

LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
DECEMBER 11, 2006

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 11, 2006.

1. NOTICE OF MEETING

The advanced notice of our December board meeting was published on November 23, 2006 in the Banner Press, Columbus Telegram, Fremont Tribune, North Bend Eagle, Schuyler Sun and Wahoo Newspaper.

Chair Johannes 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:

Alm	Bailey (left 7:28)	Bull
Bruner	Eden	Hannah
Hilger	Holstine	Johnson
Kavan	Koertner (arrived 5:45)	Mastny
Meduna	Pieke	Reitmajer
Saalfeld	Sabatka	Johannes (left 6:45)

DIRECTORS ABSENT

Jedlicka

STAFF AND GUESTS:

Mountford	Breunig	Murren
Miyoshi	Sousek	Gottschalk
Angle	Barkley	Oaklund

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

None

b. NRCS Report

Brad Soncksen was present and reported on the CRP Signup and the Federal Budget.

c. NARD Report

Johnson reported on the NARD Health Insurance Program

d. Managers Report

Manager Miyoshi reviewed his written report.

e. Educational Program

Leah Barkley gave an update on Water Quality Sampling results for 2006

5. APPROVAL OF MINUTES

Saalfeld made the motion, seconded by Eden, to approve minutes from the November 13, 2006 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. NARD Legislative Conference

The NARD Legislative Conference is scheduled for January 23-24, 2007. Those planning on attending should let Breunig know.

2. Management Items

a. Directors Absence

Saalfeld made the motion, seconded by Eden, to approve the Director absence received from Johnson from the November Board Meeting. Motion carried on consent agenda.

b. Lower Platte River Corridor Alliance

1. November Report

Coordinator Verhoeff was present to give the November Alliance Report.

2. Planning Retreat

The Alliance Planning Retreat is scheduled for December 19 at Camp Kitaki near South Bend. This is the opportunity for outlining the Alliance's future. The following Directors are registered: Ted Bailey, John Hannah and Lumir Jedlicka

c. Bob Weaver

Saalfeld made the motion, seconded by Eden, to approve the November Bob Weaver Bill in the amount of \$1,812.50 and bill LPSNRD and PMRNRD for their share. Motion carried all members present voting aye.

d. NACD Dues

Saalfeld made the motion, seconded by Eden, to pay our NACD Annual dues in the amount of \$775 for silver membership. Motion carried on consent agenda.

e. Monthly Education Programs - Update Given

f. Directors Retreat - Update Given

g. Mileage Rate - Update Given

h. Certified Election Results - Update Given

i. WS/CC Payment - Update Given

j. NARD Health Insurance

At our October 9, 2006 the follow board motion was passed:

Johnson made the motion, seconded by Jedlicka, to approve the following:

1. Participating in the NARD Flexible Benefits Plan and authorize the Chair to sign said Interlocal agreement.
2. Begin the Insurance Premium Payment Plan portion October 1.
3. Begin the Flexible Health Spending Account January 1, 2007.
4. Begin the Flexible Dependent Care Spending Account January 1, 2007.

Johnson made the motion, seconded by Reitmajer, to authorize the establishment and participation in the NARD Risk Pool Agreement; Authorize funding the Pool Claims reserve not to exceed our budgeted \$2,880 per plan participant employee. It was further recommended to authorize the automatic referral of Claims Explanations of Benefits prepared by Mid-America Benefits, Inc. to the Flexible Spending Accounts department for reimbursement. Motion carried all members present voting aye.

k. Retaining Legal Counsel for Bruno Water Line

Saalfeld made the motion, seconded by Bull, to proceed and take legal action as necessary concerning the Bruno Rural Water Line to recuperate losses the system has and will incur due to the flawed study. Motion carried.

AYE: Alm, Bailey, Bruner, Bull, Eden, Hannah, Hilger, Holstine, Johnson, Koertner, Mastny, Meduna, Pieke, Reitmajer, Saalfeld, Sabatka, Johannes

NAY: Kavan

Johnson made the motion, seconded by Meduna, to enter into an employment agreement with the Law Firm of Edstrom, Bromm, Lindahl, Sohl & Freeman-Caddy to represent the NRD concerning the David City/Bruno water line study. It was further recommended that this agreement include hiring of expert witnesses as deemed necessary and authorize the Chairman to sign said agreement.

