

**LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
JUNE 14, 2010**

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, June 14, 2010.

**1. NOTICE OF MEETING**

The advanced notice of our June board meeting was published on May 20, 2010 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Saalfeld 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	Bailey	Boyd
Casey	Eden	Hannah
Hilger	Johannes	Kavan
Meduna	Pollard	Saalfeld
Sabatka	Veskerna	Vrana

**DIRECTORS ABSENT**

Pieke	Reitmajer	Renter
Taylor		

**STAFF AND GUESTS:**

Miyoshi	Mountford	Breunig
Murren	Angle	

Sign in sheet attached to original minutes.

**3. APPROVAL OF AGENDA**

**4. COMMENTS - ADVISORS/GUESTS/DIRECTORS**

**a. Guest Comments**

**b. NRCS Report**

Roger Reichmuth reviewed his written report.

**c. NARD Report**

Director Kavan reported that the NARD Board Meeting will be June 21 and the NARD Basin Tour will follow the Board Meeting.

**d. NRC Report**

Director Johannes reported that the next Commission meeting will be June 16-17 in Norfolk.

**e. Managers Report**

Manager Miyoshi reviewed his written report.

**f. Education Program**

None

**5. APPROVAL OF MINUTES**

Acklie made the motion, seconded by Meduna, to approve minutes from the May 10, 2010 Board Meeting. Motion carried on consent agenda.

**6. REPORT OF STANDING COMMITTEES**

**A. EXECUTIVE COMMITTEE REPORT**

**1. Meetings**

**a. Pending**

**1. Public Law Workshop - Update Given**

**2. NARD Basin Tour - Update Given**

**3. UNL Water Tour - Update Give**

**4. Association of Dam Safety Officials**

Acklie made the motion, seconded by Meduna, to send one staff member to the ASDSO Annual Conference September 19-23, 2010 in Seattle, Washington. Motion carried on consent agenda.

**2. Management Items**

**a. Directors Absence**

Acklie made the motion, seconded by Meduna, to approve the excuse of absence from Don Kavan from the April Board Meeting as attached to the Executive Committee Minutes. Motion carried on consent agenda.

**b. Bob Weaver**

**1. Monthly Conference Call and Report - Update Given**

**2. Monthly Bill**

Acklie made the motion, seconded by Meduna, to approve payment of \$2,750 to Bob Weaver for May services and bill LPSNRD and Papio NRD for their share. Motion carried on consent agenda.

**3. Additional Payment - Update Given**

**c. Payment on NAIP Imagery**

Meduna made the motion, seconded by Acklie, to approve payment of \$11,320 for the NAIP Imagery and bill the other NRD sponsors for their portion. Motion carried all members present

voting aye.

### **3. Equipment**

### **4. Personnel**

#### **a. Personnel Sub-Committee**

#### **1. Review of Salary Adjustment Factors - Update Given**

Kavan made the motion, seconded by Sabatka, to go into executive session at 7:50 p.m. to discuss personnel salary adjustments. Motion carried all members present voting aye.

Boyd made the motion, seconded by Acklie, to go out of executive session at 8:30 p.m. Motion carried all members present voting aye.

#### **2. F.Y. '11 Salary Adjustments**

Johannes made the motion, seconded by Boyd, to budget \$1,043,340 for F.Y. 2011 salaries which is a \$25,447 increase over 2010. This would reflect 2.3% for COLA plus 0.2% for merit as distributed by the matrix with no one employee receiving more than a 3.7%. It was further moved to approve individual salary adjustments as distributed to board members with new salaries to take effect on the pay period which ends July 2, 2010. Motion carried.

AYE: Acklie, Bailey, Boyd, Casey, Eden, Hannah, Hilger, Johannes, Pollard, Saalfeld

NAY Kavan, Meduna, Sabatka, Veskerna, Vrana

#### **3. Review of Individual Performance Evaluations**

Acklie made the motion, seconded by Meduna, to approve all Performance Evaluations as reviewed by the Personnel Sub-Committee. Motion carried on consent agenda.

#### **4. NRD/NRCS 319 Conservation Technician**

Vrana made the motion, seconded by Acklie, to move Bartek to the "319 Conservation Technician" position, it was further recommended that her current salary is within the "Conservation Technician" range and that it remain where it currently is and that all normal evaluations and salary adjustments remain on their current schedule. Motion carried all members present voting aye.

