

LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
DECEMBER 12, 2005

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 5:30 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, December 12, 2005.

1. NOTICE OF MEETING

Public notification was made in area newspapers no later than December 1, 2005. Meeting notification and agendas were also provided.

2. ROLL CALL - INTRODUCTIONS

DIRECTORS PRESENT AND CONSTITUTING A QUORUM:

Alm	Bailey	Bull
Eden	Hannah	Hilger
Holstine	Jedlicka	Johnson
Kavan	Koertner	Larsen
Mastny	Pieke	Reitmajer
Saalfeld (arrived 5:37)	Sabatka	Schmid
Johannes		

DIRECTORS ABSENT

None

STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Sousek	Gottschalk
Angle	Heimann	

Sign in sheet attached to original minutes

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

None

b. NRCS Report

None

c. NARD Report

Johnson reported on upcoming legislative issues and water problems facing the state.

d. Managers Report

Manager Miyoshi reviewed his written report.

e. Education Program

Rodney Verhoeff gave an update and showed a video of the pier removal from the Highway 50 Bridge at Louisville.

## 5. APPROVAL OF MINUTES

Saalfeld made the motion, seconded by Bailey, to approve minutes from the November 14, 2005 Board Meeting as amended. Motion carried on consent agenda.

## 6. REPORT OF STANDING COMMITTEES

### A. EXECUTIVE COMMITTEE REPORT

#### 1. Meetings

##### a. Pending

##### 1. NARD Legislative Conference

Attached to the Executive Committee Minutes is the Agenda for the NARD Legislative Conference January 24 and 25 in Lincoln. Those planning to attend should let Jill know their intentions as soon as possible.

##### b. Reports

None

#### 2. Management Items

##### a. Directors Absence - None

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

##### 1. Monthly Report

Verhoeff was present to give his November LPRCA report.

##### c. Bob Weaver Bill

Saalfeld made the motion, seconded by Bailey, to approve the October bill from Weaver in the amount of \$1,015. Motion carried on consent agenda.

##### d. Renner Bill

Saalfeld made the motion, seconded by Bailey, to approve final payment of \$89.84 to Shawn Renner for legal services on the Busing/Brauckmueller lawsuits. Motion carried on consent agenda.

##### e. Board Size Sub-Committee - Update Given

##### f. Piping Plover Lawsuit - Update Given

##### g. Director Retreat - Update Given

##### h. December Education Program

Tina Kurtz from DNR was scheduled to be present at our December 12<sup>th</sup> Board Meeting to answer questions on LB962 but due to the Integrated Management Report not being ready, we have rescheduled Tina to be at our January 9<sup>th</sup> Board Meeting.

3. Equipment

a. Carpet Installation

New carpeting has been installed in the Board Room, Library and three offices.

4. Personnel

The Personnel Sub-Committee met on November 7 with three items on the agenda:

1) Selection of 2005 employee award recipients

2) Salary for Project Coordinator\Water Specialist

Saalfeld made the motion, seconded by Bull, to recommend to adjust Gottschalk's salary beginning January 1, 2006 as discussed at Executive Committee this adjustment reflects 50% of his time being spend on Water Programs. Motion carried all members present voting aye.

3.) Amendments to our "Sick Leave Policy" - Attachment

Johnson made the motion, seconded by Reitmajer, to make the following three changes to our Sick Leave Policy:

a. Delete reference to "NARD retirement program" and insert "LPNNRD 457 program;

b. Change the "\$5.00" rate for each benefit hour lost to "\$7.50"

c. Delete "Employees will receive compensation for one-half (1/2) of their sick leave balance" to "Employees will receive compensation for their sick leave balance in the excess of 360 hours at their current rate of pay."

Motion carried all members present voting aye.

