

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
April 14, 2014**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 6:00 p.m. at Lower Platte North NRD office, Wahoo, NE on Monday, April 14, 2014.

1. NOTICE OF MEETING

The advanced notice of our April 14, 2014 board meeting was published on March 27, 2014 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Hilger informed those present that a copy of the "Open Meeting Act" is posted for public viewing.

Pledge of Allegiance

2. ROLL CALL - INTRODUCTIONS

DIRECTORS PRESENT AND CONSTITUTING A QUORUM:

Bailey	Birkel	Clausen
Gibney	Hagerbaumer	Hannah
Johannes	McDermott	Meduna
Olson	Pieke	Pollard
Ruzicka	Saalfeld	Sabatka
Taylor	Hilger	

DIRECTORS ABSENT

Kavan	Veskerna
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STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Almond	Angle
Heimann	Schomer	Gottschalk

Jovan Lausterer, NRD Legal Counsel

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. NRCS Report

Mark Walkenhorst reviewed the NRCS Report.

c. NARD Report - None

d. NRC Report

Director Johannes updated the Board on LB1098 and amendments.

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

Scott Luedtke gave an update on the Wanahoo Wildlife Area Management Operation and Maintenance Plan.

5. APPROVAL OF MINUTES

Olson made the motion, seconded by Pollard, to approve the minutes from the March 10, 2014 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. NARD Basin Tour – Update Given

2. UNL Water Tour – Update Given

b. Reports

1. NARD Washington DC Meeting – Update Given

2. Management Items

a. Director Absences

Olson made the motion, seconded by Pollard, to approve Director Hagerbaumer’s excuse of absence from the February Board Meeting. Motion carried on consent agenda.

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

Olson made the motion, seconded by Pollard, to approve payment of \$3,200 to Bob Weaver for March services and bill LPSNRD and Papio NRD for their share. Motion carried on consent agenda.

c. Monthly Education Program – Update Given

d. June Board Meeting Date

Olson made the motion, seconded by Pollard, to move the June LPNNRD Board Meeting to Thursday, June 12th to allow Directors to attend the NARD Basin Tour. Motion carried on consent agenda.

e. CCEI Lawsuit – Update Given

f. Martinez Settlement

McDermott made the motion, seconded by Sabatka, to approve a release as reviewed by Legal Counsel Lausterer to the parties involved in the Martinez Lawsuit as settled by our insurance carrier EMC and authorize the Board Chair to sign the release. Motion carried all members present voting aye.

g. Legislation – Update Given

h. Insurance for FY 2015 – Update Given

i. NRD Office Cleaning Proposals

Olson made the motion, seconded by Pollard, to accept the low bid of \$90/week from Anna Gottschalk to clean the NRD Office, with a review after three months. Motion carried on consent agenda.

j. Annul Recognition Banquet - Update Given

k. NRD Tax Summary – Update Given

3. Equipment – None

4. Personnel - None

a. Personnel Sub-Committee – Update Given

b. O & M Position

Ruzicka made the motion, seconded by Saalfeld, to authorize hiring an O&M Technician at the starting wage at the discretion of the General Manager and Board Chair. Motion carried all members present voting aye.

c. Leave Payout

Olson made the motion, seconded by Pollard, to pay Andrew Ekstein \$1,811.58 for earned Annual Leave, with appropriate taxes and retirement payouts being made. Motion carried on consent agenda.

5. Finance

a. Approval of Financial Report

Olson made the motion, seconded by Pollard, to approve the February Financial Statement as distributed to all Directors. Motion carried on consent agenda.

b. Approval of Managers Expenses

Olson made the motion, seconded by Pollard, to approve Manager Miyoshi's time and expense sheets as attached to the Executive Committee Minutes. Motion carried on consent agenda.

c. Accounts Receivable Over 90 Days

McDermott made the motion, seconded by Ruzicka, to write off Keith Mitchell's Colon Rural Water account in the amount of \$1399.92. Motion carried.

AYE: Bailey, Gibney, Hagerbaumer, Hannah, Johannes, McDermott, Meduna, Olson, Pieke, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Hilger

NAY: Birkel, Clausen

d. Saunders County Road Fund Payment – Update Given

e. Payoff Line of Credit – Update Given

Olson made the motion, seconded by Pollard, that the April LPNNRD Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

B. OPERATIONS, EDUCATION & RURAL WATER COMMITTEE REPORT

1. WILD NE/CREP REPORT

a. Wild NE, WHIP, Contract Payments – None

b. CREP Payment(s) – None

c. New Contract (s) – None

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Update Given

b. South Fremont 205 Feasibility Study – Update Given

c. Czechland Lake – Update Given

d. Lake Wanahoo Finances – Update Given

e. Wanahoo Recreation Area

Olson made the motion, seconded by Pollard, to pay ME Collins \$789 for the clearing of the Wanahoo nurseries. Motion carried on consent agenda.

