




Memorandum

Date: August 15, 2018
To: Each Director
From: Paul D. Zillig, General Manager 
Subject: Executive Subcommittee Meeting Minutes

The Executive Subcommittee met at 5:00 pm on Tuesday, August 14, 2018 at the NRD Office in Lincoln. Subcommittee members present included Ray Stevens, Larry Ruth, Deborah Eagan, Dan Steinkruger, Milt Schmidt, and Greg Osborn. Others present included Dean Edson, Gary Aldridge, Steve Seglin, David Potter, Dick Ehrman, Kathy Spence, and myself.

Chair Stevens opened the meeting and reported the need to consider changing the dates of the November and December Board of Directors Meetings. The Subcommittee discussed the currently scheduled November meeting date (Wednesday, November 21st @ 7:00 pm), it was moved by Osborn, seconded by Schmidt, and unanimously approved by the Subcommittee to **recommend the Board of Directors approve moving the November Board of Directors Meeting to 7:00 pm on Wednesday, November 14, 2018.**

The Subcommittee discussed the currently scheduled December meeting date (December 19th @ 2:00 pm), it was moved by Eagan, seconded by Steinkruger, and unanimously approved by the Subcommittee to **recommend the Board of Directors approve moving the December Board of Directors Meeting to 2:00 pm on Wednesday, December 12, 2018.**

The next item on the agenda was to consider possible resolutions to be submitted for the NARD Annual Conference. The first request was by Gary Aldridge to submit a resolution that would increase the daily maximum NRD Director per diem from \$70 to \$90 and to increase the annual maximum NRD Director per diem from \$3,600 to \$4,500. The Subcommittee reviewed the past discussion on this topic, Gary reviewed his reasons for requesting these changes, and Dean Edson reported on the anticipated legislative response.

The Subcommittee discussed that LPSNRD is currently at \$60/day and this spring a motion to increase the rate to \$70 was not approved, there was some feeling that this would work against our effort to justify the increase. Edson reported that having the legislation come directly from a State Senator or a Legislative Committee has worked well in the past and would be preferred. It was agreed that additional discussion should be held over the next year. Aldridge agreed to withdraw his request.



The next proposed resolution topic concerned the regulation and water quality concerns with the increasing number of poultry facilities in the region. Steinkruger pointed out the fine job some regulated feedlots are doing to control their waste and was concerned that voluntary compliance might not result in the same success. Ehrman reviewed his attached memo on Poultry Facility regulation rational by NDEQ and some anticipated feedback from other NRDs. The Subcommittee discussed the zoning role of the Counties, the regulatory responsibilities of NDEQ, and the LPSNRD's role with well permitting and our overall interest in proper management and utilization of the waste generated from any feedlot/facility. Steinkruger felt that this will likely come up in the Legislature next year. It was agreed that no NARD resolution would be submitted on this issue by LPSNRD.

The next item on the agenda was to discuss Frank Dailey's July 10th letter (Accountability & Disclosure Commission) to Gary Aldridge concerning NRD Directors voting on their own per diem/expenses and whether NARD Directors on the local NRD Board can vote on the payment of NARD dues? Seglin stated that he agreed that NRD Directors can vote on their own per diem payments, should continue to vote on Director expenses like we currently do, and the voting NARD Director shouldn't vote on any payment to NARD for annual dues.

The next item on the agenda was to consider two requests for a license agreement to allow temporary structures in NRD flood pool easement areas. I reported that the NRD Board authorized the Executive Subcommittee in May 2018 enter into license agreements with landowners to allow certain minor temporary structures to be allowed.

The first request was from Jim Penterman who has a small shed at Stevens Creek A5-1. The subcommittee reviewed the structure and it was moved by Osborn, seconded by Schmidt, and ~~unanimously~~ approved by the Subcommittee on a vote of 3 "yes" (Osborn, Ruth, Schmidt, & Stevens) and 2 "no" (Eagan & Steinkruger). The second request was from Dustan Biegler who has installed a fishing dock at North Oak 2-C. It was moved by Eagan, seconded by Steinkruger to not approve the Biegler request, the subcommittee discussed the request and directed staff to clarify in the agreement the temporary status of the structure. It was then moved by Eagan, seconded by Steinkruger, an unanimously approved to Table the motion. It was moved by Osborn, seconded by Ruth, and unanimously approved to direct staff and legal counsel to clarify in the agreement the temporary status of the structure and that it they would agree to move it, if requested to do so.

I then reported on the status and appraised value of Fire Station #10 next door, we will add to LRIP the re-subdistricting after the 2020 census, Potter reported the South Salt Creek MP Project #3 low bidder has completed his offer to withdraw his bid and the contract was awarded to Yost Construction, Seglin reported that the SCI lawsuit over the Salt Creek Levee easement continues and will likely go to court, I discussed the idea of changing the NRD Office Hours to 8:00-4:30, and that District Engineer applications are due by August 29th.

The final item on the agenda was to discuss the Platte Republican Diversion Project. I reported that DNR is requesting comments on this water right application by this Thursday. The Subcommittee discussed the application and our interest in the project. It was moved by Osborn, seconded by Eagan, and unanimously approved by the Subcommittee (Schmidt was not present) to direct a letter expressing our interest and concern be submitted.

There being no further business the meeting adjourned at 7:35 pm.

PDZ/pz

pc: Steve Seglin
Dean Edson, NARD