

**LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
October 10, 2016**

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, Wahoo, NE on Monday, October 10, 2016.

**1. NOTICE OF MEETING**

The advanced notice of our October 10, 2016 board meeting was published on September 22, 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	Hagerbaumer	Hilger
Kavan	McDermott	Meduna
Olson	Ruzicka	Saalfeld
Sabatka	Seier	Sobota
Veskerna	Hannah	

**DIRECTORS ABSENT**

Gibney	Pollard
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**STAFF AND GUESTS:**

Miyoshi	Mountford	Breunig
Heimann	Oaklund	TePoel

Schomer

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**

No Report

**c. NARD Report**

Hilger reported on the Annual NARD Fall Conference September 25-27, 2016 that was held in Kearny at the Younes Conference Center.

**d. NRC Report**

None

**e. Managers Report**

Manager Miyoshi reviewed his written report.

**f. Education Program – None**

**5. APPROVAL OF MINUTES**

Meduna made the motion, seconded by Sabatka, to approve the minutes from the September 12, 2016 Board Meeting. Motion carried on consent agenda.

**6. REPORT OF STANDING COMMITTEES**

**A. EXECUTIVE COMMITTEE REPORT**

**1. POSTPONED MOTIONS**

**a. Off Site Water Table Concerns Near Sand Creek**

Lausterer reported that he had contacted Stoeber's attorney Brad Holtorf and he is preparing a claim for the Stoeber's. Lausterer has not heard back from either the Murren's or Gaughen's.

**2. Meetings**

**a. Pending – None**

**b. Reports – None**

**3. Management Items**

**a. Director Absences – None**

**b. Monthly Education Program – None**

**c. Ourada Claim**

Ruzicka made the motion, seconded by Feala, to approve going to mediation concerning the Ourada Claim and authorize Lausterer to make all necessary arrangements including hiring of a mediator. It is further approved to appoint the following board Members to represent LPNNRD at mediation; Bailey, Birkel, Clausen, Hannah and Veskerna, with Hannah authorized to appoint any needed substitutes. Motion carried all members present voting aye.

**d. Visioning a Future for LPNNRD**

Olson made the motion, to within 6 months of hiring a new General Manager the Board would enter into an agreement with JEO to "Vision for a Future for LPNNRD" at a cost of \$7,500. Motion died for a lack of a seconded.

**e. Postponed Motions (Tabled) – Update Given**

**f. Meeting Procedures – Update Given**

**g. Water Leaders Academy 2017 – Update Given**

**4. Equipment - None**

**5. Personnel**

**a. Engineer Position – Update Given**

**6. Finance**

**a. Update on HBE 360 – Update Given**

**b. Approval of Financial Reports**

Saalfeld made the motion, seconded by Olson, to approve the June 2016 Financial Reports (end of year,

audited numbers) as distributed to all Board Members. Motion carried all members present voting aye.

**c. Approval of Managers Expenses**

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

**d. Accounts Receivable Over 90 Days – Update Given**

**e. FY 2016 Audit**

Birkel gave the FY 2016 Audit Report as prepared by HBE and answered questions from Board Members. Olson made the motion, seconded by Birkel, to accept and place on file the 2016 Audit Report from HBE. Motion carried all members present voting aye.

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

**B. OPERATIONS, EDUCATION & RURAL WATER COMMITTEE REPORT**

**1. POSTPONED MOTIONS – NONE**

**2. WILD NE/CREP REPORT**

Meduna made the motion, seconded by Sabatka, to pay Mohrman Farms \$111.58 for their two CREP contracts totaling 6.1 acres. Motion carried on consent agenda.

**3. OPERATION AND MAINTENANCE & OTHER ITEMS**

**a. Wildlife View Proposal on Wanahoo**

Meduna made the motion, seconded by Sabatka, to take the Wildlife Viewing request to the Board for comments and whether or not anyone objects to such a proposal. Motion carried on consent agenda.

Sabatka made the motion, seconded by Seier, to draw up a plan for Wildlife Viewing at Lake Wanahoo and include costs that will be associated with this project. Motion carried all members present voting aye.

**b. Czechland Lake**

Seven bids were received for tree removal at Czechland Lake. McDermott made the motion, seconded by Sabatka, to accept the low bid of \$3,750 from Standing C Excavating, Linwood, for mechanical tree removal at Czechland Lake. Motion carried all members present voting aye.

**c. Robert Schmit Bellwood Dam Renovation**

Meduna made the motion, seconded by Sabatka, to pay Robert Schmit \$4,000 for construction renovation costs previously approved for his dam in the Bellwood Watershed pending staff inspection. Motion carried on consent agenda.

