

LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
FEBRUARY 11, 2008

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, February 11, 2008.

1. NOTICE OF MEETING

The advanced notice of our February board meeting was published on January 31 and February 7, 2008 in the Banner Press, Columbus Telegram, Fremont Tribune, North Bend Eagle, Schuyler Sun and Wahoo Newspaper.

Chair Jedlicka 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:

|           |          |          |
|-----------|----------|----------|
| Acklie    | Boyd     | Bull     |
| Eden      | Hannah   | Hilger   |
| Johannes  | Meduna   | Pieke    |
| Reitmayer | Renter   | Saalfeld |
| Sabatka   | Veskerna | Vrana    |
| Jedlicka  |          |          |

DIRECTORS ABSENT

|        |                        |                     |
|--------|------------------------|---------------------|
| Bailey | Johnson (NACD Meeting) | Kavan(NACD Meeting) |
|--------|------------------------|---------------------|

STAFF AND GUESTS:

|         |         |        |
|---------|---------|--------|
| Breunig | Miyoshi | Murren |
| Angle   | Sousek  |        |

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

None

b. NRCS Report

Roger Reitmuth reviewed his written report.

c. NARD Report

None

d. Managers Report

Manager Miyoshi reviewed his written report.

e. Education Program

Jeff Kauh representing Keystone Pipeline updated the Board on the TransCanada Keystone Pipeline Project.

5. APPROVAL OF MINUTES

Hannah made the motion, seconded by Pieke, to approve minutes from the January 14, 2008 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. MidAmericia GIS Symposium

Hannah made the motion, seconded by Pieke, to send up to two Staff to the MidAmerica GIS Symposium that will be held April 20-24 in Kansas City. Motion carried on consent agenda.

b. Reports

Attached to the Executive Committee Minutes is Curt Becker's report from the Groundwater Foundation National Conference.

2. Management Items

a. Directors Absence - Update Given

b. Bob Weaver

1. Monthly Report - Update Given

2. Monthly Bill

Hannah made the motion, seconded by Pieke, to approve payment of \$2,500 to Bob Weaver and bill LPSNRD and Papio NRD for their share. Motion carried on consent agenda.

c. Lower Platte Basin Coalition Dues

Saalfeld made the motion, seconded by Meduna, to pay the Lower Platte Basin Coalition dues in the amount of \$4,000. Motion carried all members present voting aye.

d. Letter from Senator Nelson - Attachment

e. Monthly Education Program - Update Given

f. Nebraska Water Resources Association Dues

Hannah made the motion, seconded by Pieke, to pay the NWRA 2008 dues in the amount of \$860. Motion carried all members present voting aye.

g. Recognition Banquet - Update Given

h. Filing Date for 2008 Election - Update Given

I. Legislative Memos - Update Given

j. Bills for Tables and Chairs

Sabatka made the motion, seconded by Reitmajer, to pay the second half of the table bill \$2,607.75 pending management acceptance of the ganging system and \$7,424 for the chairs. Motion carried all members present voting aye.

3. Equipment - None

4. Personnel

a. Personnel Sub-Committee Recommendations

1. Accountant Job Description

Johannes made the motion, seconded by Saalfeld, to approve the Job Description for the Accountant position as amended. Motion carried all members present voting aye.

2. Salary Range

Johannes made the motion, seconded by Saalfeld, to set the salary mid-point for the Accountant position at \$45,840 as recommended in the State Salary Survey. Motion carried all members present voting aye.

3. Additional Bookkeeping Hours

Johannes made the motion, seconded by Saalfeld, to authorize extending Ann Brodd's contract hours for accounting assistance by 25 hours. Motion carried all members present voting aye.

5. Finance

a. Approval of Financial Statements

Bull made the motion, seconded by Meduna, to approve the July Financial Statement as distributed to all Directors. Motion carried all members present voting aye.

b. Approval of Managers Expenses

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

c. Accounts Receivable Over 90 Days - Update Given

Hannah made the motion, seconded by Pieke, that the February 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 - None

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Report Given

b. Equipment

Hannah made the motion, seconded by Pieke, to participate in the State Contract Tractor Rental agreement with Dinkel Implement at .88/tractor hour. Motion carried on consent agenda.

