

LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
January 11, 2021

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 1:30 p.m. at the NRD Office, Wahoo, NE on Monday, January 11, 2021.

1. NOTICE OF MEETING

This meeting is being held via web and tele-conferencing with no public participation at the district's office Executive Order No. 20-36 from Governor Ricketts in an effort to address the current public health concerns brought on by the COVID-19 pandemic while allowing public entities to continue to conduct necessary business. Staff is present at the office to facilitate and host the meeting.

The agenda and supporting documents are available on the district's website – www.lpnnrd.org. A copy of the Nebraska Open Meetings Law has been posted on the NRD's website as well as a link to the Governor's Executive Order.

The advanced notice of our January 11, 2021 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	Birkel	Hilger
Johnson (Zoom)	Kavan	Lawrence
McGinn (Zoom)	Meduna	Meyer (Zoom)
Ruzicka (Zoom)	Saalfeld	Sabatka
Saeger (Zoom)	Seier (Zoom)	Thompson (Zoom)
Veskerna (Zoom)	Yosten	Pollard

DIRECTORS ABSENT

Olson

STAFF AND GUESTS:

Gottschalk	Breunig	Mountford (Zoom)
Heimann (Zoom)	Andersen (Zoom)	Lausterer (Zoom)

At this time, the Oath of Office was administered to Directors Lawrence and McGinn.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. Report from Nominating Sub-Committee

Director Birkel reported that the Nominating Sub-Committee met and would be bring forth one candidate for each of the elected positions.

Chairman – Frank Pollard, Vice-Chairman – Kelly Thompson, Secretary – Robert Meduna Jr., Treasurer –

Robert Hilger, NARD Representative – Robert Hilger, NARD Alternate – Dave Saalfeld.

Ruzicka opened the floor for nominations for LPNNRD Officers.

Birkel on behalf of the nominating committee nominated Pollard for Chair, Thompson for Vice-Chair, Meduna for Secretary, Hilger for Treasurer, Hilger for NARD Representative and Saalfeld for NARD Alternate.

Ruzicka asked if there were any nomination from the floor. With no further nominations Birkel made the motion, seconded by Saalfeld, that nominations cease, and a unanimous ballot be cast for Frank Pollard for Chair, Kelly Thompson for Vice-Chair, Robert Meduna for Secretary, Robert Hilger for Treasurer, Robert Hilger for NARD Representative and Dave Saalfeld for NARD Alternate. Motion carried.

AYE: Bailey, Birkel, Hilger, Johnson, Kavan, Lawrence, McGinn, Meduna, Meyer, Ruzicka, Saalfeld, Sabatka, Saeger, Seier, Yosten, Pollard

NAY: Thompson

At this time newly elected Chair Pollard took over. Pollard thanked Ruzicka for his leadership the last two years.

c. NRCS Report – Attached

c. NARD Report

Bob Hilger gave the NARD report.

d. NRC Report - None

e. Manager Report

Gottschalk reviewed his written report.

f. Education Program – None

5. APPROVAL OF MINUTES

Sabatka made the motion, seconded by Yosten, to approve the minutes from the December 14, 2020 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. UNFINISHED BUSINESS - None

2. Meetings

a. Pending

1. NARD Legislative Conference – Update Given

2. NACD Virtual Meeting – Update Given

b. Reports – None

3. Management Items

a. Director Absences – None

b. Monthly Education Program – Update Given

c. Report of Nominating Sub-Committee – Taken Earlier

4. Equipment - None

5. Personnel

a. New Arrival – Update Given

b. Sydney Abbott Education Coordinator

6. Finance

a. Approval of Financial Reports

Sabatka made the motion, seconded by Yosten, to approve the November financial Reports as presented. Motion carried on consent agenda.

b. Approval of Managers Expenses

Sabatka made the motion, seconded by Yosten, 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

Sabatka made the motion, seconded by Yosten, that the January 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. Western Sarpy Clear Creek O & M Manuals – Update Given

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

e. Fremont Non-Structural 205 Study - Update Given

f. Platte Valley Drainage District

Saalfeld made the motion, seconded by Johnson, to approve paying Platte Valley Drainage District \$33,208.10 which is 20% of \$166,040.51 for repairs to their levee which was damaged by the March 2019 flood. Motion carried.

