

## LEWIS & CLARK NRD MINUTES

January 19, 2024

Chair Weinandt called the January 19, 2024, meeting of the Lewis & Clark Natural Resources District (LCNRD) Board of Directors to order at 1:34 p.m. in the conference room at the LCNRD office. The originally posted meeting date was postponed from January 18, 2024, due to inclement weather, to the posted snow date of January 19, 2024. Chair Weinandt stated that prior notice of the meeting had been publicized according to policy designated by the board and that the Open Meetings Act is posted on the west wall of the meeting room. Roll call of members. Present: Condon, Kollars, Kramer, Steffen, and Weinandt. Absent: Armstrong, Christensen, Heine, Johnson, and Schmidt.

Director Armstrong entered the meeting at 1:39 pm.

### CONSENT AGENDA

Consent agenda reviewed. It was moved by Kramer, seconded by Kollars to approve minutes of the December 21, 2023, board meeting and the December 22 to January 18, 2024, 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, Condon, Kollars, Kramer, Steffen, and Weinandt. NAY: None. ABSENT: Christensen, Heine, Johnson, and Schmidt. Motion carried (6-0-4).

### SUB-DISTRICT 5 VACANCY - DIRECTOR CONSIDERATION

Sudbeck reviewed the information provided by Carl Lamb for consideration of appointment as the to fill the sub-district 5 vacancy. It was moved by Kollars, seconded by Condon to appoint Carl Lamb as director for the Lewis and Clark NRD, Sub-district 5 vacancy. Roll call vote: AYE: Armstrong, Condon, Kollars, Kramer, Steffen, and Weinandt. NAY: None. ABSENT: Christensen, Heine, Johnson, and Schmidt. Motion carried (6-0-4).

### ADMINISTRATIVE ACTIVITIES

NACD Memorandum of Understanding: Postponed to the February 2024 director meeting.

NSWCP 2024 Average Cost Adjustments: The 2024 docket for Nebraska Soil and Water Conservation Program (NSWCP) was reviewed including proposed changes. It was moved by Steffen, seconded by Kollars to adopt the 2024 NSWCP docket as presented with changes to Mulch (Mats) to \$3.00 per each, Heavy Use Protection Area to \$475.00 per cubic yard, Well greater than 100 linear feet to \$54.02 per foot, LCNRD addition of well less than or equal to 100 linear feet to \$70.24 per foot, and to removed Brush Management Mechanical Hand Tools from the list. Roll call vote: AYE: Armstrong, Condon, Kollars, Kramer, Steffen, and Weinandt. NAY: None. ABSENT: Christensen, Heine, Johnson, and Schmidt. Motion carried (6-0-4).

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

Certification of Irrigated Acres: Trenhaile presented the irrigated acres report for certification. It was moved by Condon, seconded by Armstrong to approve certification of 2589 groundwater irrigated acres on 21 parcels as presented and included in the file copy of the minutes. Roll call vote: AYE: Armstrong, Condon, Kollars, Kramer, Steffen, and Weinandt. NAY: None. ABSENT: Christensen, Heine, Johnson, and Schmidt. Motion carried (6-0-4).

Well Permits, Expanded Acres, Flow Meter Requests: Lammers reviewed permits and it was moved by Steffen, seconded by Kollars to approve the permit applications as stated below:

1. Cole Condon well permit LC-459 for a well in the NENE section 27, T29N, R5W and comingle with well G-069058.
2. Hulstein Feedyard LLC well permit LC-460 for a well in the NENW Section 20, T29N, R5E, expanded acres permit X-24001 for 233 irrigated acres in the N1/2 & E1/2 SE Section 20, T29N, R5E, and flow meter cost share FMLC-460.
3. Circle E Land & Cattle LLC expanded acres permit X-24002 for 54 irrigated acres in the S1/2 SW Section 30, T30N, R3E,
4. Patricia, Orville, & John Steffen well permit LC-461 for a well in the SESW Section 18, T30N, R2E.

5. Russ Schmidt expanded acres permit X-24003 for 33 acres in the SWSE Section 30, T33N, R1E.

Roll call vote: AYE: Armstrong, Kollars, Kramer, Steffen, and Weinandt. NAY: None. ABSTAIN: Condon. ABSENT: Christensen, Heine, Johnson, and Schmidt. Motion carried (5-0-1-4).

Manager's Report: Sudbeck reported on recent NRD and CKRWP activities.

