

LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
DECEMBER 9, 2002

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 1:00 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, December 9, 2002

1. NOTICE OF MEETING

Public notification was made in area newspapers no later than November 28, 2002. Meeting notification and agendas were also provided.

2. ROLL CALL - INTRODUCTIONS

DIRECTORS PRESENT AND CONSTITUTING A QUORUM:

Bailey (arrived 1:08)	Bull	Eden
Johannes	Johnson	Kavan
Langemeier (arrived 1:07)	Larsen (left 1:50)	Mastny
Nelson	Reitmayer	Sabata (arrived 1:15)
Sabatka	Shelso	Wilke

DIRECTORS ABSENT

Grueber	Jedlicka (Task Force Mtg)	Saalfeld
Sendgraff		

STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Angle	Sousek
Gottschalk	Heimann	
Ralph Pieke		Brad Soncksen, NRCS
Eric Alm		Ken Kotera, NRCS
Lisa Brichacek, Wahoo Newspaper		Corey Brubacker, NRCS
Kristin Uhing, NRD/NRCS Clerk		

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. NRCS Report

Kristin Uhing, Dodge County NRD/NRCS Clerk wanted to thank the Board on behalf of all the Clerks for the opportunity to attend the NRCS All Employee Meeting that was recently held in Kearney.

b. NARD Report

Kavan reminded Directors of the upcoming NARD Legislative Conference, January 28-29, 2003 to be held at the Embassy Suites in Lincoln.

5. APPROVAL OF MINUTES

Bull made the motion, seconded by Johnson, to approve minutes from the October 14, 2002 Board Meeting. Motion carried on consent agenda.

## 6. REPORT OF STANDING COMMITTEES

### A. EXECUTIVE COMMITTEE REPORT

#### 1. Meetings

##### a. Pending

The NARD Legislative Conference will be held January 28-29, 2003 at Embassy Suites in Lincoln. Tentative Agenda is in each Directors Box. Board Members wishing to attend need to let Breunig know by January 3<sup>rd</sup>.

#### 2. Management

##### a. Directors Absence

None

##### b. Lower Platte River Corridor Alliance

Attached to the Executive Committee Minutes are minutes from the November 13<sup>th</sup> Lower Platte River Corridor Alliance Meeting. Also attached is the job announcement for the Coordinator position. Advertising will begin December 1<sup>st</sup> and filling the position by February or March of 2003.

##### c. Saunders County -vs- MUD

Miyoshi, Angle and Sousek met at Crosby, Guenzel, Davis, Kessner & Kuester on November 20<sup>th</sup> to discuss with attorney Dave Jarecke the review of briefs submitted by Saunders County and MUD. His job will be to review existing State Statutes to determine if the LPNNRD has jurisdiction on the "Causes of Action" filed by Saunders County.

Attached to the Executive Committee Minutes is a copy of a letter from Congressman Bereuter to the COE requesting comments and a response to his concerns regarding the Saunders County -vs- MUD case.

##### d. Nebraska Habitat Coalition - Piping Plover

Bull made the motion, seconded by Bailey, that the Lower Platte North NRD authorize it's voting representatives to the Nebraska Habitat Coalition to vote in favor of filing a lawsuit against the Fish and Wildlife Service over the blanket habitat designation for the piping plover in Nebraska. Motion carried all members present voting aye.

##### e. Nebraska Groundwater Management Protection Act Coalition

Shelso made the motion, seconded by Langemeier, to table discussion on joining the Nebraska Groundwater Management Protection Act Coalition until after the NARD Legislative Conference, January 28-29, 2003. Motion carried on consent agenda.

##### f. Bob Weaver Bill

Shelso made the motion, seconded by Langemeier, to pay the Bob Weaver bill in the amount of \$2,975 as attached to the Executive Committee Minutes. Motion carried on consent agenda.

3. Equipment

No new business.

4. Personnel

No new business.