#### **5. NRD/NRCS Saunders County Clerk**

Casey made the motion, seconded by Johannes, to move Milliken to the "NRD/NRCS Field Clerk" position, it was further recommended that her current salary is within the "NRD/NRCS Field Clerk" range and that it remain where it currently is and that all normal evaluations and salary adjustments remain on their current schedule. Motion carried all members present voting aye.

#### **6. NRD/NRCS Technician Position**

Acklie made the motion, seconded by Meduna, to not advertise for the NRD/NRCS

Technician position at this time and have the Personnel Sub-Committee work on changes to the job description to have the technician work in both the water and conservation layout areas. The revised job description will be presented at a later time for full board approval. Motion carried all members present voting aye.

**7. Personnel Policy Updates**

Meduna made the motion, seconded by Veskerna, to approve the "Smoking Policy" and "Community Service Policy" as attached to the Executive Committee Meeting Minutes. Motion carried all members present voting aye.

**8. Troy Thompson Quarterly Review - Update Given**

**9. Manager's Evaluation - Update Given**

**5. Finance**

**a. Approval of Financial Report**

Acklie made the motion, seconded by Meduna, to approve the April Financial Report as distributed. Motion carried on consent agenda.

**b. Approval of Managers Expenses**

Acklie made the motion, seconded by Meduna, 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**

Acklie made the motion, seconded by Meduna, that the June LPNDRD 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. Agreement**

Acklie made the motion, seconded by Meduna, to renew our 10 year Wild Nebraska Program Interlocal Agreement with the Nebraska Game and Parks Commission. Motion carried on consent agenda.

**2. OPERATION AND MAINTENANCE**

**a. Operation and Maintenance - Update Given**

**b. South Fremont 205 Feasibility Study - Update Given**

**c. Czechland and Homestead Rec Areas - Update Given**

**d. Invasive Weed Management - Update Given**

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**e. Landowner Request**

Acklie made the motion, seconded by Meduna, to assist Verdell Stork at 50% or \$1,750 in the replacement of the drain tile that drains to Rawhide Ditch 8 if Mr. Stork provides a copy of the bill. Motion carried on consent agenda.

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**f. Conservation Trees - Update Given**

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**g. Financial Statement - Update Given**

**3. ROCK AND JETTY**

**a. New Applications - None**

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**b. Payment Requests**

Acklie made the motion, seconded by Meduna, to pay Frank Stanek \$235 for bank stabilization work performed on the Platte River pending staff inspection. Motion carried on consent agenda.

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**4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given**

**5. INFORMATION & EDUCATION**

**a. Information**

**1. KTIC Ads - Update Given**

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**2. County Fairs - Update Given**

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**3. Viaduct - Update Given**

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**b. Education**

**1. Spring Conservation Sensation - Update Given**

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**2. Land Judging Workshop - Update Given**

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**c. Computer**

**1. Tree Cooler Sensor - Update Given**

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**2. GIS Server - Update Given**

**6. RURAL WATER ACTIVITIES**

**a. Bruno/David City Rural Water - Update Given**

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**b. Colon/Wahoo Rural Water System - Update Given**

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**c. Administrative Fee**

Boyd made the motion, seconded by Veskerna, to transfer the amounts calculated to the LPNNRD from the RW systems and to approve the method of calculating an administrative fee to be charged to the Rural Water systems. This amounts to a payment of \$272.88 from the Bruno system and \$514.80 from the Colon system paid to the NRD. Motion carried all members present voting aye.

d. Bellwood/Richland - Update Given

e. Crop Damage Guideline/Policy - Update Given

e. Other - Update Given

Acklie made the motion, seconded by Meduna, that the June 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. Variance Request for Limited Development (Hydrologically Connected) Area**

**a. May Variance Requests - Update Given**

**b. Ranking Regions for Limited Development Areas - Update Given**

**c. Variance Reviews - Update Given**

##### **2. Well Permit Program**

**a. Well Permits Approved - Update Given**

**b. Water Use Reports - Update Given**

##### **3. Cost-Share Programs**

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

**b. Domestic Well Sample Kits - Update Given**

**c. NAWMDN Water Mark Sensors and ET Gauges**

Acklie made the motion, seconded by Meduna, to approve payment to UBBNRD for a total of \$3,792.80 for equipment for the NAWMDN program. Motion carried on consent agenda.

**d. Phase 2 Area - Flow Meter Cost-Share - Update Given**

##### **4. LPNNRD Certification Classes**

Acklie made the motion, seconded by Meduna, to approve payments to Dodge County

Extension for \$100.00 and to Butler County Extension for \$565.00 for their portion of training at the NRD Certification Classes. Motion carried on consent agenda.

