

**LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
December 9, 2013**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 1:30 p.m. at Lower Platte North NRD office, Wahoo, NE on Monday, December 9, 2013.

**1. NOTICE OF MEETING**

The advanced notice of our December 9, 2013 board meeting was published on November 21, 2013 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Hilger 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:**

Bailey	Birkel	Clausen
Hagerbaumer	Hannah	Johannes
McDermott	Meduna	Olson
Pieke	Pollard	Ruzicka
Sabatka	Veskerna	Hilger

**DIRECTORS ABSENT**

Gibney	Kavan	Saalfeld
Taylor		

**STAFF AND GUESTS:**

Miyoshi	Mountford	Breunig
Murren	Almond	Angle
Oaklund	Gottschalk	Heimann
Schomer	Sousek	

Jovan Lausterer, NRD Legal Counsel  
Sign in sheet attached to original minutes.

**3. APPROVAL OF AGENDA**

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

**a. Guest Comments**

Comments were received from Scott Japp.

**b. NRCS Report**

Jami Thoene reviewed the NRCS Report prepared by Mark Walkenhorst.

**c. NARD Report - None**

**d. NRC Report**

Director Johannes updated the Board on the Water Policy Task Force Meetings.

**e. Managers Report**

Manager Miyoshi reviewed his written report.

**f. Education Program - None**

**5. APPROVAL OF MINUTES**

Pieke made the motion, seconded by Hannah, to approve the minutes from the November 14, 2013 Board Meeting. Motion carried on consent agenda.

**6. REPORT OF STANDING COMMITTEES**

**A. EXECUTIVE COMMITTEE REPORT**

**1. Meetings**

**a. Pending**

**1. NARD Legislative Conference – January 28-29, 2014 – Update Given**

**b. Reports - None**

**2. Management Items**

**a. Director Absences**

Ruzicka made the motion, seconded by Veskerna, to approve the absence request from Directors Bailey, McDermott and Taylor for the November Board Meeting. Motion carried on consent agenda.

**b. Bob Weaver**

**1. Monthly Conference Call and Report - Update Given**

**2. Monthly Bill**

Ruzicka made the motion, seconded by Veskerna, to pay Bob Weaver the additional \$1,702.77 (\$567.59 per NRD) on the October billing for extra hours worked on the WS/CC Project and bill Lower Platte South and Papio their share. Motion carried on consent agenda.

Ruzicka made the motion, seconded by Veskerna, to approve payment of \$3,200 to Bob Weaver for November services and bill LPSNRD and Papio NRD for their share. Motion carried on consent agenda.

**c. Monthly Education Program – None**

**d. Martinez Lawsuit – Update Given**

**e. CCEI Lawsuit – Update Given**

**f. Papio NRD Director Discussion – Update Given**

**g. Election Certification – Update Given**

**3. Equipment – None**

**4. Personnel - None**

**5. Finance**

**a. Approval of Financial Report**

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

**b. Approval of Managers Expenses**

Ruzicka made the motion, seconded by Veskerna, 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**

**d. Monthly Accounting Update – Update Given**

**e. Union Bank Line of Credit**

Pieke made the motion, seconded by Meduna, to approve renewal of the "Line of Credit" with Union Bank with a \$400,000 cap and approve the resolution as attached to the Executive Committee Minutes for this transaction and authorize the General Manager and/or any Board Officer to sign all necessary paperwork required by Union Bank for the renewal. Motion carried all members present voting aye.

**f. Union Bank Interest Payments**

McDermott made the motion, seconded by Sabatka, to approve interest payments in the amount \$45,531.72 on Loan 1639214 and \$109,162.50 on Loan 1606489 at Union Bank on our Wanahoo Loans. Motion carried all members present voting aye.

Ruzicka made the motion, seconded by Veskerna, 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. WILD NE/CREP REPORT**

**a. Wild NE, WHIP, Contract Payments – None**

**b. CREP Payment(s) – None**

**c. New Contract (s) - None**

**2. OPERATION AND MAINTENANCE**

**a. Operation and Maintenance - Update Given**

**b. South Fremont 205 Feasibility Study – Update Given**

**c. Czechland Lake**

Meduna made the motion, seconded by Veskerna, to accept the low bid of \$8,450 from Goracke Contracting to do the tree removal at Czechland Lake as written in the proposal. Motion carried all members present voting aye.

