

LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
DECEMBER 14, 2009

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 14, 2009.

1. NOTICE OF MEETING

The advanced notice of our December board meeting was published on November 25, 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:

Boyd	Casey	Eden
Hannah	Hilger	Johannes
Kavan	Meduna	Pieke
Reitmajer	Renter	Sabatka
Taylor	Veskerna	Vrana
Saalfeld		

DIRECTORS ABSENT

Acklie

STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Gottschalk	Angle
Thompson		

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

Miyoshi reminded all Directors about the Legislative Conference, January 26-27, 2010.

d. NRC Report

Director Johannes reported that the next Commission Meeting will be held in conjunction with the Legislative Conference.

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

Meghan Sittler gave an update to the Directors on the Lower Platte River Corridor Alliance Planning Retreat held earlier in the year.

5. APPROVAL OF MINUTES

Sabatka made the motion, seconded by Hannah, to approve minutes from the November 9, 2009 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. NARD Legislative Conference - Update Given

2. National No-Till Conference and No Till on the Plains Conference

Sabatka made the motion, seconded by Hannah, to send up to two Directors and two staff to the National No-Till Conference in Des Moines, IA and/or No Till on the Plains Conference in Salina, KS. Motion carried on consent agenda.

b. Reports - Update Given

2. Management Items

a. Directors Absence

Sabatka made the motion, seconded by Hannah, to approve the Excuse of Absence Requests from Eden for the October Board Meeting and from the November Meeting Taylor, Bailey and Sabatka as attached to the Executive Committee Minutes. Motion carried on consent agenda.

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

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

c. March Board Meeting

Sabatka made the motion, seconded by Hannah, to change the March Board Meeting date to our fallback date of the second Thursday of the Month (March 11). Motion carried on consent agenda.

d. Windows 7 Update

Sabatka made the motion, seconded by Hannah, to upgrade five computers to Windows 7 at a cost of \$108.93 per computer for a total cost of \$544.65. Motion carried on consent agenda.

e. Monthly Education Program - Update Given

f. Director Computer Sub-Committee

Boyd made the motion, seconded by Meduna, that any director who wishes to receive all correspondence and minutes electronically be allowed to receive a \$50 per month stipend. This stipend is to cover cost of computer, internet connection, printing, software and all other related costs. Motion carried all members present voting aye.

g. Purchase of Kindle DX

Sabatka made the motion, seconded by Hannah, that the NRD purchase a Kindle DX at a cost of \$539. Motion carried on consent agenda.

h. Security System - Update Given

i. Director Vacancy

Due to the death of director Johnson Chair Saalfeld declared a vacancy in Sub-District 2. Chair Saalfeld also appointed a search Committee to nominate a replacement and report at the January Board Meeting. Those on the committee are the five Dodge County Directors (Acklie, Eden, Renter, Saalfeld (Chair) and Taylor). Election of a replacement by the Board will occur at the January, 2010 Board Meeting.

j. Selection of LPNNRD Treasurer

Sabatka made the motion, seconded by Hannah, that the Executive Committee nominate an individual for the Treasurer position and NARD Representative with an election of a new Treasurer and NARD Representative occurring at the December Board Meeting with additional nominations open from the floor. Motion carried on consent agenda.

Chair Saalfeld asked for nominations for the LPNNRD Treasurer Position.

Boyd nominated Gene Acklie as NRD Treasurer.

With no further nominations Johannes made the motion, seconded by Boyd, that nominations cease and a unanimous ballot be cast for Gene Acklie as Treasurer. Motion carried all members present voting aye.

k. Selection of an NARD Representative

Chair Saalfeld opened the floor for nominations for NARD Representative and Alternate.

Taylor nominated Don Kavan as our NARD Representative and Rollie Renter as the Alternate.

With no further nominations Sabatka made the motion, seconded by Meduna, that nominations cease and a unanimous ballot be cast for Don Kavan, NARD Representative and Rollie Renter as Alternate. Motion carried.

