

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
June 8, 2015**

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, June 8, 2015.

1. NOTICE OF MEETING

The advanced notice of our June 8, 2015 board meeting was published on May 21, 2015 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Hannah 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	Gibney
Hagerbaumer	Kavan	Johannes
Olson	Pollard	Ruzicka
Saalfeld	Seier	Veskerna
Hannah		

DIRECTORS ABSENT

Birkel	Clausen	Hilger
McDermott	Meduna	Sabatka

STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Oaklund	Almond
Benal	Angle	

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. NRCS Report

Mark Walkenhorst reviewed the NRCS/NRD June report.

c. NARD Report

The upcoming NARD Basin Tour will be held June 15-16.

d. NRC Report

The next NRC Meeting is scheduled for June 16.

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

Meghan Sittler gave a program on Alliance Funding and went over the LPRCA Budget.

5. APPROVAL OF MINUTES

Ruzicka made the motion, seconded by Kavan, to approve the minutes from the May 11, 2015 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending – Update Given

2. Management Items

a. Director Absences - None

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

Ruzicka made the motion, seconded by Kavan, to approve payment of \$3,300 to Bob Weaver for May services and bill LPSNRD and Papio NRD for their share. Motion carried on consent agenda.

3. Annual Increase in Monthly Fees

Ruzicka made the motion, seconded by Olson, to increase the monthly Weaver maximum fee by \$100 to a total of \$3,400 per month beginning July 1, 2015. Motion carried all members present voting aye.

c. Monthly Education Program – Update Given

d. CCEI Lawsuit

The Court of Appeals has upheld the ruling of the district court in favor of CCEI in the suit they had filed against us. Olson made the motion, seconded by Bailey, to accept the court ruling and not appeal the CCEI Lawsuit. Motion carried.

AYE: Bailey, Feala, Hagerbaumer, Johannes, Kavan, Olson, Pollard, Ruzicka, Saalfeld, Seier, Veskerna, Hannah

ABSTAIN: Gibney

e. NWRA Dues – Update Given

f. Legal Counsel at Board Meeting – Update Given

3. Equipment – None

4. Personnel

Saalfeld made the motion, seconded by Pollard, to go into Executive Session at 7:11 p.m. to discuss personnel salaries and authorize the following staff to stay: Miyoshi, Mountford and Legal Counsel Freeman-Caddy. Motion carried all members present voting aye.

Ruzicka made the motion, seconded by Johannes, go out of Executive Session at 7:37 p.m. Motion carried all members present voting aye.

a. Staff Performance Appraisals

Johannes made the motion, seconded by Saalfeld, to accept and place on file all employee evaluations that were reviewed and discussed by the Personnel Sub-Committee. Motion carried.

AYE: Bailey, Feala, Gibney, Hagerbaumer, Johannes, Olson, Pollard, Ruzicka, Saalfeld, Seier, Veskerna, Hannah

NAY: Kavan

b. F.Y. 2016 Salary Adjustments

Johannes made the motion, seconded by Saalfeld, To approve a 2.5% across the board salary increase for all employees for F.Y. 16.; To make salary adjustments so that all employees are at or above the entry level wage for their position; To fund "Year 2 of 3" for implementation of the 9-Step system at a cost of \$20,941; To make the following step advances for F.Y. 2016: Oaklund to Step 4, Thompson to Step 5, Breunig to Step 6. Motion carried.

AYE: Bailey, Feala, Gibney, Hagerbaumer, Johannes, Olson, Pollard, Ruzicka, Saalfeld, Seier, Veskerna, Hannah

NAY: Kavan

c. New Position Water Technician – Update Given

d. Employee Recognition – Update Given

e. Manager Evaluation – Update Given

5. Finance

a. Approval of Financial Report

Ruzicka made the motion, seconded by Kavan, to approve the April Financial Report as distributed to all directors. Motion carried on consent agenda.

b. Approval of Managers Expenses

Ruzicka made the motion, seconded by Kavan, 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 Note Payment

Saalfeld made the motion, seconded by, Hagerbaumer to make payment of \$350,000 to Union Bank for note #1606489. Motion carried all members present voting aye.

e. Interest Payment to Union Bank

Veskerna made the motion, seconded by Seier, to approve the semi-annual interest payment of \$66,924.41 to Union Bank. Motion carried all members present voting aye.

f. Bruno Loan Payoff

Ruzicka made the motion, seconded by Pollard, to make payment of \$157,141.76 to USDA - Rural Development to pay off the Bruno Rural Water Line Loan. Motion carried all members present voting aye.

g. Budget – Update Given

h. Budget Hearings

Ruzicka made the motion, seconded by Kavan, to set the LPNNRD FY16 Budget Hearing for August 10 at 5:00 pm and set the Hearing to set the LPNNRD FY16 Property Tax Levy for September 14 at 5:00 pm. Motion carried on consent agenda.

i. Colfax County Tax Refund

Johannes made the motion, seconded by Saalfeld, to make payment of \$8,101.01 to Colfax County for the Cargill Meat Solutions tax refund with the payment being made in July 2015 and this amount being reflected in the F.Y. 16 budget. Motion carried all members present voting aye.

