

LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
JANUARY 8, 2007

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, January 8, 2007

1. NOTICE OF MEETING

The advanced notice of our December board meeting was published on December 21, 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

Oath of Office

At this time Boyd and Vrana took the Oath of Office.

2. ROLL CALL - INTRODUCTIONS

DIRECTORS PRESENT AND CONSTITUTING A QUORUM:

Alm	Bailey	Boyd
Bruner	Bull	Eden
Hannah	Hilger (left 7:25 p.m.)	Johnson
Kavan	Meduna	Pieke
Reitmajer	Saalfeld	Sabatka
Vrana	Johannes	

DIRECTORS ABSENT

Jedlicka (GMDA Conference)

STAFF AND GUESTS:

Mountford	Breunig	Murren
Miyoshi	Gottschalk	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 upcoming Legislative Conference January 23-24, 2007.

d. Managers Report

Manager Miyoshi reviewed his written report.

5. APPROVAL OF MINUTES

Pieke made the motion, seconded by Saalfeld, to approve minutes from the December 11, 2006 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. Kansas Rural Water Conference and Exhibition

Pieke made the motion, seconded by Saalfeld, to authorize up to two staff members to attend the Kansas Rural Water Conference and Exhibition March 27-29, 2007. Motion carried on consent agenda.

2. Miyoshi to Washington DC

Pieke made the motion, seconded by Saalfeld, to authorize to send Miyoshi to Washington D.C. on February 22 to work with our Congressional Delegation and Corps of Engineers on F.Y. 07 and 08 funding. Motion carried on consent agenda.

3. NARD Annual Washington DC Trip

Pieke made the motion, seconded by Saalfeld, to send 2 staff and 2 directors to the Annual NARD Washington D.C. Meetings on March 10-14. The Chair and Manager will travel one day early. Motion carried on consent agenda.

4. 4th Annual Water Law, Policy and Science Conference

The University of Nebraska is holding the 4th annual Water Law, Policy and Science Conference: "The Future of Water Use in Agriculture", March 26-27, 2007 at the Embassy Suites Hotel in Lincoln. Directors wishing to attend are to let Breunig know.

2. Management Items

a. Directors Absence

b. Lower Platte River Corridor Alliance

1. December Report

Coordinator Verhoeff was present to give the December Alliance Report.

c. Bob Weaver

Pieke made the motion, seconded by Saalfeld, to approve the December Bob Weaver Bill in the amount of \$2,500 and bill LPSNRD and PMRNRD for their share. Motion

carried all members present voting aye.

d. Chamber of Commerce Membership - Update Given

e. Lower Platte Basin Meeting - Update Given

f. Monthly Education Programs - Update Given

g. Directors Retreat - Update Given

h. Election of 2007 Officers

Director Sabatka reported that the Nominating Sub-Committee met.

Johannes opened the floor for nominations for LPNNRD Chair for 2007.

Sabatka nominated Jedlicka for Chair.

With no further nominations Sabatka made the motion, seconded by Saalfeld, that nominations cease and a unanimous ballot be cast for Lumir Jedlicka, Chair. Motion carried all members present voting aye.

Johannes opened the floor for nominations for LPNNRD Vice-Chair for 2007.

Sabatka nominated Bailey for Vice-Chair.

With no further nominations Sabatka made the motion, seconded by Pieke, that nominations cease and a unanimous ballot be cast for Ted Bailey, Vice-Chair. Motion carried all members present voting aye with Bailey abstaining.

Johannes opened the floor for nominations for LPNNRD Secretary for 2007.

Sabatka nominated Saalfeld for Secretary.

With no further nominations Sabatka made the motion, seconded by Bull, that nominations cease and a unanimous ballot be cast for David Saalfeld, Secretary. Motion carried all members present voting aye with Saalfeld abstaining.

Johannes opened the floor for nominations for LPNNRD Treasurer for 2007.

Sabatka nominated Johnson for Treasurer.

With no further nominations Sabatka made the motion, seconded by Bull, that nominations cease and a unanimous ballot be cast for Dean Johnson, Treasurer. Motion carried all members present voting aye with Johnson abstaining.

___ Johannes opened the floor for nominations for NARD representative for 2007.

Bailey nominated Johnson for NARD representative.

