

LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
APRIL 13, 2009

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 7:00 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, April 13, 2009.

1. NOTICE OF MEETING

The advanced notice of our April board meeting was published on March 26, 2009 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Saalfeld 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 | Boyd | Casey |
| Hannah | Hilger | Johannes |
| Johnson | Kavan | Meduna |
| Pieke | Renter | Sabatka |
| Taylor (left 7:50 p.m.) | Veskerna | Vrana |
| Saalfeld | | |

DIRECTORS ABSENT

| | | |
|--------|------|-----------|
| Acklie | Eden | Reitmajer |
|--------|------|-----------|

STAFF AND GUESTS:

| | | |
|------------|---------|---------|
| Mountford | Miyoshi | Breunig |
| Gottschalk | Angle | Murren |
| Becker | Poole | |

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. NRCS Report

Roger Reichmuth reviewed his written report.

c. NARD Report

Director Johnson gave the NARD report.

d. NRC Report

Director Johannes reported that the next Commission meeting will be in May.

e. Managers Report

Manager Miyoshi's reviewed his written report.

f. Education Program

Angle and Miyoshi gave an update to the Board on the time line for LPNNRD LB483 revised rules and regulations for State stay management area.

5. APPROVAL OF MINUTES

Pieke made the motion, seconded by Meduna, to approve minutes from the March 9, 2009 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. UNL Water Law, Policy and Science Conference - Update Given

2. CLE Nebraska Water Law - Update Given

3. NARD Basin Tour - Update Given

b. Reports

Attached to the Executive Committee Minutes find Tom Mountford's report from the NACD Annual Meeting and NARD Washington, DC Meeting.

2. Management Items

a. Directors Absence

Pieke made the motion, seconded by Meduna, to approve the absence request from Hannah and Johannes for the February Meeting. Motion carried on consent agenda.

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

Pieke made the motion, seconded by Meduna, to approve payment of \$2,750 to Bob Weaver for March services and bill LPSNRD and Papio NRD for their share. Motion carried on consent agenda.

c. May Committee Dates

Pieke made the motion, seconded by Meduna, to set the May Committee Meeting dates as follows: Water Committee Wednesday, April 29th at 5:30 p.m., Friday, May 1st,

Projects at 8:30 a.m., Executive at 10:30 a.m. and O, E & RW at 1:00 p.m. Motion carried on consent agenda.

d. Water DVD - Update Given

e. Monthly Education Program - Update Given

f. NARD Budget

Pieke made the motion, seconded by Meduna, to accept the NARD FY 2010 Budget as presented. Motion carried on consent agenda.

g. Conflict of Interest

Pieke made the motion, seconded by Meduna, to accept the conflict of interest letter from Ray Casey and acknowledge the potential conflict of interest with JEO Consulting Group. Motion carried on consent agenda.

h. Preliminarily Fully Appropriated Status - Update Given

3. Equipment - None

4. Personnel

a. Czechland/Homestead Groundskeeper

Vrana made the motion, seconded by Johannes, to ratify hiring Dave Odvody for the Czechland/Homestead Lake Groundskeeper. Motion carried all members present voting aye.

5. Finance

a. Approval of Financial Report

Pieke made the motion, seconded by Meduna, to approve the February financial report as distributed. Motion carried on consent agenda.

b. Approval of Managers Expenses

Pieke made the motion, seconded by Meduna, 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 - Update Given

d. Update on Annual Audit Findings - Update Given

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

B. EDUCATION, OPERATION & RURAL WATER COMMITTEE REPORT

1. WHIP/WILD NE REPORT

a. Payments

Piecke made the motion, seconded by Meduna, to pay two Wild NE contract payments to Glen Pfeifer, Platte County, \$525 and DeLores Meysenburg, Butler County, \$465. Motion carried on consent agenda.

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Update Given

b. Conservation Tree Program - Update Given

c. City of Fremont Trails Request

Piecke made the motion, seconded by Meduna, to pay \$379.66 for the native grass seed at the Johnson Park location. Motion carried on consent agenda.

d. South Fremont 205 Study - Update Given

e. Vehicle Replacement - Update Given

f. Czechland Boat Ramp Dock - Update Given

3. ROCK AND JETTY

a. New Applications - None

b. Payment Requests

Meduna made the motion, seconded by Boyd, to pay the City of North Bend \$1,000 of their \$3,000 bill for the removal of trees from their levee. If funds remain in the Rock & Jetty budget at the end of the fiscal year, we will pay an additional \$500 to bring it to 50% cost-share. Motion carried all members voting aye.

