

LEWIS & CLARK NRD MINUTES

June 16, 2022

Chair Heine called the June 16, 2022, meeting of the Lewis and Clark Natural Resources District (LCNRD) Board of Directors to order at 7:05 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, Christensen, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. Absent: None

CONSENT AGENDA

Consent agenda review. *It was moved by Howey, seconded by Christensen to approve minutes of the May 19, 2022, board meeting and the May 20, 2022, to June 16, 2022, 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, Christensen, Condon, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: None. Motion carried (11-0-0).*

Chair Heine opened the floor to nine guests. Several of the guests expressed concerns with LCNRD proposed development of a groundwater source in Dolphin Township to replace the at-risk surface water source in Lewis and Clark Lake. The board addressed each question and provided additional comments.

PLANNING COMMITTEE REPORT

Committee Chair Steffen reported on and presented recommendations of the planning committee. *It was moved by Schmidt and seconded by Johnson to approve Resolution 2022-1 and 2022-2 as stated below along with agreements for participation in the 414(h) and 457 retirement plans.*

BE IT RESOLVED that the Lewis & Clark Natural Resources District, as a Participating Employer in the Plan, hereby consents to the adoption of the Amendment and Restatement of the Nebraska Association of Resources Districts 414(h) Plan (the "Amendment and Restatement") to bring the Plan into compliance with the Cycle 3, other applicable law and guidance and to make certain other adjustments, is hereby authorized and approved;

BE IT RESOLVED FURTHER that the officers and management of the Lewis & Clark Natural Resources District office be, and they hereby are, authorized and directed to take whatever actions may be necessary to effectuate the foregoing Resolutions including, but not limited to, execution of the restated Plan and the Consent to the Amendment and Restatement, notification of employees and participants of the Plan, and the preparation and distribution of explanatory booklets and materials as necessary; and

BE IT RESOLVED FURTHER that any and all action taken, and documentation executed by management or the officers of the Lewis & Clark Natural Resources District to effectuate the foregoing Resolutions and the transactions described therein be, and they hereby are, approved and ratified.

and

BE IT RESOLVED that Lewis & Clark Natural Resources District, as a Participating Employer in the Plan, hereby consents to the adoption of the Amendment and Restatement of the Nebraska Association of Resources Districts 457 Deferred Compensation Plan (the "Amendment and Restatement") to bring the Plan into compliance with the Cycle 3, other applicable law and guidance and to make certain other adjustments, is hereby authorized and approved;

BE IT RESOLVED FURTHER that the officers and management of Lewis & Clark Natural Resources District be, and they hereby are, authorized and directed to take whatever actions may be necessary to effectuate the foregoing Resolutions including, but not limited to, execution of the restated Plan and the Consent to the Amendment and Restatement, notification of employees and participants of the Plan, and the preparation and distribution of explanatory booklets and materials as necessary; and

BE IT RESOLVED FURTHER that any and all action taken, and documentation executed by management or the officers of Lewis & Clark Natural Resources District to effectuate the foregoing Resolutions and the transactions described therein be, and they hereby are, approved and ratified.

Roll Call Vote: AYE: Armstrong, Christensen, Condon, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. Nay: None. ABSENT: None. Motion carried (11-0-0). Retirement agreements are attached to the file copy of the minutes.

It was moved by Armstrong, seconded by Howey to approve other Planning Committee recommendations as follows:

1. Approve premium increases for FY 2022-2023 medical insurance as provided by NARD.
2. Approve FY2023 Salary Schedule.
3. Approve FY2023 Preliminary Program Planning and Draft Budget.
4. Approve finding of NSWCP non-compliance and require reimbursement for 2021 completed contract for a planned grazing system in SE17-T31N-R2E.
5. Approve alternative conservation plan for ESCA farm in SE8-T29N-R4W as previously filed with district court in 2004 for current operator.
6. Approve requesting additional estimates for LCNRD/CKRWP insurance plan.
7. Provide support of district FFA chapters of \$100 each annually in support of programs.

Roll Call Vote: AYE: Armstrong, Christensen, Condon, Heine, Hoelsing, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: None. Motion carried (11-0-0).

Hoelsing left meeting at 8:40 pm

ADMINISTRATIVE ACTIVITIES

Manager's Report: Sudbeck reviewed items from the Manager's Report attached to the file copy of the minutes.

