

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
September 11, 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, September 11, 2017.

1. NOTICE OF MEETING

The advanced notice of our September 11, 2017 board meeting was published on August 31, 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	Folsom
Hannah (arrived 6:09 p.m.)	Hilger	Kavan (left 8:00 p.m.)
McDermott (left 7:00 p.m.)	Meduna	Olson
Pollard	Ruzicka	Saalfeld
Sabatka	Seier	Sobota
Veskerna	Birkel	

DIRECTORS ABSENT

Clausen	Gibney
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STAFF AND GUESTS:

Miyoshi	Breunig	TePoel
Mountford	Andersen	Gottschalk
Schomer	Heimann	

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

Bryan Euse was present to give the NRCS Report.

c. NARD Report

Hilger gave the NARD Report.

d. NRC Report

None

e. Managers Report

Manager Gottschalk reviewed his written report.

f. Education Program

Mike Sotak and Connor Kelly gave a power point presentation on the science and engineering

behind the hydraulics of the Wanahoo dam, Sand/Duck Creeks and Wahoo Creek watersheds and also covered methods in which we can influence water in the Wanahoo dam and watersheds.

5. APPROVAL OF MINUTES

Olson made the motion, seconded by Sabatka, to approve the minutes from the August 14, 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

2. NARD Fall Conference – Update Given

b. Reports - None

3. Management Items

a. Director Absences

Olson made the motion, seconded by Sabatka, to approve Director Sabatka and Clausen’s excuse of absence from the August Board Meeting. Motion carried on consent agenda.

b. Monthly Education Program – Update Given

c. NARD FY 2018 Dues

Pollard made the motion, seconded by Ruzicka, to pay NARD \$25,744.83 for our fiscal year 2017-2018 membership dues. Motion carried all members present voting aye.

d. Water Strategies Report and Bill

Olson made the motion, seconded by Sabatka, to approve the monthly bill from Water Strategies for \$4,800 and bill Papio and Lower Platte South NRD for their share. Motion carried on consent agenda. Directors were informed this will be the last monthly Water Strategies billing directly to our district. All future bills will be submitted to Papio NRD and LPNNRD will be billed for our portion from them.

e. Director Resignation Letters

Attached to the Executive Committee Minutes are resignation letters submitted by Directors Folsom and Clausen. Hilger made the motion, seconded by Saalfeld, to accept the resignation letters from Directors Folsom and Clausen, declare a vacancy in Sub-District 1 and Sub-District 2, notify Secretary of State of these vacancies and place a public notice in the Fremont Tribune notifying the public of these two vacancies. Motion carried all members present voting aye.

Director Seier wanted to thank Directors Folsom and Clausen for their years of service on the Board.

f. Election of New Board Secretary

Due to Director Clausen resignation we will need to elect a new Board Secretary.

Ruzicka made the motion, seconded by Olson, to nominate Director Pollard as Secretary.

With no further nominations Meduna made the motion, seconded by Feala, that nominations cease and a unanimous ballot be cast for Pollard as Secretary. Motion carried.

AYE: Bailey, Feala, Folsom, Hannah, Hilger, Kavan, McDermott, Meduna, Olson, Ruzicka, Saalfeld, Seier, Sobota, Veskerna, Birkel

ABSTAIN: Pollard

g. November Board Meeting

Olson made the motion, seconded by Sabatka, to hold our November Board Meeting in Newman Grove at the Newman Grove High School with a presentation from the Shell Creek Group at 3:15 p.m. and Board Meeting starting at 3:45 p.m. Motion carried on consent agenda.

h. NARD Resolutions – Update Given

i. NRD Tenant – Update Given

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

4. Equipment – None

5. Personnel

a. Projects/Rural Water Manager

Ruzicka made the motion, seconded by Sabatka, to hire Sean Elliott to fill the position of Project/Rural Water Manager. Motion carried.