5. Finance

a. October Financial Statements

Saalfeld made the motion, seconded by Bailey, to approve the October Financial Statements as distributed to Directors. Motion carried on consent agenda.

b. Approval of Managers Expenses

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

c. Accounts Receivable Over 90 Days

None

6. Other

a. Committee Meeting Dates

Committees Meeting for January will be as follows:

Wednesday, January 4 <sup>th</sup>	8:30 a.m.	Operations-Education-Rural Water
Wednesday, January 4 <sup>th</sup>	4:30 p.m.	Water Committee
Thursday, January 5 <sup>th</sup>	9:00 a.m.	Projects Committee
Friday, January 6 <sup>th</sup>	8:30 a.m.	Executive Committee

b. Officer Nominating Committee

Chairman Johannes appointed all past Chairman to be the Officer Nominating Committee with Ron Sabatka as Chairman. The Committee will report at our January 9<sup>th</sup> Board Meeting.

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

B. OPERATIONS, EDUCATION & RURAL WATER COMMITTEE REPORT

1. WHIP/WILD NE REPORT

a. Payments

Saalfeld made the motion, seconded by Bailey, to approve four wildlife habitat contracts, Dennis Cipperra \$450, Donna Havlik \$385, Roger Nelson \$600, and Frank Hicken Jr. \$210 at a total payment of \$1,645. Motion carried on consent agenda.

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Report Given

b. Conservation Reserve Enhancement Program - Report Given

c. South Fremont 205 Study - Report Given

d. Rawhide Creek & Ditch 8

Johnson made the motion, seconded by Bull, to declare the following motion as an emergency item to accept the low bid from Schutt Construction at .74¢/foot to accomplish the cleaning of Rawhide Ditch 8 west of Highway 77. Motion carried.

AYE: Alm, Bailey, Bull, Eden, Hilger, Holstine, Jedlicka, Johnson, Kavan, Koertner, Larsen, Mastny, Pieke, Reitmajer, Saalfeld, Sabatka, Schmid, Johannes

PASS: Hannah

e. Bellwood Dam 2-C Bank Erosion Project

Reitmajer made the motion, seconded by Bull, to approve final payment of \$11,935.60 to Schutt Construction for completing the bank erosion rip-rap work on Bellwood Dam 2-C. Motion carried all members present voting aye.

f. 1993 Chevy Pick-up Sale

Saalfeld Made the motion, seconded by Bailey, to accept an offer of \$2,700 from Bill Daro of David City. Motion carried all members present voting aye.

g. Conservation Tree Program - Report Given

3. ROCK AND JETTY

Saalfeld made the motion, seconded by Bailey, to pay Cottrell Dike & Drainage \$509.57 for

tree and brush removal and treatment on the dike along the Platte River in Dodge County.  
Motion carried on consent agenda.

#### 4. EROSION & SEDIMENT RULES & REGULATIONS

The Yutan City Attorney has been contacted to inform the City that the District needs assistance in finding property boundaries and utilities. Staff will work with the landowner who is receiving the complaint, Yutan and the NRCS to work out a solution.

#### 5. INFORMATION & EDUCATION

##### a. Education

1. Butler County Government Day - Report Given

2. David City Career Day - Report Given

##### b. Information

1. Viaduct - Report Given

2. Online Tree Order Form - Report Given

3. NRD Calenders - Report Given

4. Recognition Banquet - Report Given

#### 6. RURAL WATER ACTIVITIES

a. Abie/Linwood - Report Given

b. Bruno/David City Rural Water

Reitmajer made the motion, seconded by Mastny, to approve the Rules and Regulations for the Bruno Water Line pending review by Legal Counsel. Motion carried all members present voting aye.

c. Colon / Wahoo Rural Water System

Saalfeld made the motion, seconded by Bailey, to approve and authorize the Chairperson sign the Asset Transfer Agreement with Colon which transfers all easements and the water system to the NRD. Motion carried on consent agenda.

Reitmajer made the motion, seconded by Sabatka, to approve the Rules and Regulations for the Colon Water Line pending review by Legal Counsel. Motion carried all members present voting aye.

d. Richland / Columbus Rural Water System - Report Given

e. Cedar Bluffs - Report Given

f. Other

Bellwood has been given an Administrative Order by NHHS to comply with Uranium levels in their drinking water.

