

Regular Board of Directors Meeting  
Monday, September 14, 2020 6:00 PM  
Lake Wanahoo Education Building  
1655 County Road 16  
Wahoo, NE 68066

1. Call to Order

**NOTE: The agenda is on file at the LPNNRD office and may be changed up to 24 hours prior to the meeting as scheduled.**

1.A. Meeting Notice

1.B. Inform Public on Location of Copy of "Open Meeting Act"

1.C. Pledge of Allegiance

2. Roll Call

2.A. Introductions

3. Approval of Agenda

Are there any additions or correction to the agenda?

4. Comments - Advisors/Guests

4.A. Guest Comments

4.B. NRCS Report

4.C. NARD Report

4.D. NRC Report

4.E. Managers Report

#### 4.F. Education Program

#### 5. Approval of Minutes

Are there any additions or corrections to the Board Meeting Minutes? If not they will be approved on the consent agenda.

#### 6. Report of Standing Committees

##### 6.A. Executive Committee - Action as Required

##### 6.A.1. UNFINISHED BUSINESS

###### 6.A.1.a. Off Site Water Table Near Sand Creek

###### 6.A.1.a.1. Stoeber Law Suit

As mentioned last month, the Judge in our case has required us to proceed with mediation. We have been contacted by our attorney and have scheduled a date to discuss our summary judgment motion and mediation strategy.

##### 6.A.2. MEETINGS

###### 6.A.2.a. Pending

###### 6.A.2.a.1. NARD Fall Conference

Attached find a press release from NARD canceling the Annual Conference and tradeshow.

###### 6.A.2.b. Reports

##### 6.A.3. MANAGEMENT ITEMS

###### 6.A.3.a. NARD Membership Dues

Attached find Fiscal Year 2020-2021 Membership Dues in the amount of \$28,960.

###### 6.A.3.b. Directors Absence

Attached find absence requests received from Director Kavan for the May and June Board Meetings.

#### 6.A.3.c. Monthly Education Program

#### 6.A.3.d. November Board Meeting

Discussion is needed and arrangements will need to be made if we wish to hold our November Board Meeting in Newman Grove.

At this time the Executive Committee felt that due to COVID and the unknown possibilities of schools being open we need to plan to have the November Board Meeting at the NRD Education Building.

#### 6.A.4. EQUIPMENT

##### 6.A.4.a. Konica Minolta Copier - Lease

The lease on our current Konica Minolta C454e is finished in February. All Copy Products has sent over a proposal for a Konica C360i with a new lease price and breakdown of copy costs. See Attachment.

A motion will be needed at Board Meeting if we wish to enter into a new lease agreement.

#### 6.A.5. PERSONNEL

##### 6.A.5.a. Conservation Technician Position

Effective August 8th, our NRD Conservation Technician located at the Wahoo NRCS office no longer works for our district. We have had discussions with NRCS District Conservationist Mark Walkenhorst and the plan is to look into temporarily shifting the workload created to NRCS contract employees. At some point during this fiscal year we will plan to re-hire this position.

#### 6.A.6. FINANCE

##### 6.A.6.a. Approval of Financial Reports

Attached find the Draft July Financial Statements. Grant was available for the monthly conference call and suggested we wait to approve the Draft July Financial Statement until we receive the Annual Audit Report.

##### 6.A.6.b. Approval of Managers Time and Expense Sheets

##### 6.A.6.c. Accounts over 90 Days

#### 6.A.6.d. Budget and Set Property Tax Rate

As discussed last month's board meeting our plan this year is to once again maintain the same tax asking of \$ 3,480,715 as it has been the past four years. We were able to use a portion of our cash carry-over to achieve this tax asking even though our total LPNDRD budget increased \$ 833,186 to \$7,782,546. This creates a tax/total budget ratio of 44.7%

Due to the increased district property valuations we will also be lowering our tax levy from .035511 to .03383. During our next board meeting and after our Levy Hearing on September 14th, I will be asking the board to approve this new levy amount so we can finalize our fiscal year 2021 state budget report.

#### 6.B. Operations Committee - Action as Required

##### 6.B.1. UNFINISHED BUSINESS

Nothing to consider for unfinished business.

##### 6.B.2. WILD NE AND OTHER PROGRAMS

Nothing to consider for Wildlife Programs.