AYE: Bailey, Feala, Folsom, Hannah, Hilger, Kavan, McDermott, Olson, Pollard, Ruzicka, Sabatka Saalfeld, Seier, Sobota, Veskerna, Birkel

NAY: Meduna

b. Discussion on Banking Hours – Update Given

6. Finance

a. Approval of Financial Reports – Update Given

b. Approval of Managers Expenses

Olson made the motion, seconded by Sabatka, 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

d. Approval of Fiscal Year 2018 Budget

Saalfeld made the motion, seconded by Pollard, to approve the Lower Platte North NRD FY18 Property Tax Levy Rate of .037181. Motion carried all members present voting aye.

Olson made the motion, seconded by Sabatka, 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. UNFINISHED BUSINESS - NONE

2. WILD NE/CREP REPORT - None

3. OPERATION AND MAINTENANCE & OTHER ITEMS

a. Lake Wanahoo Lake Level

Ruzicka made the motion, seconded by McDermott, to go into Executive Session at 6:32 p.m. for the protection of public interest due to the potential liability of the NRD's contract with Game and Parks and to authorize the following to stay: Legal Counsel Lausterer, Gottschalk, Mountford, Miyoshi and reserve the right to call others in as decided by the board. Motion carried all members present voting aye.

Ruzicka made the motion, seconded by Pollard, to go out of Executive Session at 7:45 p.m. Motion carried all members present voting aye.

Meduna made the motion, seconded by Veskerna, to have FYRA Engineering continue with a weather modeling policy/procedures in operating the current gate system on the Wanahoo Dam.

After much discussion it was recommended by Meduna, seconded by Hannah, to table the previous motion. Motion carried.

AYE: Feala, Folsom, Hannah, Hilger, Meduna, Olson, Pollard, Ruzicka, Saalfeld, Seier, Veskerna, Birkel

NAY: Bailey, Sabatka, Sobota

b. Lake Wanahoo SRA – Update Given

c. Lake Wanahoo Wildlife Areas – Update Given

d. Sand/Duck Dam 16 – Update Given

e. Fremont GI Study – Update Given

f. Rawhide Land Partnership Paul Gifford Box Culvert – 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. KTIC Radio

Olson made the motion, seconded by Sabatka, to continue the Display Ad Agreement with KTIC Radio for \$2,190 for one year. Motion carried on consent agenda.

b. Education

1. Fertig Prairie – Update Given

2. Live Well.Go Fish – Update Given

c. Computer – None

7. RURAL WATER SYSTEMS

a. Colon – Update Given

b. Bruno – Update Given

c. Other – None

Olson made the motion, seconded by Sabatka, 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. UNFINISHED BUSINESS - None

2. REGULATORY

a. Groundwater Management Area

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

2. Variance Requests in the Hydrological Connected Area – Update Given

3. Variance Requests in the Non-Hydrological Connected Area

Hilger made the motion, seconded by Meduna, to approve the variance from James Vandenberg for 75 acres and Thomas Kloser for 31 acres. Motion carried all members present voting aye.

Saalfeld made the motion, seconded by Pollard, to table the variance request form Sandra Muhle for 115 acres until the 2016 AEM data can be analyzed. Motion carried all members present voting aye.

Sabatka made the motion, seconded by Bailey, to deny the variance request from Lawrence Hynek for 150 acres until the AEM data is available to analyze the area. Motion carried all member present voting aye.

Saalfeld made the motion, seconded by Pollard, to table the variance request from Duane Ohlerich for 66 acres until the 2016 AEM data can be analyzed. Motion carried all members present voting aye.

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

5. Well Permit Program

a. Well Permits Approved - Update Given

b. Martin Erickson Well Permit - Update Given

c. Village of Mead Municipal Water Supply Wells – Update Given

d. City of Fremont Dewatering Wells

Meduna made the motion, seconded by Pollard to approve four dewatering well applications for the City of Fremont to dewater a projects area at the Fremont Waste Treatment Facility. Motion carried all members present voting aye.