5. Bellwood Phase II Area - Update Given

6. Richland/Schuyler Phase II Area - Update Given

7. 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

Acklie made the motion, seconded by Meduna, to approve cost share payment to decommission the irrigation well for Ron Klug for \$540.51, an irrigation well for Donald Hemmer for \$777.26, an irrigation well for Outlaw Land Co. for \$738.34 and a stock well for David Pieke for \$506.48, however, payment will be withheld for David Pieke until he has adequately responded to the LPNNRD program of certifying acres and water use reporting. Motion carried on consent agenda.

b. LPNNRD Ground Water Studies

1. LPNNRD Platte River Ground Water Model - Update Given

2. Elkhorn Loup Model (ELM)

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

4. Eastern Nebraska HEM Aquifer Mapping - Update Given

5. Farm Process Package of MODFLOW

Pieke made the motion, seconded by Renter, to approve the Farm Process Modflow Package with Papio Missouri River NRD and budget \$10,000 for fiscal year 2010-2011. Motion carried on consent agenda.

c. Former Ordnance Plant at Mead - Update Given

d. Ground Water Quality - Update Given

**3. SURFACE WATER**

a. State Lakes

1. Bacteria Sampling

2. Toxic Algae

4. OTHER

a. GMDA Summer Session - Update Given

b. Platte River Basin Tours - Update Given

c. Summer Interns - Update Given

d. Equipment Purchase

Acklie made the motion, seconded by Meduna, to approve the purchase of two 300 foot steel tapes and reels from Cooper Handtools for the cost of \$1,840.24. Motion carried on consent agenda.

e. Water Programs Budget - Update Given

f. Comments from the Public - Update Given

Acklie made the motion, seconded by Meduna, that the June 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 Approvals

Acklie made the motion, seconded by Meduna, to approve the following SWCP applications:

	<u>75%</u>	<u>15%</u>
<u>Milton Odvody Terraces/Tile (w/Sand &amp; Duck)</u>		<u>\$1,685.50</u>
<u>Kurt Skillstad Planned Grazing</u>	<u>\$3,096.90</u>	

Motion carried on consent agenda.

b. SWCP Payments

Acklie made the motion, seconded, by Meduna, to approve the following SWCP payments:

<u>Trees:</u>	<u>Approved \$</u>	<u>Payment</u>
<u>Brad Lemke</u>	<u>\$124.00</u>	<u>\$124.00</u>
<u>Robert Kerwin</u>	<u>\$215.26</u>	<u>\$238.76</u>
<u>Marge Lodl</u>	<u>\$333.25</u>	<u>\$333.25</u>
	<u>TOTAL:</u>	<u>\$696.01</u>

<u>Projects:</u>	<u>75%</u>
<u>09-S-23 Terry Swanson W/S Basins with Tile</u>	<u>\$6,905.03</u>

Motion carried on consent agenda.



**c. SWCP Cancellations**

Acklie made the motion, seconded by Meduna, to approve the following SWCP cancellations:

09-S-1	BRS Development	Small Dam	\$10,000.00
09-S-26	James Russman	Small Dam	\$10,000.00
09-Bo-30	Kent Lee	Planned Grazing	\$2,268.34
09-P-31	Eugene Stock	W/S Basins w/Tile	\$10,000.00
09-P-32	Joan Kammerer Est.	Diversion	\$6,342.44
09-B-33	Anthony Prochaska	Terraces/Tile	\$5,182.94
09-B-35	Ronald Semrad	W/S Basins w/Tile	\$1,733.88
09-S-37	Larry Hynek	Terraces/Tile	\$5,663.25
TOTAL:			\$51,190.85

Motion carried on consent agenda.

**d. Sand/Duck Creek Approvals**

Acklie made the motion, seconded by Meduna, to approve the following Sand/Duck Creek cost application:

Milton Odvody	Terraces/Tile	75%	\$8,427.52
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Motion carried on consent agenda.

**e. Sand/Duck Creek Cost-Share Payments**

Acklie made the motion, seconded by Meduna, to approve the following Sand/Duck Creek cost share payments:

		75%	15% (swcp Local)
Dennis Brabec	Terraces/Tile	\$9,225.09	\$1,845.02
Ruben Kavan	Terraces/Tile	\$3,325.28	\$663.31
Lawrence Styskal	Terraces/Tile	\$6,894.89	\$1,369.63
Milton Odvody	Terraces/Tile	\$7,851.12	\$1,570.22
Marvin Fujan	Terraces/Tile	\$3,679.56	\$735.91
TOTAL:		\$30,975.94	\$6,184.09

Motion carried on consent agenda.