AYE: Bailey, Hilger, Johnson, Kavan, Lawrence, McGinn, Meduna, Meyer, Ruzicka, Saalfeld, Sabatka, Saeger, Seier, Thompson, Yosten, Pollard

ABSTAIN: Birkel

4. ROCK AND JETTY – None

5. LAKE WANAHOO

a. Lake Wanahoo Year End Financials

Sabatka made the motion, seconded by Saeger, to transfer \$110,828.54 from the general fund into the Wanahoo Recreation account. Motion carried all members present voting aye.

b. Lake Wanahoo Permit Sales - Update Given

c. Lake Wanahoo Camping Revenue – Update Given

d. Education Building Rentals – Update Given

6. INFORMATION & EDUCATION

a. Information

1. New Arrival – Update Given

2. Radio and eAds – Update Given

3. Analytics – Update Given

4. Operation and Maintenance Video and Projects Video – Update Given

b. Education – Update Given

1. Survival Club – Update Given

7. RURAL WATER SYSTEMS

a. Colon

Hilger made the motion, seconded by Yosten to approve 2021 Colon Rural Water System rate schedule including 23% rate increase as attached to the Committee Agenda.

b. Bruno – Update Given

c. Other – None

d. Auditor Report on Rural Water System Income Shortfalls – Update Given

Sabatka made the motion, seconded by Yosten, that the January LPNNRD Operations Committee Minutes be received and placed on file. Motion carried on consent agenda.

C. WATER COMMITTEE REPORT

1. UNFINISHED BUSINESS

a. Flow Meter Discussion

2. REGULATORY

a. GROUNDWATER MANGEMENT AREA

1. Well Permit Program – Update Given

2. Nitrate Tool Development

Sabatka made the motion, seconded by Yosten, to approve the invoice for \$14,500.25 to LRE for the development of a nitrate analysis tool and geological interpretation of the Water Quality Phase Areas. Motion carried on consent agenda.

3. Cost-Share Programs

a. Irrigation Well Sample Kits – Update Given

4. Bellwood Phase 2 Area – Update Given

5. Richland – Schuyler Phase 3 Area – Update Given

6. LPNNRD Operator Certification – Update Given

b. Ground Water Energy Levels - Update Given

3. GROUND WATER PROGRAMS

a. Decommissioned Well Program

1. Well Estimates – Update Given

2. Plugged Wells - None

b. Lower Platte North NRD Ground Water Studies

1. Eastern Nebraska Water Resources Assessment (ENWRA)

Saalfeld made the motion, seconded by Birkel, to approve payment for ENWRA dues of \$30,000 and the Geo-Cloud payment for \$3,400. Motion carried.

AYE: Bailey, Birkel, Hilger, Johnson, Kavan, Lawrence, McGinn, Meduna, Ruzicka, Saalfeld, Sabatka, Saeger, Seier, Thompson, Yosten, Pollard

ABSTAIN: Meyer

c. Pipeline Information - Update Given

4. SURFACE WATER PROGRAMS

a. USGS Stream Flow Gauging Sites

Saalfeld made the motion, seconded by Kavan, to continue partnering with USGS for 2 stream gages and 1 monitoring well with LPNNRD share totaling \$17,340. Motion carried all members present voting aye.

5. OTHER

a. Comments from the Public – None

Sabatka made the motion, seconded by Yosten, that the January 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

Sabatka made the motion, seconded by Yosten, to approve SWCP payment to Dwayne Lanc for \$12,500, Joseph Hanis for \$12,131.94 and Diers Family Farm for \$13,294.05. Motion carried on consent agenda.