**d. Wanahoo Recreation Area – Update Given**

**e. Tractor and Mower Rental Rates**

Ruzicka made the motion, seconded by Veskerna, to increase the tractor/mower rental rate to \$70/tractor hour. Motion carried on consent agenda.

**f. Vehicle Replacement**

Ruzicka made the motion, seconded by Veskerna, to advertise and sell the 2007 Ford Escape and propose the purchase of a vehicle off of the State Contract at the next Committee meeting. Motion carried on consent agenda.

**g. Tree Program Prices – Update Given**

**h. Arbor Day Foundation**

Ruzicka made the motion, seconded by Veskerna, to purchase 1,000 trees from the Arbor Day Foundation for educational purposes at the approximate cost of \$1.01/tree. Motion carried on consent agenda.

**i. Lower Platte Weed Management**

Sabatka made the motion, seconded by Olson, to pay the Papio-Missouri NRD \$20,000 as our share of the Noxious Weed cost-share program on the Platte River. Motion carried all members present voting aye.

**3. ROCK AND JETTY**

**a. Applications - None**

**b. Payment Requests – None**

**4. EROSION & SEDIMENT RULES & REGULATIONS – Update Given**

**5. INFORMATION & EDUCATION**

**a. Information**

**1. KTIC Ads – Update Given**

**2. Calendars – Update Given**

**3. Envelopes/Business Cards - Update Given**

**4. LPRCA Recreation Survey – Update Given**

**b. Education**

**1. Land Judging – Update Given**

**2. County Government Day – Update Given**

**c. Computer**

**1. Firewall Contract – Update Given**

**2. Rural Water App – Update Given**

**6. RURAL WATER Systems**

**a. Bruno/David City Rural Water – Update Given**

**b. Colon/Wahoo Rural Water System – Update Given**

**c. Cedar Bluffs – Update Given**

**d. Brainard and Dwight – Update Given**

**e. Other – Update Given**

Ruzicka made the motion, seconded by Veskerna, that the December LPNNRD Operations, Education 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. Variance Requests in the Normal Development Area (NDA) – Update Given**

**2. Variance Request in the Limited Development (Hydrologically Connected) Area – Update Given**

**a. Latest Variance Requests – Update Given**

**b. Ranking Criteria Used for Variance Requests – Update Given**

**c. Riecken Sub-Irrigation Variance Request**

Ruzicka made the motion, seconded by Veskerna, to table the Riecken requests to drill irrigation wells to replace potential loss of sub-irrigation until the District imposed Stay is lifted. Motion carried on consent agenda.

**3. Well Permit Program**

**a. Well Permits Approved – Update Given**

**b. Delores Maly NDA Well Permit**

Johannes made the motion, seconded by McDermott, to deny the Delores Maly request to extend her variance irrigation requirements due to “good cause shown”. Motion carried all members present voting aye.

**c. John Wotipka Expansion – Update Given**

**4. Update of Ground Water Management Area Rules and Regulations (GWMA)**

McDermott made the motion, seconded by Birkel to approve the draft GWMA Rules and Regulations as amended and attached to the Water Committee Minutes. Motion carried all members present voting aye.

Ruzicka made the motion, seconded by Veskerna, to set the Public Hearing for changes to the LPNNRD Ground Water Management Plan Rules and Regulations for Monday January 13, 2014 at 12:00 p.m. at the LPNNRD office in Wahoo, Nebraska. Motion carried all members present voting aye.

Ruzicka made the motion, seconded by Veskerna, to advertise the Public Hearing for changes to the Lower Platte North NRD Ground Water Management Plan Rules and Regulations on December 19, 2013; December 26, 2013; and January 2, 2014. Motion carried on consent agenda.

Ruzicka made the motion, seconded by Veskerna, to set the Public Hearing to receive public comments on the Lower Platte North NRD District wide ground water Stay for Monday, January 13, 2014 at 12:00 p.m. at the LPNNRD office in Wahoo, Nebraska. Motion carried on consent agenda.

**5. Lower Platte River Basin Water Management Plan Coalition – Update Given**

**6. Voluntary Integrated Water Management Plan**

Johannes made the motion, seconded by Olson, to request proposals from consulting firms to develop a draft copy of a voluntary integrated water management plan for LENRD and LPNNRD, conduct Plan Coordination meetings, develop and facilitate at Stakeholders Committees and conduct a water balance study as listed in the Request for Proposals. Motion carried all members present voting aye.

