

**LOWER PLATTE NORTH NRD MINUTES**  
**BOARD MEETING**  
**September 9, 2019**

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 9, 2019.

**1. NOTICE OF MEETING**

The advanced notice of our September 9, 2019 board meeting was published on August 29, 2019 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Ruzicka 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	Feala
Hannah	Hilger	Johnson
Kavan (arrived 6:19 p.m.)	Meduna (arrived 6:15 p.m.)	Olson
Pollard	Saalfeld	Sabatka
Saeger	Seier	Thompson
Veskerna	Yosten	Ruzicka

**DIRECTORS ABSENT**

Meyer

**STAFF AND GUESTS:**

Gottschalk	Breunig	Mountford
Andersen	Heimann	TePoel
Elliott		
Legal Counsel Lausterer		
Sign in sheet attached to minutes		

**3. APPROVAL OF AGENDA**

**4. COMMENTS - ADVISORS/GUESTS/DIRECTORS**

**a. Guest Comments**

**b. NRCS Report**

Mark Walkenhorst was present to give the NRCS report.

**c. NARD Report - None**

Bob Hilger gave the NARD Report.

**d. NRC Report - None**

**e. Managers Report**

Gottschalk reviewed his written report.

**f. Education Program**

Becky Appleford, JEO was present to update the Board on the Hazard Mitigation Plan.

**5. APPROVAL OF MINUTES**

Hannah made the motion, seconded by Olson, to approve the minutes from the August 12, 2019 Board Meeting. Motion carried on consent agenda.

**6. REPORT OF STANDING COMMITTEES**

**A. EXECUTIVE COMMITTEE REPORT**

**1. UNFINISHED BUSINESS**

**a. Off Site Water Table Concerns Near Sand Creek – None**

**2. Meetings**

**a. Pending**

**1. NARD Fall Conference – Update Given**

**2. 2019 Nebraska Water Conference – Update Given**

**b. Reports**

**1. Water Strategies - Update Given**

**3. Management Items**

**a. Director Absences - None**

**b. Monthly Education Program – Update Given**

**c. NARD Resolutions – Update Given**

**d. November Board Meeting**

Hannah made the motion, seconded by Olson, to hold our November Board Meeting at 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.

**e. Clear Creek Levee Easement**

Hannah made the motion, seconded by Olson, to approve final easement papers for National Guard Camp property as it related to our Clear Creek Levee Project. Motion carried on consent agenda.

**f. NARD Membership Dues**

Hannah made the motion, seconded by Olson, to pay the FY 2019-20 NARD Membership dues in the amount of \$27,846. Motion carried on consent agenda.

**4. Equipment – None**

**5. Personnel**

**a. General Manager Vehicle Reimbursement**

Hannah made the motion, seconded by Olson, to authorize a monthly stipend of \$200 for use of General Manager's personal vehicle for District business. Motion carried on consent agenda.

**6. Finance**

**a. Approval of Financial Reports**

Attached find the July Monthly Financial Statement. Approval of the July Financial Statement will take place next month.

**b. Approval of Managers Expenses**

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

**c. Accounts Receivable and Payable – Update Given**

**d. F.Y. 20 Budget and Set Property Tax Rate**

Birkel made the motion, seconded by Saalfeld, to approve the State Budget that includes total expenditures of \$6,978,789 with tax levy rate of .035512 for a tax asking of \$3,480,715 that same asking as the past three years. Motion carried all members present voting aye.

Hannah made the motion, seconded by Olson, that the September LPNNRD Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

**B. OPERATIONS COMMITTEE REPORT**

**1. UNFINISHED BUSINESS - None**

**2. WILD NE AND OTHER PROGRAMS - None**

**3. OPERATION AND MAINTENANCE & OTHER ITEMS**

**a. Dirt Sales from Wanahoo Property – Update Given**

**b. Swedeburg (Thorston) Dam Renovation**

Saeger made the motion, seconded by Johnson, to accept the bid from ME Collins for \$22,710 in using and replacing riprap on the face of the Swedeburg (Thorston) dam. Motion carried all members present voting aye.

**c. FEMA Projects Wanahoo Spilling Basin, Rawhide Ditch 8 and Fuse Plug Levee at Camp Ashland**

Hannah made the motion, seconded by Olson, to select FYRA Engineering for completing engineering and oversight of the repair to the Wanahoo Spilling Basin and have staff negotiate a contract to be presented for Board approval. Motion carried on consent agenda.

Wanahoo Spilling Basin discussion will take place at the end of the meeting.

Hannah made the motion, seconded by Olson, to select JEO Consulting for competing engineering oversight on Rawhide Ditch 8 repairs and have staff negotiate a contract for Board approval. Motion carried on consent agenda.