##### 6.B.3. OPERATION & MAINTENANCE & OTHER ITEMS

The O & M Crew has been going back over watershed dams to fill holes, spray problem tree areas, pick up debris and spray Phragmites. We also continue to cut & treat trees on areas. We completed our mowing circuit and will double back over some roadsides and mow some of the Clear Creek Levee.

##### 6.B.3.a. Clear Creek Levee Repair by Corps of Engineers

The majority of the punch list items have been addressed, we are waiting on ROW markers which have been fabricated but delayed in shipping, fencing and installing new staff gauges in the Fuse Plug area. These items will be accomplished when the ROW markers arrive. We will have to keep an eye on the seeding as it was done out of the planting window.

##### 6.B.3.b. Wanahoo Stilling Basin - (FEMA)

FYRA received the signed Construction Observation Contract Addendum, the Notice of Award was presented to Valley Corp.of which they are now gathering required insurance, bonds, etc. to process the contract. Once the District receives this information the Board can approve a Notice to Proceed. The contractor still has mid-November as a starting date.

##### 6.B.3.c. Clear Creek Fuse Plug at Camp Ashland (FEMA)

The District has received 75% funding, \$87,850 from FEMA on the Fuse Plug Levee repair at the National Guard Camp.

The District has sent a letter of request for cost-share assistance to Lower Platte South NRD for 50% or \$14,641.66 of the local share on this Fuse Plug Levee repair. Their Platte River Subcommittee met on Sept. 2 to discuss and made a motion to pay LPN NRD, now it needs board approval.

The O & M Manual from the Corps of Engineers, for the levee system in the Guard Camp is not finalized. The O & M Manual/Agreement is for LPN, LPS, and National Guard. In the O & M Manual it's proposed that LPN be responsible for the Fuse Plug Levee, LPS responsible for the Salt Creek Flood Way and BNSF RR Berm, and that we share 50/50 on substantial damage repair cost.

#### 6.B.3.d. Cottonwood 21-A Emergency Spillway

Mainelli & Wagner and Saunders County met with Dept. Natural Resources Dam Safety to review two options regarding the renovation of the Emergency Spillway on Cottonwood 21-A. Dam Safety is going to recommend one of the options. It's difficult to make a simple plan because of the County Road Safety Standards.

It looks as though they will establish a berm at the elevation of the dam on the south shoulder of the dam for 400' (see diagram attached). This alternative eliminates cutting a large part of the county road down to the east and relocating a farmstead driveway. We do not have an engineers estimate at this time.

NRCS is hiring a Dam Safety Engineer in October. This Engineer can review and stamp Mainelli's work, with that we may be able to get funding assistance from NRCS on this project because of its High Hazard Class, unless of course it gets strung out for years.

#### 6.B.3.e. Wanahoo Auxillary Spillway Crack Repair

This summer staff sent out inquiries to 6-7 concrete repair companies to get estimates on repairing the RCC Auxillary Spillway cracks on the Wanahoo Dam. We had three respond, one declined and two inspected the site. The two estimates are attached. The Driveway Co. gave an estimate of \$70,000 and Aksarben Concrete \$38,493.

#### 6.B.3.f. No-Till Grass Drills

The District received \$804.50 from Rosendahl Farms Seed & Feed for grass drill rental for the first half of 2020. Seventeen cooperators used the drill.

Schuyler Coop who was a full year behind in revenue sharing finally caught up. The District received \$648.75 for the second half of 2019, in which 3 cooperators used the drill. We received \$862.07 for the first half of 2020, in which 13 cooperators used the drill. That total for those two terms in \$1,510.82.

#### 6.B.4. ROCK AND JETTY

We received an application to repair a jetty from Daria Spinger, Joel Engel, and Kyle Engel in Butler County on the Platte River.

#### 6.B.5. LAKE WANAHOO

#### 6.B.5.a. Lake Wanahoo Permit Sales

In August, the District sold 249 permits and approximately 620 day passes for a total gross revenue of \$7,658.59. Annual permits accounted for \$4,555 of the total. In August of 2019 the District sold 242 annual permits for a total of \$4,302.50.

#### 6.B.5.b. Lake Wanahoo Camping Revenue

In August, the District generated \$18,831.45 in camping revenue. \$7,750 in walk-up camping and \$11,081.45 in online reservations.

