

**LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
AUGUST 14, 2000**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 7:15 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, August 14, 2000.

**1. NOTICE OF MEETING**

Public notification was made in area newspapers no later than August 1, 2000. Meeting notification and agendas were also provided.

**2. ROLL CALL - INTRODUCTIONS**

**DIRECTORS PRESENT AND CONSTITUTING A QUORUM:**

Bull	Daufeldt	Grueber
Johnson	Kavan	Lallman
Langemeier	Nelson	Mastny
McDermott	Saalfeld	Sabata
Sabatka	Sendgraff	Shelso
Wilke		

**DIRECTORS ABSENT**

Bailey	Jedlicka	Johannes
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**STAFF AND GUESTS:**

Miyoshi	Mountford	Breunig
Angle	Murren	Gottschalk
Brad Soncksen, Saunders NRCS		
Lee Wilmart, Fremont Elkhorn Valley Railroad		

**3. APPROVAL OF AGENDA**

**4. COMMENTS - ADVISORS/GUESTS/DIRECTORS**

Soncksen updated the Board on compliance issues, CRP status reviews and summer projects that have been completed.

**Item 6.C.6.d was taken at this time.**

Lee Wilmart representative with the Fremont Elkhorn Valley Railroad presented a request for assistance to repair bridge pilings across Rawhide Ditch 8. Although he suggested that increased water volume as a result of our project has contributed to the damage, it appeared from photographs that age may have been the biggest contributing factor to the damage.

**5. APPROVAL OF MINUTES**

Shelso made the motion, seconded by Sabata, to approve minutes from the July 10, 2000 Board Meeting. Motion carried on consent agenda.

**EXECUTIVE COMMITTEE REPORT WAS TAKEN AT THIS TIME**

**6. REPORT OF STANDING COMMITTEES**

**D. EXECUTIVE COMMITTEE REPORT**

**1. Meetings**

**a. Reports**

Attached to the Executive Committee Minutes are reports from the recent Water Tour.

**b. Pending**

**ASDSO Annual Conference**

Shelso made the motion, seconded by Sabata, to approve expenses for attendance by Miyoshi at the Association of Dam Safety Officials Annual Conference, September 25-30, 2000. Motion carried on consent agenda.

Directors were reminded of the NARD Fall Conference which will be held September 25-26, in Kearney.

**2. Management Items**

**a. Directors Absences**

None received.

**b. Building**

**1. Concrete Parking Area**

The O & E Committee has a recommendation going forward to the Board.

**2. LPNNRD Sign**

A sign in front of the office was discussed. Staff was directed to come up with a plan and potential cost by the next Executive Committee Meeting. Director Langemeier will assist Staff in securing a flag pole as part of the project.

**c. Final Payment Request**

Johnson made the motion, seconded by Saalfeld, to make the July payment of \$29,180 to Gifford Realty for the office addition and remodel, and the final \$15,000 payment which will be held until all deficiencies are complete. Motion carried all members present voting aye.

**c. Nebraska Rural Water Association Membership Renewal**

Shelso made the motion, seconded by Sabata, that the NRD renew our membership with Nebraska Rural Water at a cost of \$100. Motion carried on consent agenda.

**d. Nebraska Recycling Association Membership Renewal**

Shelso made the motion, seconded by Sabata, that the NRD renew our membership with Nebraska Recycling Association at a cost of \$60. Motion carried on consent agenda.

**e. Western Sarpy/Clear Creek Levee Project Update**

The Draft EIS for the WS/CC levee project continues to move ahead. Draft EIS must be completed by August 25. Board Members and Staff will meet with the PMRNRD Projects Committee to discuss the project.

**3. Equipment**

**a. Surplus Desks**

Shelso made the motion, seconded by Sabata, to advertise and take sealed bids on the NRD's surplus desks. Bids will be due and opened at 8:30 a.m. on Friday, September 1, 2000 at the NRD Office. Motion carried on consent agenda.

**4. Personnel**

**a. Wanahoo Coordinator Position**

Langemeier made the motion, seconded by Kavan, to go into executive session at 7:45 p.m. to discuss the Lake Wanahoo Coordinator position and the Secretary/Receptionist position. Motion carried all members present voting aye.