Ruzicka made the motion, seconded by Kavan, that the June LPNNRD 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 – None

2. OPERATION AND MAINTENANCE & OTHER ITEMS

a. O & M Crew – Update Given

b. Tree Program - Update Given

c. Lake Wanahoo SRA – Update Given

d. National Guard Camp Flooding

Ruzicka made the motion, seconded by Kavan, to pay Clark Construction \$4,107.50 for removal of the sand fuse plug at the National Guard Camp during the flooding of May 7th. Motion carried on consent agenda.

e. Haying of Wildlife Areas/Recreation Sites

Pollard made the motion, seconded by Olson, to advertise haying on the Wanahoo property on a per-ton basis with bids being due at the district office by June 30. Motion carried all members present voting aye.

f. Budget Review – Update Given

3. ROCK AND JETTY

a. Payment – Update Given

4. EROSION & SEDIMENT RULES & REGULATIONS – Update Given

5. INFORMATION & EDUCATION

a. Information

1. Radio and eAds – Update Given

2. Recognition Banquet – Update Given

3. ThinkTank Workshop – Update Given

b. Education

1. Spring Conservation Sensation - Update Given

2. St. Wenceslaus Field Day – Update Given

3. David City Award – Update Given

4. Shell Creek Scholarship

Ruzicka made the motion, seconded by Kavan, to award one of the \$1,000 Shell Creek Scholarships to Parker Wallin. Motion carried on consent agenda.

c. Computer

1. Board Room Computer Replacement - Update Given

6. RURAL WATER SYSTEMS – Update Given

Ruzicka made the motion, seconded by Kavan, that the June 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 Penalty – Update Given

2. Variance Requests in the Hydrologically Connected Area – None

3. Variance Request in the Non-Hydrologically Connected Area – None

4. Variance Request in the Restricted Development Area – None

5. Well Permit Program

a. Well Permits Approved – Update Given

b. Tyler Bruhn Extension Request

Ruzicka made the motion, seconded by Kavan, to approve a 90 day extension to LPNNRD Well Permit LPN-014-1525 in the SW 1/4, SW 1/4 of Section 30-T17N-R9E, Fremont Subarea (HCA), Dodge County. If well is not drilled in 90 days from the June 8th, 2015 Board Meeting, the permit will expire and a new application will have to be submitted. Motion carried on consent agenda.

c. Clay Heavican Pond/Stock Well Application

Ruzicka made the motion, seconded by Kavan, to approve a well permit for a stock well for Clay Heavican in the SE1/4, NE1/4, Section 1, T16N, R2E in the Octavia Subarea of Colfax County. If the pump delivers more than 50 gpm, then a flow meter and annual reporting to the LPNNRD will be required. Motion carried on consent agenda.

6. Transfer of Irrigated Acres – Update Given

7. Special Quantity Sub-Areas

Staff has inspected all known irrigation systems in the Butler/Saunders SQS area in the past two weeks. Our Groundwater Management Rules and Regulations – Section R, Rule 3.1 Standard

Controls require proper installation of a district approved Flow Meter (under Rule 2.4) by May 1, 2015. Unfortunately several irrigation systems do not have flow meters installed. Pollard made the motion, seconded by Hagerbaumer, to issue “Cease and Desist Orders” to the following landowners and tracts for violation of Lower Platte North NRD Groundwater Management Area Rules and Regulations – Section R, Rule 3.1 and Rule 2.4, failure to properly install a district approved flow meter in the Butler/Saunders Special Quantity Sub-Area by May 1, 2015:

<u>G-090143</u>	<u>Duane Ratkovec</u>	<u>meter ordered, Grosch, S.C. (Joe)</u>
<u>G-167693</u>	<u>Gary Vandenberg</u>	<u>space for meter</u>
<u>G-064779</u>	<u>Jamie Yindrick</u>	<u>space for meter</u>
<u>G-064172R</u>	<u>Ernie Stara</u>	<u>Replacement well drilled last week Grosch, S.C. (Joe)</u>
<u>G-058080</u>	<u>Randy Semrad</u>	<u>Electricity not hooked to well. Well won't be used in 2015.</u>
<u>G-169044</u>	<u>Duane Ratkovec</u>	<u>meter ordered, Grosch, S.C. (Joe)</u>
<u>G-064385</u>	<u>Duane Ratkovec</u>	<u>meter ordered, Grosch, S.C. (Joe)</u>
<u>G-074246</u>	<u>Duane Ratkovec</u>	<u>meter ordered, Grosch, S.C. (Joe)</u>
<u>G-062859</u>	<u>Ben Kastl</u>	<u>space for meter</u>
<u>G-135952</u>	<u>Gregg Fujan</u>	<u>Incorrect installation 2” line with Valve before the flow meter</u>
<u>G-059056R</u>	<u>Robert T Shanahan</u>	
<u>G-055931</u>	<u>Tom Smaus</u>	
<u>G-055679</u>	<u>Ben Kastl</u>	<u>space for meter</u>
<u>G-055773</u>	<u>Duane Ratkovec</u>	<u>meter ordered, Grosch, S.C. (Joe)</u>
<u>G-140650</u>	<u>Daniel Kellner</u>	<u>meter ordered, Grosch, N.B. (Tracy)</u>

