

Chair Heine called the October 21, 2021, meeting of the Lewis and Clark Natural Resources District (LCNRD) Board of Directors to order at 7:00 p.m. in the conference room at the LCNRD office. Chair Heine stated to the public present that prior notice of the meeting had been publicized according to policy designated by the board. Chair Heine announced that a copy of the Open Meetings Act is located on the west wall of the meeting room. Roll call of members. Present: Armstrong, Condon, Heine, Hoelsing, Howey, Kramer, Schmidt, and Steffen. Absent: Christensen, Johnson, and Weinandt.

CONSENT AGENDA

Consent agenda review. *It was moved by Schmidt, seconded by Steffen to approve minutes of the September 16, 2021, board meeting and the September 17, 2021 to October 21, 2021 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, Heine, Hoelsing, Howey, Kramer, Schmidt, and Steffen. NAY: None. ABSTAIN: None. ABSENT: Christensen, Johnson, and Weinandt. Motion carried (8-0-0-3).*

FY 2021 Audit

Donita Pokorny from Dana F. Cole reviewed the FY2021 audit report and answered questions. Consensus of the members present was to consider the audit report at the November board of directors meeting.

Bill Christensen entered the meeting at 7:37 PM.

Director Activities

NARD Activity: Kramer and Steffen reported on the Annual NARD Conference in Kearney. Kramer reported NARD Resolution 2021-1 “Executive Order #14008 – “30x30” plan” submitted by Tri-Basin NRD was considered and did not pass.

Natural Resources Commission (NRC): Steffen reported on recent NRC activities.

NE Nebraska RC&D and Wau-Col Rural Water Activities: Howey had no report from either committee.

ADMINISTRATIVE ACTIVITIES

Well Permits, Expanded Irrigated Acres, and Flow Meter Requests and/or Variances:

It was moved by Hoelsing, seconded by Howey to approve Variance V-21001 to waive the 300 ft spacing requirements between LC-317 and registered well G-165806.

Roll Call Vote: AYE: Armstrong, Condon, Heine, Hoelsing, Howey, Kramer, Schmidt, and Steffen. NAY: None. ABSTAIN: Christensen. ABSENT: Johnson and Weinandt. Motion carried (8-0-1-2).

Certification of Irrigated Acres: Report of acres to be certified was presented. *It was moved by Kramer, seconded by Christensen to approve certification of 766 groundwater irrigated acres on 9 parcels as presented. Roll call vote: AYE: Armstrong, Condon, Christensen, Heine, Hoelsing, Howey, Kramer, Schmidt, and Steffen. NAY: None. ABSTAIN: None. ABSENT: Johnson and Weinandt. Motion Carried (9-0-0-2).* The October acres certified are attached to file copy of minutes.

Court Action pertaining to Knox County Cease and Desist: *It was moved by Kramer, seconded by Hoelsing to cease pursuing court action pertaining to the Knox County Cease and Desist order issued in August 2021. Roll Call Vote: AYE: Armstrong, Christensen, Condon, Heine, Hoelsing, Howey, Kramer, Schmidt, and Steffen. NAY: None. ABSTAIN: None. ABSENT: Johnson and Weinandt. Motion carried (9-0-0-2).*

Interlocal Agreement for Obtaining Seedling Trees and Shrubs between LCNRD and NARD: *It was moved by Schmidt and seconded by Condon to approve the interlocal agreement for obtaining seedling trees and shrubs*

between LCNRD and NARD. Roll Call Vote: AYE: Armstrong, Christensen, Condon, Heine, Hoelsing, Howey, Kramer, Schmidt, and Steffen. NAY: None. ABSTAIN: None. ABSENT: Johnson and Weinandt. Motion Carried (9-0-0-2).

