

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
June 13, 2016**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 6:00 p.m. at Union Bank Meeting Room, Wahoo, NE on Monday, June 13, 2016.

1. NOTICE OF MEETING

The advanced notice of our June 13, 2016 board meeting was published on May 26, 2016 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	Birkel	Clausen
Feala	Gibney	Hilger
McDermott	Meduna	Olson
Pollard	Saalfeld	Sabatka
Sobota	Veskerna	Hannah

DIRECTORS ABSENT

Hagerbaumer	Kavan (UNL Water Tour)	Ruzicka (UNL Water Tour)
Seier (UNL Water Tour)		

STAFF AND GUESTS:

Miyoshi	Mountford	Murren
Breunig	Heimann	Deerson
TePoel	Angle	Benal
Gottschalk		
Legal Counsel Lausterer		

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. NRCS Report

Mark Walkenhorst gave the NRCS/NRD June report.

c. NARD Report

Hilger reported on the NARD Board Meeting and Basin Tour to be held on Monday, June 13th.

d. NRC Report

None

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

Doug Bereuter addressed the Board concerning his vision of the Lower Platte River Corridor Alliance.

5. APPROVAL OF MINUTES

Saalfeld made the motion, seconded by Pollard, to approve the minutes from the May 9, 2016 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. Open Meetings Workshop – Update Given

2. Water Leader Workshop

Saalfeld made the motion, seconded by Pollard, to send one staff member to the Water Leadership Workshop in Milwaukee. Motion carried on consent agenda.

2. Management Items

a. Director Absences – None

Saalfeld made the motion, seconded by Pollard, to approve the excused absence from the May Board Meeting for Directors Olson and Sobota. Motion carried on consent agenda.

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

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

c. Monthly Education Program – Update Given

d. NRDF Payment

Saalfeld made the motion, seconded by Pollard, to authorize the Board Treasurer and General Manager to make payment to the Union Bank Note equal to any funds received from the NRDF Fund (\$52,444.11 expected). Motion carried on consent agenda.

e. Annual Union Bank Note Payment

Meduna made the motion, seconded by Saalfeld, to make the annual Union Bank Note payment in the amount of \$412,925. Motion carried all members present voting aye.

f. Total Interest Paid on Union Bank Note

Meduna made the motion, seconded by Sabatka, to make payment to Union Bank in the amount of \$24,983 for the second half year of interest on the Union Bank Note (Wanahoo). Motion carried all members present voting aye.

g. Board Meeting Date – Update Given

i. LARM Activity

Sabatka made the motion, seconded by Veskerna, to approve adding the following items on our LARM coverage; Breakwater Bridge - \$180 per year, 6 restrooms - \$216 per year and 75 electrical hookups -

\$2,700 per year. Motion carried.

AYE: Bailey, Clausen, Feala, Gibney, Hilger, McDermott, Meduna, Pollard, Saalfeld, Sabatka, Sobota, Veskerna, Hannah

NAY: Birkel, Olson

j. Wahoo Creek Flooding

Saalfeld made the motion, seconded by Pollard, to honor the O-E-RW Committee recommendation and declare special circumstances and hire FYRA Engineering to prepare information for the June 13 board meeting at a cost not to exceed \$10,000. Motion carried on consent agenda.

k. Ourada Complaint – No New Information

3. Equipment - None

4. Personnel

a. Health Insurance Rates for FY 17 – Update Given

b. Wage and Salary Contract – Update Given

c. Personnel Sub-Committee Report

1. Revised Job Descriptions and Job Codes

Zelle conducted interviews with all NRD employees to review their job duties. From these interview and previous job descriptions new descriptions were drafted for all positions and presented to the Sub-Committee. Zelle also reviewed job codes for each position and recommended changes to four codes. It was recommended by Saalfeld, seconded by Meduna, to approve the new Job Descriptions and Job Codes for LPNNRD employees as recommended by Zelle HR.

Meduna made the motion, seconded by Saalfeld, to table the motion until next month when all Directors have had the chance to review the job descriptions. Motion carried all members present voting aye.

It was recommended by Olson, seconded by McDermott, to table all Personnel Sub-Committee recommendations until July. Motion carried all members present voting aye.

5. Finance

a. Approval of Financial Reports - None

b. Approval of Managers Expenses

Saalfeld 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

Saalfeld made the motion, seconded by Pollard, 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. Wanahoo SRA

McDermott made the motion, seconded by Gibney, to pay Outdoor Recreation Products \$176,011 for the playground equipment and benches that were installed at Lake Wanahoo. Motion carried.

