

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
September 14, 2015**

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, September 14, 2015.

1. NOTICE OF MEETING

The advanced notice of our September 14, 2015 board meeting was published on August 27, 2015 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	Johannes (left 8:40)
Olson	Pollard	Ruzicka
Sabatka	Saalfeld	Seier
Veskerna	Hannah	

DIRECTORS ABSENT

McDermott	Meduna
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STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Almond	Angle
Heimann	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

Mark Walkenhorst reviewed the NRCS/NRD September report.

c. NARD Report

Hilger reported that the Annual Conference is September 27-29 in Kearney.

d. NRC Report

Manager Miyoshi reported that the NRC will meet at the annual NARD Conference.

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

Prior to the start of Board Meeting George Hunt, Burns and McDonnell was present and discussed The

CORPS/EPA New Rule on Waters of the US.

5. APPROVAL OF MINUTES

Veskerna made the motion, seconded by Feala, to approve the minutes from the August 10, 2015 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. Rural Futures Conference – Update Given

2. NARD Fall Conference – Update Given

2. Management Items

a. Director Absences – None

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

Veskerna made the motion, seconded by Feala, to approve payment of \$3,400 to Bob Weaver for August services and bill LPSNRD and Papiro NRD for their share. Motion carried on consent agenda.

c. Monthly Education Program – Update Given

d. LARM Insurance for F.Y. 2016

Birkel made the motion, seconded by Ruzicka, to approve payment to League Association of Risk Management (LARM) in the amount of \$56,220.52 for our Commercial Package Insurance effective 10/1/15 – 9/30/16. Motion carried all members present voting aye.

e. HBE Bill

Pollard made the motion, seconded by Ruzicka, to approve payment of \$15,585 to HBE for work completed on our FY15 Annual Audit. Motion carried all members present voting aye.

f. Change Start Time of Monthly Executive Committee Meeting – Update Given

g. Change Board Meeting Day – Update Given

h. Wahoo Sign

Veskerna made the motion, seconded by Feala, to have staff prepare an agreement with the City of Wahoo that would allow them to place a “Wahoo” sign on NRD property near the intersection of Highways 77/92 and County Road 17. Motion carried all members present voting aye.

i. Yutan Fire and Rescue Boat Assistance

Hilger made the motion, seconded by Kavan, that LPNNRD commit up to \$5,000 to support the request from Yutan Fire and Rescue to purchase a water rescue boat and that Yutan Fire and Rescue report back to the Board when all donations are secured. It was further moved that this offer is good for one year and that payment will be made upon verification of purchase of the boat. Motion carried all members present

voting aye.

j. Lickteig Property

Ruzicka made the motion, seconded by Johannes, to go into Executive Session at 7:16 p.m. to discuss the Lickteig Property due to potential litigation and authorize the following staff to stay: Miyoshi, Mountford, Murren and Legal Counsel Lausterer. Motion carried all members present voting aye.

Ruzicka made the motion, seconded by Saalfeld, go out of Executive Session at 7:56 p.m. Motion carried all members present voting aye.

k. November Board Meeting

Veskerna made the motion, seconded by Feala, to hold the November 2015 LPNNRD Board Meeting in Newman Grove. Motion carried on consent agenda.

l. DNR Director Jeff Fassett to visit LPNNRD – Update Given

3. Equipment

a. Surplus Television

Veskerna made the motion, seconded by Feala, to declare one 50” Panasonic television surplus, advertise for sealed bids and accept the high bid. Motion carried on consent agenda.

4. Personnel

a. Thompson Resignation

Veskerna made the motion, seconded by Feala, to regretfully accept Troy Thompson’s letter of resignation, to declare a vacancy and begin advertising to fill our Information/Education position. Motion carried on consent agenda.

b. Information Technology Contract

Saalfeld made the motion, seconded by Olson, to approve the “Network Administration” contract with Troy Thompson as attached to the Executive Committee Minutes and authorize the Board Chair to sign the agreement. Motion carried all members present voting aye.

c. Thompson Leave Payout

Johannes made the motion, seconded by Saalfeld, to make payment to Troy Thompson in the amount of \$7,103.50 for leave balance subject to tax with-holdings. Motion carried all members present voting aye.

d. Accountant Position

Veskerna made the motion, seconded by Feala, that upon receipt of Mike Almond’s resignation letter the District begin advertising to fill our Accountant position. Motion carried on consent agenda.

5. Finance

a. Approval of Financial Report

Veskerna made the motion, seconded by Feala, to approve the June Financial Reports as distributed to all board members. Motion carried on consent agenda.

b. Approval of Managers Expenses

Veskerna 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. Accounts Receivable Over 90 Days – Update Given

d. Property Tax Hearing – Update Given

e. Set F.Y. 16 Property Tax Rate

Johannes made the motion, seconded by Ruzicka, to set the LPNNRD FY 2016 Property Tax Rate at .044601. Motion carried all members present voting aye.

