

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
January 13, 2014**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 2:15 p.m. at Lower Platte North NRD office, Wahoo, NE on Monday, January 13, 2014.

1. NOTICE OF MEETING

The advanced notice of our January 13, 2014 board meeting was published on December 19 and 26, 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
Gibney (arrived 2:42 pm)	Hagerbaumer	Hannah
Johannes	Kavan	McDermott
Meduna	Olson	Pieke
Saalfeld	Sabatka	Taylor
Veskerna	Hilger	

DIRECTORS ABSENT

Pollard	Ruzicka
---------	---------

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

b. NRCS Report

Jenna Kampschnieder reviewed the NRCS Report prepared by Mark Walkenhorst.

c. NARD Report - None

Director Kavan reminded the Directors of the upcoming Legislative Conference.

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

McDermott made the motion, seconded by Pieke, to approve the minutes from the December 9, 2013 Board Meeting. Motion carried on consent agenda.

Item 6.C.a.4.

McDermott made the motion, seconded by Meduna, to lift the "Temporary Stay" on irrigation wells that was put in place on October 14, 2013. Motion carried.

AYE: Bailey, Birkel, Clausen, Hagerbaumer, Hannah, McDermott, Meduna, Pieke, Taylor, Veskerna, Hilger

NAY: Johannes, Kavan, Olson, Saalfeld, Sabatka

Hannah made the motion, seconded by Kavan, to approve the proposed amendments to the Groundwater Management Area Rules and Regulations as presented at the January 13, 2014 Public Hearing. Motion carried.

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

NAY: Johannes

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

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

2. Recognition Banquet – Update Given

3. Drought Symposium – Update Given

4. NARD Washington DC Conference

McDermott made the motion, seconded by Pieke, to approve sending two Directors and two staff to the NARD Washington D.C. Conference March 22-26, 2014. Motion carried on consent agenda.

5. National No-Till Conference – Update Given

b. Reports - None

2. Management Items

a. Director Absences

McDermott made the motion, seconded by Pieke, to approve the absence request from Directors Taylor and Saalfeld for the December Board Meeting. Motion carried on consent agenda.

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

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

3. November Billing Overage

McDermott made the motion, seconded by Pieke, to pay Bob Weaver the additional \$2,257.50 (\$752.50 per NRD) on the November billing for extra hours worked on the WS/CC Project and bill Lower Platte South and Papio their share. Motion carried on consent agenda.

c. Monthly Education Program – None

d. Martinez Lawsuit – Update Given

e. CCEI Lawsuit – Update Given

f. NRCS Changes - Update Given

g. Tax Modernization Committee Report – Update Given

h. Nebraska State Fair Agriculture Experience Building

Kavan made the motion, seconded by McDermott, that the LPNNRD partner with NARD and contribute \$1,000 toward the “Nebraska Agriculture Experience Building” at the State Fairgrounds. Motion carried all members present voting aye.

3. Equipment

a. I-pad Purchase

Meduna made the motion, seconded by Saalfeld, to purchase an i-pad 4G for Rural Water at a cost of \$629 plus \$30 per month connection fee. Motion carried.

AYE: Bailey, Clausen, Gibney, Hagerbaumer, Johannes, Kavan, McDermott, Meduna, Olson, Pieke, Saalfeld, Sabatka, Taylor, Veskerna, Hilger

NAY: Birkel

4. Personnel - None

5. Finance

a. Approval of Financial Report

McDermott made the motion, seconded by Pieke, to approve the November Financial Statements as distributed to all Directors. Motion carried on consent agenda.

b. Approval of Managers Expenses

McDermott made the motion, seconded by Pieke, 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. IRS Mileage Rate – Update Given

f. Upstream Land Payment

Saalfeld made the motion, seconded by Sabatka, to approve the final upstream dam land payment of \$45,646.66 to Dale and Janice Pacl. Motion carried all members present voting aye.

McDermott made the motion, seconded by Pieke, that the January 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 – Update Given

d. Wanahoo Recreation Area – Update Given

e. Grass Drill in Saunders County – Update Given

f. Vehicle Replacement

Veskerna made the motion, seconded by Meduna, to purchase a 2014 Ford F-150 XLT Extended Cab 4x4 with V-8 from Anderson Ford off of the State Contract with the addition of the On/Off road mud & snow tires & spare for \$25,846. Motion carried all members present voting aye.

g. Tree Program – Update Given

h. Lower Platte Weed Management – Update Given

3. ROCK AND JETTY

a. Applications - None

b. Payment Requests

McDermott made the motion, seconded by Pieke, to pay the City of North Bend \$3,000 for work accomplished on their levee and to pay Don Medinger \$2,000 for maintenance on his Platte River jetties, both projects will be paid pending staff inspection. Motion carried on consent agenda.

