

Executive Committtee Meeting  
Thursday, December 1, 2016 9:30 AM  
Lower Platte North NRD Office  
P.O. Box 126  
Wahoo, NE 68066

## 1. UNFINISHED BUSINESS

### 1.A. Offsite Water Concerns Upstream of Wanahoo Wetland

Tabled motion from 9-12-16 - To offer tiling and Wetland Reserve Program options to landowners impacted by the Wanahoo Wetland contingent of receiving a hold harmless agreement before exploring other options.

At the November Board Meeting Lausterer reported that he has reached out to the three landowners (or their legal counsels) but has not received specific damage information from them on which to base a claim.

## 2. Meetings

### 2.A. Pending

#### 2.A.1. GMDA Winter Meeting

The GMDA Winter Meeting is January 9-11 in Ft Worth. Birkel and Meduna plan to attend.

#### 2.A.2. NACD Annual Conference

The NACD Annual Conference is January 29 to February 1 in Denver. Any directors interested in attending should let Jill know so arrangements can be made.

#### 2.A.3. NARD Legislative Conference

The NARD Legislative Conference is January 24-25 in Lincoln. Please let Jill know if you plan to attend so reservations can be made. A decision needs to be made if we wish to again conduct the Senator's Dinner on the Tuesday evening of Conference with Lower Elkhorn, Lower Niobrara and Lewis and Clark NRDs.

#### 2.A.4. January 9, 2017 Board Meeting

To accommodate those traveling to GMDA it was requested that the January 9, 2017 Board Meeting start time be changed.

**Board Chair Hannah declared that the January 9, 2017 LPNNRD Board Meeting start time will be 9:00 a.m.**

### 2.B. Reports

## 3. MANAGEMENT ITEMS

### 3.A. Directors Absence

Attached find absences received from Directors Veskerna and Pollard for the November Board Meeting. No action was recommended.

### 3.B. Monthly Education Program

USGS will give a presentation on the Platte to Elkhorn groundwater study that is currently underway.

### 3.C. Nominating Sub-Committee

Annual Officer Election is to take place in January. The Nominating Committee is composed of our immediate past five (5) board chairpersons currently serving terms on the NRD board who are: Hilger, Kavan, McDermott, Saalfeld and Sabatka. Last March a policy was adopted to guide the Nominating Committee through their assigned process which is attached. The Board Chair is to appoint a Chair from the pool of sub-committee members with the sub-committee secretary to record minutes for inclusion into the January board agenda packet. Chair Hannah appointed Bob Hilger as Chair of the Nominating Sub-Committee.

### 3.D. Meeting Procedures

Attached are the Policy and Procedures that Jovan drafted for our consideration. The thought is that these guidelines will outline how we conduct our meetings and that for items not covered by this policy the board will attempt to honor the general intent of parliamentary procedures as set forth in the "Standard Code of Parliamentary Procedure by Alice Sturgis".

### 3.E. Use of NRD Logo

Prior to the November election candidate ads in two area newspapers contained the NRD logo. While it appears little can be done concerning this action it has been suggested that LPNNRD "Trade Mark" or "Copyright" our logo to minimize future abuse. Receiving a Nebraska "Trade Mark" is fairly simple and the fee is \$100.

### 3.F. Election Results

The day after election Jill sent out unofficial results. These numbers will not change until after the Canvassing Board meets on December 5 and certifies results by December 7. A copy of these results are attached.

In Sub-District #2 we received unofficial results on November 29 with Charles Folsom receiving 27 votes.

### 3.G. Groundwater Management and Protection Act Coalition Annual Meeting

The annual meeting of the Groundwater Management and Protection Coalition was held on November 28. This is a member group of 18 NRDs who work to protect NRD groundwater laws and rulings to the benefit of all NRDs in Nebraska. Our group only comments on cases that may set a precedence that is contrary to how groundwater law is currently interpreted.

Don Blankenau is our legal counsel who has prepared information on the four current cases (or groups of cases) that are attached. After reviewing the four cases Blankenau was directed to file an Amicus Brief in the Middle Republican NRD vs Medicine Creek LLC. This case could threaten the ability of NRDs to deny groundwater variance applications in restricted areas of an NRD.

Also attached find Meeting Minutes, Treasurers Report as of 11-28-16.

The group decided to assess dues of \$1,500 per member for FY17, a bill is attached.

### 3.H. Director Retreat

Director Retreat Information:

Date Wednesday, February 15

Location Benedictine Center, north of Schuyler

Topics:

1. Manager Selection Process
2. One to One voting for LPNNRD Directors
3. LPNNRD Director Residence Requirements
4. Groundwater Rules and Regulations - Review and proposed changes
5. Former Lickteig Property
6. Lower Platte River Corridor Alliance - Invite Dave Potter from LPSNRD
7. Basin Water Supply Discussion

Additional topics can be added at board meeting.

### 3.I. Letter from ACEC

Attached find a letter from the American Council of Engineering Companies informing Senator Mello that they no longer wish to pursue legislative action to place engineering limits on NRDs.

### 3.J. Meals at Board Meetings

Lausterer has been reviewing meal policies for another client and felt it would be prudent for us to review our policy. Statute prohibits governmental units from providing meals (or doughnuts) at board or committee meetings at the expense of the governmental unit. We currently provide light meals at our board meetings that take place during dinner time with the stipulation that elected directors reimburse the district \$2.00. We allow directors to place the \$2.00 meal cost on their director expense form.

It is suggested that we increase the meal cost to elected directors to \$3.00 and not allow this cost to be claimed on director expense sheets.

We could also deduct the meal cost (\$3.00) from directors per diem, leaving a paper trail to show that the meal cost was paid. Our current paper trail is very adequate as we have a monthly receipt and accounting entry showing "director meal reimbursement."

### 3.K. Ourada Complaint

Lausterer has not received word of any change from Ourada's attorney Tom Thompson. Their current position is that they are only willing to formally mediate directly with board members with no staff or legal counsel present.

The six month time period has lapsed so they can file a lawsuit with the district at any time. The suggestion is that we take no action at this time.

4. EQUIPMENT

5. PERSONNEL

6. FINANCE

6.A. Approval of Financial Reports

HBE is working to get all accounting up to date since their assumption of the bookkeeping on the first of November.

6.B. Approval of Managers Time and Expense Sheets

6.C. Union Bank Interest Payment

Our semiannual interest payment to Union Bank is due in December. See attached sheet for detail.