6. Irrigation Runoff Complaint – Update Given

7. Cost Share Programs

a. Irrigation Well Sample Kits – Update Given

b. Flow Meter Cost-Share in SQS #2 – Update Given

8. Bellwood Phase 2 Area – Update Given

9. Richland - Schuyler Phase 2 Area– Update Given

10. Richland - Schuyler Phase 3 Area – None

11. Irrigation Acre Transfer

Hilger made the motion, seconded by Sobota, to approve the irrigated acres transfer of 23 acres of Marland Novacek located in the E½ SW¼ 2-16N-3E to Dennis Novacek located in the NE¼ 4-16N-3E and NW¼ 3-16N-3E. Motion carried all members present voting aye.

c. Chemigation – Update Given

1. Chemigation Violation Policy – Update Given

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

e. Voluntary Integrated Water Management Plan – Update Given

3. GROUND WATER PROGRAMS

a. Decommissioned Well Program

1. Plugged Wells

Olson made the motion, seconded by Sabatka, to approve the well decommissioning cost-share of \$669.32 to Duane Siffring – Butler County. Motion carried on consent agenda.

b. LPNNRD Ground Water Studies

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

2. Lower Platte River Consortium – Update Given

3. AEM Flights in SQS #1 and SQS #2

Pollard made the motion, seconded by Meduna, to pay the invoice from Aqua Geo Frameworks for \$83,333 as per section 3.1.4 of the AEM contract. Motion carried all members present voting aye.

c. Ground Water Energy Levels – Update Given

d. Ground Water Quality Sampling – None

e. State Lakes – Update Given

4. OTHER

a. Districtwide Cross Sections – Update Given

b. Drought Monitor – Update Given

c. Project SENSE Field Day – Update Given

e. Comments from the Public – Update Given

Olson made the motion, seconded by Sabatka, that the September 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

Olson made the motion, seconded by Sabatka, to approve \$1,000 windbreak renovations application for James Gerrard. Motion carried on consent agenda.

b. SWCP Payments

Olson made the motion, seconded by Sabatka, to approve payment to Patrick Roh \$3,570.90 and David Vrana \$587.50 for completed conservation work. 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

Olson made the motion, seconded by Sabatka, to approve advertising for bids on the Kramer Shell Creek Bank Stabilization Project for opening on September 21, 2017 at the Colfax County Courthouse, as outlined in the Projects Committee Minutes. Motion carried on consent agenda.

Olson made the motion, seconded by Sabatka, to recommend that the Board authorize Chair Birkel and/or Projects Chair Sobota authority to review and approve a contractor bid for construction of the Kramer Shell Creek Bank Stabilization Project after the September 21, 2017, bid opening, as outlined in the Projects Committee Minutes. Motion carried on consent agenda.

2. Shell Creek Landowner Levee Project

Ruzicka made the motion, seconded by Seier, to pay Mel and Kitty Bailey \$76,380 for the completed Shell Creek Landowner Levee Project. Motion carried.

AYE: Feala, Folsom, Hannah, Hilger, Meduna, Olson, Pollard, Ruzicka, Saalfeld, Sabatka, Seier, Sobota, Veskerna, Birkel

ABSTAIN: Bailey

Ruzicka made the motion, seconded by Meduna, to contribute an additional \$45,000 toward the completed Mel and Kitty Bailey Shell Creek Landowner Levee Project, as future funds become available as shown in the Projects Committee Minutes.

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

ABSTAIN: Bailey, Folsom

3. Shell Creek Environmental Enhancement Plan

Olson made the motion, seconded by Sabatka, to approve Shell Creek septic system upgrade 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.

Olson made the motion, seconded by Sabatka, to approve the Eldon Jedlicka 2017 No-Till Payment of \$315. Motion carried on consent agenda.

b. Wahoo Creek Watershed – Update Given

4. LOWER PLATTE RIVER CORRIDOR ALLIANCE - Update Given

5. OTHER

a. Review of Projects Financial Statement – Update Given

Olson made the motion, seconded by Sabatka, that the September 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 Saalfeld, 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

Olson made the motion, seconded by Sabatka, 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 9, 2017, 6:00 p.m. Meeting adjourned at 8:02 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 11, 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.

Frank Pollard, Secretary