4. EROSION & SEDIMENT RULES & REGULATIONS – Update Given

5. INFORMATION & EDUCATION

a. Information

1. KTIC Ads – Update Given

2. Public Hearing Release – Update Given

3. Calendars - Update Given

4. LPRCA Recreation Survey – Update Given

b. Education

1. Land Judging – Update Given

2. Shell Creek Scholarships – Update Given

c. Computer

1. Antivirus Contract – Update Given

2. Groundwater Level Maps – 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

McDermott made the motion, seconded by Pieke, to send Ekstein and Sousek to the Nebraska Rural Water Association conference in Grand Island on March 17-19. Motion carried on consent agenda.

Sabatka made the motion, seconded by Meduna, to have staff set up a sinking fund with deposits made by reimbursements from DEQ 319 funds to be used for Czechland Lake improvements. Motion carried on consent agenda.

McDermott made the motion, seconded by Pieke, that the January 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. Acre Breakdown on Variances – Update Given

3. Well Permit Program

a. Well Permits Approved – Update Given

b. Pond Well Permit Applications – Update Given

c. John Wotipka Expansion

McDermott made the motion, seconded by Birkel, to deny the expansion of irrigated acres for well G-095822 and well G-136546 beyond the number of acres actually irrigated by each well in 2006. Motion carried.

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

NAY: Meduna

d. Village of Lindsay Public Water Supply Well

McDermott made the motion seconded by Pieke, to approve the municipal well permit for the Village of Lindsay, Nebraska. Motion carried on consent agenda.

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

This item was taken earlier in the meeting.

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

6. Voluntary Integrated Water Management Plan

a. Requests for Proposals – Update Given

b. V-IMP District Wide or just Hydrologically Connected Area

McDermott made the motion, seconded by Pieke, that the Voluntary Integrated Water Management Plan should apply to just the hydrologically, connected areas of the District. Motion carried on consent agenda.

c. Stakeholders Committee Members – Update Given

d. Goals and Objectives – Update Given

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

8. Water Funding Task Force – Update Given

9. Cost-Share Programs

a. Irrigation Well Sample Kits - Update Given

b. Domestic Well Sample Kits - Update Given

10. LPNNRD Certification – Update Given

11. Bellwood Phase 2 Area – Update Given

12. 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**

McDermott made the motion, seconded by Pieke, to approve cost share payment of \$1,214.88 to decommission the two irrigation wells for Edward Cherovsky, payment of \$310.81 to decommission the stock well for Steve Lang, and payment of \$849.29 to decommission the irrigation well for Gary Labenz. Motion carried on consent agenda.

b. LPNNRD Ground Water Studies**1. Elkhorn Loup Model – Update Given****c. Ground Water Energy Levels**

McDermott made the motion, seconded by Pieke, to approve the well estimate of \$1,903.00 by Grosch of Silver Creek to remove the pump and well column for well G-057242 owned by Ernest Stara, so the LPNNRD can continue to use this well as part of our GWEL monitoring well network. Motion carried on consent agenda.

d. Acre Certification

Landowner Name	Address	City	State	Zip
EHERNBERGER, CLAIRE	520 W. 10TH STREET	SCHUYLER	NE	68661
EHERNBERGER, GERALD R.	520 W. 10TH STREET	SCHUYLER	NE	68661
FDH, LLC (sending, not here yet)	105 PERSHING ROAD	COLUMBUS	NH	68601
GASKILL, DANIEL L. TRUSTEE	929 ROAD C	SCHUYLER	NE	68661
KALLWEIT, KEITH A.	440 WELLESLEY AVENUE	MILL VALLEY	CA	94941
KILLHAM, GERALD R. & NANCY G.	5284 E. 8TH STREET	COLUMBUS	NE	68601
KOLIHA, KEVIN & LESLIE	665 ROAD 7	SCHUYLER	NE	68661
KROEGER, DUANE	1802 H STREET	SCHUYLER	NE	68661
PETERS, MARTIN J.	1786 ROAD L	ROGERS	NE	68659
TROFHOLZ, DANA G. ETAL.	104 INDIAN HEIGHTS	SCHUYLER	NE	68661

Meduna made the motion, seconded by McDermott, to issue cease and desist orders to those individuals listed in the above table if complete acre certification forms are not received by January 17, 2014. It was further recommended that issued Cease and Desist Orders be lifted once the acres in question are certified by LPNNRD. Motion carried all members present voting aye.