Olson made the motion, seconded by Pollard, to support Blaine Hohn’s Eagle Scout Project by providing materials costing less than \$500. Motion carried on consent agenda.

Olson made the motion, seconded by Pollard, to have staff develop an Operating Plan and Costs for district operation of the Lake Wanahoo Recreation Area beginning in 2015. Motion carried on consent agenda.

f. Vehicle Replacement – Update Given

g. Tree Program – Update Given

h. Tractor Rental

Pieke made the motion, seconded by Saalfeld, to rent a tractor from Dinkel Implement via the State Contract at the \$11.80/hr rate with the minimum hours of usage at 300. Motion carried all members present voting aye.

i. Summer Interns – Update Given

3. ROCK AND JETTY

a. Applications - None

b. Payment Requests – None

4. EROSION & SEDIMENT RULES & REGULATIONS – Update Given

5. INFORMATION & EDUCATION

a. Information

1. KTIC Ads – Update Given

2. Viaduct/Annual Report – Update Given

3. County Fairs

Olson made the motion, seconded by Pollard, to approve registration for up to five county fairs for summer 2014. Motion carried on consent agenda.

b. Education

1. Soil and Water Stewardship Week – Update Given

2. Shell Creek Scholarships – Update Given

3. Spring Conservation Sensation – Update Given

c. Computer

1. iPads & Board Software – Update Given

6. RURAL WATER Systems

a. Bruno/David City Rural Water – Update Given

b. Colon/Wahoo Rural Water System

Olson made the motion, seconded by Pollard, to pay the invoice to M.E. Collins in the amount of \$599.64 for work completed in repairing the Colon rural water line. Motion carried on consent agenda.

c. Cedar Bluffs – Update Given

d. Brainard and Dwight – Update Given

e. Other – Update Given

Olson made the motion, seconded by Pollard, that the April LPNDRD Operations, Education and Rural Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

C. WATER COMMITTEE REPORT

1. REGULATORY

a. GROUNDWATER MANAGEMENT AREA

1. Variance Requests in the Hydrologically Connected Area – Update Given

a. Walter Bohaty Variance – Update Given

2. Variance Request in the Non-Hydrologically Connected Area – Update Given

3. Norman Kavan Transfer

Olson made the motion, seconded by Pollard, to leave the irrigation acre transfer ratio at 1 - 1 and allow Norman Kavan the transfer of 66 acres to the HCA if he so desires. Motion carried on consent agenda.

4. William Ag Corp Request of Additional Variance Acres

Olson made the motion, seconded by, to limit the adjustment on the number of acres of an approved variance or well permit to less than 5.0 acres per system without the need to file for an additional variance or well permit, and therefore it was recommended that the additional 3.7 acres for Williams Ag Corp. be approved. Motion carried on consent agenda.

5. Unauthorized Irrigation Expansions - Update Given

6. Well Permit Program

a. Well Permits Approved – Update Given

b. Water Permit Application for Supplemental Wells

Olson made the motion, seconded by Pollard, to approve the supplemental well in NW1/4 of the NW1/4, Section 3, T13N, R9E for Steve Frahm to irrigate 135 acres. Motion carried on consent agenda.

Olson made the motion, seconded by Pollard, to approve the supplemental well in NE1/4 of the NE1/4, Section 4, T17N, R8E for Evelyn McKnight to irrigate 78 acres. Motion carried on consent agenda.

Ruzicka made the motion, seconded by Hannah, to approve the Kent Langemeier good cause variance request for a supplemental well in the SE ¼ of the SW 1/4, in Section 34-T16N-R8E in Saunders County for 122 acres, with conditions; 1.) If well interference complaints occur in this area, the variance will be reviewed by the board to see if the variance should continue and 2.) this well may only be screened in the Dakota Formation (fractured sandstone).