4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given

5. INFORMATION & EDUCATION

a. Information/Education

1. Annual Report - Update Given

2. Soil and Water Stewardship Week - Update Given

3. East Butler Nature Night - Update Given

4. Earth Wellness Festival - Update Given

5. David City Aquinas Field Day - Update Given

6. Spring Conservation Sensation - Update Given

7. Master Conservationist - Update Given

6. RURAL WATER ACTIVITIES

a. Bruno/David City Rural Water - Update Given

b. Colon/Wahoo Rural Water System - Update Given

c. Abie - Update Given

d. Bellwood/Richland - Update Given

e. Swedeburg

Pieke made the motion, seconded by Meduna, to suspend the Hillside Estates and Aspen Ridge IPA process until a point in time when it is needed again. Motion carried on consent agenda.

f. Other Items - Update Given

Pieke made the motion, seconded by Meduna, that the April LPNNRD Education, Operations 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. Community Letters sent about Fully Appropriated - Update Given

2. DNR Changes Status on Lower Platte River Basin as Fully Appropriated

3. LB483 and Update of LPNNRD Rules and Regulations - Update Given

4. Platte River Uplands Subarea LPNNRD Stay Management Area - Update Given

5. Well Permit Program

a. Well Permits Approved - Update Given

b. Water Use Reporting - Update Given

6. Variance Request - Update Given

7. Cost-Share Programs

a. Irrigation Well Sample Kits - Update Given

b. Domestic Well Sample Kits - Update Given

c. Phase 2 Irrigation Flow Meter Cost-Share

Pieke made the motion, seconded by Meduna, to establish a cost share program as part of our 319 grant from DEQ that the District will contribute 65 percent toward the purchase of water mark sensors, ET gauges and related equipment provided that producers will provide the ET gauge information online for other producers in the Phase 2 areas to use. Motion carried on consent agenda.

8. LPNNRD Certification Classes - Update Given

9. Bellwood Phase II Area - Update Given

10. Richland/Schuyler Phase II Area- Update Given

11. Certifying Acres

Johannes made the motion, seconded by Meduna, to hire GIS Workshop to create a database for the District to use for certifying irrigated acres at a cost of \$36,000. Motion carried all members present voting aye. The NRD will own the data when the project is complete.

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

Pieke made the motion, seconded by Meduna, to approve cost share payment to decommission the irrigation well for Dee Volkmer for \$558.61. Motion carried on consent agenda.

b. LPNNRD Ground Water Studies

1. Sub-Area Delineation Study - Update Given

2. LPNNRD Platte River Ground Water Model - Update Given

3. Elkhorn Loup Model (ELM)- Update Given

4. Eastern Nebraska Water Resources Assessment (ENWRA) - Update Given

5. Eastern Nebraska HEM Aquifer Mapping - Update Given

b. Ground Water Energy Levels - Update Given

1. District Spring Measurements - Update Given

c. Former Ordnance Plant Mead

1. Community - Restoration Advisory Board - Update Given

2. Corps of Engineers Activities - Update Given

e. Metropolitan Utilities District - Update Given

3. SURFACE WATER PROGRAMS

a. Precipitation Gauging Network - Update Given

4. OTHER

a. GMDA Summer Session - Update Given

b. University of Nebraska Summer Water Tour

c. Comments from the Public - Update Given

Pieke made the motion, seconded by Meduna, 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 Applications Approvals

Pieke made the motion, seconded by Meduna, to approve the following SWCP applications:

| | | | <u>50%</u> |
|-----------------------|-------------------|-------------------|------------------|
| <u>Michael Dvorak</u> | <u>Colfax Co.</u> | <u>Flow Meter</u> | <u>\$ 667.71</u> |
| <u>Larry Walla</u> | <u>Butler Co.</u> | <u>Flow Meter</u> | <u>\$ 667.71</u> |

Motion carried on consent agenda.

b. SWCP Payments

Pieke made the motion, seconded by Meduna, to approve the following SWCP payment:

| | | <u>Approved</u> | <u>Actual</u> |
|--------------------------|------------------------|--------------------|--------------------|
| <u>Carlos E. Schaper</u> | <u>Terraces w/tile</u> | <u>\$ 3,233.00</u> | <u>\$ 3,245.89</u> |

Motion carried on consent agenda.

c. SWCP Cancellations - None

d. Sand/Duck Creek Approvals - None

e. Sand/Duck Creek Cost-Share Payments - None

f. SWCP Policy Review

Pieke made the motion, seconded by Meduna, approve the revised SWCP Policy as attached to the Projects Committee Minutes. Motion carried on consent agenda.