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

NAY: Kavan

e. Monitoring Well Bid

Meduna made the motion, seconded by Sabatka, to accept and approve Dvorak Well Inc. bid of \$25,596.40 to install 5 monitoring wells within the Lower Platte North NRD as outlined in the bid specifications. Motion carried all members present voting aye.

3. OTHER

a. GMDA 2014 Annual Meeting – Update Given

b. Comments From The Public – Update Given

McDermott made the motion, seconded by Pieke, 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 Application Approvals

McDermott made the motion, seconded by Pieke, to approve the following SWCP applications:

		<u>50%</u>	<u>75%</u>
<u>Burneil Ecklund</u>	<u>Flow meter</u>	<u>Saunders Co.</u>	<u>\$625.00</u>
<u>Dayle Alswager</u>	<u>Terrace/Tile</u>	<u>Platte Co</u>	<u>\$4,999.98</u>
<u>Thomas Smaus</u>	<u>Terrace/Tile</u>	<u>Butler Co.</u>	<u>\$1,586.33</u>

(This is an EQIP Supplement approval)

Motion carried on consent agenda.

b. SWCP Payments

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

			<u>25%</u>	<u>50%</u>	<u>75%</u>
<u>13-D-38</u>	<u>John Colgan</u>	<u>Flow Meter x 2</u>		<u>\$1,100.00</u>	
<u>13-S&D-2</u>	<u>Loren Lindahl</u>	<u>Terraces/Basin</u>	<u>\$913.98</u>		
<u>13-D-14</u>	<u>Robert Pollock</u>	<u>Flow Meter</u>		<u>\$625.00</u>	
<u>13-P-40</u>	<u>Louis Welch</u>	<u>W&S Basins/Tile</u>			<u>\$7,824.34</u>
<u>13-M-43</u>	<u>Marbu Inc</u>	<u>Planned grazing</u>			<u>\$3,928.00</u>
<u>13-P-15</u>	<u>Jason Mueller</u>	<u>Flow Meter</u>		<u>\$492.00</u>	
<u>12-P-28</u>	<u>James McPhillips</u>	<u>Flow Meter</u>		<u>\$625.00</u>	
<u>12-P-27</u>	<u>Robert Shemek</u>	<u>Flow Meter</u>		<u>\$625.00</u>	

Motion carried on consent agenda.

c. SWCP Cancellations - None

d. Cottonwood Creek Payments - None

e. Sand/Duck Creek Approvals – None

f. Sand/Duck Cost-Share Payment – None

2. WATERSHEDS

a. Cottonwood Creek – 319 Grant – Update Given

b. Wahoo Creek 319 Grant Approval – Update Given

c. Shell Creek Watershed Plan

Kavan made the motion, seconded by Meduna, to pay EA Engineering's October and November 2013 invoices totaling \$12,300, as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

3. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report – None

4. OTHER

a. Update on Army COE 205 Studies

1. South Fremont 205 – Update Given

2. Schuyler 205 – Update Given

b. LPNRRD District-Wide All Hazard Mitigation Plan Update

Kavan made the motion, seconded by Birkel, to approve payment to JEO in the amount of \$694.60 for work completed on the Hazard Mitigation Plan update as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

c. Projects Financial Statement Review – Update Given

5. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT REPORT

a. Lake Wanahoo – Update Given

b. Upstream Structures – Update Given

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

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

7. ADDITIONAL ACTION ITEMS

7a. Decommissioned Well Payment

Saalfeld made the motion, seconded by Sabatka, to approve the following decommissioned well payment:

James Stark	\$291.38
Ed Vandenberg	\$970.50

Motion carried all members present voting aye.

7b. SWCP Payment:

Saalfeld made the motion, seconded by Sabatka, to approve the following SWCP Payments:

<u>12-P-47</u>	<u>Ryan Loseke</u>	<u>Flow Meter</u>	<u>\$492.50</u>
<u>13-C-33</u>	<u>Keith Henggeler</u>	<u>Basins/Tile</u>	<u>\$7,524.99</u>
<u>13-C-41</u>	<u>Patricia Cuda</u>	<u>Flow Meter</u>	<u>\$582.50</u>
<u>12-P-37</u>	<u>Thomas Mejsstrik</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>13-P-22</u>	<u>Lorna Martensen</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>12-P38a&b</u>	<u>Paul Schemek/Schemek Family Farms Inc.</u>	<u>2-Flow Meter</u>	<u>\$986.50</u>

Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

McDermott made the motion, seconded by Pieke, to approve the January agenda. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The February Directors Meeting will be held on Monday, February 10, 2014, 1:30 p.m. Meeting adjourned at 4:30 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 January 13, 2014, 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