AYE: Bailey, Boyd, Casey, Eden, Hannah, Hilger, Johannes, Meduna, Pieke, Reitmajer, Sabatka, Taylor, Veskerna, Vrana, Saalfeld

ABSTAIN: Kavan, Renter

l. Nominating Sub-Committee

Election of officers needs to take place at our January Board Meeting. Chair Saalfeld appointed the following to the nominating sub-committee (Johannes (Chair), Kavan and Sabatka). The Sub-Committee will bring forward nominations for Chair, Vice-Chair, Secretary, Treasurer and NARD Representative.

m. Director Retreat - Update Given

n. 2010 Election - Update Given

3. Equipment

4. Personnel

a. Sub-Committee Meeting

1. Thompson Work Schedule

Johannes made the motion, seconded by Pieke, to allow employee Troy Thompson to work an altered schedule of 20 hours per week in the office and 20 hours from home with the following conditions:

a. This altered schedule is on a trial basis and is to be reviewed quarterly with the Personnel Sub-Committee.

b. There is no guarantee that this schedule will continue.

c. At any time management may switch Thompson back to a regular schedule.

d. "Time Tracker" software will be used to verify hours worked from home.

This altered schedule will begin February 1 and is not available to any other employee.

Meduna amended the motion, seconded by Reitmajer, that this altered scheduled needs to be reviewed after the first quarter by the Board. Amendment carried all members present voting aye.

The amended motion was now voted on.

Johannes made the motion, seconded by Pieke, to allow employee Troy Thompson to work an altered schedule of 20 hours per week in the office and 20 hours from home with the following conditions:

- a. This altered schedule is on a trial basis and is to be reviewed after the first quarter by the Personnel Sub-Committee and the full Board.
- b. There is no guarantee that this schedule will continue.
- c. At any time management may switch Thompson back to a regular schedule.
- d. "Time Tracker" software will be used to verify hours worked from home.

This altered schedule will begin February 1 and is not available to any other employee. Motion carried.

AYE: Bailey, Boyd, Casey, Eden, Hannah, Hilger, Johannes, Meduna, Pieke, Reitmajer, Sabatka, Taylor, Veskerna, Vrana, Saalfeld

NAY: Kavan, Renter

2. Recognition Banquet

Sabatka made the motion, seconded by Hannah, to schedule the 2010 LPNNRD Recognition Banquet on January 16, 2011. Motion carried on consent agenda.

b. Workman's Compensation for Bob Heimann

Sabatka made the motion, seconded by Hannah, that the NRD pay Bob Heimann's normal salary as budgeted and not cause him to use sick leave for the 7 days of work missed in November 2009. Motion carried on consent agenda.

5. Finance

a. Approval of Financial Report

Sabatka made the motion, seconded by Hannah, to approve the September and October Financial Reports as distributed. Motion carried on consent agenda.

b. Approval of Managers Expenses

Sabatka made the motion, seconded by Hannah, 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

Sabatka made the motion, seconded by Hannah, 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 - Update Given

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Update Given

b. South Fremont 205 Feasibility Study - Update Given

c. Czechland and Homestead Rec Areas - Update Given

d. Invasive Weed Management - Update Given

e. Trouble Creek Dam Easement - Update Given

f. Conservation Tree Prices - Update Given

g. Financial Statements - Update Given

3. ROCK AND JETTY

a. New Applications - Update Given

b. Payment Requests - Update Given

4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given

5. INFORMATION & EDUCATION

a. Information

1. KTIC Ads - Update Given

2. NARD Calendar - Update Given

3. Annual Banquet - Update Given

b. Education

1. David City FFA Water Testing - Update Given

2. Land Judging

Sabatka made the motion, seconded by Hannah, to provide \$150 to help sponsor the Prague team's trip to the National Land Judging Contest. Motion carried on consent agenda.

3. County Government Day - Update Given

c. Computer

1. GIS Server - Update Given

6. RURAL WATER ACTIVITIES

a. Bruno/David City Rural Water - Update Given

b. Colon/Wahoo Rural Water System

Boyd made the motion, seconded by Sabatka, to raise the water rates for the Colon Rural Water System from \$1.92 per thousand for the first 10,000 gallons and \$2.02 per thousand after 10,000 gallons to \$2.02 per thousand for the first 10,000 gallons and \$2.12 per thousand after 10,000 gallons. This will take effect January 1st 2010. Motion carried all members present voting aye.

c. Abie - Update Given

d. Bellwood/Richland - Update Given

e. Other

Sabatka made the motion, seconded by Hannah, to ratify the purchase of a Tsurumi generator for \$1,617.88 plus shipping cost. Motion carried all members present voting aye.

