

**LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
MARCH 9, 2000**

**COMMENTS - ADVISORS/GUESTS/DIRECTORS**

Kalege and Soncksen made a few comments on the UDSA Budget. Al Mittan updated the Board on RC&D efforts that have been made in his area.

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 5:53 p.m. at the Lower Platte North NRD Office, Wahoo, NE on Thursday, March 9, 2000.

**1. NOTICE OF MEETING**

Public notification was made in area newspapers no later than February 29, 2000. Meeting notification and agendas were also provided.

**2. ROLL CALL - INTRODUCTIONS**

**DIRECTORS PRESENT AND CONSTITUTING A QUORUM:**

Grueber (arrived 5:40)	Jedlicka	Johnson
Langemeier	Nelson	Mastny
Sabata	Sabatka	Shelso
Wilke		

**DIRECTORS ABSENT**

Bull	Bailey	Daufeldt
Johannes	Kavan	Lallman
Saalfeld	Sendgraff	McDermott

**STAFF AND GUESTS:**

Miyoshi	Mountford	Breunig
Becker	Nelson	
Brad Soncksen, Saunders County NRCS		Becky Bridgman, Boone NRCS
Harold Kalege, NRCS		Larry Fauss, Banner Press
Lisa Brichacek, Wahoo Newspaper		Bill Petersen, David City
Al Mittan, Boone NRCS		

**3. APPROVAL OF AGENDA**

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

Becker was present to report on the cost of purchasing a bubbler line and datalogger to monitor creek water levels for runoff sampling efforts. He also looked into the cost of purchasing a cellular system to connect to the sampler that would alert the NRD of a sampling event.

**5. APPROVAL OF MINUTES**

Sabatka made the motion, seconded by Sabata, to approve minutes from the February 14, 2000 Board Meeting. Motion carried on consent agenda.

**6. REPORT OF STANDING COMMITTEES**

**A. OPERATION AND EDUCATION COMMITTEE REPORT**

**1. WHIP REPORT**

**a. Payments**

Sabatka made the motion, seconded by Sabata, to approve nine WHIP contract payments at a total cost of \$4,387.50.

Audren Swanson	Madison	\$2,100	Blanche BoothSaunders	\$90
Greg Wilke	Colfax	\$415	Dwain Benson	Saunders \$332.50
Duane Emanuel	Dodge	\$400	Donald Thomas	Saunders \$600
Joseph Nicolas	Butler	\$195	David Hawley	Saunders \$90
Larry Novak	Butler	\$165		

**2. OPERATION & MAINTENANCE**

**a. The Following Updates Were Given:**

- ✓ Operation and Maintenance
- ✓ New Vehicle
- ✓ Leshara Township/Saunders County Drainage Improvement
- ✓ Rawhide Creek North and West Branch Studies
- ✓ Tree Program

**b. Czechland Silt Dam and Sediment Removal System**

Shelso made the motion, seconded by Sabatka, to accept the low bid from Gen-Mech Contractors at bid price of \$130,890 for the Czechland Silt Dam and Sediment Removal System and to add Option #2 which increases the pipe from 4 to 6 inches at a price of \$6,100. Motion carried all members present voting aye.

**3. ROCK AND JETTY**

**a. Payments**

Sabatka made the motion, seconded by Sabata, to approve two rock and jetty payments, Richard Zimola, Wahoo Creek, \$1,000, and Nickolite Ranch Inc., Butler Co., \$1,367.50, pending inspection by staff. Motion carried on consent agenda.

**4. EROSION & SEDIMENT RULES & REGULATIONS**

The District has not received any new complaints.

**5. INFORMATION & EDUCATION**

**a. The Following Updates Were Given:**

- ✓ Festivals
- ✓ Annual Report
- ✓ Earth Day Open House

**b. Soil and Water Stewardship Week**

Sabatka made the motion, seconded by Sabata, to approve purchase of Soil and Water Stewardship Week materials, up to a maximum of \$1,500. Motion carried on consent agenda.

**c. Web Site Award**

The web site award was presented at the NACD conference in early February. The district also received \$500 in prize money. Sabatka made the motion, seconded by Sabata, to use the Web Site prize money to purchase 3 lenses for the digital camera, not to exceed \$500. Motion carried on consent agenda.