Since the opening of the new primitive cabins, the District has received \$3,480 in reservation revenue.

#### 6.B.5.c. Education Building Rentals

During the month of August the Lake Wanahoo Education building held a total of 17 events. 4 of those events were LPNNRD meetings or events.

### 6.B.6. INFORMATION AND EDUCATION

#### 6.B.6.a. Information

##### 6.B.6.a.1. Radio & eAds

During August we featured ads about upcoming variance request deadlines. At the end of August we switched the copy of the ad a bit to accommodate the September deadline and include variances will be reviewed and a limited number of applications may be approved at the October board meeting.

##### 6.B.6.a.2. Analytics

Lake Wanahoo continues to remain the top viewed page of our website. Viewing the website on mobile and desktop is nearly the same for August.

LPNNRD Website	# of Users	Top Pages/views	Viewing Device
<b>October 2019</b>	710	Home 543 Lake Wanahoo 355 Staff 121 Czechland Lake 100 Contact 95	Desktop 58.73% Mobile 34.48% Tablet 4.79%
<b>July 2020</b>	1,692	Lake Wanahoo 1,759 Home 842 Czechland Lake 319 Outdoor Recreation 252 Downloads 157	Mobile 52.96% Desktop 41.96% Tablet 5.08%

<b>August 2020</b>	1,583	Lake Wanahoo 1,542 Home 793 Czechland Lake 311 Outdoor Recreation 248 Downloads 208	Mobile 48.11% Desktop 47.35% Tablet 4.55%
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Recently, Facebook has made more changes to their news feed algorithm. This means the content being shown on one's news feed is content most relevant to them based on specific factors such as pages a person likes, posts a person likes, paid content, location and other factors. We currently do not "boost" or pay for any of our posts on Facebook and solely rely on followers to "like" and "share" our content. For these reasons, our Facebook views have dramatically decreased since last month. Our top posts included pictures and content about hosting your next event at the Lake Wanahoo Education Building, NRCS Chief Matt Lohr's visit to Lake Wanahoo, and promoting camping at Pork Chop Island.

Facebook	Total Views	Total Reach	Total Engaged Users	Followers
<b>October 2019</b>	9,446	6,772	1,273	873
<b>July 2020</b>	11,698	9,630	1,515	1,170
<b>August 2020</b>	2,813	2,615	147	1,178

On our Twitter page, the impressions increased since July. Our top posts included: irrigation sample kit requests for Irrigators in Phase 2 and 3 were mailed out, NRCS Chief Matt Lohr's visit to Lake Wanahoo, and promotion to camp at Pork Chop Island at Lake Wanahoo.

Twitter	Impressions	Engagements	Followers
<b>October 2019</b>	3,707	61	300
<b>July 2020</b>	2,302	103	330
<b>August 2020</b>	3,842	138	331

#### 6.B.6.a.3. Long Range Plan

We are almost completed with the first draft of the Long Range Plan. It will be emailed out later today. Please review this and address any changes before September 10<sup>th</sup>. The latest draft is attached please address any changes.

#### 6.B.6.b. Education

LPNNRD will be hosting the East Central Regional Land Judging contest on Tuesday, October 6<sup>th</sup>. This contest will be quite a bit different this year. We will be needing volunteers to help. If you are able to help us please let Lacey know.

#### 6.B.7. RURAL WATER SYSTEMS

##### 6.B.7.a. Colon System

Multiple utility projects have taken place in Colon the past month; OPPD replaced a number of power poles, and Windstream installed a fiber optic line as well. All installs went smoothly with no interference with our water lines.

Regular monthly sampling completed and bills mailed out 9/1.

##### 6.B.7.b. Bruno System

We received the second round of lead and copper test results for our Bruno RWD. All samples were below action limits (AL) and results have been sent to participating residents. Starting in 2021 we will only test once a year for three years, then as long as samples are below AL we will only test once every three years.

Regular monthly sampling completed, bills mailed out 9/1.