Johnson made the motion, seconded by Yosten, to approve the JEO Consulting contract in the amount of \$39,775 for completing engineering oversight on Rawhide Ditch #8 repairs and authorize the Board Chair to sign. Motion carried all members present voting aye.

Hannah made the motion, seconded by Olson, to approve hiring a contractor to repair the Camp Ashland Fuse Plug Levee to be presented at the September 9, 2019 Board Meeting. It was further recommended to authorize staff and Operations Committee members to hire an engineering firm for overseeing the construction of the fuse plug repairs after reviewing and scoring RFP's/RFQ's. Motion carried on consent agenda.

Meduna made the motion, seconded by Sabatka, to reject all bids and re-advertise for repairs on the Camp Ashland Fuse Plug and authorize Executive Committee to award contract at their October 3<sup>rd</sup> Committee meeting. Motion carried all members present voting aye.

**d. Clear Creek Levee Repairs by Corps of Engineers – Update Given**

**e. No-Till Grass Drill Revenue – Update Given**

**4. ROCK AND JETTY**

Hannah made the motion, seconded by Olson, for FY20 and potentially FY21 increase our Stream Bank Stabilization Program cost-share rate to 50% up to \$4,000 maximum assistance for individuals and 50% up to \$6,000 maximum for Dike and Drainage Districts. Motion carried on consent agenda.

**5. LAKE WANAHOO**

**a. Permit Sales – Update Given**

**b. Camping Sales – Update Given**

**c. Pork Chop Island – Update Given**

**d. Education Building**

Meduna made the motion, seconded by Johnson, to approve the following bids and purchases – Kitchen appliances from Simons Home Store for \$2,569; Building entry, security, internet/network and audio/visual from Diode Technologies \$7,493.37; Geo-Thermal Well installation from Subbert Well and Septic, LLC \$8,400; Portable table and chairs not to exceed \$5,700. Motion carried all members present voting aye.

**6. INFORMATION & EDUCATION**

**a. Information**

**1. Radio and eAds – Update Given**

**2. Website – Update Given**

**3. Viaduct – Update Give**

**b. Education**

**1. Education Presentation – Update Given**

**2. September Education Programs – Update Given**

**3. NRD Education Workshop – Update Given**

**7. RURAL WATER SYSTEMS**

**a. Colon – Update Given**

**b. Bruno – Update Given**

**c. Other – None**

Hannah made the motion, seconded by Olson, that the September LPNNRD Operations 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 MANGEMENT AREA**

**1. Variance Request from 2010**

Saalfeld made the motion, seconded by Pollard, to deny allowing the producer to expand 135 acres on Variance LPN-V-010-052, originally approved in 2010, and require that a new variance be submitted. Motion carried all members present voting aye.

**2. Variance Request in the Hydrologically Connected Area (Limited Development Area) – Update Given**

**3. Variance Request in the Non-Hydrologically Connected Area (Normal Development Area)**

Saalfeld made the motion, seconded by Hilger, to approve variance LPN-NDV-019-0049 for James Thiesen (SW¼-S36-T17N-R7E Saunders County) for 20 acres with a score of 360.1 Motion carried all members present voting aye.

Pollard made the motion, seconded by Feala, to deny variance LPN-NDV-013-0005 for Lawrence Hynek in the E½-NW¼-W½-NE¼-S3-T16-R5E Saunders County for not meeting the minimum threshold of 300 points, having a score of 275. This variance will not be carried over for not having the minimum score of 300 per Board Policy approved June 2019. 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. Irrigation Well Permit – Update Given**

**c. Well Permits – Livestock**

Hilger made the motion, seconded by Feala, to approve well permits for poultry operations in Butler County for Kennel Vaccine Vet Supply Company in The4 SE-SE-S7-T17N-R1E, Metzner Family Partnership in the NE-SE-S8-T15N-R1E and NW-NW-S16-T15N-R1E Butler County. Motion carried all members present voting aye.

**6. Water Flow Meters – Update Given**

**7. Voluntary Integrated Water Management Plan – LPNNRD – Update Given**

**8. Cost-Share Program**

**a. Irrigation Well Sample Kits – Update Given**

**9. LPNNRD Operator Certification – Update Given**

**b. Chemigation – Update Given**

**c. Livestock Waste Permits – Update Given**

**3. GROUND WATER PROGRAM**

**a. Decommissioned Well Program**

**1. Well Estimates**

Hannah made the motion, seconded by Olson, to amend the well decommissioning policy to pay 75% of the total cost on invoices from wells that under \$500. Motion carried on consent agenda.