Sabatka made the motion, seconded by Hannah, 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. Platte River Uplands Subarea LPNNRD Stay Management Area - Update Given

2. Variance Request for Hydrologically Connected Area

a. Variance Request for the December 15, 2009 Deadline - Update Given

b. Variance Request for the September 15, 2009 Deadline

Becker, Miyoshi, and Gottschalk did a field investigation on November 30, 2009 for the Larry Temme variance application to verify if the land classification has changed due to the land modification that he did prior to the preliminary fully appropriated determination by DNR. Staff determined that the land classification (in this case, slope of land) was not changed due to the land modification, and therefore, the class 6 soils still remain as class 6 soils. The farm plan for this field

was obtained from the Natural Resources Conservation Service, which includes continuous no-till farming and no livestock grazing. His original variance was approved for 78 acres out of the 130 acres that he applied for. The Board discussed possible permit conditions, such as cover crops and drilling beans instead of planting in rows. Johannes made the motion, seconded by Vrana, to approve the Larry Temme variance request with the conditions as outline in the December 3, 2009 letter as attached to the Water Committee Meeting. Motion carried all members present voting aye.

3. Variance Request in Yutan Subarea (Restricted Development Area)

Johannes made the motion, seconded by Meduna, to deny the variance request for Deanna Langemeier for a new well in SE1/4, Section 34, T16N, R8E. Motion carried all members present voting aye.

4. Well Permit Program

a. Well Permits Approved - Update Given

5. Cost-Share Programs

a. Irrigation Well Sample Kits - Update Given

b. Domestic Well Sample Kits - Update Given

c. Water Mark Sensors and ET Gauges - Update Given

6. LPNNRD Certification Classes - Update Given

7. Bellwood Phase II Area - Update Given

8. Richland/Schuyler Phase II Area- Update Given

9. Phase 2 Fertilizer Reports - Update Given

10. Certifying Acres - Update Given

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

Sabatka made the motion, seconded by Hannah, to approve cost share payment to

decommission the two irrigation wells for Jeffrey Mitties for \$522.00. Motion carried on consent agenda.

b. LPNNRD Ground Water Studies

1. LPNNRD Platte River Ground Water Model - Update Given

2. Elkhorn Loup Model (ELM)- Update Given

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

4. Eastern Nebraska HEM Aquifer Mapping - Update Given

c. Ground Water Energy Levels - Update Given

d. Former Ordnance Plant at Mead - Update Given

3. OTHER

a. GMDA Annual Conference - Update Given

b. Water Programs Budget - Update Given

c. Comments from the Public - Update Given

Sabatka made the motion, seconded by Hannah, 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 Fall Applications Approvals - Update Given

b. SWCP Payments

Sabatka made the motion, seconded Hannah, to approve the following SWCP payments:

			<u>Approved \$</u>	<u>Payment</u>
<u>09-P-16</u>	<u>Steven Jahn</u>	<u>Cropground to grass</u>	<u>\$310.60</u>	<u>\$310.60</u>
<u>09-S-06</u>	<u>Richard Coady</u>	<u>Tile into terraces</u>	<u>\$2,980.00</u>	<u>\$2,348.56</u>
		<u>Total:</u>		<u>\$2,659.16</u>

Motion carried on consent agenda.

c. SWCP Cancellations - None

d. Sand/Duck Creek Approvals

Sabatka made the motion, seconded by Hannah, to approve a name change on approved application 09-S&D-12 from Anna Machovec to Lawrence Styskal (operator)with the stipulation that the new landowner acknowledges this change by certifying the

completed work and payment to Lawrence Styskal (on NSWCP form-3). Motion carried on consent agenda.

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

f. Sand/Duck Cancellations - None

g. Return Small Dam Deposit

Sabatka made the motion, seconded by Hannah, to return the \$500 small dam deposit to Daniel Ourada, as the project has been completed. Motion carried on consent agenda.