Hannah made the motion, seconded by Sabatka, to table the previous motion and return it back to Executive Committee. Motion carried all members present voting aye.

Chair Johannes appointed a sub-committee to investigate potential Law Firms to handle the Bruno Water Line Study and report at the next Executive Committee Meeting.

1. Richard Snyder Article - Update Given

m. Officer Nominating Committee

Chair Johannes appointed all past Chairman (Bull, Johnson, Kavan and Sabatka), as the Officer Nominating Sub-committee.

n. USGS Funding Agreements - Attachment

Koertner made the motion, seconded by Sabatka, to approve two joint funding agreements with USGS for work on the 6 NRD ENWRA (Eastern Nebraska Water Resources Agreement) project:

Agreement 07C4NE048027000 for \$60,000 to preform the heli-borne electromagnetic survey.

Agreement 07C4NE048028000 for \$130,000 to preform the direct current and capacity coupled resistivity surveys.

It was further recommended to authorize the Chairman to sign said agreement on behalf of LPNNRD and ENWRA. Motion carried all members present voting aye.

3. Equipment

a. Equipment Purchase List - Update Given

4. Personnel - None

a. Personnel Sub-Committee Meeting

The Personnel Sub-Committee met on November 21st to select award recipients for 2006.

5. Finance

a. Approval of Financial Statements

Saalfeld made the motion, seconded by Pieke, to approve the June, July, August, September and October Financial Statements as distributed at Committee Meetings. Motion carried all members present voting aye.

b. Approval of Managers Expenses

Saalfeld made the motion, seconded by Eden, to approve the Managers expenses as attached to the Executive Committee Agenda. Motion carried all members present voting aye.

c. Accounts Receivable Over 90 Days

The only accounts receivable over 90 days due are 3 with DEQ concerning reimbursement of 319 projects.

Saalfeld made the motion, seconded by Eden, that the December 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

Saalfeld made the motion, seconded by Eden, to approve four Wildlife Habitat contract payments, Dennis Ciperia \$450, Donna Havlik \$385, Roger Nelson \$600 and Frank Hicken Jr. \$210 for 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. Conservation Tree Program - Report Given

e. Rawhide Ditch 8 - Report Given

f. Saunders County Road Structure (Bob Kavan) Report Given

g. Dock Flotation Renovation

Saalfeld made the motion, seconded by Eden, to purchase 4 new floatation blocks and hardware for the dock at the Czechland boat ramp at an estimated price of \$700 to \$800. Motion carried on consent agenda.

h. Platte River Obstruction Removal - Camp Ashland

Reitmayer made the motion, seconded by Mastny, to pay \$28,000 to the Platte River Corridor Alliance for the Platte River Obstruction Removal Project at Camp Ashland. Motion carried all members present voting aye.

3. ROCK AND JETTY

No new business.

4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given

5. INFORMATION & EDUCATION

a. Education

1. Butler County Government Day - Update Given

2. FFA Leadership Contest - Update Given

b. Information

1. NRD Calendars - Update Given

2. Annual Banquet - Update Given

3. Rural Water Logo - Update Given

6. RURAL WATER ACTIVITIES

a. Abie/Linwood - Report Given

b. Bruno/David City Rural Water

Saalfeld made the motion, seconded by Eden, to appoint Mastny, Bailey and the Rural Water Manager to the three positions of the tap-on committee with the General Manager, Assistant Manager and Reitmajer as alternates. Motion carried on consent agenda.

Saalfeld made the motion, seconded by Eden, to authorize using the attached Tap-on Committee form in lieu of having a committee meeting to approve individual tap-ons. Motion carried on consent agenda.

Saalfeld made the motion, seconded by Eden, to recognize that four members of the standing Rural Water Committee of the LPNNRD will be acting as the Water Entity Board as spelled out in First Addendum to Interlocal Agreement for Water Supply Service From David City, Nebraska to Bruno, Nebraska. Along with this David City will have one voting member during the Butler County Rural Water portion of the Committee meeting. The Lower Platte North members are in this voting position if ever needed 1) Bailey, 2) Mastny, 3) Reitmajer, 4) Sabatka, 5) Eden, 6) Holstine. Motion carried on consent agenda.