AYE: Bailey, Clausen, Gibney, Hilger, McDermott, Olson, Pollard, Saalfeld, Sabatka, Sobota, Veskerna

NAY: Birkel, Feala, Meduna, Hannah

c. Wanahoo SRA Electrical Panel and Transformer Repair

McDermott made the motion, seconded by Gibney, to pay Seco Electric Inc. \$8,525 for the replacement and repair to the electrical panel and Butler County Public Power \$4,977.60 for replacement of the transformer. Motion carried all members present voting aye.

d. Wanahoo SRA Operating Expense 2015

McDermott made the motion, seconded by Pollard, to pay NE Game and Parks \$2,113.27 for operating expenses at Lake Wanahoo for the 2015 season. Motion carried.

AYE: Bailey, Clausen, Feala, Gibney, Hilger, McDermott, Meduna, Olson, Pollard, Saalfeld, Sabatka, Sobota, Veskerna, Hannah

NAY: Birkel

e. Lake Wanahoo Dam Water Level

Saalfeld made the motion, seconded by Pollard, to have FYRA Engineering complete a study on the effects of water released from the Lake Wanahoo Dam with the cost not to exceed \$10,000 and present the findings to the Board of Directors during the June Board Meeting. Motion carried on consent agenda.

At 8:00 p.m. the board deviated from the normal agenda. An estimated 70 individuals were present to have input on flooding in the Wahoo Creek Watershed, the lack of flood damage reduction from Lake Wanahoo and asking that the conservation pool level in Lake Wanahoo be lowered. An introduction was given by John Miyoshi, followed by a report from Mike Sotak. Sotak's information included water inflows and outflows at various storm events for Lake Wanahoo. NRD Chair John Hannah reviewed how testimony would be received. Between fifteen and twenty individuals addressed the board in approximately one hour. This item will next be discussed at the Operations, Education and Rural Water Committee meeting on June 29 beginning at 8:30 a.m.

f. Cottonwood Dam 23-A Landowner Request

McDermott made the motion, seconded by Gibney, to purchase a 48" x 20' culvert for Mr. Proskovec to be used above the drainage of Cottonwood 23-A as long as he installs and maintains it for his benefit and to deny the request in helping repair the property line fence. Motion carried all members present voting aye.

g. Cottonwood Dam 32-A

McDermott made the motion, seconded by Gibney, to allow Legal Counsel Loren Lindahl to write a release of easement for the original easement on Cottonwood 32-A and write a new easement based on one foot above the flood pool elevation which is 1287.5 and that any survey or review from outside Legal

Counsel be paid by the buyer or seller of the C.E. Simanek property. Motion carried all members present voting aye.

h. Haying Wildlife Areas at Recreation Sites

McDermott made the motion, seconded by Birkel, to advertise and accept bids to hay areas of Homestead and Czechland Lakes and sites at Lake Wanahoo by the ton with the highest responsible bidder(s) counting each bale with a NRD representative and payment be received before any bales are removed. Motion carried all members present voting aye.

i. South Fremont Study – Update Given

j. O & M Budget – Update Given

3. ROCK AND JETTY - None

4. EROSION & SEDIMENT RULES & REGULATIONS – Update Given

5. INFORMATION & EDUCATION

a. Information

1. Radio and Web Ads – Update Given

b. Education

1. Spring Conservation Sensation - Update Given

2. Water Topics for Teachers Conference – Update Given

c. Budget

1. Water Testing Events

McDermott made the motion, seconded by Sabatka, to add a FY17 Budget line item for Water Testing Events and budget \$3,000 as part of the Information and Education Expenses. Motion carried all members present voting aye.

2. Outdoor Education – Disc Golf Course

Olson made the motion, seconded by Gibney, to include in the FY17 budget Recreation Add-Ins for Lake Wanahoo and include, but not specifically name \$12,600 that could potentially be used for an Outdoor Education Trail and Disc Golf Course. Motion carried.

AYE: Bailey, Birkel, Clausen, Feala, Gibney, Hilger, McDermott, Meduna, Olson, Pollard, Saalfeld, Sabatka, Veskerna, Hannah

NAY: Sobota

3. Pollinator Mini-Grants

McDermott made the motion, seconded by Meduna, to add a FY17 budget line item for Pollinator Mini-Grants for \$150 to the Information and Education Expenses. Motion carried all members present aye.

