

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
December 14, 2015**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 1:30 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, December 14, 2015.

1. NOTICE OF MEETING

The advanced notice of our December 14, 2015 board meeting was published on November 26, 2015 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Vice-Chair Olson 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	Clausen
Feala	Gibney	Hagerbaumer
Hilger	Kavan	Johannes (left 3:15)
McDermott	Meduna	Olson
Pollard	Ruzicka	Sabatka
Seier	Veskerna	

DIRECTORS ABSENT

Hannah	Saalfeld
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STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Oaklund	Schomer
Heimann	Benal	Gottschalk
Deerson	TePoel	

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

Clint Johannes shared comments and was recognized for his 25 years of service to the District.

b. NRCS Report

Becky Pieper was present and gave the NRCS/NRD December report.

c. NARD Report

Hilger reminded all Directors about the Legislative Conference January 25-27, 2016.

d. NRC Report

None

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

Brooke Pieke was present to report on her studies at Drexel University. Tom Mountford also gave an overview of the District's health insurance and retirement programs.

5. APPROVAL OF MINUTES

Ruzicka made the motion, seconded by Pollard, to approve the minutes from the November 9, 2015 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. NARD Legislative Conference – Update Given

2. Management Items

a. Director Absences

Ruzicka made the motion, seconded by Pollard, to approve Director McDermott and Birkel's absence request from the October Board Meeting. Motion carried on consent agenda.

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

Ruzicka made the motion, seconded by Pollard, to approve payment of \$3,400 to Bob Weaver for November services and bill LPSNRD and Papio NRD for their share. Motion carried on consent agenda.

c. Monthly Education Program – Update Given

d. Report from Vacancy Sub-Committee

Bailey made the motion, seconded by Ruzicka, to appoint Terry Sobota to fill the vacancy in sub-district 4, effective January 1, 2016. Motion carried all members present voting aye.

e. Nominating Sub-Committee – Update Given

f. Proposed Legislation – Update Given

g. Lickteig Property – This item was moved to the end of the meeting

h. Director Retreat – Update Given

3. Equipment - None

4. Personnel

a. Future District Needs – Update Given

5. Finance

a. Approval of Financial Reports

Johannes made the motion, seconded by Bailey, to approve to approve the September Financial Reports as distributed to all board members. Motion carried on consent agenda.

b. Approval of Managers Expenses

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

c. Accounts Receivable Over 90 Days – Update Given

d. Union Bank Interest Payment

Ruzicka made the motion, seconded by Hilger, to approve payment of \$25,774.13 to Union Bank for the December interest due on the Sand Creek note as attached to the Executive Committee Minutes. Motion carried on consent agenda.

e. Credit Card Processing

Ruzicka made the motion, seconded by Pollard, to approve moving our credit card merchant service to Elavon and purchase a terminal at a cost of \$150. Motion carried on consent agenda.

Ruzicka made the motion, seconded by Pollard, that the December LPNDR Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

B. OPERATIONS, EDUCATION & RURAL WATER COMMITTEE REPORT

1. Wild NE/CREP Report – Update Given

2. OPERATION AND MAINTENANCE & OTHER ITEMS

a. O & M Crew – Update Given

b. Arbor Day Foundation Trees

Ruzicka made the motion, seconded by Pollard, to purchase 1,000 trees from the Arbor Day Foundation. Motion carried on consent agenda.

c. Conservation Tree Program/Interlocal Agreement

Ruzicka made the motion, seconded by Pollard, to approve the new Interlocal agreement between the District and NARD for purchasing conservation trees from Bessey Nursery. Motion carried on consent agenda.

d. 15' Rotary Flex-Wing Mower

McDermott made the motion, seconded by Sabatka, to waive our normal bidding procedures and approve the purchase of a pre-owned 2015 John Deere CX 15 Flex-Wing Rotary mower from Platte Valley Equipment for \$15,350. Motion carried all members present voting aye.

e. Tractor Rental – Update Given

f. Wahoo Lions Club Fund Raiser

McDermott made the motion, seconded by Sabatka, to allow the Wahoo Lions Club to have their "car body fall through the ice fund raiser" at Lake Wanahoo this winter with the Lions Club agreeing to remove the car body when completed and comply with all federal, state and local permits and requirements. Motion carried on consent agenda.

g. Wanahoo SRA Entrance Paving Contract

Ruzicka made the motion, seconded by Pollard, to approve an authorize Chair Hannah to sign the agreement with ME Collins for the Wanahoo SRA Entrance Paving Project as attached to the O-E-RW Minutes. Motion carried on consent agenda.

h. Wanahoo SRA Entrance Paving Project Invoice

McDermott made the motion, seconded by Pollard, to approve a \$136,919.14 payment to ME Collins for work completed to date on the Wanahoo SRA Entrance Road project as attached to the O-E-RW Minutes. Motion carried all members present voting aye.

i. Wanahoo Hay Cooperator – Update Given

j. Wanahoo SRA Revenue – Update Given

k. Commercial Lease Agreement with City of Wahoo

Ruzicka made the motion, seconded by Pollard, to authorize Chairman Hannah to sign the Commercial Lease Agreement with City of Wahoo for placing an entrance sign to the City on LPNNRD property. Motion carried on consent agenda.