5. Finance

a. Approval of October Financial Statement

Shelso made the motion, seconded by Langemeier, to approve the October Financial Statement as distributed at Committee Meeting. Motion carried on consent agenda.

b. Approval of Managers Expenses

Shelso made the motion, seconded by Langemeier, to approve the Manager's expenses as attached to the Executive Committee Minutes. Motion carried on consent agenda.

c. Snitily Wetland

Johannes made the motion, seconded by Langemeier, that it is the intent of the LPNNRD to sell the Snitily Wetland after it is fully developed for wetland purposes. It is estimated that the property will be ready for sale in the Fall of 2004 after all WRP requirements are met.

Kavan made the motion, seconded by Sabatka, to table the previous motion on the Snitily Wetland. Motion failed.

AYE: Bailey, Johnson, Kavan, Larsen, Nelson, Reitmajer, Sabatka

NAY: Bull, Eden, Johannes, Langemeier, Mastny, Shelso, Wilke

ABSTAIN: Sabata

The original motion was now voted on.

AYE: Bull, Eden, Johannes, Johnson, Langemeier, Mastny, Shelso, Wilke

NAY: Bailey, Kavan, Larsen, Nelson, Reitmajer, Sabatka

ABSTAIN: Sabata

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

B. OPERATION AND EDUCATION COMMITTEE REPORT

1. WHIP REPORT

a. Payments

Shelso made the motion, seconded by Langemeier, to approve six WHIP contracts for a total payment of \$2,432.50.

<u>Joe Reisdorff</u>	<u>Butler</u>	<u>\$612.50</u>	<u>expires</u>
<u>David Prochaska</u>	<u>Saunders</u>	<u>\$175.00</u>	<u>expires</u>

<u>Dennis Cipperra</u>	<u>Saunders</u>	<u>\$450.00</u>
<u>Donna Havlik</u>	<u>Butler</u>	<u>\$385.00</u>
<u>Roger Nelson</u>	<u>Colfax</u>	<u>\$600.00</u>
<u>Frank Hicken Jr.</u>	<u>Saunders</u>	<u>\$210.00</u>

Motion carried on consent agenda.

2. OPERATION & MAINTENANCE

a. The Following Updates Were Given:

- ✓ Operation and Maintenance Activities
- ✓ South Fremont Feasibility Study
- ✓ Tree Program

b. Rawhide "Ditch 8" Cattle Panel Repairs

Shelso made the motion, seconded by Langemeier, to pay Timme Welding \$3,620.84 for repair of the Ditch 8 cattle panels located on the Diers property which is the quoted price for the project. Motion carried on consent agenda.

3. ROCK AND JETTY

a. Payment

None

b. Applications

Shelso made the motion, seconded by Langemeier, to allocate \$2,000 each to Charles Folsom and Bob Diers for Rock and Jetty work in Dodge County on the Elkhorn River. 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:

- \* Long Range Plan
- \* NACEE
- \* Leopold Education Project
- \* County Government Day
- \* District 2 FFA Leadership Contest

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

C. WATER COMMITTEE REPORT

1. REGULATORY

a. GROUND WATER MANAGEMENT AREA

1. Well Permits

The total number of permits for 2002 is 80.

2. The Following Updates Were Given:

- ☛ Water Meter Cost Share Program
- ☛ Nitrogen Certification
- ☛ Phase 2 Meetings
- ☛ UltraSonic Flow Meter
- ☛ Cost-Share Programs

2. GROUND WATER PROGRAMS

a. Decommissioned Well Program

Shelso made the motion, seconded by Langemeier, to approve cost share payment to decommission the irrigation well for Hollst Brothers for \$832.50 and an irrigation well for Milton Pfeifer for \$403.50. Motion carried on consent agenda.

b. The Following Reports Were Given

- \* Well Estimates
- \* Wellhead Protection Areas
- \* Ground Water Energy Levels
- \* Ground Water Quality

c. David City Rural Water System

Shelso Made the motion, seconded by Langemeier, to approve funding \$12,000 for the David City to Bruno pipeline study conditional upon the Village of Bruno agreeing to reimburse the District 50% of the cost (\$6,000) of the Feasibility Study if the pipeline system is not constructed. Motion carried on consent agenda.