Sabatka made the motion, seconded by Reitmajer, to purchase a 2007 Yamaha Big Bear 400 4x4 ATV from Superior Outdoor Power through a State Contract for \$4,795.55. It is further recommended to sell the 12 yr. old Suzuki ATV at the best possible price. Motion carried all members present voting aye.

Hannah made the motion, seconded by Pieke, to purchase a Miller wire feed 250 amp welder from Linweld through a State Contract for \$1,974.25. Motion carried all members present voting aye.

Sabatka made the motion, seconded by Renter, to waive the District's normal bidding procedure and accept a bid of \$15,850 from Platte Valley Equipment for a JD1445 mower over the State Contract Kubota mower for \$13,845. It is further recommended to sell the 10 yr. old JD 1145 at the best possible price. Motion carried all members present voting aye.

c. Vehicle

Sabatka made the motion, seconded by Meduna, to create a building sinking fund and place the budgeted \$20,000 for a vehicle into the fund. Motion carried all members present voting aye.

d. South Fremont 205 Study

Sabatka made the motion, seconded by Reitmajer, to pay \$60,000 to the Corps of Engineers for continuation of the South Fremont 205 Feasibility Study. Motion carried.

AYE: Acklie, Boyd, Bull, Eden, Hannah, Johannes, Meduna, Reitmajer, Renter, Saalfeld, Sabatka, Veskerna, Vrana, Jedlicka

NAY: Hilger, Pieke

e. Rawhide Ditch 8 Hole - Report Given

f. Ice Jam Agreement - Update Given

g. Conservation Trees - Update Given

h. Jim Pokorski Memorial - Update Given

3. ROCK AND JETTY

a. New Applications - None

b. Payment Requests - None

4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given

5. INFORMATION & EDUCATION

a. Education

1. Training Ads - Update Given

2. Viaduct - Update Given

3. Annual Report - Update Given

4. Recreation Brochure - Update Give

b. Computer

1. UPS Units - Update Given

2. Antivirus Software - Update Given

3. Web Cam - Update Given

6. RURAL WATER ACTIVITIES

a. Bruno/David City Rural Water - Update Given

b. Colon/Wahoo Rural Water System - Update Given

c. Swedeburg - Update Given

d. Prague - Update Given

e. Abie/Linwood - Update Given

f. Other

1. New Trailer

Sabatka made the motion, seconded by Pieke, to ratify the purchase of a 21,000 lbs. rated trailer from Federal Surplus, have S & S welding modify trailer with a beaver tail ramp system and to sell one of the NRD 14,000 lbs. trailers. Motion carried all members present voting aye.

2. Trencher

Pieke made the motion, seconded by Bull, to purchase a 6 foot rock boom for the trencher at a price of \$7,659.36 and sell the old 4 foot boom and quad attachment for \$2,400. Motion carried all members present voting aye.

Hannah made the motion, seconded by Pieke, that the February 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 Permit Program

a. Well Permits Approved - Update Given

b. Water Use Reporting - Update Given

2. Well Moratorium - Uplands of Saunders and Butler Counties

a. LB 701 - Update Given

b. Variance Request

Hannah made the motion, seconded by Pieke, to state that a variance request for a new irrigation well for Joseph Vculek is NOT needed since the water use location, water well and any cone of depression caused by that water well, will be outside of the defined Uplands area of the District. Motion carried on consent agenda.

3. Cost-Share Programs

a. GWEL Network, Irrigation Flow Meter Cost-Share - Update Given

b. Irrigation Well Sample Kits - Update Given

c. Domestic Well Sample Kits - Update Given

4. Nitrogen Certification - Update Given

5. David City Aquifer Level 1-A Area - Update Given

6. Bellwood Phase II Area - Update Given

7. 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

Hannah made the motion, seconded by Pieke, to approve cost share payment to decommission the domestic well for Larry Bringewatt for \$312.75. Motion carried on consent agenda.

b. LPNNRD Ground Water Studies

1. Sub-Area Delineation Study - Update Given

2. LPNNRD Platte River Ground Water Model - Update Given

3. Elkhorn Loup Model (ELM) - Update Given

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

c. Former Ordnance Plant Near Mead - Update Given

d. MUD Quarterly Report - Update Given

3. OTHER

a. Comments from the Public - Update Given

Hannah made the motion, seconded by Pieke, that the February LPNNRD Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

