

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

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 1:30 p.m. at the Lake Wanhoo Education Building, Wahoo, NE on Monday, December 9, 2019.

1. NOTICE OF MEETING

The advanced notice of our December 9, 2019 board meeting was published on November 21, 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	Feala	Hannah
Hilger	Johnson	Kavan (arrived 1:25 pm)
Meduna (arrived 4:03 pm)	Meyer	Olson
Pollard	Saalfeld	Sabatka
Saeger	Seier	Thompson
Veskerna (left 4:11 pm)	Yosten	
Ruzicka		

DIRECTORS ABSENT

Birkel

STAFF AND GUESTS:

Gottschalk	Breunig	Mountford
Andersen	Sabatka	TePoel
Schomer	Heimann	

Sign in sheet attached to minutes

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. NRCS Report

Mark Walkenhorst reviewed his written report.

c. NARD Report

Bob Hilger gave the NARD Report.

d. NRC Report

e. Managers Report

Gottschalk reviewed his written report.

f. Education Program

Jim Cannia was present to discuss the AEM flights and data collected.

5. APPROVAL OF MINUTES

Hannah made the motion, seconded by Thompson, to approve the minutes from the November 13, 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 Legislative Conference – Update Given

b. Reports - None

3. Management Items

a. Director Absences – None

b. Monthly Education Program – Update Given

c. Annual Director Retreat – Update Given

d. Memorandum of Agreement and 1619 Privacy Attachment with NRCS

Craig Derickson was present to sign the updated Memorandum of Agreement. Saalfeld made the motion, seconded Pollard to approve and authorize Chairman Ruzicka to sign the updated Memorandum of Agreement with NRCS as attached. Motion carried on consent agenda.

e. 2020 Election Certification – Update Given

f. 2020 Board Meeting and Committee Meeting Schedule – Update Given

4. Equipment - None

5. Personnel

a. I & E Coordinator Position

Hannah made the motion, seconded by Meyer, to interview applications for the Information and Education Department Head and make no change in job requirements for the position. Motion failed.

AYE: Hannah, Meyer

NAY: Bailey, Feala, Hilger, Johnson, Kavan, Olson, Pollard, Saalfeld, Sabatka, Saeger, Seier, Thompson, Veskerna, Yosten, Ruzicka

Pollard made the motion, seconded by Saalfeld, to approve promotion of Lacey Sabatka to I & E Coordinator at the salary of \$40,000 per year and to approve Desirae TePoel's Contract work with LPNNRD I & E Department not to exceed \$500 per month and to post opening for I & E Assistant/Receptionist position. Motion carried.

AYE: Bailey, Feala, Hilger, Johnson, Kavan, Meyer, Olson, Pollard, Saalfeld, Sabatka, Saeger, Seier, Thompson, Veskerna, Yosten, Ruzicka

NAY: Hannah

6. Finance

a. Approval of Financial Reports

Hannah made the motion, seconded by Thompson, to approve the October Financial Reports as presented. Motion carried on consent agenda.

b. Approval of Managers Expenses

Hannah made the motion, seconded by Thompson, 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. Financial Review of 2019 Wanahoo Recreation Season

Olson made the motion, seconded by Saeger, to transfer \$61,258.59 from LPNNRD checking account to the Wanahoo Recreation NPAIT account to realize Wanahoo Recreation season new revenue. Motion carried all members present voting aye.

Hannah made the motion, seconded by Thompson, that the December 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. Czechland Camping Revenue - Update Given

b. Swedeburg (Thorston) Dam Renovation – Update Given

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

d. Rawhide Ditch 8 Repair

Johnson made the motion, seconded by Hilger, to approve the bid price of \$61,942 from Gana Trucking and Excavating to repair the two breach holes in the Rawhide Ditch berm. Motion carried.

AYE: Bailey, Feala, Hannah, Hilger, Johnson, Kavan, Meyer, Olson, Pollard, Saalfeld, Sabatka, Saeger, Seier, Veskerna, Ruzicka

NAY: Thompson, Yosten

e. Clear Creek Fuse Plug at Camp Ashland – Update Given

f. Wanahoo Dam Spilling Basin – FEMA – Update Given

g. Platte River Ice Monitoring with Cameras – Update Given

h. Bobcat Rental Rate

Johnson made the motion, seconded by Saeger, to set a rental rate of \$65/machine clock hour for the use of the District's Bobcat on Rural Water projects and the rate be reviewed annually. Motion carried all members present voting aye.