Sabatka made the motion, seconded by Sabata, that the March LPNNRD Operation and Education Committee Minutes be received and placed on file. Motion carried on consent agenda.

**B. WATER COMMITTEE REPORT**

**1. REGULATORY**

**A. Groundwater Management Area**

**1. The Following Reports Were Given:**

- ☞ Manure testing and Software Cost Share
- ☞ Well Permits
- ☞ Vadose Zone Sampling
- ☞ Nitrogen Certification Classes
- ☞ Irrigation Management Short Course

**2. Distribution Manifold and Calibration Meter Cost-Share**

Sabatka made the motion, seconded by Sabata, to approve payment for three calibration meters (maximum payment of \$3,300), two distribution manifolds (total payment of \$325) and to approve William Taylor's application for a calibration meter and distribution manifold. Motion carried on consent agenda.

**B. Chemigation**

Sabatka made the motion, seconded by Sabata, to approve spending up to \$200 to publish a notice of the chemigation permit information, as required. Motion carried on consent agenda.

**2. GROUND WATER PROGRAMS**

**A. Decommissioned Well Program**

Sabatka made the motion, seconded by Sabata, to approve payment for the decommissioning of a domestic well for Joel Lindstrom for \$ 202.50. Motion carried on consent agenda.

**B. Monitoring Wells**

Sabatka made the motion, seconded by Sabata, to approve the easement with Rich Sabata and to approve going to bid for the drilling of the two monitoring wells. Motion carried on consent agenda.

**C. The Following Updates Were Given:**

- ★ Well Estimates
- ★ Ground Water Sub-Areas
- ★ Well Head Protection Area 319 Grant

**3. SURFACE WATER PROGRAMS**

**A. Sand and Duck Creek Study**

Jedlicka made the motion, seconded by Grueber, to approve Olsson Associates contract for up to \$50,000 to develop a watershed plan for Sand and Duck Creeks, contingent on DEQ approval for funding. Motion carried all members present voting aye.

**b. Sampling Equipment**

Jedlicka made the motion, seconded by Grueber, to approve the purchase of a Sutron Bubbler, Datalogger and Cell Phone System for a total of \$6,127. Motion carried.

**AYE:** Grueber, Jedlicka, Johnson, Mastny, Nelson, Sabata, Shelso, Wilke

**NAY:** Langemeier, Sabatka

Sabatka made the motion, seconded by Sabata, that the March LPNNRD Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

**C. PROJECTS COMMITTEE REPORT**

**1. SWCP REPORT**

**a. Approve SWCP Payments**

Sabatka made the motion, seconded by Sabata, to approve the following SWCP payments:

<u>Back EQIP</u>	<u>Medford Barry</u>	<u>\$8,305.15</u>	
<u>Back EQIP</u>	<u>Roger Fujan</u>	<u>\$1,126.05</u>	
<u>99-S-01</u>	<u>Bob Meduna</u>	<u>\$1,429.48</u>	<u>State Balance Spent</u>
<u>99-S-101</u>	<u>Bob Meduna</u>	<u>\$4,252.63</u>	<u>Local Payment</u>
<u>98-B-45</u>	<u>Mark Landholm</u>	<u>\$12,456.55</u>	<u>Skull Creek #55 Grant</u>

Motion carried on consent agenda.

**c. SWCP Small Dam Program - Maximum Cost-Share Limit Review**

Sabatka made the motion, seconded by Sabata, to change the small dam program policy by raising the cost-share limit to \$10,000. Motion carried on consent agenda.

**d. Approval of Funds to Back EQIP Contract**

Sabatka made the motion, seconded by Sabata, to approve assistance to back the following EQIP contract:

Alfred Potter      \$1,000

Motion carried on consent agenda.

**e. Evaluation of SWCP Applications for Spring/Summer Work**

Sabatka made the motion, seconded by Sabata, to approve the Glen Rosengen SWCP application, up to \$5,000, for spring work. Motion carried on consent agenda.

**2. WATERSHEDS**

**a. Skull Creek Watershed Site #55 Landrights**

Sabatka made the motion, seconded by Sabata, to purchase only the west portion of the Jim & Jean Polivka tract, which is approximately the west 40 acres in the N½ of the NE 1/4, Sec. 3, T15, R4, for the

Skull Creek Site 55 project. Motion carried on consent agenda.