**d. Rawhide Land Partnership Paul Gifford Drive**

Meduna made the motion, seconded by Ruzicka, to table discussion on the Paul Gifford Box Culvert and have staff work with the City of Fremont to come up with a proposal and bring it back to Committee. Motion carried all members present voting aye. Motion carried all members present voting aye.

**e. Wanahoo Hay and Aerial Spraying**

Meduna made the motion, seconded by Sabatka, to pay Provine Helicopters \$3,504 for the aerial spraying of the Wanahoo Wetlands. Motion carried on consent agenda.

**f. Lake Wanahoo Lake Level**

McDermott made the motion, seconded by Pollard, to reestablish the Lake Wanahoo Lake Level Advisory Panel with Membership being; four Landowners, four LPNNRD Board Members, Funding partners who contributed over \$1 million (City of Wahoo, Saunders County Board, Nebraska Game and Parks Commission, Nebraska Environmental Trust) and have Legal Counsel Lausterer attend all meetings and to negotiate with Olsson Associates to assist with completing the Corps Section 408 requirements.

Meduna moved to amend the motion, seconded by Veskerna, to have five LPNNRD Board Members and one Recreational User on the Lake Wanahoo Lake Level Advisory Panel. Amendment carried all members present voting aye.

The Amended motion now reads: to reestablish the Lake Wanahoo Lake Level Advisory Panel with Membership being; four Landowners, five LPNNRD Board Members, one Recreational User, Funding partners who contributed over \$1 million (City of Wahoo, Saunders County Board, Nebraska Game and Parks Commission, Nebraska Environmental Trust) and have Legal Counsel Lausterer attend all meetings and to negotiate with Olsson Associates to assist with completing the Corps Section 408 requirements. Motion carried all members present voting aye.

**g. Fremont GI Study – Update Given**

**3. ROCK AND JETTY**

Meduna made the motion, seconded by Sabatka, to pay David Marshall \$1,100 for his jetty repair on the Platte River in Colfax County contingent on staff inspection. Motion carried on consent agenda.

**4. EROSION & SEDIMENT RULES & REGULATIONS**

Meduna made the motion, seconded by Sabatka, to set the public hearing for the “LPNNRD Erosion and Sediment Rules and Regulations” for Wednesday, November 2<sup>nd</sup> starting at 8:15 a.m. at the LPNNRD Office. Motion carried all members present voting aye.

**5. INFORMATION & EDUCATION**

**a. Information**

**1. Radio and Web Ads – Update Given**

**b. Education**

**1. State Range Judging Contest - Update Given**

Saalfeld made the motion, seconded by Ruzicka, to pay registration costs for students competing in the 2016 East Central Region Land Judging Contest. Motion carried on consent agenda.

**2. Land Judging – Update Given**

**3. Test Your Well Night – Update Given**

**4. I & E State Committee Meeting – Update Given**

**5. Education Presentations – Update Given**

**6. Nature Education Trail/Disc Golf Course**

Meduna made the motion, seconded by Sabatka, to approve the purchase of disc golf baskets and hold sponsor decals at a price not to exceed \$3,079 as attached to the O, E & RW Committee Minutes. Motion carried on consent agenda.

**c. Computer – None**

**6. RURAL WATER SYSTEMS**

**a. Colon – Update Given**

**b. Bruno – Update Given**

**c. Other – None**

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

**C. WATER COMMITTEE REPORT**

**1. POSTPONED MOTIONS – NONE**

**2. REGULATORY**

**a. Policy On Irrigated Acres and Soil Classification**

Saalfeld made the motion, seconded by Hilger, to approve and follow the current LPNNRD policy that the number of new irrigated acres under an irrigation system is not to exceed the number of acres of Land Class I, II, III, IV and V plus 20% of class VI, VII and VIII soils due to slope as categorized by the Natural Resources Conservation Service. Motion carried all members preset voting aye.

**b. Groundwater Management Area**

**1. Variance Requests in the Hydrologically Connected Area**

Hilger made the motion, seconded by Saalfeld, to approve the following variance requests in the Hydrologically Connected Area: LPN-V-016-0445, LPN-V-013-0343, LPN-V-016-0438, LPN-V-013-0297, LPN-V-013-0244, LPN-V-016-0439, LPN-V-013-0290, LPN-V-016-0449, LPN-V-013-0345, LPN-V-013-0289, LPN-V-016-0442, LPN-V-016-0451, LPN-V-013-0269, LPN-V-016-0448, LPN-V-015-0428, LPN-V-016-0452, LPN-V-016-0437, LPN-V-016-0447, LPN-V-013-0273, LPN-V-013-0346, LPN-V-013-0255, LPN-V-013-0312, LPN-V-014-0383, LPN-V-013-0293, LPN-V-013-0262, LPN-V-016-0444, LPN-V-015-0431, LPN-V-013-0243, LPN-V-015-0435, LPN-V-013-0253, LPN-V-016-0450, LPN-V-013-0280, LPN-V-015-0433, LPN-V-013-0282 and pending approval for LPN-V-015-0427 following submittal and review of 3 three test holes and pending comments from adjacent landowners as outlined on LPNNRD policy of new irrigation in the Restricted Development Area as attached to the Water Committee Minutes. Motion carried all members present voting aye.