##### 6.B.7.c. Other

#### 6.C. Water Committee - Action as Required

##### 6.C.1. UNFINISHED BUSINESS

##### 6.C.2. REGULATORY

##### 6.C.2.a. GROUND WATER MANAGEMENT AREA

6.C.2.a.1. Variance Request in the Hydrologically Connected Area (Limited Development Area)

6.C.2.a.2. Variance Requests in the Non-Hydrologically Connected Area (Normal Development Area)

6.C.2.a.3. Variance Requests in the Restricted Development Areas

6.C.2.a.4. Well Permit Program

6.C.2.a.4.A. Well Permits Approved

6.C.2.a.5. Irrigation Runoff Complaint

6.C.2.a.6. Well Interference Complaints

6.C.2.a.7. Lower Platte River Basin Water Management Plan Coalition (LPRBC)

6.C.2.a.8. PHASE AREAS UPDATE

6.C.2.a.9. Richland - Schuyler Phase 2 Area

6.C.2.a.10. Richland - Schuyler Phase 3 Area

6.C.2.a.11. Bellwood Phase 2 Area

6.C.2.a.12. LPNNRD Operator Certification

6.C.2.a.13. Cost Share Programs

6.C.2.a.13.A. Irrigation Well Sample Kits

6.C.2.a.13.B. Flow Meter Maintenance Program

6.C.2.b. CHEMIGATION

6.C.3. GROUND WATER PROGRAMS

6.C.3.a. DECOMMISSIONED WELL PROGRAM

6.C.3.a.1. Well Estimates

<b>Applicant</b>	<b>County</b>	<b>Well Type</b>	<b>Cost-Share</b>
GDR Farms	Butler	Irrigation	\$1,000

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6.C.3.a.2. Plugged Wells

Applicant	County	Well Type	Cost-Share
Mark B. Gall	Butler	Irrigation	\$980.37
Jeffrey E. Bauer	Saunders	Irrigation	\$1,000
Matthew R. Hilger	Butler	Irrigation	\$1,000

6.C.3.b. LOWER PLATTE NORTH NRD GROUND WATER STUDIES

6.C.3.c. GROUND WATER ENERGY LEVELS

6.C.3.d. GROUND WATER QUALITY SAMPLING

6.C.4. SURFACE WATER PROGRAMS

6.C.4.a. STATE LAKES, FOR THE WEEK OF

6.C.5. OTHER

6.C.5.a. COMMENTS FROM THE PUBLIC

6.D. Projects Committee - Action as Required

6.D.1. UNFINISHED BUSINESS

No unfinished business to address.

6.D.2. SWCP

Elliott presented the SWCP spreadsheet for review.

6.D.2.a. SWCP Application Approvals

20-P-3	Merlin Groteluschen*	\$	6,653.05	Livestock well/forage planting
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6.D.2.b. SWCP Payments

20-P-2	Jeff Lusche*	\$	7,866.78	Livestock well (solar)
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20-S-1	Dennis Beranek	\$	7,866.90	TOT
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20-S-2	Randy Beranek	\$	3,850.83	TOT
20-S-3	Rick Beranek	\$	5,961.97	TOT
19-S-5	Hartman Family Trust	\$12,500.00		TOT

#### 6.D.2.c. SWCP Cancellations

#### 6.D.2.d. Wahoo Creek Cost Share Approvals

### 6.D.3. WATERSHEDS

#### 6.D.3.a. Shell Creek

Attached is an article on accomplishments that was sent to area newspapers.

#### 6.D.3.a.1. Shell Creek Environmental Enhancement Plan Implementation

#### 6.D.3.a.1.A. Shell Creek Septic System Upgrade Applications

JAMES BROCK	\$	4,800.00
RANDY BRABEC	\$	4,800.00
JOHN SONDERMAN	\$	4,800.00
BRANDON GROTELUSCHEN	\$	4,800.00

#### 6.D.3.a.1.B. Tom Sprunk Bank Stabilization/Wetlands Project

On August 26th, Jim Reedy, Eric Smith (NRCS) Matt Bailey, Bill Bos, Elliott, Mountford met with Tom Sprunk and contractor Jim Wemhoff at the Columbus NRCS Field Office, to review completed plans and specifications for Mr. Sprunk's grade stabilization/wetlands project, located on a tributary draining directly to Shell Creek. On January 24, 2019, the Shell Creek Watershed Group (LPNNRD's Advisory Committee), approved a recommendation to provide 75% cost share up to a maximum of \$40,000 toward the project. The engineer's estimate for total project cost is \$30,500.00. The Projects Committee moved this recommendation to the LPNNRD Board that was approved on February 11, 2019. Mr. Sprunk was instructed to get a contractor bid and if within NRCS cost estimates, move forward with the project. LPNNRD's contribution will be reimbursed from approved EPA/NDEE 319 and NET grant funding.