Saalfeld made the motion, seconded by Eden, to recognize the addition of Dallan Dvorak to the Bruno/David City Rural water line. Motion carried on consent agenda.

c. Colon/Wahoo Rural Water System - Report Given

d. Richland/Columbus Rural Water System - Report Given

e. Bellwood - Report Given

f. Swedeburg - Report Given

g. Prague - Report Given

h. Equipment

Reitmajer made the motion, seconded by Sabatka, to purchase a 2007 Dodge Ram, 3/4 ton, regular cab, 4 x 4 pickup truck for \$20,900 which is the lowest price off the State purchasing contract. This vehicle will be used by the Lower Platte North RWD and will be outfitted with an utility box purchased from Robert and Erik Alm for \$1,175. Motion carried.

AYE: Bailey, Bruner, Bull, Eden, Hannah, Hilger, Holstine, Johnson, Kavan, Koertner, Mastny, Meduna, Pieke, Reitmajer, Saalfeld, Sabatka

ABSTAIN: Alm

Reitmajer made the motion, seconded by Sabatka, to purchase the Tsurumi TPG-5500-DX, 5500 watt generator for \$1,587. Motion carried all members present voting aye.

i. Rules and Regulations

Reitmajer made the motion, seconded Mastny, to change the Rural Water billing due date to when the bill is received and apply late charges to bills not paid by the 20th of each month. Motion carried all members present voting aye.

j. Crop Damage and Rental Loss on Wanahoo Ground

Saalfeld made the motion, seconded by Eden, to have the Lower Platte North RWD pay the Wanahoo project \$1,033.70 for lost rental income. Motion carried on consent agenda.

Saalfeld made the motion, seconded by Eden, that the December 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. Well Permits

The total number approved permits for 2006 is 74.

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

a. David City Aquifer Potential Level-1A Management Area

Saalfeld made the motion, seconded by Eden, for the Lower Platte North NRD to issue an Order at the December 11, 2006 LPNNRD Board meeting to designate the following sections as a Level 1A Ground Water Management Area

to be implemented on January 15, 2007:

T16N, R3E, Sections 31 to 36; T16N, R4E, Sections 25 to 36;

T15N, R1E, Sections 1 to 18; T15N, R2E, Sections 1 to 18;

T15N, R3E, Sections 1 to 36; T15N, R4E, Sections 1 to 36;

T15N, R5E, Sections 19 to 21 and Sections 27 to 34. Motion carried on consent agenda.

b. Sub-Area Delineation Study - Update Given

Saalfeld made the motion, seconded by Eden, to accept proposals from area Engineering Firms to do the Sub-Area Delineation Study. Motion carried on consent agenda.

c. LPNNRD Platte River Ground Water Model - Update Given

d. Elkhorn Loup Model (ELM) - Update Given

e. Eastern Nebraska Water Resources Assessment (ENWRA)

Saalfeld made the motion, seconded by Eden, to approve the ENWRA Interlocal Agreement provided LPNNRD legal counsel has reviewed the Interlocal agreement and has also recommended approval at the December 11, 2006 LPNNRD Board Meeting. Motion carried on consent agenda.

b. Chemigation - Update Given

c. Livestock Waste - Update Given

2. GROUND WATER PROGRAMS

a. Decommissioned Well Program

1. Well Estimates - Update Given

2. Plugged Wells

Saalfeld made the motion, seconded by Eden, to approve cost share payment to decommission the two stock wells for Ray Flood for \$518.97, a domestic well for Jeff Gerhart for \$276.94, and a domestic well for Gary Patzel for \$275.63. Motion carried on consent agenda.

b. Ground Water Quality

1. Todd Valley Intensive Sampling - Update Given

c. Ground Water Energy Levels

1. Fall Readings on GWEL Network Wells

2. Flow Meters on GWEL Network Wells

d. University Clean Up Efforts at ARDC - Update Given

3. OTHER

a. Ground Water Modeling Class - Update Given

b. NRD Water Programs Conference - Update Given

c. 51st Annual Midwest Ground Water Conference - Update Given

d. GMDA Annual Meeting - Update Given

e. Comments from the Public - Update Given

Saalfeld made the motion, seconded by Eden, 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 - None

b. SWCP Fall Applications

Saalfeld made the motion, seconded by Eden, to approve additional funds for the following fall SWCP cost share application - 06-DC-6 - John Brtek Trust - Add'l \$ 4,000 (to complete other side of hill). Motion carried on consent agenda.