D. PROJECTS COMMITTEE REPORT

1. SWCP REPORT

a. SWCP Applications Approval

Hannah made the motion, seconded by Pieke, to approve the following SWCP cost share applications:

|                            |                       |                   |
|----------------------------|-----------------------|-------------------|
|                            |                       | <u>50%</u>        |
| <u>Wilbert Hohndorf</u>    | <u>Flow meter</u>     | <u>\$655.00</u>   |
| <u>Albin Galen Juranek</u> | <u>Flow meter x 2</u> | <u>\$1,310.00</u> |

Motion carried on consent agenda.

b. 2008 Summer Dams

Hannah made the motion, seconded by, to approve the following SWCP Small Dam cost share applications for 2008:

|                               |                | 75%        |
|-------------------------------|----------------|------------|
| *07-S-04 Daniel Ourada        | Re-Application | \$5,760.56 |
| *07-S-05 James & Tami Russman | Re-Application | \$8,710.50 |

(\* We have signed contract & \$ 500 deposit)

New Dam Applications:

|                          |              |            |
|--------------------------|--------------|------------|
| David W. Schmit          | Butler Co.   | \$5,885.00 |
| Sterling & Kaylene Grell | Saunders Co. | \$3,400.00 |

Motion carried on consent agenda.

c. SWCP Payments

Hannah made the motion, seconded by Pieke, to approve the following SWCP cost share payment:

|                               | 15% Approved | As Built   | Payment    |
|-------------------------------|--------------|------------|------------|
| Terry Kubik New Terraces/Tile | \$1,888.13   | \$2,105.25 | \$2,105.25 |

Motion carried on consent agenda.

d. SWCP Cancellations

Hannah made the motion, seconded by Pieke, to cancel the following SWCP applications:

|                              |           | 75%        |
|------------------------------|-----------|------------|
| 07-S-04 Daniel Ourada        | Small Dam | \$5,760.56 |
| 07-S-05 James & Tami Russman | Small Dam | \$8,710.50 |

Motion carried on consent agenda.

e. Duck/Sand Creek 319 Grant Payments

Hannah made the motion, seconded by Pieke, to approve the following Duck/Sand Creek 319 Grant payment:

|                               | Approved    | As Built    | 25% Payment | 15% Payment |
|-------------------------------|-------------|-------------|-------------|-------------|
| Terry Kubik New Terraces/Tile | \$ 3,146.88 | \$ 3,454.78 | \$ 3,454.78 | -0-         |

Motion carried on consent agenda.

f. Duck/Sand Creek Approvals - None

g. Duck/Sand Creek Cancellations - None

h. SWCP Policy - Update Given

2. WATERSHEDS - Update Given

a. Sand & Duck Creek Watershed - Update Given

3. FSA , EQIP & CRP PLANS SIGNED

None



4. LOCALLY LED LANDOWNER GROUPS

a. Shell Creek Watershed Improvement Group - Update Given

5. PLATTE RIVER CORRIDOR ALLIANCE

a. LPRCA Monthly Report - Update Given

b. LPRCA FY 08 Membership Dues Payment

Hannah made the motion, seconded by Meduna, to approve our \$15,000 dues payment for FY 2008 to the LPRCA. Motion carried all members present voting aye.

6. OTHER

a. Nebraska Dog and Hunt Club Presentation

Hannah made the motion, seconded by Pieke, to approve the Nebraska Dog and Hunt Club's concept plan for utilizing a portion of Wanahoo property for their activities and have management work on developing a formal agreement and final plan with the Club. Motion carried on consent agenda.

b. Update on COE 205 Studies

1. South Fremont - Update Given

2. Schuyler - Update Given

c. District-Wide All Hazard Mitigation Plan

Hannah made the motion, seconded by Bull, to authorize the Board Chair to sign a new \$140,000 District-Wide All Hazard Mitigation Plan contract, with JEO (a \$20,000 increase) to include 5 additional Butler County Communities in the UBBNRD, subject to 1) obtaining an interlocal agreement with the UBBNRD, 2) that we receive grant approval for 75% assistance from FEMA, and 3) that all additional local costs will be reimbursed to the LPNNRD. Motion carried all members present voting aye.

