

**LEWIS & CLARK NRD MINUTES**

**September 21, 2023**

Chair Weinandt called the September 21, 2023, meeting of the Lewis & Clark Natural Resources District (LCNRD) Board of Directors to order at 7:00 p.m. in the conference room at the LCNRD office. Chair Weinandt stated to the public present that prior notice of the meeting had been publicized according to policy designated by the board. Chair Weinandt 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, Christensen, Condon, Johnson, Kollars, Kramer, Schmidt, Steffen, and Weinandt. Absent: Heine.

**CONSENT AGENDA**

Consent agenda reviewed. It was moved by Kollars, seconded by Condon to approve minutes of the August 17, 2023, board meeting and the August 18 to September 21, 2023, consent agenda. The consent agenda includes financial reports, cost share approvals, claims, corrections, and additions (attached to file copy of minutes). Roll call vote: AYE: Armstrong, Christensen, Condon, Johnson, Kollars, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Heine. Motion carried (9-0-1).

Heine entered the meeting at 7:04 pm.

Weinandt welcomed the public that were in attendance.

Feidler presented the history of Cedar Knox Rural Water Project (CKRWP) and provided an update on the Source Solution and Systems Upgrades Project.

Richard Donner: Fiedler, Sudbeck and directors addressed questions from Richard Donner and the public in attendance on the CKRWP Source Solution and Systems Upgrade Project. Feidler let the public know there would be a public informational meeting coming up in October.

Final Action on FY 2024 Budget and Levy Resolution 2023-2: Weinandt stated the budget hearing was held on September 21<sup>st</sup> at 5:06 pm with the tax levy hearing following the budget hearing. No public was in attendance. It was moved by Schmidt, seconded by Heine to approve the FY2024 budget. Roll call vote: AYE: Armstrong, Christensen, Condon, Heine, Johnson, Kollars, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: None. Motion carried (10-0-0).

Sudbeck stated the total tax requirement will be \$1,248,803.39 and reviewed Resolution 2023-2. It was moved by Heine, seconded by Johnson to approve the levy resolution 2023-2 as stated:

WHEREAS, Nebraska Revised Statute 77-1632 provides that the Governing Body of Lewis & Clark NRD passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of Lewis & Clark NRD resolves that:

1. The 2023-2024 property tax request be set at:  

General Fund: \$ 1,248,803.39
2. The total assessed value of property differs from last year’s total assessed value by 8.47 percent.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property would be 0.02467 per \$100 of assessed value.
4. Lewis & Clark NRD proposes to adopt a property tax request that will cause its tax rate to be 0.027643 per \$100 of assessed value.

5. Based on the proposed property tax request and changes in other revenue, the total operating budget of Lewis & Clark NRD will increase (or decrease) last year's budget by 18.31 percent.
6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 15, 2023.

Roll call vote: AYE: Armstrong, Christensen, Condon, Heine, Johnson, Kollars, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: None. Motion carried (10-0-0).

### **AGENCY ACTIVITIES AND REPORTS**

NARD Activity: Kramer reported on NARD activities. There are no proposed legislative resolutions.

Natural Resources Commission activities (NRC): Steffen reported the Water Sustainability Commission would be on tour of the area on December 6<sup>th</sup> and 7<sup>th</sup>.

Wau-Col Rural Water Activities: Heine reported on Wau-Col activities from the September 7<sup>th</sup> meeting in Belden and provided information on the origination of the Wau-Col project.

NRCS Report: Rebekah Poppe, District Conservationist, no report given. Holly Gregg, Program assistant in the Ponca NRCS office, reported on activities for the third quarter. Gregg's report was included in the director packet.

Bazile GMA Reports: Report from Lisa Lauver, Bazile Groundwater Management Area Coordinator, was provided in director packet.