2. WATERSHEDS

a. Locally Led Landowner Groups

1. Shell Creek Watershed Improvement Group (SWIG)- Update Given

2. Payment Request from Shell Creek Schools for Water Testing Supplies

Sabatka made the motion, seconded by Hannah, to pay the Newman Grove School 50% of a \$258.97 expense or \$129.48 for Shell Creek water sampling supplies. It was further recommended to pay the Schuyler Community School 50% of a \$432.80 bill or \$216.40 for their Shell Creek water sampling supplies. Motion carried on consent agenda.

3. FSA , EQIP & CRP PLANS SIGNED

Sabatka made the motion, seconded by Hannah, to approve the following conservation plans:

<i>Date signed</i>	<i>County Office</i>	<i>Name</i>	<i>Legal</i>	<i>New/ Rev.</i>	<i>Description Plan</i>
11/9/2009	Butler	Don Meysenburg/Pat Hanus	14-16-2	New	CRP
11/9/2009	Butler	John Ptacek	22-15-4	Revision	CRP

Motion carried on consent agenda

4. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report - Update Given

5. OTHER

a. Update on COE 205 Studies

1. South Fremont - Update Given

2. Schuyler 205 - Update Given

b. District-Wide All Hazard Mitigation Plan

Sabatka made the motion, seconded by Hannah, to approve JEO's \$5,547.30 bill, as attached to the Projects Committee Minutes for contract work completed on our Hazard Mitigation Plan. Motion carried on consent agenda.

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

d. Review Projects Financial Statements - Update Given

6. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT

a. Contract Payments

1. Commercial Contractors

Meduna made the motion, seconded by Sabatka, to approve payment request No. 13 to Commercial Contractors, as attached to the Projects Committee Agenda for Lake Wanahoo Dam Construction in the amount of \$1,173,225.47 and use SRF funds to pay. Motion carried all members present voting aye.

2. Commercial Contractors Change Order

Sabatka made the motion, seconded by Hannah, to approve contract change order No. 3 with Commercial Contractors, as attached to the Projects Committee Minutes on the Lake Wanahoo Dam Construction Project to decrease the contract price in the amount of \$76,433.12. Motion carried all members present voting aye.

b. Nebraska Department of Roads - Supplemental Agreement No. 1

Reitmayer made the motion, seconded by Pieke, to approve the Nebraska Department of Roads - Supplemental Agreement No. 1 contract for the Lake Wanahoo Project as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

c. State Revolving Fund (SRF) Interest Payment

Meduna made the motion, seconded by Kavan, to approve a \$41,327.27 interest payment plus a \$19,746.00 administration fee, for a grand total of \$61,073.27, to the Nebraska Department of Environmental Quality for the SRF loan for the Lake Wanahoo Project. Motion carried all members present voting aye.

7. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

a. Real Estate Appraisals

Sabatka made the motion, seconded by Hannah, to approve three Thomas Lakes real estate appraisals as presented and move forward with acquiring needed easements. Motion carried on consent agenda.

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

7. ADDITIONAL ACTION ITEMS

7.a. SWCP Payments

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

Sand/Duck Creek Payments

09-S&D-4 Gary Musilek Septic System Upgrade \$ 3,300

SWCP Payments

Approved \$ Final Payment

<u>09-B-36 Dennis Stara Terraces Tile</u>	<u>\$10,000.00</u>	<u>\$10,000.00</u>
<u>09-C-13 Larry Wolta Planned Grazing</u>	<u>\$3,006.02</u>	<u>\$2,445.30</u>

Motion carried all member present voting aye.

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

Sabatka made the motion, seconded by Hannah, to approve the December consent agenda as amended. Motion carried.

AYE: Bailey, Boyd, Casey, Eden, Hannah, Hilger, Johannes, Meduna, Pieke, Reitmajer, Renter, Sabatka, Taylor, Veskerna, Vrana, Saalfeld

NAY: Kavan

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The January Board of Directors Meeting will be held on Monday, January 11, 2010, 5:30 p.m.

Meeting adjourned at 8:30 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 December 14, 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.

Robert Hilger, Secretary