

Chair Steffen called the December 17, 2020 meeting of the Lewis and Clark Natural Resources District (LCNRD) Board of Directors to order at 1:35 p.m. at the LCNRD office. Chair Steffen stated to the public present that prior notice of the meeting had been publicized according to policy designated by the board. Chair Steffen announced that a copy of the Open Meetings Act is located on the west wall of the meeting room. Chair Steffen conducted roll call of members. Present: Christensen, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, Weinandt, and Steffen. Absent: None. Participating via Zoom video conference were Armstrong and Condon. By order of Governor Ricketts directors can fully participate in meetings held in December when joining using video or teleconferencing due to the Covid-19 pandemic.

**CONSENT AGENDA**

The consent agenda was reviewed. It was moved by Kramer, seconded by Howey to approve the minutes of the November 19, 2020 board meeting and the November 20 to December 17, 2020 consent agenda. The consent agenda includes financial reports, cost share approvals, claims, corrections, and additions. (Copy attached to file copy of minutes). Roll call vote: AYE: Armstrong, Condon, Christensen, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, Weinandt and Steffen. NAY: None. ABSENT: None. Motion carried (11-0-0).

**UNITED STATES GEOLOGICAL SUVEY UPDATE**

Matt Hobza from USGS and Sue Lackey from the UNL Conservation and Survey Division provided a presentation on groundwater resources developed using AEM data.

**PLANNING COMMITTEE**

Heine reported on the planning meeting discussion and the proposed change to policy for tuition assistance. It was moved by Hoelsing, seconded by Christensen to change Personnel Policy No. 38 Tuition Assistance reimbursement requirement to read: Employees who receive tuition assistance will be required to reimburse the District 100% of tuition assistance received if they leave the District's employment within one year of the course completion no reimbursement is required if employment will be at a partner agency. Roll Call vote: AYE: Armstrong, Condon, Christensen, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, Weinandt and Steffen. NAY: None. ABSENT: None. Motion carried (11-0-0).

**WATER RESOURCES COMMITTEE**

Condon updated the directors on discussion pertaining to proposed modifications Ground Water Quality Rules and Regulations.

**AGENCY REPORTS**

NARD: Kramer reported on current and upcoming activities for NARD.

Resolution for NARD Building Funding: The payment plan and resolutions for the NARD building purchase were reviewed including a portion of the funds that will come from the NARD Risk Pool. It was moved by Heine, seconded by Schmidt that the District Office, as a Participating Employer in the NARDs Risk Pool, hereby ratifies and consents to the assignment of its pro rata share of the dividend to NARD Foundation for the purpose of purchasing an office building and authorizes management to sign. Roll call vote: AYE: Armstrong, Christensen, Condon, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, Weinandt and Steffen. NAY: None. ABSENT: None. Motion carried (11-0-0).

Natural Resources Commission (NRC) and Healthy Soils Task Force: Steffen reported the NRC has not met recently and that the Healthy Soils Task Force Report has been completed for submission to the Governor.

RC&D and Wau-Col Rural Water Activities: Howey had no reports.

NRCS: Rebekah Jessen, NRCS District Conservationist reviewed current NRCS activities, revied the NRCS/NRD Memorandum of Agreement, and presented the draft Unfunded Cooperative Agreement for review. It was moved by Howey, seconded by Weinandt to approve the Unfunded Cooperative Agreement with

the NRCS. Roll call vote: AYE: Armstrong, Condon, Christensen, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, Weinandt and Steffen. NAY: None. ABSENT: None. Motion carried (11-0-0). Program Assistant, Jeni Olsen reviewed activities of the NRD staff located at the NRCS offices. Diane Wieseler, Program Assistant, provided a report of results from testing water samples from district landowners brought in to test nitrate concentrations. (Jessen, Olsen, and Wieseler reports are included in the directors' packet.)

Bazile Groundwater Management Area reports from Connor Baldwin and Jeremy Milander are included in the directors' packet.

Nebraska Forest Service: No report from Jorden Smith, reports for Pam Bergstrom are included in the director's packet.

### **RURAL WATER ADVISORY COMMITTEE**

Director Weinandt and Project Manager Fiedler reported on Cedar Knox Rural Water Project (CKRWP) activities and presented recommendations from the December 10th meeting of the Cedar Knox Rural Water Project Advisory Committee as follows:

- Approve minutes of the November 12, 2020 Cedar Knox Rural Water Project Meeting.
- Approve expenses from November 13, 2020 to December 10, 2020 as presented.
- Approve the Engineering Review Application for Gerry Sudbeck (Sec 3 T31N R1E, Cedar County) for 1 Benefit Unit.

