

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
February 11, 2013**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 1:40 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, February 11, 2013.

1. NOTICE OF MEETING

The advanced notice of our February 11, 2013 board meeting was published on January 24, 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
Kavan	McDermott	Meduna
Olson	Pieke	Pollard (arrived 2:30 pm)
Saalfeld	Sabatka	Taylor
Veskerna	Hilger	

DIRECTORS ABSENT

Gibney	Ruzicka
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STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Angle	Heimann

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

b. NRCS Report

Mark Walkenhorst presented his written report.

c. NARD Report

Saalfeld updated the Board on the NARD Board Meeting and Legislative Conference, January 28-29, 2013.

d. NRC Report

Johannes reported that the Commission met in conjunction with the NARD Legislative Conference and minutes were distributed to all Directors.

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Report from Sub-District #4 Search Committee

Saalfeld made the motion, seconded by Johannes, to appoint Matt Bailey to fill the vacancy in Sub-District #4. Motion carried all members present voting aye.

At this time Breunig administered the Oath of Office to Matt Bailey.

g. Education Program

Prior to the Board Meeting Kent Miller, General Manager, TPNRD updated the Board on the N-CORPE Project. This project purchased 15,500 acres of irrigated land south of North Platte, retires the irrigation and at times of short water supply can pump water to either the Republican or Platte Rivers to augment the stream flows.

5. APPROVAL OF MINUTES

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

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. Annual Director's Retreat – Update Given

2. Washington DC Trip

Saalfeld made the motion, seconded by Hannah to send two staff and two directors to Washington D.C. the week of March 18 to preform the lobbying efforts we need. Motion carried on consent agenda.

b. Reports

1. NARD Legislative Conference – Update Given

2. GMDA Report – Update Given

2. Management Items

a. Directors Absence - None

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

Saalfeld made the motion, seconded by Hannah, to approve payment of \$3,100 to Bob Weaver for January services and bill LPSNRD and Papio NRD for their share. Motion carried on consent agenda.

c. Monthly Education Program – Update Given

d. Recording Roll Call Votes at Board Meeting

Saalfeld made the motion, seconded by Hannah, that at times of voting by LPNNRD Board of Directors, the Board Secretary may call roll or may designate a staff member to do the official roll call. Motion carried on consent agenda.

At this time Secretary Olson designated Breunig to do the official roll call.

e. Legal Retainer Agreement

Saalfeld made the motion, seconded by Hannah, to approve the Retainer Agreement with Bromm, Lindahl, Freeman-Caddy and Lausterer as attached to the Executive Committee Minutes and authorize the board chair to sign said agreement. Motion carried on consent agenda.

f. Vacancy in Sub-District 4 – This item was taken earlier

g. Land Sale

Saalfeld made the motion, seconded by Hannah, to ratify the sale of the 51.7 acres (former Engle tract) for \$5,675 per acre to Bert Murray and authorize the board chair and/or general manager to sign all necessary documents for transfer of the property. Motion carried on consent agenda.

Saalfeld made the motion, seconded by Hannah, to use all funds received from the sale of the 51.7 acres to pay down the Sand Creek/Lake Wanahoo note held by Union Bank. Motion carried on consent agenda.

The two NRC tracts both sold above the appraised prices. Tract #1 was 40 acres appraised at \$2,300 per acre and sold for \$3,600 per acre or a total of \$144,000. Tract #2 was 62.1 acres appraised at \$3,300 per acre and sold for \$3,500 per acre or a total of \$217,350. These two tracts are owned by the NRC and held in the LPNDRD's name, therefore we are the ones who technically sell the property and take care of the transactions. Johannes made the motion, seconded by Meduna, to ratify the sale of Tract #1, 40 acres to Gerald Humlicek for a price of \$144,000 with all net proceeds to be paid to Nebraska Department of Natural Resources/ Nebraska Natural Resources Commission which is estimated to be \$139,164.52 and authorize the General Manager to sign all necessary documents for transfer of the property. It was further recommended to ratify the sale of Tract #2, 62.1 acres to Michael D. Swanson and Paula K. Swanson for a price of \$217,350 with all net proceeds to be paid to Nebraska Department of Natural Resources/ Nebraska Natural Resources Commission which is estimated to be \$210,525.45 and authorize the General Manager to sign all necessary documents for transfer of the property. Motion carried all members present voting aye.

h. Residence of Director Jim McDermott – Update Given

i. RFPs for Annual Audit

Saalfeld made the motion, seconded by Hannah, to accept the proposal from HBE to perform our Annual Audit for three years under the terms of their proposal as attached to the Executive Committee Minutes. Motion carried all members present voting aye.