Grueber made the motion, seconded by Langemeier, to go out of executive session at 8:17 p.m. Motion carried all members present voting aye.

**b. Executive Committee Changes**

Discussion took place on making the past chairman a member of the Executive Committee. Miyoshi was instructed to review the by-laws and have necessary information for the next meeting of the Executive Committee.

**5. Finance**

**a. May and June Financial Reports**

Shelso made the motion, seconded by Sabata, to approve the May and June Financial Statements as distributed. Motion carried on consent agenda.

**b. Approval of Managers Expenses**

Shelso made the motion, seconded by Sabata, to approve the Managers expenses as attached to the Executive Committee Minutes. Motion carried on consent agenda.

**c. F.Y. 01 Budget Review**

Wilke made the motion, seconded by Grueber, to budget \$9,700 as needed in support of the Game and Parks position to promote conservation practices in the Shell Creek Watershed. These funds will only be used if no other local or state funds are available to support this position. Motion carried.

**AYE:** Bull, Daufeldt, Grueber, Johnson, Lallman, Langemeier, Mastny, Nelson, Saalfeld, Sabata  
Sabatka, Sendgraff, Shelso, Wilke, McDermott

**ABSTAIN:** Kavan

Grueber made the motion, seconded by Saalfeld, to approve the FY 00-01 Budget of \$3,472,965 as presented at budget hearing which includes the addition of \$9,700 as in the previous motion. Motion carried all members present voting aye.

Shelso made the motion, seconded by Sabata, that the LPNNRD August Executive Committee Meeting Minutes be received and placed on file. Motion carried on consent agenda.

## **OPERATION AND EDUCATION COMMITTEE REPORT**

### **1. WHIP REPORT**

#### **c. Payments**

No payments for month of August.

### **2. OPERATION & MAINTENANCE**

#### **a. The Following Updates Were Given:**

- ✓ Operation and Maintenance
- ✓ Czechland Silt Dam and Sediment Removal System
- ✓ Rawhide Creek North and West Branch Studies
- ✓ Southeast Fremont Drainage
- ✓ No-Till Grass Drill

#### **b. Donahue Trailer**

Bull made the motion, seconded by Lallman, to sell the John Deere Donahue Trailer and to replace it with a double axle car hauler trailer similar to the double axle trailer the NRD owns at the price of \$1,500. Motion carried all members present voting aye.

#### **c. Office Parking and Driveway Areas**

Bull made the motion, seconded by Lallman, to have concrete poured by staff on the South and East sides of the building with an estimated cost of materials at \$3,170. Motion carried.

**AYE:** Bull, Daufeldt, Grueber, Johnson, Lallman, Nelson, Sendgraff, Shelso, McDermott

**NAY:** Kavan, Langemeier, Mastny, Saalfeld, Sabata, Sabatka, Wilke

### **3. ROCK AND JETTY**

#### **a. Payments**

Shelso made the motion, seconded by Sabata, to approve payments of \$1,000 to Bob Foral, \$487.50 to Mike Herring and \$237.50 to Don Romshek for their bank stabilization work on the Platte River. Motion carried on consent agenda.

#### **c. Folsom-Diers Request**

Chuck Folsom and Bob Diers have submitted a letter of request for additional funding for bank stabilization on the Elkhorn River. Shelso made the motion, seconded by Sabata, to make Folsom and Diers a first priority at the end of the current fiscal year (2000-01) if any additional funding remains in the Bank

Stabilization Budget. Motion carried on consent agenda.

**4. EROSION & SEDIMENT RULES & REGULATIONS**

The District has not received any new complaints.

**5. INFORMATION & EDUCATION**

**a. The following Updates Were Given:**

- \* County Fairs
- \* New NRD Program Brochures
- \* NRD Recreation Area Brochure
- \* Public Service Announcements
- \* NARD Fall Conference

Shelso made the motion, seconded by Sabata, that the August LPNNRD Operation and Education Committee Minutes be received and placed on file. Motion carried on consent agenda.

