totaling \$29,064.59 as well as, the 100% cost share for Stevens-Smid project totaling \$2,521.20 as shown in the Project 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. Kramer Shell Creek Stabilization Project – Bid Process

Saalfeld made the motion, seconded by Meduna, to ratify Chair Birkel's bid award totaling \$216,788 to Kohl Construction of Schuyler for the completion of the Shell Creek Bank Stabilization Project and authorize Chair Birkel to approve and sign a construction contract with Kohl after review by NRD attorney Lausterer. Motion carried all members present voting aye.

2. Shell Creek Landowner Levee Project

Ruzicka made the motion, seconded by Bailey, to pay Platte County \$7,924.70 toward the completed Platte County/Luchsinger Grade Stabilization Project after LPNNRD inspection, as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

3. Shell Creek Environmental Enhancement Plan

Ruzicka made the motion, seconded by Hannah, to approve the Rick Hellbush application for 50% of the Shell Creek Watershed septic tank upgrade cost up to \$3,000 assistance and 100% of the inspection costs up to \$300 assistance as attached to the Projects applications for Ed Wemhoff, Larry Formanek and Lee Osten for a maximum assistance of \$3,300 each as shown in the Projects Committee Minutes. Motion carried on consent agenda.

Ruzicka made the motion, seconded by Hannah, to pay Penne Screen Printing & Signs \$69.04 for student t-shirts as attached to the Projects Committee Minutes. Motion carried on consent agenda.

b. Wahoo Creek Watershed

1. Wahoo Creek RCPP/WSF FYRA Invoices – Update Given

2. Wahoo Creek Site 26 & 27 RCPP

Ruzicka made the motion, seconded by Hannah, to advertise for Requests for Qualifications/Proposals for engineering services to complete Wahoo Creek Dam Sites 26 and 27 following a public information meeting to be held later this year. Motion carried on consent agenda.

4. LOWER PLATTE RIVER CORRIDOR ALLIANCE - Update Given

5. OTHER

a. Nebraska Buffer Strip Payments – Update Given

b. Review of Projects Financial Statement – Update Given

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

7. ADDITIONAL ACTION ITEMS

7a. Shell Creek Environmental Enhancement Plan Approval

Hannah made the motion, seconded by Sobota, to approve the Loren Hellbusch application of 50% of the Shell Creek Watershed septic tank upgrade cost up to \$3,000 assistance and 100% of the inspection cost up to \$300 assistance. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Sabatka 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 Hannah, to approve the October Consent Agenda. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The November Directors Meeting will be held on Monday, November 13, 2017, 4:00 p.m. Meeting adjourned at 9:01 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 October 9, 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.