d. Nebraska No-Till Conference Support Request

Hannah made the motion, seconded by Pieke, to provide \$1,200 assistance toward the Nebraska No-Till conference to be held February 20 at the ARDC near Mead. Motion carried all members present voting aye.

e. Platte Center Tire Recycling Grant

Hannah made the motion, seconded by Pieke, to authorize Tom Mountford to sign and return the grant application form, requesting \$15,698, from NDEQ for the 2008 tire recycling effort in Platte Center. Motion carried all members present voting aye.

f. Election of Projects Committee Chair and Vice Chair

Hannah made the motion, seconded by Pieke, to retain Don Kavan as Projects

Committee Chair and John Hannah as Vice Chair for 2008. Motion carried on consent agenda.

## 7. LAKE WANAHOO REPORT

### a. Design

#### 1. Road O Bridge

Bull made the motion, seconded by Sabatka, to pay \$115,142.17 to L.J. Webb Contractor Inc., for completed construction on Road "O", as part of the Lake Wanahoo/Sand Creek Environmental Restoration Project. Motion carried all members present voting aye.

#### 2. Design - Update Given

#### 3. WRDA and Federal Appropriation - Update Given

### b. Project Activities

#### 1. COE Work on Sediment Trap - Update Given

#### 2. Easement to Windstream for Control Box - Update Given

#### 3. Bids to Replace Well in Section 15-15-7(Harding Tract)

Reitmayer made the motion, seconded by Meduna, to approve the low bid of \$7,482.40 to Webster Well and give the landowner the option to hire a different driller if they choose at no additional costs to the LPNNRD. Motion carried all members present voting aye.

### c. Update of Facilities Below Embankment - Update Given

### d. DOR - Update Given

### e. New Funding Sources - Update Given

### f. Rental House

#### 1. Salvage Rental House - Update Given

### g. New Meeting - Update Given

## 8. WESTERN SARPY/CLEAR CREEK LEVEE REPORT - Update Given

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

## 7. ADDITIONAL ACTION ITEMS

### 7a. L.J. Webb Payment

Sabatka made the motion, seconded by Meduna, to pay the third pay request in the

amount \$12,750.54 to L.J. Webb Contractor Inc., for 60% of work completed on Road "O" Bridge, as part of the Lake Wanahoo/Sand Creek Environmental Restoration Project. Motion carried all members present voting aye.

7b. Tire Recycling Grant Newman Grove - Attachment  
Sabatka made the motion, seconded by Meduna, to pay Champlin Tire in the amount of \$5,845.22 for the Newman Grove Tire Recycling effort. This money is 100% reimbursable through a grant from DEQ. Motion carried all members present voting aye.

7c. Colon Rural Water Warranty Extension

Due to not being able to effectively eliminate coliform persistence at the point we receive water for the Colon Rural Water line and with the contractor's warranty period due to expire this spring. Sabatka made the motion, seconded by Meduna, to authorize Rural Water Manager Sousek to represent the Lower Platte North RWD with legal counsel in working with all concerned parties including contractor M.E. Collins on developing a plan of action to remedy the bacterial presence at the entry point to the Colon Rural Water Line. It is further recommended to authorize Sousek and legal counsel to make all necessary notices to the contractor and bonding company concerning our intent to extend the warranty period if a solution is not found. It is further recommended to authorize Manager Miyoshi along with legal counsel to execute a tolling agreement if necessary to extend this warranty period. Motion carried all members present voting aye. The purpose of this motion is to develop a plan of action with the project contractor M.E. Collins and extend our warranty.

7d. Correct Wanahoo Damage Deposit Motion

Sabatka made the motion, seconded by Meduna, to return \$350 of the \$450 damage deposit to Robert Virgl Jr. For the Wanahoo Rental House. Motion carried all members present voting aye.

Meduna made the motion, seconded by Boyd, to rescind motion 6.D.7.e.2 from the January 14, 2008 Board Meeting which incorrectly returned \$300 of the \$400 damage deposit for the Wanahoo Rental House. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

Hannah made the motion, seconded by Pieke, to approve to February consent agenda. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The March Board of Directors Meeting will be held on Thursday, March 13, 2008, 5:30 p.m.

Meeting adjourned at 8:15 p.m.

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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 February 11, 2008, 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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Dave Saalfeld, Secretary