With no further nominations Bailey made the motion, seconded by Sabatka, that nominations cease and a unanimous ballot be cast for Dean Johnson, NARD representative. Motion carried all members present voting aye with Johnson abstaining.

Johannes opened the floor for nominations for NARD alternate for 2007.

Bailey nominated Kavan for NARD alternate.

With no further nominations Bailey made the motion, seconded by Bull, that nominations cease and a unanimous ballot be cast for Don Kavan, NARD alternate. Motion carried all members present voting aye with Kavan abstaining.

i. Standing and Sub-Committee Assignments - Update Given

j. Treasurer on Executive Committee - Update Given

k. Director Vacancy

___ Due to no candidates running for the Sub-District 1 Director position Chairman Johannes declared a vacancy in Sub-District 1 and appointed a Director Search Committee consisting of Bailey, Bruner, Eden and Johnson. The sub-committee is to report at the February 12, 2007 Board Meeting.

l. Retaining Legal Counsel for Bruno Water Line

Alm gave the report from the Attorney Selection Sub-Committee. Alm made the motion, seconded by Saalfeld, that LPNNRD contract with the Law Firm of Edstrom, Bromm, Lindahl, Sohl & Freeman-Caddy to represent us concerning deficiencies in the Bruno Water Study with the following conditions:

That Mike Brenneman is retained as an expert witnesses to represent us;

That Mike Brenneman feels we have a solid case;

That Curt Bromm and Jaron Bromm represent us if this case goes before a jury.

Motion carried.

AYE: Alm, Bailey, Boyd Bruner Bull, Eden, Hannah, Hilger, Johnson, Meduna, Pieke, Reitmajer, Saalfeld, Sabatka, Vrana, Johannes,

NAY: Kavan

m. CREP Agreement

Pieke made the motion, seconded by Saalfeld, to approve the Nebraska Corn Growers

Agreement to establish and fund the new CREP area and authorize signing the NCG Agreement. Motion carried on consent agenda.

n. Butler County Line

Pieke made the motion, seconded by Saalfeld, to work with our district legal counsel firm (which includes Curt Bromm) to assist with setting the Platte /Butler county line as the NRD boundary and to work with Senator Langemeier if a legislative fix is needed. Motion carried on consent agenda.

o. Director Computers

Pieke made the motion, seconded by Saalfeld, to direct staff to prepare a phase in plan including costs to implement purchasing Laptop computers for Directors who wish to use them. Motion carried on consent agenda. A poll was taken of Directors who may be interested in personally going paperless. Eight responded yes.

3. Equipment

a. Laptop Computer

Pieke made the motion, seconded by Saalfeld, to purchase a Gateway E-100M replacement laptop computer at a cost of \$2,439.47. Motion carried on consent agenda.

4. Personnel - None

a. IRS Withholding Update

Johnson made the motion, seconded by Vrana, to ratify action approved by the Executive Committee to run an end of the year payroll to satisfy the 2003-04 withholding error with the IRS and have all employees sign their check back to LPNNRD. Any employee unwilling to sign the check back to the District will need to personally repay the debit. Motion carried all members present voting aye.

b. Manager Salary

Johnson made the motion, seconded by Bruner, to adjust the General Managers salary by \$126 per month effective January 1, 2007 to reflect his past year's evaluation. Motion carried all members present voting aye.

5. Finance

a. Approval of Financial Statements - Update Given

b. Approval of Managers Expenses

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

c. Accounts Receivable Over 90 Days

There are currently two accounts receivables over 90 days due. These are both 319 grant reimbursements.

d. Death of former President Ford

Pieke made the motion, seconded by Saalfeld, to follow the State's lead and have the LPNNRD office closed on January 2 in remembrance of Former President Gerald Ford. Motion carried on consent agenda.

e. Renew FSA Signing Authority

Pieke made the motion, seconded by Saalfeld, to authorize power of attorney to the following NRD staff to sign FSA documents on behalf of Lower Platte North NRD Miyoshi, Mountford and Murren. Motion carried on consent agenda.

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

Johnson made the motion, seconded by Saalfeld, to go into recess at 7:00 p.m. in order that the Basin Caucus be conducted. Motion carried all members present voting aye.

Sabatka made the motion, seconded by Bull, to resume the board meeting at 7:30 p.m. Motion carried all members present voting aye.