Certification of Irrigated Acres: None

Well Permits, Expanded Irrigated Acres, Flow Meters: Six applications were presented for consideration. It was moved Weinandt, seconded by Steffen to approve the permits as stated below:

1. Bradley & Jackie Steffen expanded irrigated acres permit X-22040 for 21 irrigated acres in the W1/2SW Section 33, T31N, R2E.
2. Tyler & Shannon Heimes well permit LC-376 for a well in the SESW Section 29, T31N, R3E, expanded irrigated acres permit X-22041 for 38 irrigated acres in SESW Section 29, T31N, R3E, and flow meter cost share FMLC-376.
3. Norvel & Ann Marie Lentz expanded irrigated acres permit X-22042 for 58 irrigated acres in W1/2SW, NESW Section 29, T31N, R3E and pooling agreement P-22002.
4. Kelly & Kayleen Kaiser well permit LC-377 for a well in the SENW Section 29, T32N, R1E, expanded irrigated acres permit X-22043 for 115 irrigated acres in NW Section 29, T32N, R1E, and flow meter cost share FMLC-377.
5. Christopher Jessen for flow meter cost share FMLC-334.
6. Randy & Karen Hanson for flow meter cost share FMLC-374.

Roll Call Vote: AYE: Armstrong, Christensen, Condon, Heine, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt: NAY: None. ABSENT: Hoelsing. Motion Carried (10-0-1). (File copy attached to the minutes.)

Staff Reports: Reports for Hochstein, Lammers, Jacobsen, Trenhaile, Krusemark, A. Fiedler, and Ravenkamp were provided in the director packet.

AGENCY ACTIVITIES

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

NARD Activity: Kramer reported on rising costs of medical insurance and the Basin Tour hosed by the South Platte, North Platte and Upper Niobrara White NRDs.

NE Nebraska RC&D and Wau-Col Rural Water Activities: Howey reported on RC&D activity. No report for Wau-Col Rural Water.

Bazile GMA Updates: Jeremy Milander, Bazile Extension Educator, report was in the director packet. Lisa Lauver the new coordinator for the Bazile Groundwater Management Area introduced herself to the directors.

Nebraska Forest Service: Report from Pam Bergstrom was provided in the director's packet.

NRCS Report: Rebekah Jessen, NRCS District Conservationist reviewed current NRCS activities. Diane Wieseler reported on the activities of the Program Assistants for the last quarter.

Rural Water Advisory Committee: Weinandt and Fiedler reported on CKRWP activities. Weinandt presented recommendations from the June 9, 2022; meeting of the Cedar Knox Rural Water Project Advisory Committee as follows:

- To approve Minutes of the May 12, 2022, Cedar Knox Rural Water Project Meeting.
- To approve expenses from May 13, 2022, to June 9, 2022, as presented.
- To approve the appointment of Advisory Committee members, Charles Sudbeck, Dennis Tilton, and Matt Weinandt for a 4-year term ending June 30, 2026.
- To approve the appointment of Advisory Committee members, Martin Kleinschmit, and Francis Steffen for a 4-year term ending June 30, 2026.
- To approve submitting an application and letter of support for the Water Sustainability Fund.
- To approve the preliminary budget figures for the fiscal year 2022-2023.
- To approve updating CKRWP policies with legal counsel.
- To approve forgiving the demand charges for up to six months when additional benefit units are purchased and to forgive demand charges for up to two months due to leaks on customers side of the meter.
- To approve entering into closed session for the purpose of discussing policies while protecting of individuals.
- To approve coming out of closed session.
- To approve the engineering application for Marlin Roth (Sec 20 T33N R2W, Knox County) for 1 BU, to include the CKRWP relocation fee of \$0.25 per foot when an easement had been refused in the past, and for Travis Barney (Sec 18 T33N R2W, Cedar Ridge Estates, Lot 6, 7, and 10, Knox County) for 1 BU for each lot.

It was moved by Schmidt, seconded by Steffen to approve the Cedar Knox Rural Water Project report and each recommendation as stated above. Roll call vote: AYE: Armstrong, Christensen, Condon, Heine, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Hoelsing. Motion carried (10-0-1)

EXCUSED ABSENCES - CORRESPONDENCE REVIEW

Excused absences – None

ADJOURN

It was moved by Howey, seconded by Weinandt to adjourn the meeting at 9:20 pm. Roll call vote: AYE: Armstrong, Christensen, Condon, Heine, Howey, Johnson, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Hoelsing. Motion carried (10-0-1).

MEMBERS PRESENT

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

GUESTS PRESENT

Annette Sudbeck, Manager
Myles Lammers, Water Resources Coord.
Kristi Hochstein, Office Coord.
Reed Trenhaile, Information & Ed Technician
Rebekah Jessen, District Conservationist
Diane Wieseler, Program Assistant
Scott Fiedler, CKRWP Program Manager
Colton Krusemark, Resources Technician Bazile
Lisa Lauver, BGMA Coordinator

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 May 19, 2022 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