**f. Sand/Duck Cancellations - None**

**g. Shell Creek Land Treatment Fund Transfer**

Acklie made the motion, seconded by Meduna, to transfer \$10,000 from the Shell Creek budget line item to the local SWCP line item. It was further recommended to transfer the remaining unspent \$5,000 from the Shell Creek Budget line item to the Shell Creek Sinking fund. Motion carried on consent agenda.

**2. WATERSHEDS - None**

**3. FSA , EQIP & CRP PLANS SIGNED - None**

**4. LOWER PLATTE RIVER CORRIDOR ALLIANCE**

**a. Monthly Report - Update Given**

1. Cumulative Impact Study - Update Given
  2. Environmental Suitability Assessment - Update Given
  3. Kiosks - Update Given
  4. LPRCA Summit - Update Given
  5. River Obstruction Removal - Update Given
  6. Water Quality Monitoring Network - Update Given
  7. Quarterly Meeting - Update Given
  8. Canoe/Kayah Tour - Update Given
- 5. OTHER**
- a. Update on Army COE 205 Studies
    1. South Fremont - Update Given
    2. Schuyler 205 - Update Given
  - b. District-Wide All Hazard Mitigation Plan - Update Given
  - c. David City Northwest Drainage Project - Update Given
  - d. Platte Center Scrap Tire Grant Application - Update Given
  - e. Review Project Financial Statement - Update Given
  - f. Nebraska No-Till Conference Evaluation Report - Update Given
- 6. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT REPORT**
- a. Lake Wanahoo Committee Meeting Business - Update Given
  - b. Contract Payment to Commercial Contractors - Update Given
  - c. Payment of SRF Interest

Hannah made the motion, seconded by Meduna, to submit the State Revolving Fund Interest payment of \$116,484.21 to the Nebraska Department of Environmental Quality. Motion carried all members present voting aye.
  - d. Pasture Damage Payment Request at Sand Creek Site 2

Acklie made the motion, seconded by Meduna, to approve a \$500 crop damage payment to Milton Odvody as a result of test hole boring conducted at Sand Creek Structure Site 2. Motion carried on consent agenda.

**e. Approval of Landright Appraisals for Seven Upstream Dams - Update Given**

**7. WESTERN SARPY/CLEAR CREEK LEVEE REPORT**

**a. Project Easements - Update Given**

Acklie made the motion, seconded by Meduna, to accept and place on file the June Projects Committee Minutes. Motion carried on consent agenda.

**7. ADDITIONAL ACTION ITEMS**

**7a. Rock & Jetty Requests**

Vrana made the motion, seconded by Casey, to approve a cost-share payment of \$2,000 to both Chuck Folsom and Bob Diers for rock and jetty work accomplished on the Elkhorn River. Motion carried all members present voting aye.

Vrana made the motion, seconded by Casey, to pay an additional \$2,000 to Mark Timm for rock and jetty work on Wahoo Creek earlier this fiscal year and had a bill of \$17,390. Motion carried all members present voting aye.

Vrana made the motion, seconded by Casey, to Pay Ames Diking District \$1,436 (the remaining balance) for rock and jetty work to assist the Diking District with their bill of \$16,400. Motion carried all members present voting aye.

**7b. Decommissioned Well Payments**

Vrana made the motion, seconded by Casey, to approve the following Decommissioned Well Payment:

Curtis Havelka      \$269.01

Motion carried all members present voting aye.

**7c. SWCP Payments**

Vrana made the motion, seconded by Casey, to approve the following SWCP Payment:

Charles Schrad      Trees                      \$62.00

Motion carried all members present voting aye.

**7d. Sand and Duck Creek Grant Payments**

Vrana made the motion, seconded by Casey, to approve the following Sand/Duck Creek Grant Payment:

	<u>75% Grant</u>	<u>15% SWCP Local</u>
<u>Milton Odvody      Terraces/Tile</u>	<u>\$8,427.52</u>	<u>\$1,685.50</u>

Motion carried all members present voting aye.

**7e. Approve NIROC Agreement**

Vrana made the motion, motion, seconded by Casey, to approve the "NIROC Agreement" with MAPA for obtaining high resolution imagery in portions of LPNNRD at a cost of \$4,000 and to

authorize the Board Chair to sign said agreement on behalf of the district. Motion carried all members present voting aye.