- Standard letters will be sent to violators with the “Cease and Desist Order” informing them of the violation and the potential penalties.
- For owners who have a gap in the irrigation pipe (separating the well from the pivot) and have informed staff that they are waiting on dealer installation, no “Cease and Desist Order” will be issued until June 15. No order will be issued if the flow meter is installed by June 15.
- Any irrigation from a system that has received a Cease and Desist Order listed above and does not have a flow meter properly installed triggers immediate action and the LPNNRD Board authorizes staff and legal counsel to pursue legal action necessary to stop the violation.

Motion carried all members present voting aye.

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

9. Voluntary Integrated Water Management Plan – Update Given

10. Cost-Share Programs

a. Irrigation Well Sample Kits – Update Given

b. Nebraska Agricultural Water Management Network – Update Given

11. Bellwood Phase 2 Area – Update Given

12. Richland-Schuyler Phase 2 Area – Update Given

13. LPNNRD Certification – Update Given

a. LPNNRD Operator Certification Classes – Update Given

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 Kavan, to approve payment to Mitchell Heusinkvelt for decommissioning a hand dug well for \$592.73 and to Maquire Rev. Trust for decommissioning an irrigation well for \$485.36. Motion carried on consent agenda.

b. LPNNRD Ground Water Studies

1. Elkhorn Loup Model – Update Given

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

c. New Monitoring Wells - Update Given

d. Ground Water Energy Levels – Update Given

e. Former Ordnance Plant Near Mead – Update Given

3. SURFACE WATER PROGRAMS

a. State Lakes for the Week of May 18th – Update Given

4. OTHER

a. Water Programs Budget – Update Given

b. GMDA Summer Session – Update Given

c. 2015 Summer Interns – Update Given

d. Comments from the Public – Update Given

Ruzicka made the motion, seconded by Kavan, that the June 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 Kavan, to approve the following SWCP Payments:

<u>14-S-10</u>	<u>Mark Kavan</u>	<u>Flow Meter</u>	<u>\$600.00</u>
<u>14-P-12</u>	<u>Dean Sander</u>	<u>Flow Meter x 2</u>	<u>\$1,250.00</u>
<u>14-P-16</u>	<u>Jason Mejstrik</u>	<u>Flow Meter</u>	<u>\$571.50</u>
	<u>Zane Wondercheck</u>	<u>Trees</u>	<u>\$326.25</u>
	<u>Johnathon Temme</u>	<u>Trees</u>	<u>\$212.63</u>

<u>14-B-44</u>	<u>Donald Yindrick</u>	<u>Terraces/Tile</u>	<u>\$9,909.00</u>
<u>14-C-47</u>	<u>Daryl Glodowski</u>	<u>Terraces/Tile</u>	<u>\$12,500.00</u>
			<u>\$25,369.38</u>

Motion carried on consent agenda.

c. SWCP Cancelations

Bailey made the motion, seconded by Olson, to cancel the following approved projects. If producer is still interested in the conservation practice (except for FLOW METERS) they will need to re-apply.

Shell Creek Watershed:

<u>Randy Streblov</u>	<u>\$5,000.00</u>	<u>Dam Renovation – Tube replacement</u>
<u>Louis Welch</u>	<u>\$7,915.31</u>	<u>W/S Basins</u>

SWCP:

<u>13-B-57</u>	<u>The Meadow 5 LLC</u>	<u>\$5,169.24</u>	<u>Planned Grazing</u>
<u>13-S-36</u>	<u>Ronald Woita</u>	<u>\$625.00</u>	<u>Flow Meter</u>
<u>13-C-42</u>	<u>Shirley Johannes</u>	<u>\$2,423.44</u>	<u>W/S Basins</u>
<u>13-S-45b</u>	<u>Burneil Ecklund</u>	<u>\$625.00</u>	<u>Flow Meter</u>
<u>14-S-1</u>	<u>Dan & Ailene Wageman</u>	<u>\$1,000.00</u>	<u>Windbreak Renovation</u>
<u>14-P-3a&b</u>	<u>LeRoy Sprunk Sr.</u>	<u>\$1,250.00</u>	<u>Flow Meter x 2</u>
<u>14-P-21a&b</u>	<u>Jeana Buhman</u>	<u>\$1,250.00</u>	<u>Flow Meter x 2</u>
<u>14-B-22</u>	<u>Lee R. Schmit</u>	<u>\$5,967.50</u>	<u>Planned Grazing</u>
<u>14-TR-2</u>	<u>Dayle Alswager</u>	<u>\$1,000.00</u>	<u>Terrace Repair</u>
<u>14-P-34</u>	<u>Larry & Lois Mohrman</u>	<u>\$1,250.00</u>	<u>Flow Meter x 2</u>
<u>14-B-41</u>	<u>R. Allen Covault</u>	<u>\$625.00</u>	<u>Flow Meter</u>
<u>14-S-43</u>	<u>Douglas Ritthaler</u>	<u>\$625.00</u>	<u>Flow Meter</u>

Motion carried.

AYE: Bailey, Feala, Gibney, Hagerbaumer, Kavan, Olson, Pollard, Ruzicka, Saalfeld, Seier, Veskerna, Hannah

ABSTAIN: Johannes

d. Cottonwood Creek Payments - None

e. Sand/Duck Cost-Share Approvals - None

f. Sand/Duck Creek Payments – None

g. Wahoo Creek Watershed Cost-Share Approvals – None

2. WATERSHEDS

a. Shell Creek Watershed

1. Shell Creek Watershed Environmental Enhancement Plan – Update Given

2. Interlocal Agreement with Colfax County

Bailey made the motion, seconded by Veskerna, to approve and authorize Chair Hannah to sign the Interlocal Agreement with Colfax County to design and engineer a bank stabilization project near County Road 10, just North of County Road H. Motion carried all members present voting aye.

b. Wahoo Creek Watershed Water Quality Plan Phase I – Update Given

3. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report – Update Given

b. FY 2015 Project Invoice

Ruzicka made the motion, seconded by Kavan, to approve payment of the \$2,000 LPRCA invoice, as attached to the Project Committee Minutes, for expenses included in our approved FY 2015 budget. Motion carried on consent agenda.

c. LPRCA FY 2016 Budget Presentation – Update Given

d. LPRCA Budget Approval

Bailey made the motion, seconded by Veskerna, to approve the proposed FY 2016 LPRCA Budget as attached to the Projects Committee minutes, that outlines \$58,046 (shown in black) of highly anticipated expenses and an additional \$43,334 for possible project /program expenditures. Motion carried all members present voting aye.

4. OTHER

a. Update on Army COE 205 Studies

1. South Fremont 205 – Update Given

2. Schuyler 205 – Update Given

a. Schuyler’s Shell Creek Levee Construction Payment

Ruzicka made the motion, seconded by Johannes, to approve the second \$125,000 payment to the City of Schuyler for construction of the Shell Creek Levee. Motion carried all members present voting aye.

b. Shell Creek Landowner Levee Project – Update Given

c. All Hazard Mitigation Plan – Update Given

d. Platte Center Bank Stabilization Project Update and Request

Kavan made the motion, seconded by Seier, to approve budgeting 50% cost share, up to a maximum of \$11,315.50 assistance in FY 2016, for the Platte Center Elm Creek Bank Stabilization Project as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

e. Lower Platte North NRD Local Work Group – Update Given

f. Review of Projects Financial Statement – Update Given

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

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

7. ADDITIONAL ACTION ITEMS

7a. Shell Creek Scholarship

Ruzicka made the motion, seconded by Pollard, to award the seconded Shell Creek Scholarship to Sandra Mariely Estrada-Gonzalez. Motion carried all members present voting aye.

7b. e-Ads Wahoo Newspaper

Ruzicka made the motion, seconded by Pollard, to renew our online ads on the Wahoo Newspaper website, with a monthly rate not to exceed \$150. Motion carried all members present voting aye.

7c. Association for Conservation Information Conference

Ruzicka made the motion, seconded by Pollard, to approve one staff attending the ACI Annual conference July 13-17 in Flagstaff, AZ. Motion carried all members present voting aye.

7d. Butler County Road Dam Assistance Payment

Ruzicka made the motion, seconded by Pollard, to make payment of \$4,003.14 to Butler County for repair on the Engle Road Dam (located west of the intersection of road S and road 38, on the south). Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Veskerna made the motion, seconded by Olson, 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 Kavan, to approve the amended June consent agenda (agenda item 6.B.2.e. was removed). Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The July Directors Meeting will be held on Monday, July 13, 2015, 6:00 p.m. Meeting adjourned at 8:45 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 June 8, 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