CKRWP Advisory Committee: Weinandt and Fiedler reported on CKRWP activities and presented recommendations from the September 14, 2023; meeting of the Cedar Knox Rural Water Project Advisory Committee as follows:

- To approve minutes of the August 10, 2023, Cedar Knox Rural Water Project Meeting.
- To approve expenses from August 11, 2023 – September 14, 2023.
- To approve the updated proposal from Downey Drilling for the Aten site for \$204,990 which includes two (2) additional test holes and two (2) 12" test wells instead of the originally bid 6" test wells.
- To recommend the Lewis & Clark NRD Board of Directors approve the amended terms on the Water Sustainability Funds contract #10035 and sign Amendment NO 1 to Contract #10035.
- To recommend approving the draft budget for the 2023-2024 fiscal year.
- To approve the Engineering Application for Tony Dick for 5 lots in Heaven's Ridge (Sec 13 T33N R3W, Knox County) for 1 BU for each lot, and Grant & Lisa Rolfes (Sec 13 T31N R1E, Cedar County) for 1 BU.

It was moved by Kramer, 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, Johnson, Kollars, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: None. Motion carried (10-0-0).

### **ADMINISTRATIVE ACTIVITIES**

Manager's Report: Sudbeck reported on recent NRD and CKRWP activities and the report is included in the file copy of minutes.

Long Range Implementation Plan (LRIP): Sudbeck reviewed the LRIP and It was moved by Kollars, seconded by Johnson to approve the LRIP. Roll call vote: AYE: Armstrong, Christensen, Condon, Heine, Johnson, Kollars, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: None. Motion carried (10-0-0).

Consideration of Resolutions for NPAIT and /or Class Investments: Sudbeck informed the board on NPAIT and Class investments. It was the consensus of the board to continue utilizing local options for maintaining sinking funds at this time.

Well Permits, Expanded Irrigated Acres, and Flow Meters: Lammers reviewed permits and it was moved by Schmidt, seconded by Christensen to approve the permits as stated below:

1. Cole Condon well permit LC-437 for a well in the SENE Section 27, T29N, R5W and comingle with existing well G-069058, expanded acres permit X-23037 for 8 irrigated acres in the E1/2NE & N1/2SE Section 27, T29N, R5W, and flow meter cost share FMLC-437.
2. Leroy Emory expanded acres permit X-23038 for 88 irrigated acres in the W1/2NE & NENW Section 27, T29N, R5W, and pooling agreement P-23002 with Cole Condon.
3. Jason & Kristin Reuter well permit LC-438 for a well in the SWSE Section 18, T29N, R5E and comingle with existing well G-164744.
4. Kelly Bruns well permit LC-439 for a well in the NENW Section 11, T30N, R4W and flow meter cost share FMLC-439.
5. Orville & Patricia/John Steffen for well permits LC-440 and LC-441 for wells in the NESW Section 18, T30N, R2E and comingle with existing well G-198011.

Roll call vote: AYE: Armstrong, Christensen, Heine, Johnson, Kollars, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSTAIN: Condon. ABSENT: None. Motion carried (10-0-1-0).

Certification of District Irrigated Acres: Trenhaile presented the irrigated acres report submitted for certification. It was moved by Steffen, seconded by Armstrong to approve certification of 1,752 groundwater irrigated acres on 12 parcels as presented. Roll call vote: AYE: Armstrong, Christensen, Condon, Heine, Johnson, Kollars, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: None. Motion carried (10-0-0). The September acres certified are attached to the file copy of minutes.

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

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

Excused absences – None

#### **ADJOURN**

It was moved by Kramer, seconded by Johnson to adjourn the meeting at 10:05 pm. Roll call vote: AYE: Armstrong, Christensen, Condon, Heine, Johnson, Kollars, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: None. Motion carried (10-0-0).

#### **MEMBERS PRESENT**

Curtis Armstrong  
Carly Christensen  
Dave Condon  
Carolyn Heine  
Chris Johnson  
Dan Kollars  
Marcel Kramer  
Russ Schmidt  
Jeff Steffen  
Matt Weinandt

#### **GUESTS PRESENT**

Annette Sudbeck, Manager  
Scott Fiedler, Project Manager CKRWP  
Myles Lammers, Assistant Manager  
Kristi Hochstein, Office Coordinator  
Holly Gregg, Ponca Program Assistant  
Reed Trenhaile, I&E Technician  
Becky Ravenkamp, Bow Creek Watershed Coord.

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 September 21, 2023 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.

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Board Secretary