**7f. NIROC Payment**

Vrana made the motion, seconded by Casey, to pay MAPA (Metro Area Planning Agency) in the amount of \$4,000 for our cost-share portion of one foot resolution DOQQs produced in LPNNRD as part of the NIROC Project. Motion carried all members present voting aye.

**7g. Transfer of ENWRA to LPSNRD**

Vrana made the motion, seconded by Casey, to approve the "Agreement to Assign and Assume IWMPP Grant Award Agreement Number 08-03-003" which transfers grant administration of the ENWRA program from Lower Platte North NRD to Lower Platte South NRD and authorize the General Manager to sign said agreement as attached. Motion carried all members present voting aye.

**7h. Western Sarpy Clear Creek Segment 4 Landrights**

Vrana made the motion, seconded by Casey, to approve purchase of the Dinzole and Landon Farms Tracts at appraised value as part of the Western Sarpy Clear Creek Project. Motion carried all members present voting aye.

**7i. Class 3 Variance - Iver Bygland**

Vrana made the motion, seconded by Casey, to approve the variance request for Mr. Iver Bygland for 272 new irrigated acres from a proposed new well in E1/2, Section 5, T21N, R5W, Boone County and to transfer 165 acres from the Platte Valley ranking region to add to the 107 acres that remain in the Shell Creek ranking region for a total of 272 acres. Motion carried all members present voting aye.

**7j. UNL-ARDC Variance Conditions**

Vrana made the motion, seconded by Casey, to approve the following variance and water well permit conditions for the proposed UNL-ARDC irrigation well in the NW1/4, Section 19, T14N, R9E:

1. The well must be constructed within 100 feet of the location listed on the variance request application: latitude degree 41, minute 10, second 19.7 / longitude degree 96, minute 27, second 33.3.
2. No more than 123 acres can be irrigated by this well.
3. Pumping rate must be fixed at approximately 750 gallons per minute as stated in the variance request.
4. Annual water pumping from this well shall not exceed 1,200 acre-inches/year or 9.76 inches on 123 acres per year.
5. Annual sampling from this well shall be performed for RDX between July 15<sup>th</sup> and August 30<sup>th</sup>, until the year 2021. The well should be running at least one hour before the well is sampled. If adequate precipitation would not necessitate the need for irrigation during this time period, then the well does not have to be sampled.
6. Water quality test results for RDX from this well are to be reported to the U.S. Army Corps of Engineers, the Nebraska Department of Environmental Quality, and the Lower Platte North NRD.

7. If RDX is detected in this well above the lifetime health advisory level of 2 ug/l, the LPNNRD may require a reduction in acre-inches in the annual application of water or the reduction in the number of acres to be irrigated.
8. If this well will be used for chemigation, posting of said field will still be required following Title 195, Chapter 12 of the Nebraska Chemigation Act.
9. Landowner or operator needs to submit a water well permit to the LPNNRD within 90 days following the date the variance has been "conditional approved" by the LPNNRD.
10. After the well has been completed, the landowner has 90 days to submit well registration information to the Nebraska Department of Natural Resources and update County Assessor Records.
11. Before the next irrigation season, the landowner or operator will need to properly install a flow meter on the well and report annual water use to the LPNNRD by January 31<sup>st</sup> of each following year. In addition, the landowner or operator has until the end of the following calendar year after completion of the well, to purchase and install all equipment necessary to irrigate all the land listed in the well permit. If the landowner or operator fails to purchase and install this equipment within this time limit, then the well permit will be modified to only include the acres actually irrigated.

Motion carried all members present voting aye.

#### **7k. NAWMDN Cost-Share Program - None**

#### **7l. Sand Creek Landright Appraisals**

Vrana made the motion, seconded by Casey, to accept to ten appraisals prepared by Dwight Johnson LLC and authorize Mike Murren to begin project land right negotiations on the Sand Creek 7 Upstream Sites. Motion carried all members present voting aye.

#### **8. BILLS TO BE APPROVED**

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

#### **9. CONSENT AGENDA ADOPTION**

Acklie made the motion, seconded by Meduna, to approve the June consent agenda. Motion carried all members present voting aye.

#### **10. COMMENTS FROM DIRECTORS/GUESTS**

#### **11. MEETING ESTABLISHMENT AND ADJOURNMENT**

The July Board of Directors Meeting will be held on Monday, June 12, 2010, 7:00 p.m.

Meeting adjourned at 10:00 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 June 14, 2010, 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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Robert Hilger, Secretary