4. ROCK AND JETTY – Update Given

5. LAKE WANAHOO

a. Lake Wanahoo Permit Sales – Update Given

b. Lake Wanahoo Camping Revenue – Update Given

c. Financial Review of 2019 Wanahoo Recreation Season - Update Given

d. 2020 Wanahoo Park Improvement – Update Given

e. Lake Wanahoo Education Building Cleaning – Update Given

f. Lake Wanahoo Education Building Floor

Olson made the motion, seconded by Seier, to re-advertise to stain and finish the Lake Wanahoo Education Building floor not to exceed \$8,400. Motion carried all members present voting aye.

g. Potential Wanahoo Dog Training Site – Update Given

6. INFORMATION & EDUCATION

a. Information

1. Radio and eAds – Update Given

2. Analytics – Update Given

3. Master Plan

Veskerna made the motion, seconded by Saalfeld, to approve and adopt the 2019- 2029 Master Plan as attached to the Operations Committee Minutes.

Hannah moved to amend the motion, seconded by Meyer, to make the following update on Page 16 – #6 Currently reads: Maintain existing rural water systems and expand rural water opportunities as needed to communities and rural residents throughout the District. Change to: Maintain existing rural water systems with Colon-Wahoo and Bruno-David City continue to work with the communities toward self-sufficiency. Amendment Carried.

AYE: Bailey, Feala, Hannah, Hilger, Johnson, Kavan, Meyer, Olson, Pollard, Saalfeld, Sabatka, Saeger, Seier, Veskerna, Ruzicka

NAY: Thompson, Yosten

The amended motion now reads: to approve and adopt the 2019 -2029 Master Plan to include the update on page 16. Motion carried all members present voting aye.

b. Education

1. November-December Education Programs – Update Given

7. RURAL WATER SYSTEMS

a. Colon – Update Given

b. Bruno – Update Given

c. Other – None

Hannah made the motion, seconded by Thompson, that the December 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 in the Hydrologically Connected Area (Limited Development Area)–Update Given

Saalfeld made the motion, seconded by Pollard, to approve Pestal Pivot3 option for variance LPN-V-013-0351 for Kenneth Pestal with the condition that filter strips be installed along the stream banks. Motion carried all members present voting aye.

Saalfeld made the motion, seconded by Sabatka, to approve variance LPN-V-013-0314 for Gary Meister with an agreement signed with the 6 outline conditions.

Hannah moved to amend the motion, seconded by Meyer, #5 Condition – to state cover crop use per NRCS guidelines. Amendment Failed.

AYE: Bailey, Hannah, Johnson, Meyer, Saeger, Seier, Thompson, Veskerna, Yosten

NAY: Feala, Hilger, Kavan, Olson, Pollard, Saalfeld, Sabatka, Yosten, Ruzicka

The original motion was now voted on.

Saalfeld made the motion, seconded by Sabatka, to approve variance LPN-V-013-0314 for Gary Meister with an agreement signed with the 6 outline conditions. Motion carried all members present voting aye.

2. Well Permit Program

a. Well Permits Approve – Update Given

3. Livestock Well Permits

Pollard made the motion, seconded by Feala, to approve the well permits for Dan Lutjens and Bruce Williams with conditions that LPNNRD staff collect a water sample after each well is drilled and the owners collect and submit annual water sample with results to the LPNNRD. Motion carried.

AYE: Bailey, Feala, Hannah, Hilger, Johnson, Kavan, Olson, Pollard, Saalfeld, Sabatka, Saeger, Seier, Thompson, Veskerna, Yosten, Ruzicka

ABSTAIN: Meyer

4. Well Interference Complaints – None

5. Water Smart Grant

Hannah made the motion, seconded by Thompson, to have staff send out RFPs on remote read transmitters to potential vendors for review at the Water Committee Meeting on January 2nd. Motion carried on consent agenda.

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

7. Bellwood Phase 2 Area – Update Given

8. Richland-Schuyler Phase 2 Area

Hannah made the motion, seconded by Thompson, to set a hearing date of January 30th at 8:30 a.m. during Water Committee to move the Richard-Schuyler area from a Phase 2 to Phase 3. Motion carried on consent agenda.

9. Richland-Schuler Phase 3 Area – Update Given

10. LPNNRD Operator Certification – Update Given

b. Flow Meter Policy Update – Update Given

3. GROUND WATER PROGRAM

a. Decommissioned Well Program

1. Well Estimates – Update Given

2. Plugged Wells

Hannah made the motion, seconded by Thompson, to approve well decommissioning payment to Marvin Bueller for \$1,000 and Dorothy A. Kavan, for \$273.54. Motion carried on consent agenda.

b. Lower Platte North NRD Ground Water Studies

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

2. AEM (Airborne Electromagnetic) Update Given

3. Lower Platte River Consortium

Saalfeld made the motion, seconded by Pollard, to accept and approve the Lower Platte Basin Drought Plan as presented and attached. Motion carried all members present voting aye.

c. Ground Water Energy Levels – Update Given

d. Ground Water Quality Sampling – Update Given

e. Water Flow Meters – Update Given

4. SURFACE WATER PROGRAMS

a. Stream Flow Gauging Sites and Camera

Pollard made the motion, seconded by Olson, to allow staff to purchase camera equipment for placement along the Platte River with a maximum limit of \$9,500. Motion carried.