**2. Plugged Wells**

Hannah made the motion, seconded by Olson, to approve payment to Clay Jedlicka for decommissioning 3 wells for \$450.89, \$420.23 and \$420.23 and to approve payment for one well to Weston Loseke for \$1,136.05 due to the fact he applied before the capped amount of \$1,000 for any drilled well was approved and a letter was sent for that amount of January 18, 2019. Motion carried on consent agenda.

**b. Lower Platte North NRD Ground Water Studies**

**1. AEM (Airborne Electromagnetic) Information – Update Given**

**4. GROUND WATER ENERGY LEVELS – Update Given**

**5. GROUND WATER QUALITY SAMPLING – Update Given**

**6. SURFACE WATER PROGRAMS**

**a. State Lakes – Update Given**

**7. OTHER**

**a. Modeling Expense**

**b. Comments from the Public – Update Given**

Hannah made the motion, seconded by Olson, 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**

**a. SWCP Application Approvals**

Hannah made the motion, seconded by Olson, to approve Pamela Goudie's 2019 SWCP application 19-S-7 for up to \$12,500. Motion carried on consent agenda.

**b. SWCP Payments - None**

**c. SWCP Cancellations – None**

**d. Wahoo Creek Cost-Share Approvals - None**

**3. WATERSHEDS**

**a. Shell Creek Watershed**

**1. Shell Creek Environmental Enhancement Plan Implementation – Update Given**

**2. Shell Creek Application Approvals**

Hannah made the motion, seconded by Olson, to approve 60% cost-share up to a maximum of \$3,300 assistance for John Sonderman’s Septic System inspection and upgrade located in S12-T18N-R1W located in the Shell Creek Watershed. Motion carried on consent agenda.

**3. Shell Creek Funding Update – Update Given**

**4. UP Railroad Shell Creek Bridge Removal/County Road 15**

Meduna made the motion, seconded by Bailey, to recommend approval and authorize Board Chair to sign the Interlocal Agreement with Colfax County as attached to the Projects Minutes, for completing improvements and benching required for the U.P. Railroad to construct the maximum size bridge replacement at Colfax County Road 15 reaffirm our support with the U.P. Railroad bridge replacement project and work toward an eventual cooperative agreement with Colfax County on channel improvements and benching associated with the projects at County Road 15. Motion carried all members present voting aye.

**b. Wahoo Creek Watershed**

**1. Wahoo Creek Dam Site Planning Update FYRA & JEO Invoices – Update Given**

**2. Wahoo Creek Watershed Water Quality Plan Phase II - Update Given**

**3. Olsson Design Update and Invoice – Update Given**

**4. JOINT WATER MANAGEMENT ADVISORY BOARD – Update Given**

**5. HAZARD MITIGATION PLAN UPDATE – Update Given**

**6. EROSION AND SEDIMENT RULES AND REGULATIONS – Update Given**

**7. OTHER**

**a. Dan Wolfe Jetty Project Damage/Flooding – Update Given**

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

**7. ADDITIONAL ACTION ITEMS**

**a. SWCP Summer Payment Approval**

Pollard made the motion, seconded by Bailey, to approve SWCP Summer payment of \$10,000 to JALA LLC for terrace and tile outlets. Motion carried all members present voting aye.

**8. BILLS TO BE APPROVED**

Feala made the motion, seconded by Saalfeld, that all bills be approved, and warrants be drawn in payment of the same with the correction of the description on the Angela Bonne payment as a decommissioned well payment. Motion carried all members present voting aye.

**9. CONSENT AGENDA ADOPTION**

Hannah made the motion, seconded by Olson, to approve the September Consent Agenda. Motion carried all members present voting aye.

**10. COMMENTS FROM DIRECTORS/GUESTS**

**Item 6.B.3.c. was taken**

Saalfeld made the motion, seconded by Hannah, to go into Executive Session at 8:19 p.m. to discuss contract negotiations on the Wanahoo Spilling Basin and authorize the following to stay: Legal Counsel Lausterer, and NRD staff. Motion carried all members present voting aye.

Birkel made the motion, seconded by Veskerna to go out of Executive Session at 8:49 p.m. Motion carried all member present voting aye.

Meduna made the motion, seconded by Olson, to table Wanahoo Spilling Basin selection of Engineering Firm. Motion carried all members present voting aye.

**11. MEETING ESTABLISHMENT AND ADJOURNMENT**

The October Board of Directors Meeting will be held on Monday, October 14, 2019, 6:00 p.m. Meeting adjourned at 8:54 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 9, 2019, 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.

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Larry Feala, Secretary