**7. DNR Review of Lower Platte River as Fully Appropriated – Update Given**

**8. Cost-Share Programs**

**a. Irrigation Well Sample Kits - Update Given**

**b. Domestic Well Sample Kits - Update Given**

**c. NAWMN Water Mark Sensors and ET Gauges – Update Given**

**9. LPNNRD Certification – Update Given**

**10. Bellwood Phase 2 Area – Update Given**

**11. Richland/Schuyler Phase II Area - 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 – Update Given**

**b. LPNNRD Ground Water Studies**

**1. Elkhorn Loup Model – Update Given**

**c. Ground Water Energy Levels – Update Given**

**d. Former Ordnance Plant Mead – Update Given**

**e. Joint Meeting on Nebraska Ground Water & Surface Water Monitoring Agencies – Update Given**

**f. Acre Certification**

Staff have been busy inputting Colfax and Platte County Certifications in an attempt to get caught up and begin the process of requesting Cease and Desist letters for Landowners who have ignored all attempts to certify their acres as irrigated. Colfax County has a total of 816 fields to certify. Attached to the Water Committee Minutes is a list of nine landowners that have not responded. McDermott made the motion, seconded by Sabatka to issue cease and desist orders against further irrigation and the application of fertilizer to Colfax County fields owned by:

<u>Bell, Merlyn or Barbara</u>	<u>Horejsi, Mark &amp; Carrie</u>
<u>FDH, LLC</u>	<u>Kroeger, Scott</u>

<u>FDH, LLC</u>	<u>Misek, Charles P &amp; Glenetta</u>
<u>Gaskill, Daniel L. Trustee</u>	<u>Spale, Richard</u>
<u>Gaskill, Daniel L. Trustee</u>	<u>Waak, Donald A &amp; Betty L</u>
<u>Hahn, David</u>	

if these landowners do not contact the Lower Platte North NRD (LPNNRD) concerning acre certification and the return of required documents to the LPNNRD by December 20, 2013. Motion carried all members present voting aye.

**g. Monitoring Well Bid**

Ruzicka made the motion, seconded by Veskerna, to go to bids to install 5 monitoring wells within the Lower Platte North NRD with the deadline to submit bids to the LPNNRD by January 13, 2014. Motion carried all members present voting aye.

**3. OTHER**

**a. GMDA 2014 Annual Meeting – Update Given**

**b. Comments From The Public – Update Given**

Ruzicka made the motion, seconded by Veskerna, to grant a 60 day extension to the two supplemental well permits of Bill Taylor. Motion carried on consent agenda.

Ruzicka made the motion, seconded by Veskerna, 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 Application Approvals**

Ruzicka made the motion, seconded by Veskerna, to approve the following SWCP applications:

		75%
<u>Jeff Muhle</u>	<u>W/S Basin, Diversion &amp; Tile</u>	<u>\$5,213.32</u>

Motion carried on consent agenda.

**b. SWCP Payments – None**

**c. SWCP Cancellations - None**

**d. Cottonwood Creek Payments - None**

**e. Sand/Duck Creek Approvals – None**

**f. Sand/Duck Cost-Share Payment – None**

**g. 2013 Nebraska Buffer Strip Payments**

Ruzicka made the motion, seconded by Veskerna, to approve the following Nebraska Buffer Strip Payments:

<u>Charles Barjenbruch</u>	<u>9.5 acres</u>	<u>\$229.24</u>
<u>James Barjenbruch</u>	<u>13 acres</u>	<u>\$341.77</u>
<u>Lavaine Gaskill</u>	<u>5.5 acres</u>	<u>\$155.38</u>
<u>Hill Valley Farms</u>	<u>16.5 acres</u>	<u>\$3,712.50</u>
<u>Rodney Julsen</u>	<u>23.1 acres</u>	<u>\$3,303.30</u>



Meduna made the motion, seconded by Birkel, to approve the following SWCP Payment:

13-S-36                  Ronald Woita                  \$552.50

Motion carried all members present voting aye.

**8. BILLS TO BE APPROVED**

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

**9. CONSENT AGENDA ADOPTION**

Ruzicka made the motion, seconded by Veskerna, to approve the December agenda. Motion carried all members present voting aye.

**10. COMMENTS FROM DIRECTORS/GUESTS**

**11. MEETING ESTABLISHMENT AND ADJOURNMENT**

The January Directors Meeting will be held on Monday, January 13, 2014, 1:30 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 9, 2013, 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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Lon Olson, Secretary