Saalfeld made the motion, seconded by Bailey, that the December LPNNRD Operation-Education and Rural Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

### C. WATER COMMITTEE REPORT

#### PUBLIC HEARING FOR GROUND WATER MANAGEMENT RULES AND REGULATIONS - WELL PERMIT CONDITIONS

Public Hearing to modify the Lower Platte North NRD Ground Water Management Area Rules and Regulations was called to order at 4:30 p.m. by LPNNRD Water Committee Chair Erik Alm on November 30, 2005 at the Lower Platte North NRD office in Wahoo, Nebraska. Lower Platte North NRD Water Resources Manager, Larry Angle reviewed the proposed changes.

- ✍ Roger Koertner presented both written (see attachment) and oral testimony. He wrote "My concern requiring only new wells drilled after October to comply with this new metering provision could potentially establish a third classification of wells in the district (prior wells, Oct. 2005 to fully appropriated wells, and wells drilled after the determination) that could be perceived as "junior" to those wells drill prior to October of 2005."
- ✍ The Nebraska Department of Natural Resources and Department of Environmental Quality were invited to testify, but no representatives were in attendance and no written comments were received by the time of the public hearing. DNR has transmitted written comments which complements the District for our efforts and makes no comment on our proposed changes.

The Public Hearing was closed at 5:03 p.m. by chairperson Erik Alm. Written testimony can be submitted until December 12, 2005.

Schmid made the motion, seconded by Alm, to modify the Ground Water Management Area Rules and Regulations as presented at the public hearing and attached to the Water Committee Minutes. Motion carried.

AYE: Alm, Bull, Eden, Hannah, Hilger, Holstine, Jedlicka, Johnson, Kavan, Koertner, Larsen, Mastny, Reitmajer, Saalfeld, Sabatka, Schmid, Johannes,

NAY: Pieke

ABSTAIN: Bailey

### 1. REGULATORY

#### a. GROUNDWATER MANAGEMENT AREA

##### 1. Well Permits

As of November 2<sup>nd</sup> the total number of well permits to drill for 2005 is 207.

##### 2. Cost-Share Programs Reports

a. Irrigation Well Sample Kits - Update Given

b. Domestic Well Sample Kits - Update Given

3. Nitrogen Certification - Update Given

4. Bellwood Phase II Area - Update Given

5. Richland/Schuyler Phase II Area - Update Given

6. Ground Water Management Area Options - Update Given

After much discussion, the some Directors felt the District needs to broaden the membership in our GWMA Advisory Board. The following motion came from Committee and was asked to be taken off consent agenda. It was recommended (by Saalfeld) and seconded (by Holstine) to change the membership on the LPNNRD Ground Water Management Area Advisory Board to represent the following interests: surface water irrigators (1), ground water irrigators (3 with 1 to be from Turf Grass production), municipalities (2), counties (1), livestock producers (1), industries (1 from packing plants, 1 from ethanol plants), environmental interests (1), financial institutions (1), economic development (1), ranchers (1), well drillers (1), crop consultant (1) and farm manager (1) for a total of 17 members. The District will need to schedule another Public Hearing in the near future to incorporate these modifications into our Ground Water Management Area Rules and Regulations. After further discussion this item was sent back to Committee for refinement.

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

Alm made the motion, seconded by Schmid, to approve cost share payment to decommission the domestic well for David Staggs with payment going to David City for \$507. Motion carried all members present voting aye.

b. Well Head Protection Areas - Update Given

c. Groundwater Quality - Update Given

d. Groundwater Energy Levels - Update Given

e. LPNNRD Monitoring Wells - Update Given

f. Former Ordnance Plant at Mead - Update Given

g. MUD and Landowner Survey

1. MUD Monitoring Wells - Update Given

2. Landowners Survey - Update Given

3. MUD - Wetlands Mitigation - Update Given

3. OTHER

a. GMDA - Update Given

b. NRD Water Programs Conference - Update Given

c. Comments from the Public - Update Given

Saalfeld made the motion, seconded by Bailey, that the December LPNNRD Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