B. EDUCATION, OPERATION & RURAL WATER COMMITTEE REPORT

Reitmayer made the motion, seconded by Bruner, to assist the Plover and Tern Recovery Program with \$5,000 during the next nesting season (2007). Motion failed.

AYE: Bailey, Boyd, Bruner, Eden, Reitmayer, Sabatka, Johannes

NAY: Alm, Bull, Hannah, Johnson, Meduna, Pieke, Saalfeld, Vrana

1. WHIP/WILD NE REPORT

a. Payments

Pieke made the motion, seconded by Saalfeld, to approve two Wildlife Habitat contracts, Roger Nelson \$375 and Wayne Loseke \$100.80 for a total payment of \$475.80. 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. Snitily Ground Prep Bill to NRCS - Report Given

h. Lower Platte Weed Management Area - Report Given

3. ROCK AND JETTY

a. New Applications - None

b. Payment Requests

Pieke made the motion, seconded by Saalfeld, to approve payment of \$1,110 to Jim McDermott for stream bank stabilization work accomplished on Sand Creek. Motion carried on consent agenda.

4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given

5. INFORMATION & EDUCATION

a. Education

1. State Environmental Education Funds

Pieke made the motion, seconded by Saalfeld, to approve the following purchases; Classroom Jeopardy Kit \$370, three extra Jeopardy Scoreboard/Remotes \$185, three Garmin GPS 72s \$99/ea, Enviroscape Drinking Water/Wastewater Treatment Model \$965, Enviroscape Transport Case \$219 and Enviroscape Groundwater Module \$175 for a total of \$2,211. Motion carried on consent agenda.

b. Information

1. 35th Anniversary - Update Given

2. LPRCA Website - Update Given

3. NARD Calendar - Update Given

4. Viaduct - Update Given

6. RURAL WATER ACTIVITIES

a. Abie/Linwood - Report Given

b. Bruno/David City Rural Water

Reitmayer made the motion, seconded by Saalfeld, to use 3 connections for the Butler County Landfill and charge them one tap-on(\$1,500) to connect the Landfill to the Butler County Water System. 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. Murren Crop Damage

Pieke made the motion, seconded by Vrana, to pay crop damages for the Colon Water line to Andy Murren in the amount of \$314.87 and to Mike and Vicki Murren in the amount of \$923.02 as shown on the spreadsheet attached to the O, E & RW Committee minutes. Motion carried all members present voting aye.

j. Rural Water Automatic Payment

Pieke made the motion, seconded by Saalfeld, to authorize the Board Secretary along with the Board Chairperson sign an agreement with Wahoo State Bank for automatic payment service that will allow Rural Water customers to directly transfer payments to LPNNRD. Motion carried on consent agenda.

Pieke made the motion, seconded by Saalfeld, to authorize the Board Secretary along with the Board Chairperson sign an ACH signature form and have the Rural Water Manager added to the list of names approved to sign for deposit of ACH files into Wahoo State Bank. Motion carried on consent agenda.

Saalfeld made the motion, seconded by Eden, that the January 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 82.

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

5. Bellwood Phase II Area - Update Given

6. Richland/Schuyler Phase II Area - Update Given

7. Ground Water Management Areas

a. DNR 2007 Annual Evaluation of Hydrologically Connected Water Supplies

b. Revision of LPNNRD GWMA Rules and Regulations Update Given

c. David City Aquifer Potential Level-1A Management Area - Update Given

d. Sub-Area Delineation Study - Update Given

e. LPNNRD Platte River Ground Water Model

Alm made the motion, seconded by Saalfeld, to approve Phase 1 of the LPNNRD Platte River Ground Water Model study for \$13,730 for the LPNNRD and direct that Phase 2 of the study be divided into Alternative #1 which includes the original scope of work of two pumping tests, six streambed conductance tests, and determination of riparian zones and Alternative #2 with half of this scope of work and that determination on which Alternative will be selected to be contingent on receiving outside funding. Motion carried all members present voting aye.

f. Elkhorn Loup Model (ELM) - Update Given

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

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

Pieke made the motion, seconded by Saalfeld, to approve cost share payment to decommission the irrigation well for Michael Eason for \$376.64. Motion carried on consent agenda.