3. ROCK AND JETTY

a. Payment – None

4. EROSION & SEDIMENT RULES & REGULATIONS – Update Given

5. INFORMATION & EDUCATION

a. Information

1. Radio and Web Ads – Update Given

b. Education

1. Nebraska Science Bowl

Ruzicka made the motion, seconded by Pollard, to contribute \$250 to support the 2016 Nebraska Middle School and High School Science Bowls. Motion carried on consent agenda.

c. Computer - None

6. RURAL WATER SYSTEMS – Update Given

a. Colon – Update Given

b. Bruno – Update Given

c. Other

Ruzicka made the motion, seconded by Pollard, to approve the sale of the Case 860 Turbo Trencher. Once sold, to approve purchase of 5' Bobcat trencher attachment as shown in the O-E-RW Minutes. Motion carried on consent agenda.

Ruzicka made the motion, seconded by Pollard, that the December LPNNRD Operations, Education and Rural Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

C. WATER COMMITTEE REPORT

1. REGULATORY

a. GROUNDWATER MANAGEMENT AREA

1. Variance Request in the Hydrologically Connected Area – Update Given

2. Variance Request in the Non-Hydrologically Connected Area – Update Given

3. Variance Request in the Restricted Development Area – Update Given

4. Well Permit Program

a. Well Permits Approved – Update Given

b. AM JJ Investments LLC Supplemental Well Request

Ruzicka made the motion, seconded by Pollard, to approve the supplemental well for 20 acres for AM JJ Investments in the SE¼ of SE¼ of Section 1, T17N, Range 3E, Colfax County, Schuyler Subarea. Motion carried on consent agenda.

c. Dean Novak Supplemental Well

Ruzicka made the motion, seconded by Pollard, to approve a new supplemental well for 44 acres for Dean Novak in the SW¼ of NW¼, Section 9, T17N, R4E, Colfax County, Schuyler Subarea. Motion carried on consent agenda.

5. Ron Sladky Transfer Request

Pollard mad the motion, seconded by Hilger, to approve the transfer of 80 irrigated acres for Ronald Sladky from: 24.7 Acres in the NW 1/4 of the SW 1/4; and NW 1/4 of Section 15, T14N, R7E, Saunders County, Weston Subarea; 32.9 Acres in the NW 1/4 of the NE 1/4, Section 15, T14N, R7E, Saunders County, Todd Valley Subarea; 22.4 Acres in the NW 1/4 of the NW 1/4 Section 14, T14N, R7E, Saunders County, Todd Valley Subarea (surface water permit) to 80 acres in two fields: 22.1 Acres in the SW 1/4 of the NE 1/4 of Section 15, T14N, R7E, Saunders County, Swedeburg Subarea; 57.9 Acres in the W 1/2 of the SE 1/4, Section 15, T14N, R7E, Saunders County, Swedeburg Subarea, as shown in the Water Committee minutes.

Hilger made the motion, seconded by Kavan, to table the previous motion and send it back to Water Committee. Motion carried.

AYE: Bailey, Birkel, clause, Feala, Gibney, Hagerbaumer, Hilger, Kavan, Meduna, Olson, Pollard, Ruzicka, Sabatka, Seier, Veskerna

NAY: McDermott

6. Special Quantity Sub-Areas

a. LPNNRD SQS Operator Certification Classes – Update Given

b. Flow Meter Maintenance Program

Ruzicka made the motion, seconded by Pollard, to revisit the question of adding mag-meters to the 'LPNNRD List of Flow Meters. Motion carried on consent agenda.

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

8. Voluntary Integrated Water Management Plan – Update Given

9. Cost-Share Programs

a. Irrigation Well Sample Kits – Update Given

10. Bellwood Phase 2 Area – Update Given

11. Richland-Schuyler Phase 2 Area – Update Given

12. LPNRND Certification

a. LPNNRD Operator Certification Classes – Update Given

b. LPNNRD Acre Certification

Hilger made the motion, seconded by Meduna, that since the land in the NW ¼ of the NE ¼ of Section 7, T18N, R2E, Colfax County (owned by Brach Johnson) has never been irrigated, the request to list this property as certified irrigated acres is denied. Motion carried all members present voting aye.

b. Chemigation – Update Given

c. Livestock Waste Permits – Update Given

2. GROUND WATER PROGRAMS

a. Decommissioned Well Program

1. Well Estimates - Update Given

2. Plugged Wells

Ruzicka made the motion, seconded by Pollard, to approve cost share payment to decommission an irrigation well for Kevin Ziegenbien for \$650.69, to decommission two domestic wells for the Knuth Trust for \$309.00 and to decommission two irrigation wells for the Frontier Coop for \$1,184.35. Motion carried on consent agenda.

b. LPNNRD Ground Water Studies

1. Eastern Nebraska Water Resources Assessment – Update Given

2. Platte & Elkhorn River Integrated Water Monitoring Project

Meduna made the motion, seconded by Bailey, to approve Lower Platte North NRD becoming a partner in the Platte and Elkhorn River Valley Integrated Water Monitoring Project with the Pappo NRD, USGS, DNR, and the Water Sustainability Fund in the amount of \$10,700 per year for two years. Motion carried all members present voting aye.

