

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
September 14, 2020**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 6:00 p.m. at the Lake Wanahoo Education Building, Wahoo, NE on Monday, August 10, 2020.

1. NOTICE OF MEETING

The advanced notice of our September 14, 2020 board meeting was posted on the Lower Platte North NRD website.

Chair Ruzicka informed those present that a copy of the "Open Meetings Act" is posted for public viewing.

Pledge of Allegiance

2. ROLL CALL - INTRODUCTIONS

DIRECTORS PRESENT AND CONSTITUTING A QUORUM:

Bailey	Feala	Hilger
Johnson	Kavan	Meduna (arrive 6:04)
Pollard	Saalfeld	Sabatka
Seier	Thompson	Veskerna
Yosten	Ruzicka	

DIRECTORS ABSENT

Birkel	Hannah (Zoom)	Meyer (Zoom)
Olson (Zoom)	Saeger (Zoom)	
Birkel		

STAFF AND GUESTS:

Gottschalk	Breunig	Mountford
Andersen	Sabatka	Heimann
Elliott		

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. NRCS Report – Attached

c. NARD Report

Bob Hilger gave the NARD Report.

d. NRC Report - None

e. Manager Report

Gottschalk reviewed is written report.

f. Education Program – None

5. APPROVAL OF MINUTES

Saalfeld made the motion, seconded by Veskerna, to approve the minutes from the August 10, 2020 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 – Update Given

1. Stober Lawsuit – This item will be taken at the end of the meeting

2. Meetings

a. Pending

1. NARD Fall Conference – Update Given

b. Reports – None

3. Management Items

a. NARD Membership Dues

Saalfeld made the motion, seconded by Veskerna, to pay the FY 2020-2021 NARD membership dues in the amount of \$29,960. Motion carried on consent agenda.

b. Director Absences

Saalfeld made the motion, seconded by Veskerna, to approve Director Kavan’s absence request for the May and June Board Meetings. Motion carried on consent agenda.

c. Monthly Education Program – None

d. November Board Meeting – Update Given

4. Equipment

a. Konica Minolta Copier – Lease

Hilger made the motion, seconded by Saalfeld, to enter into a 5-year lease agreement with All Copy Products for a Konica C360i with a monthly payment of \$207.62. Motion carried all members present voting aye.

5. Personnel

a. Conservation Technician Position - Update Given

6. Finance

a. Approval of Financial Reports – Update Given

b. Approval of Managers Expenses

Saalfeld made the motion, seconded by Veskerna, 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

Chair Ruzicka reported that the levy hearing for public input was held on September 14, 2020 at the Lake Wanahoo Education Building. Notice of the hearing was published in the Fremont Tribune on September 9, 2020.

d. Budget and Set Property Tax Rate

Meduna made the motion, seconded by Pollard, to approve the State Budget that includes total expenditures of \$7,782,546 with tax levy rate of .03383 for a tax asking of \$3,480,715 that same asking as the past four years. Motion carried all members present voting aye.

Saalfeld made the motion, seconded by Veskerna, 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. Clear Creek Levee Repairs by Corps of Engineers – Update Given

b. Wanahoo Dam Stilling Basin (FEMA) – Update Given

c. Clear Creek Fuse Plug Camp Ashland (FEMA) – Update Given

d. Cottonwood 21-A – Emergency Spillway – Update Given

e. Wanahoo Auxiliary Spillway Crack Repair – Update Given

f. No-Till Grass Drills – Update Given

4. ROCK AND JETTY – Update Given

5. LAKE WANAHOO

a. Lake Wanahoo Permit Sales - Update Given

b. Lake Wanahoo Camping Revenue – Update Given

c. Education Building Rentals – Update Given

6. INFORMATION & EDUCATION

a. Information

1. Radio and eAds – Update Given

2. Analytics – Update Given

3. Long Range Plan

Saalfeld made the motion, seconded by Veskerna, to review the Long-Range Plan with any final edits due by September 10th, with the final review and potential board approval at the September Board Meeting. Motion carried on consent agenda.

Meduna made the motion, seconded by Hilger, to table the approval of the Long-Range Plan until the October Board Meeting. Motion carried all members present voting aye.

b. Education

1. Education Programs – Update Given

7. RURAL WATER SYSTEMS

a. Colon – Update Given

b. Bruno – Update Given

c. Other – None

Saalfeld made the motion, seconded by Veskerna, 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 Requests in the Hydrologically Connected Area (Limited Development Area) Update Given

2. Variance Requests in the Non-Hydrologically Connected Area (Normal Development Area) Update Given

3. Variance Requests in the Restricted Development Area

Meduna made the motion, seconded by Johnson, to approve the variance to apply for a well permit for E½-NW¼ and W¼-NE¼ Section 23-T14N-R6E with conditions, that staff and Roger Harders will assemble for approval at the October 1, 2020 Water Committee. Motion carried all members present voting aye.

4. Well Permit Program – Update Given

a. Well Permits Approved – Update Given

5. Irrigation Runoff Complaint - Update Given

6. Well Interference Complaints - Update Given

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

Saalfeld made the motion, seconded by Veskerna, to pay the invoice from NARD Research for \$10,000 for LPN portion to assemble the data within the Lower Platte Basin. Motion carried on consent agenda.