**b. Lake Wanahoo Update - NET Funds Awarded For Sand & Duck Creek Watersheds**

We have received tentative approval on two Nebraska Environmental Trust Fund grants for structures above proposed lake Wanahoo. The Trust is recommending that these two grants receive a total of \$1,223,000 over the next three years. This year's proposed commitment totals \$423,000. Sabatka made the motion, seconded by Sabata, to accept the two Environmental Trust Grant Awards as attached and appoint Mountford to act as the grant representative to sign documents and administer the grant funds. Motion carried on consent agenda.

**3. ELKHORN RIVER BREAKOUT IPA**

We are preparing to assess landowners in the project area for project operation and maintenance. Funds have been collected for this purpose the past two years and placed in a special Operation & Maintenance Trust Fund for the project. As approved by the Board last month, we will be advertising a public hearing on the proposed assessments at 10:00 a.m., March 29, 2000, at the Lower Platte North NRD. This will follow the Projects Committee Meeting.

**4. FSA , EQIP & CRP PLANS SIGNED**

Sabatka made the motion, seconded by Sabata, to approve the following Conservation Plans:

<u>Joeseeph Hanis</u>	<u>Butler</u>
<u>Timmy Kruger</u>	<u>Boone</u>
<u>David Pieke</u>	<u>Boone</u>
<u>David Pieke</u>	<u>Boone</u>
<u>Paul Cederlind</u>	<u>Boone</u>
<u>David Pieke</u>	<u>Boone</u>

Motion carried on consent agenda.

**5. LOCALLY LED CONSERVATION CORE GROUP REPORT**

**a. Locally Led Shell Creek Landowner Steering Committee Request/Support**



Sabatka made the motion, seconded by Sabata, to approve up to \$400 for initial expenses such as postage, advertising, informational brochures and meetings for the Shell Creek Locally Led Landowner Steering Committee. Motion carried on consent agenda.

**b. Locally Led Skull/Bone Creek Landowner Steering Committee Update and future Assistance Request**

Sabatka made the motion, seconded by Sabata, to approve an additional \$500 (\$900 total) for mailing and related expenses for the Skull/Bone Creek Landowner Steering Committee. Motion carried on consent agenda.

**5. OTHER**

**a. The Following Reports Were Given:**

-  Barnholdt-Shonka Drainage Meeting Report
-  DEQ Livestock Permit Inspection Report
-  RC&D Meetings

 Drainage/Flooding Problems - Butler County

**b. Nebraska Buffer Strip Program**

Sabatka made the motion, seconded by Sabata, to approve the following Nebraska Buffer Strip Program

Contracts:

<u>LPN44</u>	<u>Tom Krueger</u>	<u>Boone</u>	<u>\$462.80</u>
<u>LPN45</u>	<u>Richard Brock Platte</u>		<u>\$36.87</u>
<u>LPN47</u>	<u>Charles Obert III</u>	<u>Saunders</u>	<u>\$15.57</u>
<u>LPN52</u>	<u>Elaine Harms</u>	<u>Dodge</u>	<u>\$442.88</u>
<u>LPN54</u>	<u>Dorothy Luckey</u>	<u>Platte</u>	<u>\$24.76</u>
<u>LPN55</u>	<u>David Luckey</u>	<u>Platte</u>	<u>\$210.10</u>
<u>LPN57</u>	<u>Kenneth Kappeler</u>	<u>Dodge</u>	<u>\$417.77</u>

Motion carried on consent agenda.

Nelson made the motion, seconded by Sabatka, that the March LPNNRD Projects Committee Minutes be received and placed on file. Motion carried on consent agenda.

**D. EXECUTIVE COMMITTEE REPORT**

**1. Meetings**

**a. Pending**

As attached to the Executive Committee Minutes.

**2. Management Items**

**a. Director Absences**

None Received.

**b. Building Addition Update**

Breunig and Miyoshi gave an update on the building addition. All concrete has been poured, walls and roof are up with some framing yet to occur. Breunig and Heimann have made selection on colors on tile, carpet and walls. It is anticipated that construction will break into the existing building around the 1<sup>st</sup> of April.

**c. NRD Directors Filing**

Attached to the Executive Committee Minutes is a list of Directors that have filed for the NRD election in 2000.