D. PROJECTS COMMITTEE REPORT

1. SWCP REPORT

a. SWCP Cancellations & Extensions

None

b. SWCP Approvals

Saalfeld made the motion, seconded by Bailey, to approve increased allocations and new approval for SWCP fall applications as follows:

	<u>75%</u>	<u>TOTAL</u>
<u>05-B-20 MaryAnn Shuey (\$ 9,920 now)</u>	<u>+ \$ 5,080.00</u>	<u>\$15,000.00</u>
<u>05-S-23 Curtis Cihal (\$ 7,000 now)</u>	<u>+ \$ 5,800.00</u>	<u>\$12,800.00</u>
<u>NEW Mike Dvorak Grade Stab./Basin</u>	<u>\$ 9,840.00</u>	<u>\$9,840.00</u>

Motion carried on consent agenda.

Saalfeld made the motion, seconded by Bailey, to approve an increased allocation on SWCP fall application 05-S-28 ,for Justin Kavan, from \$10,000 to \$20,000. Motion carried on consent agenda.

c. SWCP Payments

Saalfeld made the motion, seconded by Bailey, to approve the following SWCP payments:

	<u>Approved</u>	<u>As Built</u>	<u>TOTAL</u>	<u>+/-</u>
<u>05-S-42 Clair Siroky</u>	<u>\$ 1,000.00(Max.)</u>	<u>\$2,295</u>	<u>\$ 1,000.00</u>	<u>-0-</u>
<u>05-S-5 Laura Fick</u>	<u>\$ 6,550.00</u>	<u>\$3,909.72</u>	<u>\$ 3,909.72</u>	<u>(- \$ 2,640.28)</u>
<u>05-S-12 Steve Johnson</u>	<u>\$ 6,000.00</u>	<u>\$4,076.10</u>	<u>\$4,076.10</u>	<u>(- \$ 1,923.90)</u>
<u>05-S-8 Glenn Mumm</u>	<u>\$ 5,400.00</u>	<u>\$1,705.55</u>	<u>\$1,705.55</u>	<u>(- \$ 3,694.45)</u>

05-S-10	Bryce Sherman	\$ 6,700.00	\$1,733.30	\$1,733.30	(- \$ 4,966.70)
05-B-17	Eugene Shalon	\$ 2,795.00	\$ 3,328.27	\$3,328.27	+ \$ 533.27

Motion carried on consent agenda.

2. WATERSHEDS

3. FSA , EQIP & CRP PLANS SIGNED

None

4. LOCALLY LED LANDOWNER GROUPS

a. Shell Creek Improvement Group

1. November 14<sup>th</sup> Meeting Minutes - Update Given

2. Manure Dumping in Shell Creek - Update Given

5. OTHER

a. Cedar Bluffs Drainage Improvement Project Request

b. Update on Army COE 205 Studies

1. South Fremont 205 - Update Given

2. Schuyler 205 - Update Given

3. North Bend 205 - Update Given

c. Proposed Boone County Road Dam - Update Given

6. LAKE WANAHOO REPORT

a. Project Update Given

7. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

a. Project Update Given

Saalfeld made the motion, seconded by Bailey, to accept and place on file the December Projects Committee Minutes. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7.a. SWCP Payments

Jedlicka made the motion, seconded by Schmid, to approve the following SWCP Payments:

05-B-19 Joe Hanis Tile Outlet Terraces \$7,538.00 \$7,397.65

05-C-45 Marcella Dvorak Tile Outlet Terraces/Basin \$10,992.00 \$11,226.15

Motion carried all member present voting aye.

8. BILLS TO BE APPROVED

Johnson 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

Saalfeld made the motion, seconded by Bailey, to approve the December consent agenda as amended. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

Lorus Luetkenhaus address the Board on various issues.

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The January Board of Directors Meeting will be held on Monday, January 9, 2006, 5:30 p.m. Lower Platte North NRD Office.

Meeting adjourned at 7:45 p.m.

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 December 12, 2005, 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.

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Ted Bailey, Secretary