

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
November 13, 2017**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 4:00 p.m. at Newman Grove Public Schools, Newman Grove, NE on Monday, November 13, 2017.

1. NOTICE OF MEETING

The advanced notice of our November 13, 2017 board meeting was published on November 2, 2017 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Birkel 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:

Feala	Hannah	Hilger
Kavan, Don	McDermott	Olson
Ruzicka	Saalfeld	Sabatka
Saeger	Seier	Thompson
Veskerna	Birkel	

DIRECTORS ABSENT

Bailey	Meduna	Pollard
Sobota		

STAFF AND GUESTS:

Gottschalk	Breunig	TePoel
Mountford	Andersen	Schomer
Benal	Brueggemann	Elliott

Legal Counsel Lausterer
Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. Director Vacancy Sub-Committee Report

Director Sabatka reported that the Sub-Committee met to discuss candidates for Sub-District #8.

Sabatka on behalf of the Sub-Committee nominated Alex Kavan to fill the vacancy in Sub-District #8.

With no further nominations Sabatka made the motion, seconded by McDermott, that nominations cease and a unanimous ballot be cast for Alex Kavan to fill the vacancy in Sub-District #8. Motion carried all members present voting aye.

At this time Breunig administered the Oath of Office to Kavan.

c. NRCS Report

Eric Smith was present to give the NRCS Report.

d. NARD Report

Hilger gave the NARD Report.

e. NRC Report - None

f. Managers Report

Gottschalk reviewed his written report.

g. Education Program

Prior to the board meeting the Newman Grove Science Club gave a presentation on The Health of Shell Creek and the data they have gathered over the past year.

5. APPROVAL OF MINUTES

Sabatka made the motion, seconded by Seier, to approve the minutes from the October 9, 2017 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. UNFINISHED BUSINESS

a. Off Site Table Concerns Near Sand Creek – No New Information

b. Ourada Lawsuit

Director Birkel updated the Board on the mediation held on Monday, October 30th. Ruzicka made the motion, seconded by Hannah, to table discussion on the Ourada lawsuit. Motion carried all members present voting aye.

2. Meetings

a. Pending

1. GMDA Annual Meeting

Sabatka made the motion, seconded by Seier, to authorize up to three staff and two directors to attend the GMDA Winter Meeting in Baton Rouge, Louisiana. Motion carried on consent agenda.

b. NACD Annual Meeting

Sabatka made the motion, seconded by Seier, to authorize up to two directors and two staff to attend the NACD Annual Meeting in Nashville, TN. Motion carried on consent agenda.

b. Reports - None

3. Management Items

a. Director Absences - None

b. 457 Taxability Issue

Sabatka made the motion, seconded by Seier, to approve LPNNRD paying Larry Angle's portion of extra SS/MHI taxes totaling \$10.33 for 2017. Motion carried on consent agenda.

c. WHS – CEO Program

Sabatka made the motion, seconded by Seier, to approve moving forward with Wahoo Public Schools and their CEO program. Motion carried on consent agenda.

d. Interlocal Agreement – Lower Platte Weed Management Area Association

Sabatka made the motion, seconded by Seier, to authorize LPNNRD General Manager to sign the Lower Platte Weed Management Area Interlocal Agreement after reviewed by Legal Counsel Lausterer. Motion carried on consent agenda.

e. Monthly Education Program – Update Given

f. Director Vacancy Sub-Committee Report – This item was taken earlier

g. Murren Lawsuit - Update Given

h. Policy Discussion – Update Given

i. Gifford – Update Given

4. Equipment – None

5. Personnel - None

6. Finance

a. Approval of Financial Reports

Sabatka made the motion, seconded by Seier, to approve the August and September Financial Statement as distributed to all board members. Motion carried on consent agenda.

b. Approval of Managers Expenses

Sabatka made the motion, seconded by Seier, 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

d. Renew Line of Credit – Union Bank

Saalfeld made the motion, seconded by McDermott, to renew our \$400,000 Line of Credit with Union Bank and Trust. Motion carried all members present voting aye.

e. NRDF Payment

Ruzicka made the motion, seconded by Hilger, to authorize the Board Treasurer and General Manager to make payment to the Union Bank Note in the same amount as received from the NRDF payment. Motion carried all members present voting aye.