4. Radio Advertising – Update Given

6. RURAL WATER SYSTEMS – Update Given

- a. Colon – Update Given
- b. Bruno – Update Given
- c. Other – None

Saalfeld made the motion, seconded by Pollard, 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 Requests in the Hydrologically Connected Area – Update Given
- 2. Variance Requests in the Non-Hydrologically Connected Area – None
- 3. Variance Requests in the Restricted Development Areas – Update Given

4. Well Permit Program

a. Well Permits Approved – Update Given

b. Jeffery Temme Supplemental Well Application

Saalfeld made the motion, seconded by Pollard, to approve the new supplemental well in NE¼, NE¼, Section 14, T22N, R6W, Boone County, Upper Newman Grove Subarea for Jeffery Temme. Motion carried on consent agenda.

5. Special Quantity Sub-Areas

a. Butler - Saunders SQS – (SQS #1) - Update Given

b. Platte - Colfax SQS – (SQS #2) - Update Given

c. SQS Flow Meter Maintenance Program - Update Given

d. Schure Flow Meter Installation Question

Saalfeld made the motion, seconded by Pollard, to require that all irrigation water pumped from well G-045714 located in the SW¼, SW¼, Section 7, T19N, R1W, Middle Shell Creek Subarea owned by John Schure in the Platte-Colfax SQS area, must flow through a LPNNRD approved flow meter. Motion carried on consent agenda.

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

7. Voluntary Integrated Water Management Plan – Update Given

8. Cost-Share Programs

a. Irrigation Well Sample Kits – Update Given

b. Domestic Well Sample Kits – Update Given

c. Nebraska Agricultural Water Management Network (NAWMN) - Update Given

9. Bellwood Phase 2 Area – Update Given

10. Richland - Schuyler Phase 2 Area – Update Given

11. Richland - Schuyler Phase 3 Area – Update Given

12. LPNRND Certification

a. LPNNRD Operator Certification – Update Given

13. Certifying Acres in Saunders and Dodge Counties

Pollard made the motion, seconded by Saalfeld, to issue notice of cease & desist orders to landowners to not allow the application of irrigation water on tracts in Saunders County who have not fully completed and returned their acre certification paperwork by June 17, 2016. 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 – Update Given

1. Well Estimates – Update Given

2. Plugged Wells – None

b. LPNNRD Ground Water Studies

1. Elkhorn Loup Model (ELM) – Update Given

2. Eastern Nebraska Water Resources Assessment (ENWRA)

Meduna made the motion, seconded by Birkel, to approve payment not to exceed \$125,000 for this fiscal year FY15-16 (or 30% of the total grant request of \$416,666 for the Lower Platte North NRD Aquifer Framework Mapping 2016) upon receiving an invoice from the Grant Consultant AGF (Aqua Geo Frameworks). Motion carried all members present voting aye.

3. Platte Elkhorn Integrated Water Monitoring

Pollard made the motion, seconded by Olson, to approve the Interlocal Cooperation Agreement between Pappio NRD and Lower Platte North NRD for the Platte and Elkhorn River Valley Integrated Water Monitoring Project. Motion carried all members present voting aye.

c. Monitoring Wells - Update Given

d. Former Ordnance Plant Near Mead – Update Given

3. SURFACE WATER PROGRAMS

a. Precipitation Gauging Network – Update Given

b. State Lakes

1. Bacteria Sampling – Update Given

2. Toxic Algae – Update Given

c. USGS Water Quality Monitoring on Shell Creek – Update Given

4. OTHER

a. LPNNRD Master Database – Update Given

b. LPNNRD Water Programs Budget – Update Given

c. Summer Interns – Update Given

c. Comments from the Public – Update Given

Saalfeld made the motion, seconded by Pollard, 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

Saalfeld made the motion, seconded by Pollard, to approve two SWCP Applications to Doris E. Treptow Rev. Trust (\$6,812.72) and Glen Treptow (\$12,500) totaling \$19,312.72 as shown in the Projects Committee Minutes. Motion carried on consent agenda.

b. SWCP Payments

Saalfeld made the motion, seconded by Pollard, to approve five SWCP payments totaling \$33,421.82:

<u>Norman Lindgren</u>	<u>\$1,037.53</u>
<u>Rudolph Houfek</u>	<u>\$12,500.00</u>
<u>Michael Swanson</u>	<u>\$7,441.80</u>
<u>Kenneth Polacek</u>	<u>\$12,442.49</u>