3. Location of Tile Drain Study – Update Given

c. Ground Water Energy Levels – Update Given

d. Former Ordnance Plant Near Med – Update Given

3. SURFACE WATER PROGRAMS

a. USGS Stream Flow Gauging Sites

Birkel made the motion, seconded by Ruzicka, to approve the FY16 Joint Funding Agreement with USGS to operate the stream flow gauges on Wahoo and Shell Creeks and the ground water recorder well south of Mead for \$16,490. Motion carried all members present voting aye.

4. OTHER

a. GMDA Annual Conference – Update Given

b. Comments from the Public – Update Given

Ruzicka made the motion, seconded by Pollard, that the December LPNNRD Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

D. PROJECTS COMMITTEE REPORT

1. SWCP REPORT

a. SWCP Application Approvals – None

b. SWCP Payments

Ruzicka made the motion, seconded by Pollard, to approve payment of the four SWCP Payments totaling \$13,428.02 as listed in the Projects Committee Minutes. Motion carried on consent agenda.

Bailey made the motion, seconded by Birkel, to authorize a \$12,500 payment of SWCP funds to James Fehringer contract 14-P-40 for work completed on water sediment basins with tile. Motion carried all members present voting aye.

c. SWCP Cancelations - None

d. Cottonwood Creek Payments – None

e. Sand/Duck Cost-Share Approvals - None

f. Sand/Duck Creek Payments – None

g. Wahoo Creek Cost-Share Payments

Ruzicka made the motion, seconded by Pollard, to approve the Wahoo Creek Cost Share Payments to James Smaus totaling \$18,394.27 as listed in the Projects Committee Minutes. Motion carried on consent agenda.

h. Approval of 2016 SWCP Practice Cost-Share Price List

Ruzicka made the motion, seconded by Pollard, to approve NRCS's 2016 conservation practice price list for our Soil and Water Conservation Program as attached to the Projects Committee Minutes. Motion carried on consent agenda.

2. WATERSHEDS

a. Shell Creek Watershed – Update Given

1. Shell Creek Grant Payments

Ruzicka made the motion, seconded by Pollard, to approve cover crop payments to Scott Schmid for \$1,153 and Sander Inc. for \$3,200 as attached to the Project Committee Minutes. Motion carried all members present voting aye.

Bailey made the motion, seconded by Seier, to authorize a \$12,500 payment of grant funds to James Fehringer for work completed on water sediment basin with tile. Motion carried all members present voting aye.

2. Soil Health, Conservation Clinic Sponsor

Ruzicka made the motion, seconded by Pollard, to approve LPNNRD as a project sponsor of the Soil Health/Conservation Clinic in Columbus and contribute up to \$500 toward speaker expenses. Motion carried on consent agenda.

b. Wahoo Creek Watershed

1. Water Quality Plan (PIP) Phase I – Update Given

2. Water Quality Plan (PIP) Phase II – Update Given

3. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report – Update Given

4. OTHER

a. Update on Army COE 205 Studies

1. South Fremont 205 – Update Given

2. Schuyler 205 – Update Given

b. Shell Creek Landowner Levee Project – Update Given

c. LPNNRD District-wide All Hazard Mitigation Plan – Update Given

d. Review of Projects Financial Statement - Update Given

5. WESTERN SARPY/CLEAR CREEK LEVEE REPORT – Update Given

Ruzicka made the motion, seconded by Pollard, that the December LPNNRD Projects Committee Minutes be received and placed on file. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7a. Wahoo Creek 319 Payment

Ruzicka made the motion, seconded by Feala, to approve the Wahoo Creek 319 Cost-Share Payment to Ann Crockett/Kay Jurgens totaling \$12,361.22. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

Ruzicka made the motion, seconded by Pollard, to approve the December consent agenda. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

Clausen made the motion, seconded by Sabatka, to go into Executive Session at 4:10 p.m. to discuss the Lickteig Property due to potential litigation and authorize the following staff to stay: Miyoshi, Murren and Legal Counsel Lausterer. Motion carried all members present voting aye.

Ruzicka made the motion, seconded by Pollard, to go out of Executive Session at 4:31 p.m. Motion carried all members present voting aye.

Clausen made the motion, seconded by Feala, to approved acting chairpersons execution of the presented settlement agreement with David Lickteig pertaining to the controversy involving the Northeast Quarter of the Northeast Quarter and South Half of the Northeast Quarter of Section 16, Township 16 North, Range 5 East of the 5th, P.M., Saunders County, Nebraska as well as to appoint general manager, John Miyoshi, and the elected members of the executive committee to handle all matters relating to the sale of the property under the terms of the settlement agreement. Motion carried all members present voting aye.

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The January Directors Meeting will be held on Monday, January 11, 2016, 1:30 p.m. Meeting adjourned at 4:32 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 14, 2015, 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.

Joe Birkel, Secretary