AYE: Bailey, Feala, Hannah, Hilger, Johnson, Kavan, Meyer, Olson, Pollard, Saalfeld, Sabatka, Saeger, Seier, Thompson, Veskerna, Yosten, Ruzicka

ABSTAIN: Meduna

b. USGS Stream Gages

Seier made the motion, seconded by Meduna, to approve and authorize Manager Gottschalk to sign the contract with USGS for continuing support of the stream gages on Shell Creek, Wahoo Creek and the Mead Groundwater Station. Lower Platte North NRD contribution will be \$17,090. Motion carried.

AYE: Bailey, Feala, Hannah, Hilger, Johnson, Kavan, Meduna, Olson, Pollard, Saalfeld, Sabatka, Saeger, Seier, Thompson, Veskerna, Yosten, Ruzicka

ABSTAIN: Meyer

5. Flower Meter – Update Given

6. OTHER

a. Comments from the Public – Update Given

Hannah made the motion, seconded by Thompson, that the December 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 - None

b. SWCP Payments - None

c. SWCP Cancellations – None

d. Wahoo Creek Cost-Share Approvals – None

e. Mike Chvatal Dam Approval

Hannah made the motion, seconded by Thompson, to notify Mike Chvatal that he has until September 15, 2020 to complete his small dam project. Motion carried on consent agenda.

3. WATERSHEDS

a. Shell Creek Watershed

1. Shell Creek Environmental Enhancement Plan Implementation – Update Given

a. Shell Creek Grant Funding – Update Given

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

Sabatka made the motion, seconded by Meyer, to continue our partnership with NRCS, NDEE and UNL Extension Service on establishing additional water quality land treatment practices in Wahoo Creek Watershed through NRCS's Water Quality Initiative Program. Motion carried all members present voting aye.

3. Olsson Design Update and Invoice – Update Given

4. JOINT WATER MANAGEMENT ADVISORY BOARD

Hannah made the motion, seconded by Thompson, to authorize Northeast Nebraska Economic Development District to provide administration for Economic Development Administration (EDA) FY2019 Disaster Supplemental Funding grants on behalf of the governing bodies who comprise the Joint Water Management Advisory Board. Motion carried on consent agenda.

Hannah made the motion, seconded by Thompson, to authorize Brian Newton, (Fremont City Administrator), be authorized to sign a Master Agreement for Professional Services with JEO Consulting Group, Inc. Motion carried on consent agenda.

5. HAZARD MITIGATION PLAN UPDATE – Update Given

6. EROSION AND SEDIMENT RULES AND REGULATION - none

7. OTHER

a. NACD Annual Meeting - Update Given

Saalfeld made the motion, seconded by Hilger, that the November LPNNRD Projects Committee Minutes be received and placed on file. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

a. Decommissioned Well Payment

Saeger made the motion, seconded by Sabatka, to approve a decommissioned well payment of \$1,500 to Mitchel Broekemeier for a hand dug well. Motion carried all members present voting aye.

b. LARL – 9854A1 Stoeber v Lower Platte North NRD – Coverage Letter

This item will be taken up at the end of the meeting

c. Wahoo Creek Amendment with NRCS

Saalfeld made the motion, seconded by Meduna, to ratify signing the amendment to our NRCS Wahoo Creek Watershed Planning and Design Agreement as attached. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

Hannah made the motion, seconded by Thompson, to approve the amended (by deleting 6.C.3.a.) December Consent Agenda. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

LARL – 9854A1 Stoeber v Lower Platte North NRD – Coverage Letter

Meduna made the motion, seconded by Seier, to go into Executive Session at 4:34 p.m. for the protection of public interest due to the potential for litigation and to authorize the following to stay: Legal Counsel Lausterer and NRD staff in attendance. Motion carried all members present voting aye.

Feala made the motion, seconded by Saalfeld, to go out of Executive Session at 5:04 p.m. Motion carried all

members present voting aye.

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The January Board of Directors Meeting will be held on Monday, January 13, 2019, 1:30 p.m. Meeting adjourned at 5:10 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 December 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.

Larry Feala, Secretary