Motion carried on consent agenda.

c. SWCP Cancelations - None

d. Wahoo Creek Cost Share Approvals

Saalfeld made the motion, seconded by Pollard, to approve the Wahoo Creek Lands for Conservation Application for Frances Kastl for \$1,472 as shown in the Projects Committee Minutes. Motion carried on consent agenda.

e. Wahoo Creek Watershed Payments

Saalfeld made the motion, seconded by Pollard, to approve the Wahoo Creek Lands for Conservation payment to MaryJo Spicka/Lierman totaling \$11,132 and the Wahoo Creek conservation practice payment to Donald Blazek for \$185.38 as shown in the Projects Committee Minutes. Motion carried on consent agenda.

f. Ken Polacek SWCP Request – Update Given

2. WATERSHEDS

a. Shell Creek Watershed

1. Dan Waak Dam Repair Project – Update Given

2. Transfer Funds Into Shell Creek Sinking Fund

Saalfeld made the motion, seconded by Pollard, to approve transferring \$13,040 from the Shell Creek Land Treatment budget line 405.204 into the Shell Creek Sinking Fund to bring the total to \$100,000 as previously authorized by the Board. Motion carried on consent agenda.

b. Wahoo Creek Watershed – Update Given

3. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report – Update Given

4. OTHER

a. Update on Army COE 205 Studies

1. Fremont 205 – Update Given

2. Schuyler 205

A. Schuyler 205 Agreement Amendment #2 – No action taken

B. Schuyler Assistance Payment Request

Meduna made the motion, seconded by Pollard, to approve a \$100,000 Fiscal Year 2016 Shell Creek 205 Levee Project assistance payment to the City of Schuyler (\$125,000 FY 2016 assistance minus \$25,000 owed on Army COE 205 study). Motion carried all members present voting aye.

b. Shell Creek Landowner Levee Project – Update Given

c. Review of Projects Financial Statement – Update Given

d. Lake Wanahoo Bathymetric Survey – Update Given

e. Review of Saunders County Landowner Concerns with Lake Wanahoo Flood Control – Update Given

5. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

Bailey made the motion, seconded by Sabatka, to approve the annual \$150,000 Western Sarpy/Clear Creek Levee Project payment to Papio Missouri River NRD. Motion carried all members present voting aye.

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

7. ADDITIONAL ACTION ITEMS

7a. SWCP Payments

Birkel made the motion, seconded by Pollard, to approve the following SWCP payments:

<u>Margie Vrana</u>	<u>Terraces/Tile/Waterway</u>	<u>\$8,717.36</u>
<u>Eric Nelson</u>	<u>Trees</u>	<u>\$405.01</u>
<u>Brett Miller</u>	<u>Trees</u>	<u>\$414.10</u>
<u>Bryan Hein</u>	<u>Trees</u>	<u>\$202.00</u>

Motion carried all members present voting aye.

7b. Sell 2010 Ford Fusion

Birkel made the motion, seconded by Pollard, to authorize Management to sell the District's 2010 Ford Fusion for \$9,000 to \$9,500. Motion carried all members present voting aye.

7c. Purchase Level Trolls

Birkel made the motion seconded by Pollard, to approve purchasing three data loggers from In-Situ at an estimated cost of \$3,031 which does not include the cables. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

Saalfeld made the motion, seconded by Pollard, to approve the amended June Consent Agenda by removing item 6.D.2.a.1. Motion carried all members present voting aye.

Item 6.A.2.d. - Lickteig Farm was taken at this time

Birkel made the motion, seconded by Sabatka, to go into Executive Session at 9:44 p.m. to discuss the Lickteig Property due to potential litigation and authorize the following staff to stay: Breunig, Miyoshi, Mountford, Murren and Legal Counsel Lausterer. Motion carried all members present voting aye. Motion carried all members present voting aye.

Birkel made the motion, seconded by McDermott, to go out of Executive Session at 9:54 p.m. Motion carried on all members present voting aye.

Sabatka made the motion, seconded by McDermott, to authorize management to issue payment for the Lickteig property as stated in the "Lickteig Agreement" or as optioned in the "Lickteig Agreement" with sale to a third party plus any differences. Motion carried on 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 11, 2016, 6:00 p.m. Meeting adjourned at 9:58 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 13, 2016, 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.