3. Equipment – None

4. Personnel – None

5. Finance

a. Approval of Financial Report

Saalfeld made the motion, seconded by Hannah, to approve the November Financial Statements as distributed. Motion carried on consent agenda.

b. Approval of Managers Expenses

Saalfeld 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

d. Monthly Accounting Update – Update Given

e. Ratify January Bills

Saalfeld made the motion, seconded by Hannah, to ratify the payment of the January 2013 bills pending as attached to the Executive Committee Minutes. Motion carried on consent agenda.

f. Banking Fees - Update Given

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

B. OPERATIONS, EDUCATION & RURAL WATER COMMITTEE REPORT

Election of Officers

Gene Ruzicka was elected Chair and Don Veskerna Vice-Chair of the Operations, Education and Rural Water Committee for 2013.

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 – Update Given

d. Wanahoo Recreation and Wildlife Area

Saalfeld made the motion, seconded by Hannah, to accept a bid of \$700 from McGill Asbestos Abatement Company to remove all asbestos from the abandon Wanahoo farmstead. Motion carried on consent agenda.

Saalfeld made the motion, seconded by Hannah, to proceed with the farmstead, garbage and nursery clean-up and to pursue the 75% Federal cost-share assistance. Motion carried on consent agenda.

Sabatka made the motion, seconded by Meduna, to accept the low bid of \$9,900 from Goracke Contracting for removal and treatment of volunteer trees on the Wanahoo Property as described in the O&M Plan. Motion carried all members present voting aye.

e. Grass Drill Rental – Update Given

f. Vehicle Replacement

Sabatka made the motion, seconded by Birkel, to purchase the 2013 Jeep Patriot for \$18,300 through a State of Nebraska Contract. Motion carried all members present voting aye.

g. Equipment – Update Given

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. Viaduct/Annual Report – Update Given

b. Education

1. Soil and Water Stewardship Week

Saalfeld made the motion, seconded by Hannah, to approve up to \$2,000 for purchasing 2013 Soil and Water Stewardship Week materials for area schools and churches. Motion carried on consent agenda.

c. Computers

1. Server Upgrade - Update Given

2. Website Move – Update Given

6. RURAL WATER Systems

a. Bruno/David City Rural Water – Update Given

b. Colon/Wahoo Rural Water System – Update Given

c. Other – Update Given

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

C. WATER COMMITTEE REPORT

Election of Officers

Jim McDermott was elected Chair and Frank Pollard Vice-Chair of the Water Committee for 2013.

1. REGULATORY

a. GROUNDWATER MANAGEMENT AREA

1. 2012 Drought Conditions – Update Given

2. Variance Requests for Limited Development (Hydrologically Connected) Area

a. January Variance Requests – Update Given

3. Policy on Subarea Boundaries and Restricted Development Area – Update Given

4. Well Permit Program

a. Well Permits Approved – Update Given

b. Approved Variances Well Permits – Update Given

c. Replacement Well Permits - Update Given

d. Supplemental Well Permits

Johannes made the motion, seconded by Taylor, to have the Water Committee work on a policy for handling Supplemental Well Permits and that staff be tasked with having an outline for creating the policy for discussion at the next committee meeting. Motion carried all members present voting aye.

e. New Well Permits in NDA – Update Given

f. Expansion on Existing Well or Existing Well Permits in NDA – Update Given

g. Well Permits Requiring Approval

McDermott made the motion, seconded by Pollard, to approve the well permits for Brent Zakovec in the NW1/4, Section 35, T17N, R5E, Saunders County for 64.48 acres and for Janak Farms in the NE1/4 of the SE1/4, Section 34, T15N, R4E, Butler County for 70 acres, both within the Normal Development Area (NDA).

Johannes made the motion, seconded by Hagerbaumer, to table the previous motion. Motion carried.