AYE: Bailey, Birkel, Clause, Hagerbaumer, Hannah, McDermott, Olson, Pollard, Ruzicka, Taylor, and Hilger

NAY: Gibney, Johannes, Meduna, Pieke, Saalfeld, Sabatka

Olson made the motion, seconded by Pollard, to table the Mark Hoessel application for a supplemental well until after the Water Inventory Study for the Voluntary Integrated Water Management Plan has been completed in the fall of 2014. Motion carried on consent agenda.

c. Constructors, Inc. Well Permit Application

Olson made the motion, seconded by Pollard, to approve the “construction” well permit application for use to mix concrete for Constructors, Inc. in the SW1/4, Section 4, T14N, R7E. This well is to be decommissioned upon completion of the U.S. 77/92 Wahoo Bypass project. Motion carried on consent agenda.

d. Ewert Well Permit Extension

Olson made the motion, seconded by Pollard, to approve a 90 day extension for well permit LPN-013-1423, located in the SE1/4 of the NE1/4, Section 24, T16N, R1E in Butler County for Patrick Ewert. Motion carried on consent agenda.

e. Pond Well Permits

McDermott made the motion, seconded by Taylor, to approve the Policy for Well Permits for “Other” Wells such as ponds that includes a “Grandfather Clause” as presented at Board Meeting. Motion carried all members present voting aye.

f. Gaylen Kamrath/Bent Pick Change of Use Request

McDermott made the motion, seconded by Johannes, that Gaylen Kamrath not be allowed to irrigate the 18 acres in Section 9-15N-1E as requested until an irrigation variance request has been approved by LPNNRD. The next application period closes on August 15, 2014. Motion carried all members present voting aye.

g. Water Use Reports – Update Given

7. Lower Platte River Basin Water Management Plan Coalition – Update Given

8. DNR Presentation of INSIGHT – Update Given

9. Voluntary Integrated Water Management Plan – Update Given

10. Cost-Share Programs

a. Irrigation Well Sample Kits – Update Given

b. Domestic Well Sample Kits – Update Given

11. LPNNRD Certification – Update Given

b. Chemigation – Update Given

c. Livestock Waste Permits – Update Given

2. GROUND WATER PROGRAMS

a. Decommissioned Well Program

1. Well Estimates - Update Given

2. Plugged Wells

Olson made the motion, seconded by Pollard, to approve cost share payment to decommission the domestic well of Don Stava for \$519.91. Motion carried on consent agenda.

b. LPNNRD Ground Water Studies

1. Elkhorn Loup Model – Update Given

2. Eastern Nebraska Water Resources Assessment (ENWRA) – Update Given

c. Ground Water Energy Levels – Update Given

d. Monitoring Well Bid – Update Given

e. Former Ordnance Plant Near Mead – Update Given

3. SURFACE WATER PROGRAMS

a. Precipitation Gauging Network

b. USGS Invoice for Streamflow Sites and Monitoring Well

Olson made the motion, seconded by Pollard, to pay the invoice from USGS for \$3,982 for the stream gauges on Shell Creek and Wahoo Creek and the real-time ground water level monitoring site near Mead. Motion carried on consent agenda.

4. OTHER

a. Directors Workshop for LPRCA – Update Given

b. GMDA Summer Session – Update Given

c. Comments from the Public – Update Given

Olson made the motion, seconded by Pollard, that the April LPNNRD Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

D. PROJECTS COMMITTEE REPORT**1. SWCP REPORT****a. SWCP Application Approvals**

Olson made the motion, seconded by Pollard, to approve the following SWCP applications:

Trees:

Dave Wordekemper	Dodge Co.	410 Trees	\$399.75
Jeff Peterson	Saunders Co.	200 Trees	\$195.00
Randy Reznicek	Dodge Co.	200 Trees	\$195.00
Charles Brezina	Butler Co.	214 Trees	<u>\$208.65</u>
			\$998.40

Planned Grazing:

The Meadow 5 LLC	Butler	Planned Grazing	\$5,169.24
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Windbreak Renovation:

Dan & Ailene Wageman		Saunders Co.	\$1,000.00
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Flow Meters:

Charles Paprocki	Platte Co.		\$625.00
LeRoy Sprunk Sr	Platte Co. x2		\$1,250.00
Robert Hilger	Butler Co.		\$625.00
Eugene Wiese	Platte Co.		\$625.00
Jay Jedlicka	Colfax Co.		\$625.00
LaVerne Kadavy	Saunders		\$625.00
Lawrene Styskal	Saunders		\$625.00
Rita Freeman	Saunders		\$625.00
Mark Kavan	Saunders		\$625.00
Roger Nelson	Saunders		\$625.00
Dean Sander	Platte		\$1,250.00
Ann Olmer	Platte		\$625.00
G & B Farms	Saunders		<u>\$625.00</u>
			\$9,375.00

TOTAL \$16,542.64

Motion carried on consent agenda.

b. SWCP Payments

Olson made the motion, seconded by Pollard, to approve the following SWCP payments:

			50%
12-P-19	Dwight Loseke	Flow Meter	\$492.00
13-P-16	Jack Beller	Flow Meter	\$625.00
12-P-07	David Schumacher	Flow Meter	\$623.65
13-P-11	Terry Reichmuth	Flow Meter	\$625.00
13-S-25	Edward Cherovsky	Flow Meter	\$530.00
13-S-06	Glen Wirka	Flow Meter	\$594.50

Motion carried on consent agenda.

c. SWCP Cancellations - None**d. Cottonwood Creek Payments - None****e. Sand/Duck Creek Approvals – None**

f. Sand/Duck Cost-Share Payment

Olson made the motion, seconded by Pollard, to approve the following Sand/Duck Cost Share Payment:

Larry Wessely No-Till Incentive payment #2 of 2 \$2,962.00

Motion carried on consent agenda.

g. Annual SWCP Policy Review/Changes

Birkel made the motion, seconded by Pieke, to approve the SWCP Policy with recommended changes for 2014, as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

2. WATERSHEDS

a. Shell Creek Water Quality Watershed Plan

Ruzicka made the motion, seconded by Sabatka, to approve payment of the \$8,917.50 invoice from EA Engineering, for work accomplished on the Shell Creek Water Quality Watershed Plan, as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

b. Wahoo Creek Watershed Water Quality Plan (PIP) Phase I – Update Given

3. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report – Update Given

4. OTHER

a. Update on Army COE 205 Studies

1. South Fremont 205 – Update Given

2. Schuyler 205 – Update Given

b. Lands for Conservation Program Consideration

Clausen made the motion, seconded by Hannah, to approve the “Lands for Conservation Program” for the Wahoo Creek Priority sub-watersheds (Dunlop Creek, North Fork Wahoo Creek, Miller Branch & Cottonwood Creek) as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

c. All Hazard Mitigation Progress Report and Invoice

Olson made the motion, seconded by Pollard, to approve payment of the \$641.90 invoice from JEO for work completed on the District’s All Hazard Mitigation Plan, as attached to the Projects Committee Minutes. Motion carried on consent agenda.

d. Projects Financial Statement Review - Update Given

5. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT REPORT

a. Lake Wanahoo – Update Given

1. County Road 17 Paving

Saunders County is planning to level and pave County Road 17 from Wanahoo Dam, north one mile to the entrance of the recreation area. Steve Mika (Saunders County Road Superintendent) and Craig Breunig were present to say the paving portion is budgeted, however they are having difficulties with a couple of landowners on the west side of the road where the two largest fill areas would occur. His request to the NRD is if we would be willing to assist with the project land rights and possible cash.

2. Adjustment to Wanahoo NRDF Total

Pieke made the motion, seconded by Bailey, to approve and authorize the General Manager to sign, Amendment #3 to the Sand Creek Environmental Restoration (Lake Wanahoo) NRDF Agreement as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

3. Wahoo Trail – Update Given

b. Upstream Structures – Update Given

6. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

Olson made the motion, seconded by Pollard, that a public hearing be set and advertised for purchasing the remaining Western Sarpy/Clear Creek Project land rights. Motion carried on consent agenda.

Olson made the motion, seconded by Pollard, to accept and place on file the April Projects Committee Minutes. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7a. Tile Replacement – Site 6

Ruzicka made the motion, seconded by Birkel, to hire a contractor to replace 130 feet of tile line on Sand Creek Site 6 as part of the construction cost. Motion carried all members present voting aye.

7b. Payment to JEO-Boundary for Flood Easement – Wirka Tract

Ruzicka made the motion, seconded by Birkel, to approve payment of \$1,615 to JEO for survey work completed on the Wirka Tract. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Sabatka made the motion, seconded by Saalfeld, that all bills be approved and warrants be drawn in payment of same. Motion carried all members present voting aye.

9. CONSENT AGENDA ADOPTION

Olson made the motion, seconded by Pollard, to approve the April consent agenda. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The May Directors Meeting will be held on Monday, May 12, 2014, 6:00 p.m. Meeting adjourned at 9:19 p.m.

Discussion on all agenda items that have “Update Given” can be found in corresponding Committee Minutes.

The undersigned, the duly elected and acting Secretary of the Lower Platte North Natural Resources District (the “District”), hereby certifies that the foregoing is a true and correct copy of the minutes of the Meeting of the Board of Directors of the District held on April 14, 2014, that all of the matters and subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting

was available at the meeting for examination and copying by members of the public; that the above minutes were in written form and available for public inspection within ten working days or prior to the next convened meeting, whichever occurred earlier; and, that reasonable efforts were made to provide all news media requesting notification of the meeting and of the time and place of said meeting and the subjects to be discussed at said meeting.

Lon Olson, Secretary