Sabatka made the motion, seconded by Seier, that the November LPNNRD Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

B. OPERATIONS, EDUCATION & RURAL WATER COMMITTEE REPORT

1. UNFINISHED BUSINESS - None

2. WILD NE/CREP REPORT – Update Given

3. OPERATION AND MAINTENANCE & OTHER ITEMS

a. Lake Wanahoo Lake Level – Update Given

b. Lake Wanahoo SRA

Sabatka made the motion, seconded by Seier, to reimburse Eagle Scout Josh Varner \$1,192.10 for materials to construct 12 monofilament containers at Lake Wanahoo and the remaining \$7.90 to his Boy Scout Troop 140. Motion carried all members present voting aye.

c. Lake Wanahoo Wildlife Areas

Ruzicka made the motion, seconded by Saalfeld, to accept Standing C Excavation's bid of \$4,000 to remove the Elm tree problem and the existing tree line in the same area on the Wanahoo Property. Motion carried all members present voting aye.

d. Czechland Lake – Update Given

e. Fremont Study – Update Given

f. Lower Platte Weed Management Area – Update Given

g. Dump Trailer Replacement

Ruzicka made the motion, seconded by Olson, to accept the bid of \$8,740 from M & M Trailers, Palmyra for a new triple axel dump trailer up to 21,000 lb capacity and 16' in length. Motion carried on consent agenda.

4. ROCK AND JETTY – Update Given

5. EROSION & SEDIMENT RULES & REGULATIONS – Update Given

6. INFORMATION & EDUCATION

a. Information

1. Radio and eAds – Update Given

2. Long Range Plan

The Board requested another month to review the Long Range Plan before approving it at the December Board Meeting.

3. Website Development

Hannah made the motion, seconded by Olson, to move forward with Red Thread for website development and further promotional projects to not exceed the budget amount of \$15,000. Motion carried all members present voting aye.

b. Education - None

c. Computer – None

7. RURAL WATER SYSTEMS

a. Colon – Update Given

b. Bruno – Update Given

c. Other – None

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

C. WATER COMMITTEE REPORT

1. UNFINISHED BUSINESS

a. Variance Requests – Update Given

2. REGULATORY

a. Groundwater Management Area – Update Given

1. Development Area Map

Sabatka made the motion, seconded by Seier, to approve the LPN Development Area Map that reflects the most current information. Motion carried all members present voting aye.

2. Variance Requests in the Hydrological Connected Area

Sabatka made the motion, seconded by Seier, to take from the table the approval of variances until a policy can be put in place on handling variance violation and determination of the allotment of Acre Feet within the Hydrologically Connected Area. Motion carried on consent agenda.

Saalfeld made the motion, seconded by Ruzicka, to approve the variances for the LPN Hydrological Area as shown on the spreadsheet attached to the Water Committee Minutes. Motion carried all members present voting aye.

3. Variance Requests in the Non-Hydrological Connected Area

Saalfeld made the motion, seconded by Hilger, to take from the table the variance request from Sandra Muhle for 115 acres and Duane Ohlrich for 66 acres until the 2016 AEM data can be analyzed. Motion carried all members present voting aye.

Saalfeld made the motion, seconded by McDermott, to approve the variance request with conditions for Sandra Muhle 115 acres located at N½ of the NW¼ Section 17-18-1E after reviewing the current AEM data and water contours. Motion carried all members present voting aye.

Saalfeld made the motion, seconded by Hilger, to deny the variance request from Duane Ohlrich for the 66 acres located at E½ of the NW¼ Section 15-18-1E after reviewing the most current AEM data and water contours. Motion carried all members present voting aye.

4. Well Permit Program

a. Well Permits Approved - Update Given

b. Tim Vaughan Pond Well Variance

Saalfeld made the motion, seconded by Olson, to approve the well permit for Tim Vaughan's pond in Section 14-T13N-R9E, Saunders County with conditions per policy for Well Permits for "Other Wells" approved by LPNNRD Board on April 14, 2014. Motion carried.