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

**3. Variance Requests in the Restricted Development Areas – None**

**4. Well Permit Program**

**a. Well Permits Approved – Update Given**

**b. Tim Bartek Well Permit Application – Update Given**

- 5. Potential Violation of Expanded Irrigation – Update Given**
  - 6. Special Quantity Sub-Areas – Update Given**
    - a. Flow Meter Maintenance Program**

Meduna made the motion, seconded by Sabatka, to approve taking and advertising for “Request for Proposals of a Flow Meter Maintenance Program for the LPNNRD” as outlined in the document attached to the Water Committee Minutes with proposals to be returned to the LPNNRD by October 25, 2016. 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**
    - b. Flow Meter Cost Share in SQS #2 – Update Given**
  - 10. Bellwood Phase 2 Area – Update Given**
  - 11. Richland - Schuyler Phase 2 Area – Update Given**
  - 12. Richland - Schuyler Phase 3 Area – Update Given**
  - 13. LPNNRD Operator Certification – Update Given**
  - 14. Certifying Acres in Saunders and Dodge Counties – Update Given**
  - b. Chemigation – Update Given**
  - c. Livestock Waste Permits – Update Given**
- 3. GROUND WATER PROGRAMS**
- a. Decommissioned Well Program**
    - 1. Well Estimates – None**
    - 2. Plugged Wells – None**
  - b. LPNNRD Ground Water Studies**
    - 1. Eastern Nebraska Water Resources Assessment (ENWRA)**
  - c. New Monitoring Wells - Update Given**
  - d. Ground Water Energy Levels – Update Given**
    - 1. GWEL SQS #1 Summer Measurements – Update Given**
    - 2. GWEL SQS #2 Summer Measurements – Update Given**

**3. GWEL Wann Basin Subarea - Update Given**

**e. Former Ordnance Plant Near Mead – Update Given**

**4. SURFACE WATER PROGRAMS**

**a. State Lakes**

**1. Bacteria Sampling – Update Given**

**2. Toxic Algae – Update Given**

**b. USGS Water Quality Monitoring on Shell Creek – Update Given**

**5. OTHER**

**a. Test Your Well Night – Update Given**

**b. Comments from the Public – Update Given**

Meduna made the motion, seconded by Sabatka, that the October LPNNRD Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

**D. PROJECTS COMMITTEE REPORT**

**1. POSTPONED MOTIONS**

**May 9, 2016, the following LPRCA motion was tabled:**

Clausen made the motion, seconded by Ruzicka, to not approve the LPRCA FY 2017 budget and not be a member in the LPRCA. Sabatka made the motion, seconded by Meduna, to table the previous motion until further information is brought forward. Motion carried all members present voting aye.

**While the above motion was not revisited by the Board, the following are subsequent LPRCA motions:**

**On July 11, 2016, the following Board Motion failed:**

Bailey made the motion, seconded by Olson, to approve the LPRCA 2017 selected budget project and program items (as attached to the Projects Committee Minutes) totaling \$51,200 (as shown in black) and to budget an additional \$34,167 for projects and programs (50% of the total shown in red) that will require Board approval before moving forward. Motion failed.

**On August 8, 2016, the following Board Motion passed:**

Olson made the motion, seconded by Gibney, to remain non-dues paying member of the Lower Platte River Corridor Alliance in FY 2017 however continue to honor our previous financial commitments totaling \$11,230 to include Leshara water quality monitoring (\$9,696), ESRI Data Storage Agreement (\$834), and the LPRCA Website (\$700) and include these items in our FY 2017 budget. Motion carried.

Birkel made the motion, seconded by Ruzicka, to dismiss the May 9, 2016, tabled motion regarding the LPRCA 2017 budget and LPNNRD membership as shown above. Motion carried.