Veskerna made the motion, seconded by Feala, that the September LPNNRD 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

Veskerna made the motion, seconded by Feala, to advertise and solicit bids for tree removal at Homestead Lake for the enhancement of the grassland and area. Motion carried on consent agenda.

2. OPERATION AND MAINTENANCE & OTHER ITEMS

a. O & M Crew – Update Given

b. Bellwood 3-B Dam Rehabilitation

Veskerna made the motion, seconded by Feala, to advertise and solicit bids for the rehabilitation of Watershed Dam Bellwood 3-B and open bids on September 29th. Motion carried on consent agenda.

c. Sarpy/Clear Creek Levee Aerial Herbicide Application

Veskerna made the motion, seconded by Feala, to have Skycopters spray the woody vegetation on the Clear Creek Levee for the Locke Construction at a price of \$2,420 and when completed have the General Contractor reimburse the District the full amount. Motion carried on consent agenda.

d. Wanahoo SRA Entrance Paving Project

Birkel made the motion, seconded by Olson, that LPNNRD waive the normal bidding procedures (due to Saunders County having previously bid the adjacent County Road 17 paving project) and accept and approve ME Collins price for the Lake Wanahoo entry road paving project at an estimated cost of \$169,333.70 with unit prices matching those as bid for the adjoining Saunders County Road 17 Project as shown in the O,E & RW minutes. Motion carried all members present voting aye.

e. Wanahoo Haying – Update Given

f. Wahoo Hiking/Biking Trail

Gibney made the motion, seconded by Sabatka, to approve participating in the Wahoo trail Grant for the portion of the trail that will rock surface the trail on the face of the Wanahoo Dam at an estimated non-federal cost of \$18,335 (NRDF \$11,001 and LPNNRD \$7,334). Motion carried.

AYE: Bailey, Feala, Gibney, Hagerbaumer, Johannes, Olson, Ruzicka, Sabatka, Seier, Veskerna

NAY: Birkel, Clausen, Hilger, Kavan, Pollard, Saalfeld, Hannah

g. Fremont GI Flood Study – Update Given

h. Czechland Lake Camping - Update Given

i. Newman Grove School Request

Veskerna made the motion, seconded by Feala, to have the District send a letter of support for the Newman Grove School for their "Know Your Well Project" which will test wells in their community. Motion carried on consent agenda.

3. ROCK AND JETTY

a. Payment – None

4. EROSION & SEDIMENT RULES & REGULATIONS – Update Given

5. INFORMATION & EDUCATION

a. Information

1. Radio and Web Ads

Veskerna made the motion, seconded by Feala, to approve the KTIC radio ad contract for \$2,190/Year for 312 radio and internet spots per month. Motion carried on consent agenda.

b. Education

1. Range Judging Contest – Update Given

c. Computer

1. Board Room Projectors – Update Given

6. RURAL WATER SYSTEMS – Update Given

a. Bruno Rate Increase

Hagerbaumer made the motion, seconded by Kavan, to increase Lower Platte North NRD Rural Water rates by the same percentages for the Bruno system as David City water rate increase, 12.5% effective November 19, 2015 and 11% effective November 19, 2016. Motion carried all members present voting aye.

b. Write Off Outstanding Colon Water Bill

Sabatka made the motion, seconded by Pollard, to have \$144.92 removed from the Ricard Timm (account 16) accounts receivable and write off the account balance. Motion carried all members present voting aye.

c. Brainard – Update Given

Veskerna made the motion, seconded by Feala, that the September 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. Violations Policy – Update Given

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

3. Variance Request in the Non-Hydrologically Connected Area

Pollard made the motion, seconded by Kavan, to approve the variance requests for; Tom Kammerer expansion for 33 acres, Graydon Dean Luthey Jr. new well for 115 acres, Dick Schmid expansion for

60 acres, Mark Schwarz expansion for 6.2 acres, Brian Birkel expansion for 80 acres, and Jeffrey Bauer expansion for 64.48 acres for a total of 358.68 acres. Motion carried all members present voting aye.

4. Variance Request in the Restricted Development Area

Pollard made the motion, seconded by Ruzicka, to allow the proposed variance request for Martin Erickson for a new well and 152 new irrigated acres in NE1/4, Section 20, T14N, R7E in the restricted development area of the Swedeburg subarea to be considered in the ranking criteria for the Hydrologically Connected Area on September 15, 2015. Motion carried all members present voting aye.