#### 6.D.3.a.1.C. Shell Creek Grant Funding Update

No new information. We have \$365,000 of approved EPA/NDEE funds and \$90,000 of NET funds available for Shell Creek Projects.

#### 6.D.3.a.1.D. U.P. Railroad Bridge Replacement Project Update

Mountford talked with U.P. Railroad representative Adam Stutds, who indicated that their plan is to begin bridge replacement work near county road 15 (bridge foundation and grading) this fall and complete the bridge placement early next calendar year. While LPNNRD is not involved with the U.P. Railroad bridge replacement at Colfax County Road 14, that work should be completed soon.

#### 6.D.3.a.1.E. Shell Creek Channel Improvement & Benching Project Update

Director Bailey reported that construction work is completed on the Shell Creek north channel/benching project near Colfax County Road 15 with only seeding remaining. Colfax County is working on final design of for the South Channel work and has been in contact with landowners discussing needed landrights for that portion of the project.

#### 6.D.3.a.1.F. Shell Creek Study Proposal - 8:30 a.m.

Tirthankar Roy and Andrea Basche, UNL, joined the Committee by Zoom asking for our thoughts and support for a four year study of the effect of conservation practices on the water quality and quantity in the the Shell Creek Watershed. The next step will be to continue to work with NDEE for potential grant support and meet with the Shell Creek Watershed Improvement Group (LPNNRD's official Advisory Group) to obtain background information on past conservation practices applied. No recommendation was requested at this time.

#### 6.D.3.b. Wahoo Creek Watershed

##### 6.D.3.b.1. Wahoo Creek Dam Site Planning Update & FYRA Invoices

Attached is FYRA's August 7, 2020, invoice totaling \$6,344.52, which completes our present amended contract for their services for finalizing the Wahoo Creek Plan. As we have all learned, NRCS is requiring additional work on the economics portion of the Plan.

The Board has approved moving forward with another contract amendment with FYRA for completing additional economic analysis required by NRCS. However, before giving authorization to proceed, it is contingent on NRCS approving additional funds to cover these costs. While NRCS has notified us that the funding is approved, we do not have a formal amendment to our funding agreement as of yet. When that is received and approved by LPNNRD, we will give FYRA the notice to proceed. Hopefully by Board Meeting.

##### 6.D.3.b.2. Olsson Design Update and Invoice

Attached is the August 24, 2020, invoice from Olsson totaling \$14,258.05 for work completed for the Wahoo Creek Watershed Sites 26a, 26b and 27 as attached. Of the

total contract amount of \$583,825 for those three sites, \$272,870.02 (46.7%) will have been expended after this payment, of which most was for geotechnical engineering. Dam design and permitting activities will continue to be on hold until NRCS approves the Wahoo Creek Watershed Plan.

6.D.3.b.3. Wahoo Creek Watershed Water Quality Plan Phase II

6.D.3.b.3.A. Lands for Conservation Payment

<b>Name</b>	<b>Acres</b>	<b>Amount</b>
MARVIN PTACEK	24	\$ 4,752.00
STEVE VASA	16	\$ 3,168.00
GREGG FUJAN	10	\$ 1,980.00
ROGER FUJAN	13	\$ 2,574.00
MARCELLA BARTEK TRUST	16	\$ 3,168.00
ROBERT POKORNY	42	\$ 8,316.00
CARL & DOROTHY PETERSON TRUST	38	\$ 7,524.00
GEORGE CEJKA	5	\$ 990.00
GARY PROCHASKA	14	\$ 2,772.00
<b>TOTALS</b>	<b>178</b>	<b>\$ 12,474.00</b>

6.D.3.b.3.B. Cottonwood Creek Watershed

6.D.3.b.3.B.1. Mike Chvatal Dam

Mike Chvatal's dam has been completed. F&S Excavating from Brainard started work on 8/20 and finished up on 8/26. We are waiting for bills and final check-out certification from NRCS field personnel.