**AYE:** Bailey, Birkel, Feala, Hagerbaumer, Hilger, Kavan, McDermott, Olson, Sabatka, Seier, Sobota, Veskerna, Hannah

**NAY:** Clausen, Meduna, Ruzicka, Saalfeld

**2. SWCP REPORT**

**a. SWCP Application Approvals**

Meduna made the motion, seconded by Sabatka, to approve the following three SWCP Applications:

<u>Margie Vrana</u>	<u>Terraces/Tile/Basins</u>	<u>Coordinating w/EQIP</u>	<u>\$12,260.00</u>
<u>William Perk</u>	<u>W/S Basins</u>	<u>Sand/Duck Creek</u>	<u>\$12,500.00</u>
<u>Darlene Kroeger/Dorothy Vacek</u>	<u>Tile extension</u>	<u>Dodge Co.</u>	<u>\$3,496.50</u>
		<b>TOTAL:</b>	<b><u>\$28,256.50</u></b>

Motion carried on consent agenda.

**b. SWCP Payments**

Meduna made the motion, seconded by Sabatka, to approve the following SWCP payments:

<u>Doris Treptow Rev. Trust</u>	<u>Terraces/Tile</u>	<u>\$7,277.95</u>
<u>Glen Treptow</u>	<u>Terraces/Tile</u>	<u>\$12,500.00</u>
<u>Randall Dendrich</u>	<u>Terraces/Tile/Basins</u>	<u>\$12,500.00</u>
<u>Tom Smaus</u>	<u>Terrace/Tile</u>	<u>\$10,736.92</u>
<u>Randy Brabec</u>	<u>Diversion</u>	<u>\$1,205.00</u>
	<b>TOTAL:</b>	<b><u>\$44,219.87</u></b>

Motion carried on consent agenda.

**c. SWCP Cancelations – None**

**d. Wahoo Creek Cost Share Payments**

Meduna made the motion, seconded by Sabatka, to approve the Wahoo Creek 319 Lands for Conservation grant payments:

<u>Tim Kastl</u>	<u>28 acres</u>	<u>\$5,152.00</u>
<u>Frances Kastl</u>	<u>10 acres</u>	<u>\$1,840.00</u>
<u>Jerry Urban</u>	<u>25 acres</u>	<u>\$4,600.00</u>
	<b>TOTAL:</b>	<b><u>\$11,592.00</u></b>

Motion carried on consent agenda.

**3. WATERSHEDS**

**a. Shell Creek Watershed – Update Given**

**b. Wahoo Creek Watershed**

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

**2. Wahoo Creek RCPP Application - Update Given**

**4. LOWER PLATTE RIVER CORRIDOR ALLIANCE**

**a. Monthly Report – Update Given**

**b. LPRCA Invoice Payment Request**

Sobota made the motion, seconded by Birkel, to approve paying the attached LPRCA invoice totaling \$11,200 to include Leshara water quality monitoring (\$9,696), ESRI Data Storage Agreement (\$834), and the LPRCA Website (\$670) as previously committed by the Board. To further approve transferring \$1,504 from the LPRCA GIS NAPIT account into the LPNNRD checking account to pay for the ESRI (\$834) and LPRCA website (\$670) expenses. Motion carried all members present voting aye.

**5. OTHER**

**a. Update on Army COE 205 Studies**



**1. Fremont 205 – Update Given**

**2. Schuyler 205 – No new information**

**b. Shell Creek Landowner Levee Project – Update Given**

**c. Review of Projects Financial Statement – Update Given**

**d. Craig Derickson, NRCS State Conservationist Thank-You Letter – Update Given**

**6. WESTERN SARPY/CLEAR CREEK LEVEE REPORT**

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

**7. ADDITIONAL ACTION ITEMS**

**7a. Approval of SWCP Summer Payment**

McDermott made the motion, seconded by Saalfeld, to approve the following SWCP Summer payment: David Sousek/Diversion and Terrace/\$12,500. Motion carried all members present voting aye.

**7b. Approval of Lands for Conservation Payment**

McDermott made the motion, seconded by Saalfeld, to approve the Wahoo Creek Lands for Conservation payment to LaVerne Kadavy/15 acres/\$2,760. Motion carried all members present voting aye.

**7c. Ratify Hiring Dodge County Field Assistant**

McDermott made the motion, seconded by Saalfeld, to ratify the hiring of Luz Schafersman to fill the Dodge County NRCS Field Office Assistant Position at the starting wage. Motion carried all members present voting aye.

**7d. Cottonwood Dame 23-A Repair Payment**

McDermott made the motion, seconded by Saalfeld, to approve payment of \$1,365 to Bob Proskovec for a 48" x 20' culvert to be used as a crossing above the drainage of Cottonwood 23-A for field access. 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 the same. Motion carried all member present voting aye.

**9. CONSENT AGENDA ADOPTION**

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

**10. COMMENTS FROM DIRECTORS/GUESTS**

**11. MEETING ESTABLISHMENT AND ADJOURNMENT**

The November Directors Meeting will be held on Monday, November 14, 2016, 3:45 p.m. Meeting adjourned at 8:56 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 October 10, 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.

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Joe Birkel, Secretary