Sabatka made the motion, seconded by Yosten, to approve \$4,431.35 SWCP payment to Diers Family Farm from NRD local funds for livestock well, pump, and tank. 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 Channel Improvement/Benching Project Payment

Meyer made the motion, seconded by Meduna, to pay Colfax County \$171,863.82 toward the completed Channel Improvement/Benching Project located north of the Union Pacific Railroad bridge near County Road 15. Motion carried.

AYE: Birkel, Hilger, Johnson, Kavan, Lawrence, McGinn, Meduna, Meyer, Ruzicka, Saalfeld, Sabatka, Saeger, Seier, Thompson, Yosten, Pollard

ABSTAIN: Bailey

b. Tom Sprunk Bank Stabilization/Wetland Project

Birkel made the motion, seconded by Bailey, to pay Tom Sprunk \$33,610.31 (75% X \$44,813.75) toward his completed Shell Creek Bank Stabilization/Wetlands Enhancement Project as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

c. Shell Creek Grant Funding – Update Given

2. Wolfe Jetty Project

Thompson made the motion, seconded by Yosten, that based on the City of Schuyler's and Colfax County's decision not to participate on replacing the Wolfe Jetty Project, no LPNNRD action will be taken to pursue project replacement or FEMA assistance at this time. Motion carried all members present voting aye.

b. Wahoo Creek Watershed

1. Wahoo Creek Dam Site Planning Update FYRA 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 Given

6. EROSION AND SEDIMENT RULES AND REGULATIONS - None

7. OTHER

a. SID #8 – Woodcliff Project

Meduna made the motion, seconded by Birkel, to not participate with Woodcliff (SID No 8) on their Road Raise/Levee Project. Motion carried.

AYE: Bailey, Birkel, Hilger, Johnson, Kavan, Lawrence, McGinn, Meduna, Meyer, Ruzicka, Saalfeld, Sabatka, Seier, Yosten, Pollard

NAY: Saeger, Thompson

Meduna made the motion, seconded by Sabatka, to support Woodcliff's (SID #8) FEMA 406 Mitigation Project if LPNRND has the opportunity to review plans and specifications prior to any bidding and contract awarding (no cost-share funding at this time). Motion carried all members present voting aye.

b. LPNNRD Dam Reservoir Water Pumping Request – Update Given

c. North Bend Project Discussion/Request

Sabatka made the motion, seconded by Yosten, to support the North Bend Levee repair efforts and continue to work with FEMA to explore available funding assistance. Motion carried all members present voting aye.

Sabatka made the motion, seconded by Yosten, that the January LPNNRD Projects Committee Minutes be received and placed on file. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

a. Wahoo Creek Environmental Enhancement Plan

Hilger made the motion, seconded by Bailey, to reimburse Mike Chvatal \$396 for 2 acres of crop loss during construction of his dam to be reimbursed by the Wahoo Creek Grant. It is further recommended to reimburse Mike Chvatal his \$500 dam deposit since the dam construction is complete. Motion carried all members present voting aye.

b. Potential Conflict of Interest Discussion with Legal Counsel

Meduna made the motion, seconded by Saalfeld, to go into Executive Session at 3:30 p.m. for the protection of public interest due to the potential conflict of interest with Legal Counsel and to authorize the following to stay: Legal Counsel Lausterer, Gottschalk. Motion carried all members present voting aye.

Sabatka made the motion, seconded by Hilger, to go out of Executive Session. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Kavan made the motion, seconded by Saalfeld, 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

Sabatka made the motion, seconded by Yosten, to approve the January Consent Agenda. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The February Board of Directors Meeting will be held on Monday, February 8, 2021 1:30 p.m. Meeting adjourned at 4:20 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 January 11, 2021, 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.

Robert Meduna Jr., Secretary