Shelso made the motion, seconded by Langemeier, that the December 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

Shelso made the motion, seconded by Langemeier, to approve the following SWCP Fall applications:

<u>Richard and Robert Paseka (Site #3)</u>	<u>\$ 10,000</u>
<u>John Brtek Trust C/O Diane Chmelka (Site #2)</u>	<u>\$ 10,000</u>

Motion carried on consent agenda.

b. SWCP Payments

Shelso made the motion, seconded by Langemeier, to approve the following SWCP payments:

		<u>75% Payment</u>	<u>Approved Total</u>
<u>02-S-7 Raikes Bros. Farms</u>	<u>\$ 6,362.55</u>	<u>\$ 10,000</u>	<u>(-\$ 3,637.45)</u>
<u>02-B-5 Tom Smaus</u>	<u>\$ 3,789.20</u>	<u>\$ 3,897.10</u>	<u>(-\$ 107.90)</u>

Motion carried on consent agenda.

2. WATERSHEDS

a. Skull Creek

An update was given on Homestead Lake.

3. FSA , EQIP & CRP PLANS SIGNED

Bull made the motion, seconded by Johnson, to approve the following signed Conservation Farm Plans:

Gregg M. Melliger

Colfax

James Gerrard Jr.

Colfax

Motion carried on consent agenda.

4. Locally Led Landowner Groups

a. The Following Reports Were Given:

☼ Skull/Bone Creek Locally Led Landowners

☼ Shell Creek Locally Led Landowners

☼ NW Butler County Landowners Committee

5. Other

a. The Following Reports Were Given:

📎 Elm Creek/Valley View Project

📎 Elkhorn Breakout Project

6. SNITILY WETLAND PROJECT UPDATE

Johannes made the motion, seconded by Langemeier, to authorize Management to purchase .66 acres from Andrew Murren for \$1,344.42 to square boundaries for the WRP contract. This price was determined by WRP easement value times acres. Motion carried all members present voting aye.

Johnson made the motion, seconded by Sabata, to authorize Management to exchange parcels with Randy Rogers in S9-T15-R7 to correct ownership boundaries on the Snitily Wetland parcel. Motion carried all members present voting aye.

7. LAKE WANAHOO REPORT

Murren reported that documents are being prepared for obtaining final signatures soon.

8. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

No new news.

7. ADDITIONAL ACTION ITEMS

7.a. Rawhide Creek North Branch

Shelso made the motion, seconded by Bull, to make final payment of \$3,172 to Contractor Allan Kassmeier for work accomplished on the Rawhide Creek Drainage Improvement Project in Sections 35 and 36. This payment is pending final inspection by the Contractor, NRD Staff and Chairman of Landowners Committee. Motion carried.

AYE: Bailey, Bull, Eden, Johannes, Johnson, Kavan, Langemeier, Mastny, Reitmajer, Sabata, Sabatka, Shelso, Wilke

ABSTAIN: Nelson

7.b. Payment to Olsson's Sand Creek LRR Support

Shelso made the motion, seconded by Bull, to approve payment of \$5,589.78 to Olsson Associates for work completed on the Sand Creek LRR. Motion carried.

AYE: Bailey, Bull, Eden, Johannes, Johnson, Kavan, Langemeier, Mastny, Reitmajer, Sabata, Sabatka, Shelso, Wilke

ABSTAIN: Nelson

7.c. Director Emeritus

Shelso made the motion, seconded by Bull, that LeRoy Nelson be made a "Director Emeritus" and be used as an advisor for any NRD project or programs which he may wish to have input on, but especially the Mead NOP Cleanup. Motion carried.

AYE: Bailey, Bull, Eden, Johannes, Johnson, Kavan, Langemeier, Mastny, Reitmajer, Sabata, Sabatka, Shelso, Wilke

ABSTAIN: Nelson

7.d. Administrative Order - Phase II Area

Johnson made the motion, seconded by Johannes, to set the advertising dates and that the Lower Platte North NRD approve an "Administrative Order" to implement a Phase Two Groundwater Management Area from the area surrounding the town of Bellwood, west to Highway 81 in the Platte Valley of Butler County to begin on January 13, 2003. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Johnson made the motion, seconded by Mastny, 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 Langemeier, to approve the December consent agenda. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

None

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The January Board of Directors Meeting will be held on Monday, January 13, 2002. Time and location to be determined. Meeting adjourned at 2:15 p.m.