g. Sand/Duck Cancellations - Update Given

2. WATERSHEDS

3. FSA , EQIP & CRP PLANS SIGNED

Pieke made the motion, seconded by Meduna, to approve the following CRP Plan revisions:

| <u>Date signed</u> | <u>County Office</u> | <u>Landowners Name</u> | <u>Legal</u> | <u>Acres</u> | <u>New -or- Rev.</u> | <u>Description Plan</u> |
|--------------------|----------------------|----------------------------|--------------|--------------|----------------------|-------------------------|
| 3/10/2009 | Butler | Dwaine J Schmit Trust | 30-16-1 | 7 | Rev | CRP |
| 3/10/2009 | Butler | Schmit, Nick/Joseph | 30-16-1 | 4.3 | Rev | CRP |
| 3/10/2009 | Butler | Dwaine J Schmit Trust | 30-16-1 | 9.9 | Rev | CRP |
| 3/10/2009 | Butler | Schmit/Nick/Joe/Loran | 7-15-2 | 8.1 | Rev | CRP |
| 3/10/2009 | Butler | Schmit, Nick/Joseph | 12-15-1 | 9.8 | Rev | CRP |
| 3/26/2009 | Butler | Marcel Kovar | 3-15-3 | 60.5 | Rev | CRP |
| 3/26/2009 | Butler | Ernest Nekuda/Marie Shonka | 10-16-4 | 8.9 | Rev | CRP |
| 3/27/2009 | Butler | Douglas Matulka | 12-15-1 | 59.9 | Rev | CRP |

Motion carried on consent agenda.

4. LOCALLY LED LANDOWNER GROUPS

a. Shell Creek Watershed Improvement Group - Update Given

5. LOWER PLATTE RIVER CORRIDOR ALLIANCE - Update Given

6. OTHER

a. Update on COE 205 Studies

1. South Fremont - Update Given

2. Schuyler 205 - Update Given

b. District-Wide All Hazard Mitigation Plan - Update Given

c. Update on David City NW Drainage Project - Update Given

d. David City "C" Street Project Assistance Request

Johnson made the motion, seconded by Casey, to approve 50% of the local share up to \$6,525 assistance toward Ditch Excavation and Clearing, Erosion Control Mat and Temporary Erosion Control project items proposed for David City's "C" Street Project. Motion carried.

AYE: Bailey, Casey, Hannah, Hilger, Johannes, Johnson, Kavan, Meduna, Pieke,
Renter, Sabatka, Veskerna, Vrana, Saalfeld,

ABSTAIN: Boyd

e. Agricultural Water Enhancement Program (AWEP) - Update Given

f. City of Newman Grove Payment Request

Pieke made the motion, seconded by Meduna, to approve payment of 50% assistance totaling \$5,612.50 toward Newman Grove's Drainage Improvement Project. Motion carried on consent agenda.

g. Village of Platte Center Project Request

Pieke made the motion, seconded by Meduna, to budget 50% of the local estimated cost (\$7,925) in FY2010 toward future assistance on Platte Center's Elm Creek Bank Stabilization and Debris Removal Project. Motion carried on consent agenda.

7. LAKE WANAHOO REPORT

a. Lake Wanahoo Committee Meeting Review - Update Given

1. Commercial Contractors Payment Request No. 5

Meduna made the motion, seconded by Johannes, to approve pay request No. 5 to Commercial Contractors for work completed on the Lake Wanahoo Project in the amount of \$261,376.76 and use SRF funds to pay this request. Motion carried all members present voting aye.

2. Project Relocation Expense Payment

Hannah made the motion, seconded by Pieke, to approve \$20,000 payment to Mike and Andy Murren for for Lake Wanahoo Project relocation expenses.

Johnson made the motion, seconded Kavan, to table the Project Relocation Expense Payment until next month. Motion carried.

AYE: Baily, Casey, Hilger, Johnson, Kavan, Meduna, Pieke, Renter, Sabatka,
Veskerna, Vrana, Saalfeld

NAY: Boyd, Hannah, Johannes

8. WESTERN SARPY/CLEAR CREEK LEVEE REPORT - Update Given

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

7. ADDITIONAL ACTION ITEMS

7.a. SWCP Application Approved

Sabatka made the motion, seconded by Meduna, to approve the following SWCP

Summer Application:

Randy Fendrich Butler Co. Terraces w/Tile \$8,618.85

Motion carried all members present voting aye.

7b. Decommissioned Well Payment

Sabatka made the motion, seconded by Meduna, to approve the following

Decommissioned Well Payment:

Margie Vrana \$641.30

Motion carried all members present voting aye.

7c. Lake Wanahoo Cash Rent - Sealed Bids - Attachment

Sabatka made the motion, seconded by Meduna, to accept the cash rent bid of \$187.50 from Robert Alm to farm approximately 175 acres in the Lake Wanahoo area. Motion carried all members present voting aye.

7d. Lake Wanahoo Decommissioned Well - Sealed Bids - Attachment

Sabatka made the motion, seconded by Meduna, to accept the low bid of \$7,000 from AWS to decommission irrigation and domestic wells on the Lake Wanahoo property.

Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

Piekie made the motion, seconded by Meduna, to approve the April consent agenda as amended. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The May Board of Directors Meeting will be held on Monday, May 11, 2009, 7:00 p.m.

Meeting adjourned at 9:30 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 13, 2009, 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.

Bob Hilger, Secretary