**B. WATER COMMITTEE REPORT**

**1. REGULATORY**

**a. The Following Reports Were Given:**

- ☞ Manure testing and Software Cost Share
- ☞ Well Permits
- ☞ Distribution Manifold and Calibration Meter Cost-Share

**2. GROUND WATER PROGRAMS**

**a. Decommissioned Well Program**

Shelso made the motion, seconded by Sabata, to approve payment to decommission the irrigation well for Dean Hanson & Sons, Inc. for \$ 312.75. Motion carried on consent agenda.

**b. The Following Reports Were Given**

- \* Monitoring Wells
- \* Ground Water Energy Levels
- \* Well Head Protection Areas
- \* Groundwater Quality - Platte Valley
- \* Mead NOP

**3. SURFACE WATER PROGRAMS**

**a. The Following Reports Were Given**

- Sand and Duck Creek Study
- Precipitation Gauging Network

Shelso made the motion, seconded by Sabata, that the August LPNNRD Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

**C. PROJECTS COMMITTEE REPORT**

**1. SWCP REPORT**

**a. Approve SWCP Cost-Share Payments**

Shelso made the motion, seconded by Sabata, to approve the following SWCP/Emergency Repair payments:

<u>99-S-31</u>	<u>Richard Cherovsky</u>	<u>Dam</u>	<u>\$5146.37</u>	<u>SWCP Payment</u>
<u>00-B-01</u>	<u>David Rech</u>	<u>Dam</u>	<u>\$6376.81</u>	<u>SWCP Payment</u>
<u>00-S-05</u>	<u>David George</u>	<u>Dam</u>	<u>\$8689.47</u>	<u>SWCP Payment</u>
<u>00-M-15</u>	<u>R. Craig Nelson</u>	<u>Grass</u>	<u>\$667.59</u>	<u>SWCP Payment</u>
<u>00-C-17</u>	<u>Marcella Dvorak</u>	<u>Basin</u>	<u>\$1976.60</u>	<u>SWCP Payment</u>
	<u>Glenn Chvatal</u>	<u>Dam</u>	<u>\$2,634.29</u>	<u>Emergency Payment</u>

Motion carried on consent agenda.

**b. SWCP Cancellations**

Shelso made the motion, seconded by Sabata, to cancel the following SWCP applications:

<u>00-C-16</u>	<u>James Gerrad Jr.</u>	<u>\$2,973.00</u>	
<u>00-S-23</u>	<u>Randy Fendrich</u>	<u>\$5,000.00</u>	
<u>00-P-13</u>	<u>Milton Pfeifer</u>	<u>\$2,127.13</u>	<u>Motion carried on consent agenda.</u>

**c. Request for Additional Funds for Summer Approvals**

Shelso made the motion, seconded by Sabata, to approve increasing the SWCP cost share allocations on the Richard Meyer application (00-S-22) to \$7,480 and on the Wayne Richards application to \$6,821.53. Motion carried on consent agenda.

**d. Additional Priority Area above Proposed Lake Wanahoo**

Shelso made the motion, seconded by Sabata, to approve to approve the new land treatment priority area above proposed Lake Wanahoo as attached with the stipulation that the \$10,000 limit applies. Motion carried on consent agenda.

**e. Approval of SWCP Applications for Fall 2000**

Sabatka made the motion, seconded by Langemeier, to approve SWCP fall applications as attached to the Projects Committee Minutes in the following manner: 1.) Allow use of Wahoo Creek Sinking Funds to approve applications totaling \$95,500 in priority sites within the Sand & Duck Creek Watershed ; 2.) Approve applications totaling \$68,000 above proposed Skull Creek Dam Sites 55 & 31; 3.) Approve applications totaling \$20,000 within the David City Park Watershed. 4.) Approve \$28,950 for applications in the Shell Creek Watershed with landowners agreeing to wait for payment until July 2001. 5.) Approve \$79,500 for applications in the Sand & Duck Creek Watershed that are not within designated areas with landowner agreeing to wait for payment until July 2001. Motion carried all members present voting aye.