2022 Tree Seedling and Related Rates: Proposed tree program rates for the 2022 tree season were reviewed. It was moved by Kramer and seconded by Christensen to approve the following tree rates for the 2022 tree season. \$1.20 per seedling tree, \$30.00 per 25 bundle of seedlings, price to be determined by management per native plant plug, \$1.20 per seedling tree for planting with a minimum stop charge of \$300.00, and a go back charge of \$4.00 per mile. Weed barrier 500-foot roll \$225, weed mats with 5 staples \$3.50 each and staples \$0.20 each unless shipping and availability necessitates a rate increase to be adjusted by management. Roll Call Vote: AYE: Armstrong, Christensen, Condon, Heine, Hoelsing, Howey, Kramer, Schmidt, and Steffen. NAY: None. ABSTAIN: None. ABSENT Johnson and Weinandt. Motion Carried (9-0-0-2).

Hazard Mitigation Planning Cedar & Dixon Counties: Matt Weinandt entered the meeting at 8:15 PM. It was moved by Kramer and seconded by Steffen to participate in the agreement with Lower Elkhorn NRD, Dixon and Cedar Counties to apply for grant funding to develop future County wide Hazard Mitigation Plans. Roll Call Vote: AYE: Armstrong, Christensen, Condon, Heine, Hoelsing, Howey, Kramer, Schmidt, and Steffen. NAY: None. ABSTAIN: Weinandt. ABSENT: Johnson. Motion Carried (9-0-1-1).

Manager’s Report: Sudbeck reviewed items from the Managers Report which was provided to the directors.

Staff Reports: Reports for Schumacher, Hochstein, Lammers, Ravenkamp and A Fiedler were provided to the directors.

RURAL WATER ADVISORY COMMITTEE

Weinandt and Project Manager Fiedler reported on Cedar Knox Rural Water Project (CKRWP) activities and presented recommendations from the October 14, 2021, meeting of the Cedar Knox Rural Water Project Advisory Committee as follows:

- To approve Minutes of the September 9, 2021, Cedar Knox Rural Water Project Meeting.
- To approve expenses from September 10, 2021, to October 14, 2021, as presented.
- To enact the monthly demand charge for exceeding allocated Benefit Unit gallons effective as soon as January 1, 2022, but not later than March 1, 2022. See table below. (Motion reflects correction to dates and table in red)

Demand Charge Table per BU Water Service Connection

Gallons Used per BU	Gallons Over	Demand Charge
27,000	≤3,000	1.5 x Rate
30,000	≤3,000	2 x Rate
33,000	≤5,000	3 x Rate
38,000	≤7,000	5 x Rate
45,000	≤9,000	7 x Rate
54,000	>9,000	10 x Rate

- To authorize management to complete and submit the Low Income Housing Water Assistance Program Vendor Agreement to the Department of Health and Human Services.
- To approve the budget for Fiscal Year 2022.
- To approve the Engineering Review Application for the Quarry, LLC c/o Leane Thoene (Sec 24 T33N R1E in Cedar County) for 1 BU.

It was moved by Armstrong, seconded by Steffen 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, Kramer, Schmidt, Steffen and Weinandt. NAY: None. ABSTAIN: None. ABSENT: Johnson.

Motion carried (10-0-0-1).

AGENCY ACTIVITIES

NRCS: Report from Rebekah Jessen, NRCS District Conservationist was provided to the directors.

Bazile Groundwater Management Area: Reports from Whitney Gappa, Bazile Coordinator and Jeremy Milander, Bazile Extension Educator were provided to directors.

EXCUSED ABSENCES - CORRESPONDENCE REVIEW

Excused absences – Johnson

ADJOURN

It was moved by Condon, seconded by Armstrong to adjourn the meeting at 9:48pm. Roll call vote: AYE: Armstrong, Condon, Christensen, Heine, Hoelsing, Howey, Kramer, Schmidt, Steffen and Weinandt. NAY: None. ABSTAIN: None. ABSENT: Johnson. Motion carried (10-0-0-1).

MEMBERS PRESENT

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

GUESTS PRESENT

Annette Sudbeck, Manager
Scott Fiedler, CKRWP Manager
Marilyn Schumacher, Prog Coord.
Myles Lammers, Water Resources Coord.
Kristi Hochstein, Office Coord.
Rebekah Jessen, District Conservationist
Donita Pokorny, Dana F Cole ***

***Attendance via Teams 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 October 21, 2021 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 Chair 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.

Board Secretary