It was moved by Heine, seconded by Kramer to approve the Cedar Knox Rural Water Project report and each of the recommendations as stated above. Roll call vote: AYE: Armstrong, Condon, Christensen, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, Weinandt, and Steffen. NAY: None. ABSENT: None. Motion carried (11-0-0). (CKRWP minutes and financials attached to file copy of minutes)

### **ADMINISTRATIVE ACTIVITIES**

Sudbeck reported on hearings for adopting restatement of Groundwater Quantity Rules and Regulations, Evidentiary Hearings, Informational Public Hearings and Rules and Regulations for Enforcement held on December 1, 2020. No testimony was received from the public. An individual called requesting information but did not provide testimony. Sudbeck then presented two Orders for consideration. It was moved by Howey, seconded by Kramer to approve an Order for adoption of restated Groundwater Quantity Rules and Regulations, and an Order for adoption of restated Evidentiary Hearings, Informational Public Hearings and Rules and Regulations for Enforcement. Roll call vote: AYE: Armstrong, Condon, Christensen, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, Weinandt and Steffen. NAY: None ABSENT: None. Motion carried (11-0-0)

Amendment #5 to the Conservation and Survey Division Cooperative Agreement was presented for consideration. It was moved by Heine, seconded by Weinandt to approve Amendment #5 to Conservation and Survey Division Cooperative Agreement to include the additional amount of \$33,835. Roll call vote: AYE Armstrong, Condon, Christensen, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, Weinandt and Steffen. NAY: None. ABSENT: None. Motion carried (11-0-0)

Well Permits, Expanded Irrigated Acres, and Flow Meter Requests: Eight permits were presented for consideration. After discussion it was moved by Johnson, seconded by Schmidt to approved permits as stated below.

1. Lawrence & Barbara Korth well permit LC-277 for a well in NWSE Section 25, T29N, R1W, to irrigate existing 106 acres in the SE Section 25, T29N, R1W.
2. Chief Farms well permit LC-278R for a replacement well in NWNE Section 13, T30N, R2W and FMLC-278R flow meter cost share. This well will comingle with existing well G-189554.
3. Burl Mormann well permit LC-279 for a well in SESW Section 21, T31N, R3W, will comingle with existing well G-182306, expanded acres permit X20025 for 120 irrigated acres in SE Section 20, T31N, R3W, and FMLC-279 flow meter cost share.
4. Kerloo Creek Ranch Inc. well permit LC-280 for a well in NENW Section 32, T30N, R2E, expanded

acres permit X20026 for 85 irrigated acres in NW Section 32, T30N, R2E, and FMLC-280 flow meter cost share.

5. David Eisenhower well permit LC-281 in NWN Section 1, T30N, R4W, and comingle with existing well G-161748.
6. Richard Feilmeier well permit LC-282 for a well in the NESW Section 28, T31N, R2E.
7. Joel Lipp expanded acres permit X-0027 for 66 irrigated acres in N1/2NE Section 29, T30N, R4E and pooling agreement P-20006 with Doug Nelson.

Roll call vote: AYE: Armstrong, Condon, Christensen, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, Weinandt, and Steffen. NAY: None. ABSENT: None. Motion carried (11-0-0). Copy of December permits attached to the file copy of the minutes.

Certified Acres: Schumacher presented the irrigated acres report submitted for certification. It was moved by Kramer, seconded by Christensen to approve certification of 270 groundwater irrigated acres on 2 parcels as presented. Roll call vote: AYE: Armstrong, Condon, Christensen, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, Weinandt, and Steffen. NAY: None. ABSENT: None. Motion carried (11-0-0). The December acres certified are attached to file copy of minutes.

Manager Sudbeck reported President Trump declared December 24<sup>th</sup> a federal holiday. The office will be closed on December 24<sup>th</sup> and 25<sup>th</sup> this year. Sudbeck's report is attached to file copy of minutes.

Staff reports for Schumacher, Hochstein, Lammers, Buettner and Ravenkamp are attached to the file copy of the minutes.

#### **EXCUSED ABSENCES - CORRESPONDENCE REVIEW**

Excused absences - All directors present.

Correspondence review – Items of interest are included in the directors' packet.

#### **ADJOURN**

It was moved by Hoelsing, seconded by Johnson to adjourn the meeting at 4:30 pm. Roll call vote: AYE: Armstrong, Condon, Christensen, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, Weinandt, and Steffen. NAY: None. ABSENT: None. Motion carried (11-0-0).

#### **MEMBERS PRESENT**

Curtis Armstrong \*\*\*##  
Dave Condon \*\*\* ##  
Bill Christensen  
Carolyn Heine  
Leroy Hoelsing  
Gary Howey  
Chris Johnson  
Marcel Kramer  
Russ Schmidt  
Jeff Steffen  
Matt Weinandt

#### **GUESTS PRESENT**

Annette Sudbeck, Manager  
Scott Fiedler, CKRWP Manager \*\*\*  
Marilyn Schumacher, Office Mgr.  
Kristi Hochstein, Office Tech.  
Myles Lammers, Water Resource Tech. \*\*\*  
Rebecca Ravenkamp, Bow Creek Coord. \*\*\*  
Chase Buettner, Resource Tech. \*\*\*  
Rebekah Jessen, NRCS District Conservationist \*\*\*  
Jeni Olsen, Program Assistant \*\*\*  
Sue Lackey, Hydrogeologist UNL  
Chris Hozba, Hydrologist USGS \*\*\*  
Jon Munter, Survey Tech.\*\*\*

\*\*\* Indicates attendance via Zoom video conferencing.

## Indicates voting via Zoom video conferencing

I, the undersigned Secretary for the Lewis & Clark Natural Resources District, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Board of Directors on December 17, 2020 and that all of the subject included in the foregoing proceeding were contained in the agenda for at least twenty four hours prior to said meeting; the minutes of the Chairman and Board of Directors of said district were in written form and available for public inspection within ten working days and prior to the next convened meeting of the said body, that all news media requesting notification of the time and place of said meeting and the subject to be discussed at said meeting.

*Dary Hoeng*  
Board Secretary

DRAFT