

LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
JULY 9, 2007

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 7:00 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, July 9, 2007.

1. NOTICE OF MEETING

The advanced notice of our June board meeting was published on June 21, 2007 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:

Alm	Bailey	Boyd
Bull	Eden	Hannah
Hilger	Johnson	Kavan
Meduna	Reitmajer	Pieke
Renter	Saalfeld (arrived 7:04)	Sabatka
Vrana	Jedlicka	

DIRECTORS ABSENT

Bruner Johannes (NRC Meeting Scottsbluff)

STAFF AND GUESTS:

Mountford	Breunig	Miyoshi
Murren	Sousek	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

Roger Reichmuth reviewed his written report.

c. NARD Report

Johnson updated the Board on the F.Y. 08 NARD Dues increase of 9%, that the Mueller suit was settled for \$94,900, a carbon trading project for tree planting is being investigated and the Fall Conference will be September 23-25 in Kearney.

d. Managers Report

Manager Miyoshi reviewed his written report.

e. Education Program

Steve Mika from the Saunders County Road Department updated the Board on the process that he will follow for the potential road closure and renovation as part of the Lake Wanahoo Project.

Oaklund, Murren, Johnson, Kavan and Renter gave a short presentation on the UNL Water Tour they attended June 3-8, New Mexico.

Jaron Bromm was present to give updates on: 1) The Bruno Water Line Study Dispute; 2) The Kallweit "Cease and Desist Order Violation."

5. APPROVAL OF MINUTES

Reitmayer made the motion, seconded by Hannah, to approve minutes from the June 11, 2007 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

None

b. Reports

Attached to the Executive Committee Minutes is a Clint Johannes report from GMDA Summer Meeting

2. Management Items

a. Directors Absence

Reitmayer made the motion, seconded by Hannah, to approve Director Jedlicka's Absence from the May Board Meeting as attached to the Executive Committee Minutes. Motion carried on consent agenda.

b. Lower Platte River Corridor Alliance

1. Monthly Report

Verhoeff reviewed the LPRCA Monthly Report as attached to the Executive Committee Minutes.

2. F.Y. 07 Billing

Johnson made the motion, seconded by Vrana, to approve payment to LPRCA for

\$13,750 as budgeted which includes Environmental Suitability Assessment - \$13,000; Strategic Planning - \$250; Display Boards - \$250 and Water Resources Programs - \$250. Motion carried.

AYE: Alm, Bailey, Boyd, Bruner, Bull, Eden, Hannah, Johnson, Kavan, Meduna, Pieke, Reitmajer, Renter, Saalfeld, Sabatka, Vrana, Jedlicka

NAY: Hilger

c. Bob Weaver

1. Monthly Report - Update Given

2. Monthly Bill

Reitmajer made the motion, seconded by Hannah, to approve payment of \$2,500 to Bob Weaver for May services and bill the other districts their portion. Motion carried all members present voting aye.

d. Monthly Education Program - Update Given

e. Legal Fees

Bull made the motion, seconded by Meduna, to make payment to Edstrom, Bromm, Lindahl and Freeman-Caddy in the amount of \$15,052.77 for services on the Bruno Water Line dispute. Motion carried all members present voting aye.

f. Bruno Water Line

Johnson made the motion, seconded by Sabatka, to allow the Sub-Committee (Alm, Meduna, Johannes and Jedlicka) to enter into Mediation for settlement of the Bruno Water Line dispute on behalf of LPNNRD. It is further moved to authorize the Sub-Committee to negotiate and approve a binding settlement on behalf of the entire Board of Directors at previously stated mediation. Motion carried all members present voting aye.

3. Equipment

a. Director Laptop Computers - Update Given

4. Personnel

a. Accounting Assistance

Reitmajer made the motion, seconded by Hannah, to hire Ann Brodd on a contract basis at \$22.50 per hour for a maximum of 80 hours (\$1,800). Motion carried on consent agenda.

5. Finance

a. Approval of Financial Statements - None

b. Approval of Managers Expenses

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

c. Accounts Receivable Over 90 Days - Update Given

d. Rescind Motion from June 11, 2007 Board Meeting

Saalfeld made the motion, seconded by Pieke, to rescind the third motion in item 6.A. 4. k. from the June 11, 2007 LPNNRD Board Meeting Minutes. Motion carried all members present voting aye.

e. F.Y. 2008 Insurance

Johnson made the motion, seconded by Sabatka, to accept and pay Inspro Insurance \$41,774 for our F.Y. 08 insurance needs. Motion carried all members present voting aye.

f. HBE Audit Confirmation Letter

Bull made the motion, seconded by Meduna, to approve signing the Understanding of Services to perform our Annual Audit from HBE in the amount of \$13,400 as attached to the Executive Committee Minutes. Motion carried all members present voting aye.