c. SWCP Payments

Saalfeld made the motion, seconded by Eden, to approve the following SWCP cost-share payments:

<u>share payments:</u>	<u>Approved</u>	<u>As Built</u>	<u>Payment</u>	<u>+/-</u>
<u>06-S-12 Bob Sousek</u>	<u>\$10,000</u>	<u>11,430.03</u>	<u>\$8,160.53</u>	<u>\$1,839.47</u>

Motion carried on consent agenda.

d. Duck Creek Approvals - None

e. Duck Creek Payments - None

2. WATERSHEDS - Update Given

3. FSA, EQIP & CRP PLANS SIGNED

Saalfeld made the motion, seconded by Eden, to approve the following conservation plans:

<u>Date signed</u>	<u>County</u>	<u>Landowners Name</u>	<u>Legal</u>	<u>Acres</u>	<u>New -or- Rev.</u>	<u>Description Plan</u>
<u>10/4/2006</u>	<u>Boone</u>	<u>Gary Patzel</u>	<u>W1/2 12-21-12</u>	<u>34</u>	<u>Re-enrollment</u>	<u>CRP</u>
<u>10/31/2006</u>	<u>Boone</u>	<u>Paul Kettelson</u>	<u>NE 10-21-5</u>	<u>8.1</u>	<u>New</u>	<u>CRP Signup 31</u>
<u>10/31/2006</u>	<u>Boone</u>	<u>Paul Kettelson</u>	<u>NE 6-21-5</u>	<u>6.1</u>	<u>New</u>	<u>CRP Signup 31</u>

Motion carried on consent agenda.

4. LOCALLY LED LANDOWNER GROUPS

a. Shell Creek Watershed Improvement Group - Update Given

b. Assistance Request - Schuyler Central High School Water Testing Supplies

Saalfeld made the motion, seconded by Eden, to approve 50% assistance, totaling \$540.58, for the cost of water sampling equipment (as attached) for the Schuyler Central High School. Motion carried on consent agenda.

5. OTHER

a. City of Wahoo Drainage/Erosion Project Proposal

Dennis Jeppson from JEO was present to discuss an upcoming project west of the city to decrease the impacts of gully erosion to a farm field located west of Hackberry Street. Sabatka made the motion, seconded by Pieke, to approve 25% up to \$5,000 cost-share on the City of Wahoo Drainage/Erosion Project on Hackberry Street. Motion carried.

AYE: Bailey, Bruner, Bull, Eden, Hannah, Holstine, Johnson, Kavan, Koertner, Mastny, Meduna, Pieke, Reitmajer, Sabatka

NAY: Alm, Bull, Hilger

b. Update on Army COE 205 Studies

1. South Fremont 205 - Update Given

2. Schuyler 205 - Update Given

c. Newman Grove Sewage Lagoon - Update Given

6. LAKE WANAHOO REPORT - Update Given

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

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

7. ADDITIONAL ACTION ITEMS

7a. Lake Wanahoo Clearing and Grubbing Contract

Bids were opened on the Lake Wanahoo Clearing and Grubbing Project on December 8th. Three bids were received. Bull made the motion, seconded by Alm, to approve the low bid \$25,885 from Midwest Dumper to clear and grub approximately 11.5 acres on the Lake Wanahoo Site. Motion carried.

AYE: Bruner, Bull, Eden, Hannah, Holstine, Johnson, Kavan, Koertner, Mastny, Meduna, Pieke, Reitmajer, Sabatka

NAY: Alm, Hilger, Saalfeld

7b. SWCP Payments

Reitmajer made the motion, seconded by Saalfeld, to approve the following SWCP as-built payments:

	<u>Approved</u>	<u>As-Built</u>	<u>(+/-)</u>
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06-C-28	Dennis Zoubek c/o Todd Went	\$ 4,371.77	\$5,030.68	+\$ 658.91
06-C-36	Dan Wolfe	\$10,000.00	\$10,000.00	-0-
06-B-18	Eugene Siroky	\$8,590.00	\$8,104.81	-(\$ 481.44)

Motion carried all member present voting aye.

8. BILLS TO BE APPROVED

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

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The January Board of Directors Meeting will be held on Monday, January 8, 2007, 5:30 p.m. Lower Platte North NRD Office.

Meeting adjourned at 7:40 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 11, 2006, 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.

Ted Bailey, Secretary