AYE: Feala, Hannah, Hilger, Kavan-Alex, Kavan-Don, McDermott, Olson, Ruzicka, Saalfeld, Saeger, Seier, Thompson, Veskerna, Birkel

NAY: Sabatka

5. Special Quantity Subareas – Update Given

a. Flow Meters – Stock Wells

Sabatka made the motion, seconded by Seier, all high capacity livestock wells in SQS areas need to have water flow meters installed by January 31, 2018 or Cease and Desist order will be issued. Motion carried on consent agenda.

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

7. Cost Share Programs

a. Irrigation Well Sample Kits – Update Given

b. Flow Meter Cost-Share in SQS #2

Sabatka made the motion, seconded by Seier, to approve payment of \$2,310 of cost-share funding from WSF and NRD funds to the following individuals: Wilke, Kurt for \$770; Svoboda, Donna for \$1,540. Motion carried on consent agenda.

8. Bellwood Phase 2 Area – Update Given

9. Richland - Schuyler Phase 2 Area– Update Given

10. Richland - Schuyler Phase 3 Area – None

11. Lower Platte North NRD Operator Certification

a. LPNNRD Certification Classes for Nitrogen and Water Management – Update Given

3. GROUND WATER PROGRAMS

a. Decommissioned Well Program

1. Well Estimates – Update Given

2. Plugged Wells

Sabatka made the motion, seconded by Seier, to approve the well decommissioning cost-share of \$752.14 to Diann Svatora. Motion carried on consent agenda.

b. Chemigation – Update Given

c. Ground Water Energy Levels

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

4. SURFACE WATER PROGRAMS

a. USGS Stream Gauges

Saalfeld made the motion, seconded by Ruzicka, to continue the agreement between USGS and LPNNRD for two stream gauges and 1 real-time groundwater level monitoring site. Motion carried.

AYE: Feala, Hannah, Hilger, Kavan-Alex, McDermott, Olson, Ruzicka, Saalfeld, Sabatka, Saeger, Seier, Thompson, Veskerna, Birkel

ABSENT: Kavan-Don

5. OTHER

a. GMDA Annual Conference – Update Given

b. Comments from the Public – Update Given

Sabatka made the motion, seconded by Seier, that the November 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 REPORT

a. SWCP Application Approvals - None

b. SWCP Payments

Sabatka made the motion, seconded by Seier, to approve payment to Mark Gustafson for \$2,935.23 as shown in the Projects Committee Minutes. Motion carried on consent agenda.

c. SWCP Cancellations – None

d. Wahoo Creek Cost-Share Approvals

Sabatka made the motion, seconded by Seier, to approve the 15 Lands for Conservation Payments totaling \$96,635.70 as shown in the Projects Committee Minutes. Motion carried on consent agenda.

3. WATERSHEDS

a. Shell Creek Watershed

1. Kramer Shell Creek Stabilization Project – Bid Process

Ruzicka made the motion, seconded by Seier, to approve the \$3,785.42 invoice from Mainelli Wagner & Associates Inc. for preparing bidding documents, bid letting, contract preparation, SWPPP preparation for the Kramer Shell Creek Bank Stabilization Project, as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

2. Shell Creek Enhancement Plan Approvals/Payments – Update Given

b. Wahoo Creek Watershed

1. Wahoo Creek Site 26 & 27 – Update Given

2. Wahoo Creek P.L. 566 Application – Update Given

4. LOWER PLATTE RIVER CORRIDOR ALLIANCE - Update Given

5. OTHER

a. Platte Center Bank Stabilization – Update Given

b. Platte County/Luchsinger Project – Update Given

c. Review of Projects Financial Statement – Update Given

d. Nebraska Buffer Strip Payments

Sabatka made the motion, seconded by Seier, to approve the 2017 Nebraska Buffer Strip payments as shown in the Projects Committee Minutes. Motion carried on consent agenda.

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

7. ADDITIONAL ACTION ITEMS - None

8. BILLS TO BE APPROVED

Hannah made the motion, seconded by Feala, 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

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

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The December Directors Meeting will be held on Monday, December 11, 2017, 1:30 p.m. Meeting adjourned at 5:56 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 November 13, 2017, 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.

Frank Pollard, Secretary