**f. Clarification of Districts Land Treatment Requirements**

At last months meeting, the committee discussed what qualified as the Lower Platte North NRD's definition of adequate land treatment. As adopted in the State's 1986 Erosion and Sediment Control Act, adequate land treatment is any practice that controls erosion rates to soil replacement levels or less ( Soil

replacement level or “T” = 5 tons/acre in LPNNRD). NRCS farm plans that treat land to “T” would quality under this definition. The land treatment standard the LPNNRD (and the Department of Natural Resources) above cost-shareable dam sites requires a minimum of 75% land treated to “T” or less in the watershed above. The Shell Creek Local Landowner Committee has suggested lowering this requirement in their watershed, to encourage the construction of more small dams.

## **2. WATERSHEDS**

### **a. Central Butler Watershed (NW Drainage Project)**

Gottschalk and Mountford participated in a June 26 Public storming meeting in David City on the next phase for the NW Drainage Project.

### **b. Skull Creek Watershed**

#### **1. Skull Creek Site 55 Landrights negotiations**

Shelso made the motion, seconded by Sabata, to approve the \$48,631.52 payment established by the Butler County court for the purchase of the Larry and Darlene Sloup property, and an additional \$930.38 for related court costs. Motion carried on consent agenda.

#### **2. Planned Construction Start for Homestead Lake (Skull Creek Dam Site 55)**

Kobus Earth Moving is on schedule to begin construction on the Dam in August as planned. A pre construction meeting with the contractor was held at the site on August 1. Olsson’s have prepared a proposed contract with Kobus Earth Moving for the construction of Skull Creek Site 55 for our review and approval. Shelso made the motion, seconded by Sabata, to authorize the Chairman to sign the contract documents and notice to proceed upon review by our Legal Counsel. Motion carried on consent agenda.

#### **3. Approval of Release of Ostry Flood Pool Easement**

Shelso made the motion, seconded by Sabata, to approve a reconveyance of the original flood pool easement with Herman and Donna Ostry. Motion carried on consent agenda.

#### **4. Skull Creek Site 31 - Authorize Economic Reevaluation for DNR Funding**

As instructed by the Projects Committee on October 27, 1999 we have been proceeding to bring Skull Creek Dam Site 31 to an approved status with the Nebraska Department of Natural Resources (DNR). Site 31 will be a road structure, located approximately 3 miles NW of Bruno. Olsson Environmental Sciences has given us a preliminary estimate for engineering fees for this work. Shelso made the motion, seconded by Sabata, to approve budgeting \$5,000 for updating the Resource Development Fund application and economic analysis for Skull Creek Dam Site 31. Motion carried on consent agenda.

### **c. Lake Wanahoo Update**

Miyoshi reviewed the Sand/Duck Creek EIS. There were no negative oral testimonies (only positive) received at the July 6 public hearing in Wahoo. There are two negative written testimonies that the COE received. The FY 2001 budget needs for Lake Wanahoo were reviewed.

**3. ELKHORN RIVER BREAKOUT IPA**

Assessment notices were delivered to the Dodge and Douglas Courthouses and mailed to landowners on July 14, 2000. One more assessment is planned in 2001 to bring the Operation & Maintenance Trust Fund to approximately \$100,000. Our plan to conclude assessments after 2001, unless major project repair is needed.

**4. FSA , EQIP & CRP PLANS SIGNED**

Shelso made the motion, seconded by Sabata, to approve the Conservation Plans as attached to the Projects Committee Minutes. Motion carried on consent agenda.

**5. LOCALLY LED CONSERVATION CORE GROUP REPORT**

Attached to the Projects Committee Minutes are Minutes from Bellwood Watershed, Shell Creek Watershed, Shell Creek Locally Led Group and Skull/Bone Creek Locally Led meetings.

**6. OTHER**

**a. Nebraska Buffer Strip Program**

Attached to the Projects Committee Minutes is an updated list of current Buffer Strip contracts.

**b. Saunders County/Valley View Road Dam Assistance Request**

Shelso made the motion, seconded by Sabata, to approve 50% cost-share assistance up to \$3,250 for the construction of the Valley View Road Dam. Motion carried on consent agenda.