5. Well Permit Program

a. Well Permits Approved – Update Given

b. Supplemental Well for Kristopher Kavan

Veskerna made the motion, seconded by Feala, to approve the supplemental well for Kristopher Kavan in the NW1/4, of the NW1/4, Section 20, T16N, R7E, of the Todd Valley Subarea to supply water to a 128 acre pivot. Motion carried on consent agenda.

6. Special Quantity Sub-Areas – Update Given

a. SQS Summer Measurements

b. SQS #1 Flow Meter Installation – Update Given

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

8. Voluntary Integrated Water Management Plan – Update Given

9. Cost-Share Programs

a. Irrigation Well Sample Kits – Update Given

b. Nebraska Agricultural Water Management Network – Update Given

10. Bellwood Phase 2 Area – Update Given

11. Richland-Schuyler Phase 2 Area – Update Given

12. LPNRND Certification

a. LPNNRD Operator Certification Classes – Update Given

b. Chemigation – Update Given

c. Livestock Waste Permits – Update Given

2. GROUND WATER PROGRAMS

a. Decommissioned Well Program

1. Well Estimates - Update Given

2. Plugged Wells

Veskerna made the motion, seconded by Feala, to approve cost share payment to Charles Emanuel & Sons for decommission one irrigation well for \$487.45. Motion carried on consent agenda.

b. Ground Water Studies

1. Eastern Nebraska Water Resources Assessment - Update Given

c. Ground Water Levels – Update Given

d. Ground Water Quality Sampling

1. State Wide Network Groundwater Quality Sampling – Update Given

3. OTHER

a. 2015 Summer Interns – Update Given

b. Comments from the Public – Update Given

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

D. PROJECTS COMMITTEE REPORT

1. SWCP REPORT

a. SWCP Fall Application Approvals

Veskerna made the motion, seconded by Feala, to approve the SWCP Fall applications totaling \$81,691.22 as shown in the Projects Committee Minutes. Motion carried on consent agenda.

b. SWCP Payments

Veskerna made the motion, seconded by Feala, to approve the \$540.89 SWCP Payment to Raymond Mitchell (14-D-59) as shown in the Projects Committee Minutes. Motion carried on consent agenda.

c. SWCP Cancelations - None

d. Cottonwood Creek Payments – None

e. Sand/Duck Cost-Share Approvals - None

f. Sand/Duck Creek Payments

Veskerna made the motion, seconded by Feala, to approve Sand/Duck Creek cost-share payments totaling \$18,268.05 as shown in the Projects Committee Minutes. Motion carried on consent agenda.

g. Wahoo Creek Watershed Cost-Share Approvals - None

h. Mike Chvatal Small Dam Application Approval

Bailey made the motion, seconded by Ruzicka, to approve the Mike Chvatal grade stabilization dam application at 75% cost-share and allow exceeding the \$15,000 limit to a maximum of \$16,742 assistance based on the benefits to LPNNRD's Cottonwood Creek Flood Control Dam 21-A. Motion carried all members present voting aye.

2. WATERSHEDS

a. Shell Creek Watershed

1. Shell Creek Watershed Plan – Final Contract Payment – Update Given

b. Wahoo Creek Watershed

1. Grant Application for Wahoo Creek Phase II Project

Veskerna made the motion, seconded by Feala, to approve submitting Wahoo Creek Phase II grants to NDEQ and NET for permitting and design of two large grade stabilization structures and for the Lands for Conservation Program, as attached to the Projects Committee Minutes. It was further moved to approve Assistant Manager Mountford as the grant administrator to sign the grant applications and other necessary documents. Motion carried on consent agenda.

3. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report – Update Given

4. OTHER

a. Update on Army COE 205 Studies

1. South Fremont 205 – Update Given

2. Schuyler 205 – Update Given

b. Shell Creek Landowner Levee Project – Update Given

c. All Hazard Mitigation Plan – Update Given

d. Lake Wanahoo Wetland – Water Table Problems – Update Given

e. Review of Projects Financial Statement - Update Given

f. Projects Committee Time Discussion – Update Given

5. WESTERN SARPY/CLEAR CREEK LEVEE REPORT – Update Given

Veskerna made the motion, seconded by Feala, that the September LPNNRD Projects Committee Minutes be received and placed on file. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

a. COE Payment for Fremont GI Study

Saalfeld made the motion, seconded by Hagerbaumer, to make payment to the US Army Corps of Engineers in the amount of \$100,000 for the second payment for completion of the Fremont GI Study. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Bailey made the motion, seconded by Seier, that all bills be approved and warrants be drawn in payment of same. Motion carried all member present voting aye.

9. CONSENT AGENDA ADOPTION

Veskerna made the motion, seconded by Feala, to approve the September consent agenda. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The October Directors Meeting will be held on Monday, October 12, 2015, 6:00 p.m. Meeting adjourned at 8:52 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 September 14, 2015, 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