Reitmajer made the motion, seconded by Hannah, that the July 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 - Update Given

### 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. Rawhide Ditch 8 - Report Given

e. Equipment - Report Given

f. Grass Drill Platte County - Report Given

### 3. ROCK AND JETTY

a. New Applications - None

b. Payment Requests

Reitmajer made the motion, seconded by Hannah, to approve payment of \$2,000 to Al Enfield, Dodge County, for rock rip-rap on the Platte River and payments of \$1,118.17 to both Bob Diers and Charles Folsom, Dodge County for rock rip-rap on the Elkhorn River pending inspection by staff. Motion carried on consent agenda.

4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given

5. INFORMATION & EDUCATION

a. Education

1. Remainder of Attorney General Funds

Reitmajer made the motion, seconded by Hannah, to purchase 1) 50 copies of "Last Child in the Woods" for \$349 to distribute to teachers and interested staff/directors; 2)a watershed testing kit for ponds, streams, lakes, and rivers for \$310. Motion carried on consent agenda.

2. Healthy Water Healthy People - Update Given

b. Information

1. Homestead Interpretative Sign - Update Given

2. County Fairs - Update Given

3. Rural Water Newsletter - Update Given

c. Computer

1. New Computers - Update Given

6. RURAL WATER ACTIVITIES

a. Bruno/David City Rural Water - Update Given

b. Colon/Wahoo Rural Water System

Sabatka made the motion, seconded by Johnson, to approve and authorize the Chairperson to sign the "Management Agreement, Lower Platte North NRD, Water Supply (Colon)" as attached to the O-E-RW Committee Minutes. Motion carried all members present voting aye.

c. Bellwood - Update Given

d. Swedeburg - Update Given

e. Prague - Update Given

f. Other

Reitmajer made the motion, seconded by Hannah, to accept the recommended rates of

\$0.97 per mile, \$30 per man hour, and \$55 per machine hour to charge rural water customers if work is requested. Motion carried on consent agenda.

Reitmajer made the motion, seconded by Hannah, to assist our district communities with securing grants and technical help with waste water projects, but at no time does the NRD want to own and operate a waste water system. Motion carried on consent agenda.

Reitmajer made the motion, seconded by Hannah, that the July 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

The total number approved permits for 2007 is 43.

###### b. Water Use Reporting - Update Given

##### 2. Well Moratorium & Expanded Water Use in the Uplands of Saunders & Butler Counties

###### a. Variance Requests

Hilger made the motion, seconded by Pieke, to approve the variance requests for expanded water use for irrigation of crops on 19.4 acres for Gary Yindrick and for 27.0 acres for Tom Eller pending certification of their existing acres. Motion carried.

AYE: Alm, Bailey, Boyd, Bull, Eden, Hilger, Meduna, Pieke, Reitmajer, Renter, Saalfeld, Sabatka, Vrana, Jedlicka

NAY: Hannah, Johnson, Kavan

###### b. Review of Variance Forms

Reitmajer made the motion, seconded by Hannah, to approve the Variance Request form for Expanded Water Use and the New Water Well form. Motion carried on consent agenda.

###### c. Update to LPNNRD Action Plan - Update Given

##### 3. Cost-Share Programs Reports

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

###### b. 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

Hilger made the motion, seconded by Boyd, to find Steven Kallweit in violation of the LPNNRD "Cease and Desist Order" for two tracts for two days. It was further recommended to put forward an "Administrative Enforcement Order" and authorize our district legal counsel to file Civil Charges against Kallweit unless the following settlement offer is accepted and completed; A total fine of \$2,079 (including legal fees) is paid to the Colfax County Court within 15 days of the order being served. It was further moved to ask for assistance from the court or inform Kallweit, that he must be certified for nitrogen application by April 1, 2008 or face future criminal/civil actions. Motion carried all members present voting aye.

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

Reitmayer made the motion, seconded by Hannah, to approve cost share payment to decommission the irrigation well for Kolb Farms Inc. for \$775.03, an irrigation well for Maurice Bonne for \$494.37, and a stock well for Bernice Grundmeyer for \$311.75. 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. Groundwater Quality - Update Given

1. Statewide Network - Update Given

d. Former Ordnance Plant Near Mead - Update Given

**3. SURFACE WATER PROGRAMS**

a. Summer Interns - Update Given

b. Water Programs Budget - Update Given

c. Recent Conferences - Update Given

**4. OTHER**

a. Summer Interns - Update Given

b. Water Programs Budget - Update Given

c. Upcoming Conferences - Update Given

d. Comments from the Public - Update Given

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

**D. PROJECTS COMMITTEE REPORT**

**1. SWCP REPORT**

a. Summer SWCP Applications

Reitmayer made the motion, seconded by Hannah, to approve the following SWCP cost share applications for summer construction:

Bob Sousek	Terraces & Tile(coordinate w/EQIP)	\$2,500.00 - 25%
Charles Hobza	Water meter	\$500.00 - 50%
Hill & Valley Farms - Bill Klug	Planned Grazing	\$1,500.00 - 75%

Motion carried on consent agenda.

b. SWCP Payments

None

c. Duck/Sand Creek Applications - Summer Work

Reitmayer made the motion, seconded Hannah, to approve the following Duck/Sand Creek cost share applications for summer construction:

		75%	15%
David Sloup	Terraces & Tile	\$ 4,600.00	\$ 920.00
Jeff Sloup	Terraces & Tile	\$ 4,960.00	\$ 992.00

Motion carried on consent agenda.

d. Duck Creek Payments

Reitmayer made the motion, seconded by Hannah, to approve the following Duck Creek cost share payments as follows:

		90%_	75% 319Grant	15% local		
		Approved	As Built	Payment		
06-DC-20	Jeff TePoel	Terraces/Tile	\$3,092.91	\$3,110.46	\$2,592.05	\$518.41
06-DC-11	Dave Sloup	Terrace/Tile	\$3,730.35	\$1,465.13	\$1,098.85	\$366.28



06-DC-15	Doris Hynek	Terraces/Tile (EQIP)	\$8,626.95		\$1,771.34
06-DC-5	Robert Broz	Terraces/Tile (EQIP)	\$ 7,209.44		\$1,069.61
06-DC-14	James Fujan	Terraces/Tile (EQIP)	\$11,873.25		\$2,131.73
06-DC-4	Eugene Tomsicek	Septic System	\$3,300.00	\$3,018.75	
			TOTALS:	\$6,709.65	\$5,857.37

Motion carried on consent agenda.

e. Transfer of Shell Creek Land Treatment Funds to Shell Creek Sinking Fund

Reitmajer made the motion, seconded by Hannah, to transfer \$13,690.88 of F.Y. 07 budgeted Shell Creek Land Treatment Funds (account #405.0204) to the Shell Creek Sinking Fund. Motion carried on consent agenda.

2. WATERSHEDS - Update Given

3. FSA , EQIP & CRP PLANS SIGNED

None

4. LOCALLY LED LANDOWNER GROUPS

a. Shell Creek Watershed Improvement Group - Update Given

b. Assistance Payment for Newman Grove School Water Testing Supplies

Reitmajer made the motion, seconded by Hannah, to approve reimbursing the Prairieland RC&D \$855.36 (which is 50% of total costs) for water testing supplies for the Newman Grove School. Motion carried on consent agenda.

5. OTHER

a. David City Gray Water Reuse Project

Reitmajer made the motion, seconded by Hannah, to approve our final cost share payment of \$2,900 to David City for their Gray Water Reuse Project. Motion carried on consent agenda.

b. Update on Army COE 205 Studies

1. South Fremont 205 - Update Given

2. Schuyler 205 - Update Given

c. Review of Draft FY 08 Projects Budget - Update Given

d. NEMA Hazzard Mitigation Plan

Reitmajer made the motion, seconded by Hannah, to have staff begin the process toward obtaining a "district wide" Hazzard Mitigation Plan through NEMA. Motion carried on consent agenda.

e. Bald Eagle - Update Given

6. LAKE WANAHOO REPORT

a. Review of Lake Wanahoo Committee Minutes

b. Approval of Addendum "L", Lake Wanahoo Interlocal Agreement

Addendum "L" when signed by LPNNRD, Saunders County and the City of Wahoo authorizes borrowing up to \$6 million from NDEQ State Revolving Fund for construction gap financing on the Lake Wanahoo Project. Kavan made the motion, seconded by Bull, to approve and authorize the LPNNRD Board Chair to sign Addendum "L" to the Lake Wanahoo Interlocal Agreement as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

AYE: Bailey, Boyd, Bull, Eden, Hannah, Johnson, Kavan, Meduna, Pieke, Reitmajer, Renter, Saalfeld, Sabatka, Vrana, Jedlicka

NAY: Alm, Hilger

c. Contract Payment to Olsson Associates - Update Given

7. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

a. General Update

b. Payment of Project Bill to Papio/Missouri River NRD

Kavan made the motion, seconded by Sabatka, to approve paying \$66,640.97 to the Papio/Missouri River NRD as part of our commitment to the Western Sarpy/Clear Creek Levee Project. Motion carried all members present voting aye.

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

7. ADDITIONAL ACTION ITEMS

7a. Rawhide Ditch #8 Cleaning - Final Payment

Vrana made the motion, seconded by Renter, to make final payment to Dennis Trucking of \$11,870 for work accomplished on Rawhide Ditch 8. Motion carried all members present voting aye.

7b. COE - South Fremont 205 Study

Vrana made the motion, seconded by Renter, to forward \$100,000 of budgeted funds from FY 2006-2007 to the Corps of Engineers for the South Fremont 205 Study. Motion carried all members present voting aye.

7c. Decommissioned Well Payment

Vrana made the motion, seconded by Renter, to approve cost-share payment to decommission the irrigation well for Richard Rerucha for \$771.57. Motion, carried all members present voting aye.

8. BILLS TO BE APPROVED

Bull 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

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

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The August Board of Directors Meeting will be held on Monday, August 13, 2007, 7:00 p.m. Lower Platte North NRD Office.

Meeting adjourned at 9:45 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 July 9, 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.

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Dave Saalfeld, Secretary