8. Phase Areas Update Given

9. Richland – Schuyler Phase 2 Area – Update Given

10. Richland – Schuyler Phase 3 Area – Update Given

11. Bellwood Phase 2 Area – Update Given

12. LPNNRD Operator Certification – Update Given

13. Cost-Share Programs

1. Irrigation Well Sample Kits – Update Given

2. Flow Meter Maintenance Program

Pollard made the motion, seconded by Feala, to approve the Water Flow Meter Maintenance quote from Tri-City Meters Inc. for \$60 for mechanical meters and \$75 for electronic meters and to develop an agreement between both parties for Board Chairman signature. Motion carried all members present voting aye.

b. Chemigation – Update Given

3. GROUND WATER PROGRAMS

a. Decommissioned Well Program

1. Well Estimates – Update Given

2. Plugged Wells

Saalfeld made the motion, seconded by Veskerna, to approve payment or well decommissioning to Mark B. Gall for \$980.37; Jeffery E. Bauer for \$1,000 and Matthew R. Hilger for \$1,000. Motion carried on consent agenda.

b. Lower Platte North NRD Ground Water Studies – Update Given

c. Ground Water Energy Levels – Update Given

d. Ground Water Quality Sampling – Update Given

4. SURFACE WATER PROGRAMS

a. State Lakes – Update Given

b. Comments from the Public – None

Saalfeld made the motion, seconded by Veskerna, 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

Saalfeld made the motion, seconded by Veskerna, to approve SWCP application for development of a livestock well and forage planting for Merlin Groteluschen. Motion carried on consent agenda.

b. SWCP Payments

Saalfeld made the motion, seconded by Veskerna, to approve the four listed FY21 SWCP payments to participants as listed in the Project Committee Minutes totaling \$25,546.48. Motion carried on consent agenda.

Saalfeld made the motion, seconded by Veskerna, to approve \$12,500 FY21 SWCP to Hartman Family Trust. Motion carried on consent agenda.

c. SWCP Cancellations – None

d. Wahoo Creek Cost-Share Payment Approvals – None

3. WATERSHEDS

a. Shell Creek Watershed

1. Shell Creek Environmental Enhancement Plan Implementation

a. Shell Creek Septic System Upgrade Applications

Saalfeld made the motion, seconded by Veskerna, to approve four applications for septic system upgrade within the Shell Creek Watershed Water Quality Improvement area totaling \$19,200. Motion carried on consent agenda.

b. Tom Sprunk Bank Stabilization/Wetlands Project – Update Given

c. Shell Creek Grant Funding – Update Given

d. U.P. Railroad Colfax County Bridge Replacement Project – Update Given

e. Shell Creek Channel Improvement & Benching Project – Update Given

f. Shell Creek Study Proposal – Update Given

b. Wahoo Creek Watershed

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

2. Olsson Design Update and Invoice – Update Given

3. Wahoo Creek Watershed Water Quality Plan Phase II – Update Given

a. Lands for Conservation Payment

Saalfeld made the motion, seconded by Veskerna, to approve nine Wahoo Creek Lands for Conservation payments to participants totaling \$12,474. Motion carried on members present voting aye.

b. Cottonwood Creek Watershed

1. Mike Chvatal Dam – Update Given

4. JOINT WATER MANAGEMENT ADVISORY BOARD

a. North Bend Drainage District Project – FEMA/NEMA Grant Fiscal Agent

Sabatka made the motion, seconded by Feala, to approve and authorize LPNNRD Board Chairman Gene Ruzicka to sign the North Bend Drainage Ditch Improvement Interlocal Agreement as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

b. Platte River Breach Repair Project (Rod and Gun Club) Partner Agreement

Saalfeld made the motion, seconded by Johnson, to approve and authorize LPNNRD Board Chairman Gene Ruzicka to sign the Project Contracting/Payment Process & Operation & Maintenance Agreement for the Platte River Breach Repair Project, Dodge County as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

Saalfeld made the motion, seconded by Veskerna, to support the selection of JEO Consulting Group for providing engineering services for the Platte River Breach Repair Projects, Dodge County. Motion carried on consent agenda.

5. HAZARD MITIGATION PLAN UPDATE – Update Given

6. EROSION AND SEDIMENT RULES AND REGULATIONS - None

7. OTHER

a. Johnson Lake Aeration Project – Fremont – Update Given

b. FY '21 Long Range Plan – Update Given

c. Selection of Projects Committee Vice-chair

Saalfeld made the motion, seconded by Veskerna, to appoint Joe Birkel and Project Committee Vice-Chair. Motion carried on consent agenda.

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

7. ADDITIONAL ACTION ITEMS

a. Approval of NRCS Wahoo Creek Amendment

Thompson made the motion, seconded by Meduna, to approve and authorize General Manager Eric Gottschalk to sign the FYRA Contract Amendment and the NRCS Agreement Amendment for completing the Wahoo Creek Watershed Plan Economics when received. Motion carried all members present voting aye.

b. Firewall Upgrade

Johnson made the motion, seconded by Pollard, to purchase the WatchGuard Firebox T80 with 3-year Basic Security Suite from Midwest Technology Specialist at a cost of \$2,537.86. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Feala made the motion, seconded by Veskerna, 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

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

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The September Board of Directors Meeting will be held on Monday, September 14, 2020, 6:00 p.m. Meeting adjourned at 8:03 p.m.

At this time Agenda item 6.A.1.a.1 – Stoeber Lawsuit was taken

Johnson made the motion, seconded by Feala, to go into Executive Session at 7:13 p.m. for the protection of public interest due to litigation and to authorize the following to stay: Legal Counsel Lausterer, NRD Staff present. Motion carried all members present voting aye.

Seier made the motion, seconded by Johnson, to go out of Executive Session at 7:34 p.m. Motion carried on all members present voting aye.

No action was taken at this time.

The Lower Platte North NRD Board meeting adjourned at 7:34 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, 2020, 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