6.D.4. JOINT WATER MANAGEMENT ADVISORY BOARD

6.D.4.a. North Bend Drainage Ditch Improvements Interlocal Agreement

At the August 11th LPNNRD Board Meeting, the Board approved budgeting \$100,000 for the North Bend Drainage Ditch Improvement Project. Attached is an Interlocal Agreement between LPNNRD, Dodge County, City of Fremont and the North Bend Drainage District outlining the maximum local financial support from each entity. The Committee is asked to recommend Board approval.

#### 6.D.4.b. Platte River Breach Repair Project (Rod & Gun Club) Partner Agreement

Attached is a proposed Partner Agreement between the City of Fremont, Dodge County, Fremont Rod & Gun Club (Club)) and LPNNRD. While we already have an approved Interlocal Agreement between Fremont, Dodge County and LPNNRD, this "Agreement" includes the Club and describe the project contracting/payment process and Operation & Maintenance after completion. Jovan Lausterer, our legal counsel, has reviewed the document.

A Section Committee including representatives from Dodge County, City of Fremont, LPNNRD and the Fremont Rod and Gun Club met on August 21st to review JEO Consulting Group's proposal for providing project engineering services. They were the only firm submitting a proposal. The next step will be for the Partners to negotiate a contract with JEO.

#### 6.D.5. HAZARD MITIGATION PLAN UPDATE

ur Hazard Mitigation Plan has been officially approved by NEMA/FEMA. We are still working with JEO for proposing Dam Breach Overlay District for 15 of our existing floodwater dams in Saunders County. Meetings are underway with Saunders County, Wahoo, Yutan and Prauge. Flood Risk assessments with Fremont and Schuyler have been completed. We have a November 10, 2020 deadline to complete all HMP activities.

Attached is an August 28th JEO invoice for contract work completed totaling \$4,491.50.

#### 6.D.6. EROSION AND SEDIMENT RULES AND REGULATIONS

#### 6.D.7. OTHER

##### 6.D.7.a. Johnson Lake Aeration Project - Fremont

The Board has approved 50% cost share, up to a maximum of \$5,000 assistance toward the Johnson Lake Aeration Project in Fremont. Attached are the estimates for the project. Don Cunningham asked if LPNNRD would consider providing our assistance in advance since the Friends of the Fremont Area Parks don't have the upfront funds to pay the total bill and then request our reimbursement as is our usual procedure. Payment of 50% of the \$9,308.50 estimates (attached) is \$4,654.25. Don Cunningham joined by Zoom to discuss this situation. Don will talk with other Partners to see if other upfront funding can be provided. Depending on the outcome of his discussions, the Board may be asked to consider an advance assistance payment to the Friends of Fremont Area Parks so that the aeration system can be purchased.

##### 6.D.7.b. FY 2021 Long Range Plan

Lacey will be sending a copy of our draft FY 2021 Long Range Plan for Board member review and potential approval at the September 14th Board Meeting. Any input from Directors is requested by September 10th.

#### 6.D.7.c. Selection of Projects Committee Vice-Chairman

With Projects Committee Vice-Chairman Don Veskerna moving to Operations Committee, there is a vacancy to be filled.

### 7. Additional Action Items

#### 7.A. Approval of NRCS Wahoo Creek Amendment

As addressed last month, there is a need for FYRA to complete additional work on the Wahoo Plan Economics, as required by NRCS. At the August 11 Board meeting, a motion to approve an \$95,469 amendment with FYRA was passed, contingent on NRCS approval of an amendment on our funding agreement with NRCS to cover this additional expense. NRCS has indicated that this additional funding assistance has been approved and we could have their amendment by the Board Meeting. **The Board is asked to approve and authorize General Manager Eric Gottschalk to sign the FYRA Contract Amendment and the NRCS Agreement Amendment for completing the Wahoo Creek Watershed Plan Economics, when received.**

#### 7.B. Firewall Upgrade - Computer

Our current firewall is outdated and needs to be replaced. See attachment for details.

Staff recommends purchasing the WatchGuard Firebox T80 with 3 year Basic Security Suite from Midwest Technology Specialist at a cost of \$2,537.86.

### 8. Approval of Bills Pending

### 9. Consent Agenda Adoption

### 10. Comments from Directors/Guests

### 11. Meeting Establishment/Adjournment

**NOTE: The agenda is on file at the LPNDRD office and may be changed up to 24 hours prior to the meeting as scheduled.**