

## **LEWIS & CLARK NRD MINUTES**

**February 15, 2024**

Chair Weinandt called the February 15, 2024, meeting of the Lewis & Clark Natural Resources District (LCNRD) Board of Directors to order at 1:32 p.m. in the conference room at the LCNRD office. 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, Heine, Johnson, Kramer, Lamb, Schmidt, Steffen, and Weinandt. Absent: Armstrong, Christensen, and Kollars.

Chair Weinandt welcomed new director Carl Lamb.

Director Armstrong entered the meeting at 1:40 pm.

### **CONSENT AGENDA**

Consent agenda reviewed. It was moved by Heine, seconded by Schmidt to approve minutes of the January 19, 2024, board meeting and the January 19 to February 15, 2024, consent agenda and CKRWP check #18472 for \$338.66 to Pearson Motor for auto repairs, check # 18473 for \$1,892.53 to Peitz Service Inc. for auto repairs, and void check #18467 for \$2231.19 to Pearson Motor. 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, Heine, Johnson, Kramer, Lamb, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Christensen and Kollars. Motion carried (9-0-2).

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

Wau-Col Rural Water Activities: Sudbeck reported on reported on Wau-Col activities and the next meeting will be March 7<sup>th</sup>.

NARD Activity: Kramer reported on the NARD Legislative Conference held January 23<sup>rd</sup> & 24<sup>th</sup> in Lincoln. Condon, Schmidt, Steffen, and Weinandt reported on the conference and breakout sessions they attended at the conference.

Natural Resources Commission activities (NRCS): Steffen reported on the February meeting.

NRCS Report: Report from Rebekah Poppe, District Conservationist, reported on NRCS activities.

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

Committee: Rural Water Advisory 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 and including check # 1073 for \$15,600.00 to Jason Harmelink for a two-month extension on the land purchase agreement which expires before the next rural water meeting:

- To approve minutes of the January 11, 2024, Cedar Knox Rural Water Project Meeting.
- To approve expenses from January 12 to February 8, 2024.
- To approve the water service connection engineering re-application for Terry Reigle, Sec 14 T33N R2W, Knox County, for 1 Benefit Unit.
- To approve entering executive session at 10:47 am for the purpose of discussing the water service contract with the City of Yankton and the contract for the land for the former Dolphin Township plant site.
- To approve exiting from executive session ending discussion of the water service contract with the City of Yankton and the contract for the land for the former Dolphin Township plant site at 12:06 pm.

It was moved by Schmidt, seconded by Kramer to approve the Cedar Knox Rural Water Project report and each recommendation stated above including check #1073 to for \$15,600.00 to Jason Harmelink. Roll call vote: AYE: Armstrong, Condon, Heine, Johnson, Lamb, Kramer, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Christensen and Kollars. Motion carried (8-0-2).

It was moved by Condon, seconded by Johnson to enter executive session at 2:42 p.m. to review contract with City of Yankton and CKRWP. Roll call vote: AYE: Armstrong, Condon, Heine, Johnson, Kramer, Lamb, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Christensen and Kollars. Motion carried (9-0-2). It was stated by Chair Weinandt that the board is entering executive session to review contract with City of Yankton and CKRWP.

It was moved by Schmidt, seconded by Armstrong to exit executive session at 3:57 p.m. ending contract review with City of Yankton and CKRWP. Roll call vote: AYE: Armstrong, Condon, Heine, Johnson, Kramer, Lamb, Schmidt, Steffen, and Weinandt. NAY: None. ABSENT: Christensen and Kollars. Motion carried (9-0-2).

Kramer left the meeting at 3:58 pm.

### **ADMINISTRATIVE ACTIVITIES**

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

Audit Agreement & Budget Preparation Agreement: Sudbeck presented the audit engagement letter and budget development engagement letter with Dana F. Cole & Company. It was moved by Kramer, seconded by Heine to approve the audit engagement letter with an estimated cost of \$17,250 with 55% paid by the NRD and 45% paid by CKRWP and the budget development engagement letter with Dana F. Cole & Company with 50% paid by NRD and 50% paid by CKRWP. Roll call vote: AYE: Armstrong, Condon, Heine, Johnson, Kramer, Lamb, Steffen, and Weinandt. NAY: None. ABSENT: Christensen, Kollars and Schmidt. Motion carried 8-0-3).