### **DIRECTOR AND AGENCY ACTIVITIES AND REPORTS**

Natural Resources Commission activities (NRC): Steffen had no report, next meeting will be on February 21.

Wau-Col Rural Water Activities: Sudbeck reported on Wau-Col activities from the January 4<sup>th</sup> meeting.

NARD Activity: Kramer reported the NARD Legislative Conference will be held on January 23<sup>rd</sup> & 24<sup>th</sup> in Lincoln. Dave Condon was appointed delegate and Dan Kollars, alternate for the NARD business meetings to be held on January 23<sup>rd</sup> and 24<sup>th</sup> in Lincoln during the NARD Legislative Conference.

NRCS Report: Report from Rebekah Poppe, District Conservationist, reported on NRCS activities and reviewed the NRCS Civil Rights Responsibilities for Partners Policy.

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

Rural Water Advisory Committee: Sudbeck reviewed proposed contract with Peetz & Co. that was recommended by consensus of the CKRWP Committee. It was moved by Kramer and seconded by Kollars to approve the 2024 contract with Peetz & Co. for \$24,000 to be equally split between CKRWP & LCNRD and directed manager to enter such contract. Roll call vote: AYE: Armstrong, Condon, Kollars, Kramer, Steffen, and Weinandt. NAY: None. ABSENT: Christensen, Heine, Johnson, and Schmidt. Motion carried (6-0-4).

Weinandt and Fiedler reported on CKRWP activities and presented recommendations from the January 11, 2024; meeting of the Cedar Knox Rural Water Project Advisory Committee as follows:

- To approve minutes of the December 14, 2023, Cedar Knox Rural Water Project Meeting.
- To approve expenses from December 15 to January 11, 2024.
- To approve the setup of automatic payment with South Dakota Internet.
- To approve refunding the water service connection fee to Robert and Amer Ness for Lot 29 in Hillcrest Deep Water, Knox County.
- To approve entering executive session at 11:07 am for the purpose of reviewing contract options.
- To approve exiting from executive session ending discussion of contraction options at 11:41 am.
- To approve entering negotiation with the City of Yankton, SD to pursue purchasing finished water for CKRWP.

It was moved by Steffen, seconded by Armstrong to approve the Cedar Knox Rural Water Project report and each recommendation as stated above. Roll call vote: AYE: Armstrong, Condon, Kollars, Kramer, Steffen, and Weinandt. NAY: None. ABSENT: Christensen, Heine, Johnson, and Schmidt. Motion carried (6-0-4).

Chair Weinandt asked the public if they had any comments. Richard Donner indicated he had no comments at this time.

**EXCUSED ABSENCES - CORRESPONDENCE REVIEW** – moved up on the agenda by Chair Weinandt  
Excused absences – Christensen, Heine, Johnson, Schmidt.

It was moved by Condon, seconded by Kollars to enter executive session at 3:10 p.m. to review contracts for CKRWP. Roll call vote: AYE: Armstrong, Condon, Kollars, Kramer, Steffen, and Weinandt. NAY: None. ABSENT: Christensen, Heine, Johnson, and Schmidt. Motion carried (6-0-4). L It was stated by Chair Weinandt that the board is entering executive session to review contracts for CKRWP.

It was moved by Armstrong, seconded by Steffen to exit executive session at 3:39 p.m. ending contract review for CKRWP. Roll call vote: AYE: Armstrong, Condon, Kollars, Kramer, Steffen, and Weinandt. NAY: None. ABSENT: Christensen, Heine, Johnson, and Schmidt. Motion carried (6-0-4).

**ADJOURN**

It was moved by Steffen, seconded by Kollars to adjourn the meeting at 3:39 pm. Roll call vote: AYE: Armstrong, Condon, Kollars, Kramer, Steffen, and Weinandt. NAY: None. ABSENT: Christensen, Heine, Johnson, and Schmidt. Motion carried (6-0-4).

**MEMBERS PRESENT**

Curtis Armstrong  
Dave Condon  
Dan Kollars  
Marcel Kramer  
Jeff Steffen  
Matt Weinandt

**GUESTS PRESENT**

Annette Sudbeck, Manager  
Scott Fiedler, Project Manager CKRWP  
Myles Lammers, Assistant Manager  
Kristi Hochstein, Office Coordinator  
Rebekah Poppe, District Conservationist  
Reed Trenhaile, Information & Education Technician  
Colton Krusemark, Bazile/NRCS Technician

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 January 18, 2024 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