b. Ground Water Energy Levels

1. Flow Meters on GWEL Network Irrigation Wells - Update Given

c. University Clean Up Efforts at ARDC - Update Given

d. MUD

1. Quarterly Report - Update Given

2. Wann Basin Landowners - Update Given

3. OTHER

a. St. Mary Awards Marie Curie Prize - Update Given

b. NRD Public Relations Seminar - Update Given

c. Comments from the Public - Update Given

Piekie made the motion, seconded by Saalfeld, that the January 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

Piekie made the motion, seconded by Saalfeld, to approve the following SWCP cost share application:

Paul Kettelson (Boone) Cropground to grass (Waterway) 75% \$803.85

Motion carried on consent agenda.

c. SWCP Payments

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

			<u>Approved</u>	<u>Payment</u>	<u>+/-</u>
<u>06-B-33</u>	<u>ROH Farms Inc.</u>	<u>Terrace & Tile</u>	<u>\$10,000</u>	<u>\$9,799.77</u>	<u>(-\$200.23)</u>
<u>06-B-31</u>	<u>Terry Vavrina</u>	<u>Terrace & Tile</u>	<u>\$6,791.25</u>	<u>\$5,301.78</u>	<u>(-\$1,489.47)</u>
<u>06-C-35</u>	<u>Wendell Bohmont</u>	<u>Cropland grass</u>	<u>\$3,620.77</u>	<u>\$2,217.55</u>	<u>(-\$1,403.22)</u>
		<u>Total Payments</u>		<u>\$17,319.10</u>	

Motion carried on consent agenda.

d. Duck Creek Applications - None

Piekie made the motion, seconded by Saalfeld, to approve the following SWCP cost share application for the Duck Creek Watershed:

Jeff TePoel Terrace & Tile 90% \$ 3,092.91

Motion carried on consent agenda.

e. Duck Creek Payments - None

f. SWCP Policy Updates for 2007 - Update Given

2. WATERSHEDS - Update Given

3. FSA , EQIP & CRP PLANS SIGNED

Piekie made the motion, seconded by Saalfeld, 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>11/1/2006</u>	<u>Butler</u>	<u>Ken Meister</u>	<u>3-15-1; 35-16-1</u>	<u>15</u>	<u>Rev</u>	<u>Conservation Plan</u>
<u>11/1/2006</u>	<u>Butler</u>	<u>Ken Meister</u>	<u>3-15-1</u>	<u>75</u>	<u>Rev</u>	<u>Conservation Plan</u>

11/27/2006 Butler Louis Plasek 14-15-3 6.3 New CRP Contract
Motion carried on consent agenda.

4. LOCALLY LED LANDOWNER GROUPS

a. Shell Creek Watershed Improvement Group - Update Given

5. OTHER

a. Update on Army COE 205 Studies

1. South Fremont 205 - Update Given

2. Schuyler 205 - Update Given

b. Annual Nebraska No-Till Conference Assistance Request

Pieke made the motion, seconded by Saalfeld, to approve \$1,200 to the University of Nebraska Extension in support of the annual Nebraska No-Till Conference. Motion carried on consent agenda.

6. LAKE WANAHOO REPORT

a. Lake Wanahoo Business

Mike Sotak was present to give an update on the NRDF application.

b. Snitily Wetland Project Payments

Hannah made the motion, seconded by Johnson, to approve paying Pruss Excavation \$70,302 for construction of the Wetlands Reserve Project located on the former Snitily property. Motion carried all members present voting aye.

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

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

7. ADDITIONAL ACTION ITEMS

7a. SWCP Payments

Johnson made the motion, seconded by Sabatka, to approve the following SWCP As-Built Payments:

		<u>Approved</u>	<u>As-Built</u>	<u>(+/-)</u>
<u>06-B-30</u>	<u>John Vandenberg</u>	<u>\$4,236.60</u>	<u>\$3,837.40</u>	<u>-(\$ 399.20)</u>
<u>06-S-41</u>	<u>Burneil Ecklund</u>	<u>\$10,000.00</u>	<u>\$9,480.79</u>	<u>-(\$ 519.21)</u>

Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

Pieke made the motion, seconded by Saalfeld, to approve the January consent agenda as amended. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The February Board of Directors Meeting will be held on Monday, February 12, 2007, 5:30 p.m. Lower Platte North NRD Office.

Meeting adjourned at 8:20 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 January 8, 2007, 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