Memorandum of Understanding: Sudbeck presented the NACD Memorandum of Understanding for Ariel Fiedler position. It was moved by Heine, seconded by Steffen to approve management signature of the Memorandum of Agreement between the National Association of Conservation Districts and the Lewis and Clark Natural Resources District for continued funding of the NACD technician position with NACD provided funding of \$59,025.00 and LCNRD in-kind match of \$7,378.00 and cash match of \$7,378.00. Roll call vote: AYE: Armstrong, Condon, Heine, Johnson, Kramer, Lamb, Steffen, and Weinandt. NAY: None. ABSENT: Christensen, Kollars and Schmidt. Motion carried (8-0-3).

Nebraska Environmental Trust (NET) Grant Contract for Bow Creek: Sudbeck presented the NET grant contract for the Bow Creek Watershed Project. It was moved by Armstrong, seconded by Johnson to approve management signature of the Nebraska Environmental Trust grant contract for the Bow Creek Watershed Project reference number 24-139 for \$250,000.00 over 3 years. Roll call vote: AYE: Armstrong, Condon, Heine, Johnson, Kramer, Lamb, Steffen, and Weinandt. NAY: None. ABSENT: Christensen, Kollars, and Schmidt. Motion carried (8-0-3).

NRD Cost Share Clarification on Tree Plantings: It was the consensus of the board that if NRCS and NSWCP funds are not eligible uses of funding for a cost share program then it would not be correct for the NRD to provide cost share for the requested use.

Modification to Payment Procedures: Hochstein reported that checks for credit card payments are not making it in time and late fees and finance charges are being applied. It was requested the credit card payment be paid with an online payment only after the board approval of the expenses. It was moved by Steffen, seconded by Kramer to approve the monthly payment of the Capital One Statement through online payment after board approval of invoices at regular board meetings. Roll call vote: Armstrong, Condon, Heine, Johnson, Kramer, Lamb, Steffen, and Weinandt. NAY: None. ABSENT: Christensen, Kollars, and Schmidt. Motion carried (8-0-3).

Mid-year Budget Review: Sudbeck provided a handout and update on the mid-year budget. Expenses are as expected.

Certification of Irrigated Acres: Trenhaile presented the irrigated acres report for certification. It was moved by Heine, seconded by Steffen to approve certification of 639 groundwater irrigated acres on 6 parcels as

presented and included in the file copy of the minutes. Roll call vote: AYE: Armstrong, Condon, Heine, Johnson, Lamb, Kramer, Steffen, and Weinandt. NAY: None. ABSENT: Christensen, Kollars, and Schmidt. Motion carried (8-0-3).

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

1. Village of Martinsburg late well permit LC-462L for a well in the NWNW section 10, T29N, R5E and comingle with the existing other two public water supply wells.
2. Troy Poppe expanded acres permit X-24004 for 35 irrigated acres in the SWNE Section 14, T31N, R4W.
3. East Bow Farms LLC well permit L463NF for a well in the NWNW Section 29, T31N, R3E.
4. Loren & Desiree, Loren Paulsen expanded acres permit X-24005 for 5 irrigated acres in the SWNW Section 8, T29N, R2E.
5. Marlene Pick expanded acres permit X-24006 for 25 acres in the NWSW Section 8, T29N, R2E and pooling agreement P-24001with Loren Paulsen.
6. Michael & Nancy Hochstein well permit LC-464 for a well in the SWSE Section 11, T31N, R1E and flow meter cost share FMLC-464.

Roll call vote: AYE: Armstrong, Condon, Heine, Johnson, Kramer, Lamb, Steffen, and Weinandt. NAY: None. ABSENT: Christensen, Kollars, and Schmidt. Motion carried (8-0-3).

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

Chair Weinandt asked the public if they had any comments. No comments by public.

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

Excused absences – Christensen and Kollars.

### **ADJOURN**

It was moved by Johnson, seconded by Lamb to adjourn the meeting at 4:50 pm. Roll call vote: AYE: Armstrong, Condon, Heine, Johnson, Kramer, Lamb, Steffen, and Weinandt. NAY: None. ABSENT: Christensen, Kollars, and Schmidt. Motion carried (8-0-3).

#### **MEMBERS PRESENT**

Curtis Armstrong  
Dave Condon  
Carolyn Heine  
Chris Johnson  
Marcel Kramer  
Carl Lamb  
Russ Schmidt  
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  
Becky Ravenkamp, Bow Creek Watershed 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 February 15, 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