**c. Butler County/Polivka Road Dam Assistance Request**

Sabata made the motion, seconded by Mastny, to cost-share with Butler County up to 50% or \$7,500 on the Polivka Road Dam. Motion carried all members present voting aye. This will be an excellent project and will help protect Skull Creek Dam 55 after construction.

**d. Fremont Elkhorn Valley Railroad Request**

This item was taken earlier.

**e. Joe Vrana Application above Czechland lake-Relay existing Terraces**

Sabatka made the motion, seconded by Johnson, to cost-share with Joe Vrana on terrace work above Czechland Lake not to exceed \$3,000 to be paid after July 1, 2001. Motion carried all members present voting aye.

**e. Western Sarpy/Clear Creek**

Shelso made the motion, seconded by Sabata, to appoint a sub-committee to research the Western Sarpy/Clear Creek COE Study. The sub-committee will be made of 4 LPNNRD and 4 PMRNRD directors assisted by staff. The sub-committee is tasked with looking at long range goals and solutions from the study recommendations. Motion carried on consent agenda.

Shelso made the motion, seconded by Sabata, that the August LPNNRD Projects Committee Minutes be



received and placed on file. Motion carried on consent agenda.

**7. ADDITIONAL ACTION ITEMS**

**7.a. Clear Creek Dike & Drainage District Dam Repair Request**

Nelson made the motion, seconded by Shelso, to approve 50% cost-share assistance up to \$4,000 to the Clear Creek Dike and Drainage District for repair of the subject dam. Motion carried all members present voting aye. Motion carried all members present voting aye..

**7.b. Shell Creek Watershed-Contract for Gene Wissenburg**

Nelson made the motion, seconded by Shelso, to approve the contract renewal for Gene Wissenburg for up to 80 hours of work at \$10 per hour. Motion carried all members present voting aye.

**7.c. David City Request John Coufal SWCP Contract Approval**

Nelson made the motion, seconded by Shelso, to approve John Coufal SWCP contract for \$17,000, LPNNRD will pay \$10,000 of this contract and David City will pay Mr. Coufal the \$7,000 overrun with the LPNNRD reimbursing David City the \$7,000 next Fiscal Year. Motion carried all members present voting aye.

**7.d. Request to Return Small Dam Deposits to Landowners**

Nelson made the motion, seconded by Shelso, to return the following Small Dam Deposits:

00-S-05      David George      \$500

00-B-01      David Rech      \$500

00-S-04      Glen Rosengren      \$500

99-S-31      Richard Cherovsky \$500

Motion carried all members present voting aye.

**7.e. Richard Eckstein (00-S-39)SWCP Application**

The Board approved up to \$3,000 for terraces above Sand and Duck Creek Structure Site #15. Since that time we have learned that the practice needed is two sediment basins located along both side of the creek to help keep livestock runoff from entering the stream. Our assistance to help with this above one of our priority dam sites would be justified, although it is a change from the original soil conservation intent. No Board action is needed unless there is disagreement with the LPNNRD providing assistance.

**7.f. Community Forestry Cost-Share Assistance - Cedar Bluffs School**

Nelson made the motion, seconded by Shelso, to approve payment of \$1,000 on a Community Forestry Project with Cedar Bluffs Public Schools on their Arboretum Trail Project. Motion carried all members present voting aye.

**7.g. Cost-Share with Saunders County on Riser**

Nelson made the motion, seconded by Shelso, to approve a cost-share project with a cost up to \$500 with Saunders County on a riser for a road structure on County Road 31 between P and Q. Motion carried

all members present voting aye.

**8. BILLS TO BE APPROVED**

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

**9. CONSENT AGENDA ADOPTION**

Shelso made the motion, seconded by Sabata, to approve the amended August consent agenda. Motion carried all members present voting aye.

**10. COMMENTS FROM DIRECTORS/GUESTS**

No comments.

**11. MEETING ESTABLISHMENT AND ADJOURNMENT**

The September of Directors Meeting will be held on Monday, September 11, 2000. Time and location to be determined. Meeting adjourned at 9:45 p.m.

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Jane Daufeldt, Secretary