AYE: Bailey, Hagerbaumer, Hannah, Johannes, Kavan, Olson, Pieke, Saalfeld, Sabatka, Veskerna

NAY: Birkel, Clausen, McDermott, Meduna, Pollard, Taylor, Hilger

h. Greg Heldt Request for “Rolling Transfer”

McDermott made the motion, seconded by Meduna, to approve the new water well variance request in the LDA for a well in the SW1/4 of the NW1/4, Section 36, T14N, R9E Saunders County and the rolling transfer of 50 irrigated acres between the field in the E1/2 of the SE1/4, Section 23, T14N, R9E and the field in the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4, Section 36, T14N, R9E (as shown on the attached maps) provided that the irrigation water will be used to for the production of ‘Produce,’ the irrigation system used will be ‘Drip Tape’, only one or the other field can be irrigated in a given year, and assessor records are updated to reflect the irrigated fields.

It was moved by Taylor and seconded by Kavan to amend the main motion to specify that the only acres that are permanently certified are those owned by Greg Heldt in SW1/4 of the NW1/4, Section 36, T14N, R9E Saunders County for 50 acres and that the acres irrigated in Section 23 be temporary and not be allowed to be permanently certified as irrigated. Amendment carried all members voting aye.

The amended motion was now voted on. Motion carried all members present voting aye.

- i. Water Use Reports – Update Given**
- 5. Voluntary Integrated Water Management Plan – Update Given**
- 6. 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**
- 7. LPNNRD Certification Classes – Update Given**
- 8. Bellwood Phase 2 Area – Update Given**
- 9. Richland/Schuyler Phase II Area - 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**

Saalfeld made the motion, seconded by Hannah, to approve cost share funding to Gary Wirka for a domestic well for \$401.74. Motion carried on consent agenda.
 - b. LPNNRD Ground Water Studies**
 - 1. LPNNRD Platte River Ground Water Model – Update Given**
 - 2. Elkhorn Loup Model – Update Given**
 - 3. Eastern Nebraska Water Resources Assessment (ENWRA) – Update Given**
 - 4. Eastern Nebraska HEM Aquifer Mapping (Swedeburg Subarea) – Update Given**
 - c. Former Ordnance Plant Near Mead – Update Given**
- 3. OTHER**
 - a. Groundwater Management Districts Association - Update Given**
 - b. Comments From The Public**

Saalfeld made the motion, seconded by Hannah, to approve the expansion of 15 acres in Section 16, T15N, R4E for Jamie Yindrick. Motion carried on consent agenda.

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

D. PROJECTS COMMITTEE REPORT

Election of Officers

Don Kavan was elected Chair and Matt Bailey Vice-Chair of the Projects Committee for 2013.

1. SWCP REPORT

a. SWCP Application Approvals

Saalfeld made the motion, seconded by Hannah, to approve the following SWCP applications:

			75%	50%
<u>Lyle Alswager</u>	<u>Platte Co.</u>	<u>W/S Basins</u>	<u>\$2,961.00</u>	
<u>Thomas Mejsrik</u>	<u>Platte Co.</u>	<u>Flow Meter</u>		<u>\$625.00</u>
<u>Paul Schemek</u>	<u>Platte Co.</u>	<u>Flow Meter x 2</u>		<u>\$1,250.00</u>
<u>Ben Pfeifer</u>	<u>Platte Co.</u>	<u>Flow Meter</u>		<u>\$625.00</u>
<u>Mohrman Fam. Tr.</u>	<u>Butler Co.</u>	<u>Flow Meter x 2</u>		<u>\$1,250.00</u>
<u>Dennis Waak</u>	<u>Colfax Co.</u>	<u>Flow Meter</u>		<u>\$625.00</u>
<u>JD Bell Farm</u>	<u>Butler Co.</u>	<u>Flow Meter x2</u>		<u>\$1,250.00</u>
<u>Gary Navrkal</u>	<u>Butler Co.</u>	<u>Flow Meter</u>		<u>\$625.00</u>
<u>Randall Benson</u>	<u>Boone Co.</u>	<u>Flow Meter</u>		<u>\$625.00</u>
		<u>TOTAL:</u>	<u>\$2,961.00</u>	<u>\$6,875.00</u>
	<u>TOTAL APPROVALS:</u>			<u>\$9,836.00</u>

Motion carried on consent agenda.

b. SWCP and Sand/Duck Creek Payments

Saalfeld made the motion, seconded by Hannah, to approve the following SWCP and Sand/Duck Creek Payments:

SWCP:

<u>Jerry Soukup</u>	<u>Saunders Co.</u>	<u>W/S Basins w/tile (25% c/s)</u>	<u>\$6,728.81</u>
<u>Weber Farms Tr.</u>	<u>Dodge Co.</u>	<u>Flow Meter</u>	<u>\$625.00</u>
		<u>TOTAL:</u>	<u>\$7,353.81</u>

Sand Duck Creek:

<u>Jerry Soukup</u>	<u>Saunders Co.</u>	<u>W/S Basins w/tile (15%)</u>	<u>\$4,721.49</u>
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Motion carried on consent agenda.

c. Neil Kuhlman (Al Smith) Dam Inspection – Update Given

2. WATERSHEDS

a. Shell Creek – Update Given

b. Wahoo Creek – Update Given

c. Cottonwood Creek – Update Given

3. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report – Meghan Sittler gave her monthly update.

4. OTHER

a. Nebraska Loess Hills RC&D

Saalfeld made the motion, seconded by Hannah, to approve paying annual dues of \$350 to the Nebraska Loess Hills RC&D as attached to the Projects Committee Minutes. Motion carried on consent agenda.

b. Update on Army COE 205 Studies

1. South Fremont 205 – Update Given

2. Schuyler 205 – Update Given

c. Project Expense Review – Update Given

d. Prairieland Scrap Tire Grant Application

Saalfeld made the motion, seconded by Hannah, to submit a scrap tire grant application to NDEQ for \$6,410 to assist with a tire collection in Platte Center. Prairieland RC&D is the local sponsor who will perform the labor for the tire collection. It was further recommended to designate Assistant Manager Mountford as the grant administrator and authorize him to sign all necessary grant documents. Motion carried on consent agenda.

5. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT REPORT

a. Lake Wanahoo

1. Land Sale – Update Given

b. Upstream Structures – Update Given

6. WESTERN SARPY/CLEAR CREEK LEVEE REPORT – Update Given

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

7. ADDITIONAL ACTION ITEMS

7a. USGS Shell Creek Monitoring Payment

Sabatka made the motion, seconded by Saalfeld, to approve payment to USGS for \$5,505 for the Shell Creek Continuous Water Quality Monitoring Project. Motion carried.

AYE: Bailey, Birkel, Clausen, Hagerbaumer, Hannah, Johannes, Kavan, McDermott, Olson, Pieke, Pollard, Saalfeld, Sabatka, Taylor, Veskerna, Hilger

ABSTAIN: Meduna

7b. Cottonwood Creek NWQI Interlocal Agreement with DEQ

Hannah made the motion, seconded by Meduna, to approve the NWQI Cottonwood Creek Interlocal Agreement with DEQ and authorize the Board Chair to sign said agreement. Motion carried.

AYE: Bailey, Birkel, Clausen, Hagerbaumer, Hannah, Johannes, Kavan, McDermott, Meduna, Olson, Pieke, Pollard, Saalfeld, Sabatka, Veskerna, Hilger

ABSTAIN: Taylor

7c. Lake Wanahoo Site Renovation

Sabatka made the motion, seconded by Saalfeld, that LPNNRD to proceed with the Lake Wanahoo Site “Wildlife Management Program” with Game and Parks Commission and pursue Federal Aid Funding with LPNNRD responsible for 25% of project costs. Motion carried.

AYE: Bailey, Birkel, Clausen, Hagerbaumer, Hannah, Johannes, Kavan, McDermott, Olson, Pieke, Pollard, Saalfeld, Sabatka, Taylor, Veskerna, Hilger

ABSTAIN: Meduna

7d. Rental of Wirka Tract

Sabatka made the motion, seconded by Saalfeld, to advertise and take sealed bids on approximately 30 acres of surplus farm ground on the Wirka Tract for the 2013 growing season. Motion carried.

AYE: Bailey, Birkel, Clausen, Hagerbaumer, Hannah, Johannes, Kavan, McDermott, Olson, Pieke, Pollard, Saalfeld, Sabatka, Taylor, Veskerna, Hilger

ABSTAIN: Meduna

8. BILLS TO BE APPROVED

Pieke made the motion, seconded by Sabatka, 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 Hannah, to approve the February consent agenda as amended by deleting 6.C.1.A.4. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The March Directors Meeting will be held on Monday, March 11, 2013, 6:00 p.m. Meeting adjourned at 4:01 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 February 11, 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.

Lon Olson, Secretary