**d. Legislation**

A report of current legislative activities will be in each Directors mailbox.

On items of specific interest Miyoshi has spent time with the NRD Finance Committee working with the Legislative Revenue Committee to find a replacement for the Fertilizer Fee which finances the environmental enhancement fund (\$2.5 million to NRDs Statewide). Senator Wickersham, Chair of Revenue Committee, wishes to supplement the fund by adding to, and changing the State Aid formula. Sever financial losses would come from the formula change to some NRDs, making big winners and big losers. It appears that no comprise will be made on this during the current legislative session and work will occur this summer to develop a formula that is acceptable to all NRDs.

The bill on changing the Director Per Diem advanced from Committee with amendments. The amendments will increase the Director Per Diem to a maximum of \$70 per day and \$2,800 per year.

**e. NWRA Dues**

Sabatka made the motion, seconded by Sabata, to approve payment of NWRA dues for the coming year for \$800. Motion carried on consent agenda.

**f. Center for Rural Affairs Dues**

Sabatka made the motion, seconded by Sabata, to pay dues to the Center for Rural Affairs for the coming year in the amount of \$25. Motion carried on consent agenda.

**g. Amendment to Lower Platte River Corridor Alliance Interlocal Agreement**

Sabata made the motion, seconded by Shelso, to approve amendment 2 to the Lower Platte River Corridor Alliance Interlocal Agreement and authorize the Manger to sign the amendment. Motion carried all members present voting aye

**h. Clear Creek Western Sarpy County Levee Update**

The COE continues to move ahead on the feasibility study on the Clear Creek/Western Sarpy County levee improvement project. Local sponsors have agreed to pursue alternate #5 which provides 50 year levees equally on both sides of the Platte river. Some disagreement has come from the Natural Resources Commission in Lincoln who feels the non-structural alternative should move forward. The non-structural component while good in theory has no local sponsor. The COE will move ahead on their planning efforts, however, a strong non-structural component of alternate #5 will proceed. The strong non-structural component of alternative #5 is, the 50 year levees will not allow development in flood plain, thereby promoting a non-structural approach. Also a forced buyout may be required rather than voluntary, on the 32 structures that will be impacted within the flood way, located between the two levees.

**i. USDA Budget**

Attached to the Executive Committee Minutes is a copy of the USDA budget as proposed in Presidents Clinton's Budget. Considerable gains are seen for conservation efforts and Ag programs with direct benefit to farmers. It is felt that much gain can be realized in our efforts, by promotion of the USDA Budget. This will be a topic discussed with congressional representatives when our delegation is in Washington, DC.

**j. NRC Flood Plain Policy and NRDF Changes**

Attached to the Executive Committee Minutes is a letter from Natural Resources Commission outlining a potential policy change by the Natural Resources Commission. The changes will make NRDF projects ineligible if they are located in a County or City which is not participating in, or in good standing, in the National Flood insurance Program. Executive Committee discussion centered on the fact that NRDs have no control over this zoning jurisdiction. A better policy would be that cities and counties are ineligible for NRDF funding if they do not have a National Flood Insurance Program in place, however, NRDs should not be mentioned in these rules. NRDs would continue to be eligible as they currently are. Staff was

instructed to send a letter prior the next Commission meeting to voice these concerns.

**k. Ratify Fujan Rental Agreement**

Sabatka made the motion, seconded by Sabata, to ratify the Fujan Rental Agreement on the Lake Wanahoo Property as attached. Motion carried on consent agenda.

**l. WRDA 2000 Testimony**

Attached to the Executive Committee Minutes is a copy of the testimony prepared for the WRDA 2000 Hearing on March 8<sup>th</sup>.

**3. Equipment**

Equipment list is attached to the Executive Committee Minutes.

**4. Personnel**

**a. Special Projects Coordinator and 319 Position Update**

Breunig reported that the Special Projects Coordinator and 319 Positions have been advertised. Job descriptions for both positions are attached to the Executive Committee Minutes. Resumes are due in the NRD office by March 10<sup>th</sup> with interviews tentatively scheduled for March 22, 23 and 24.

**5. Finance**

**a. Financial Reports**

Shelso made the motion, seconded by Mastny, to approve the January Financial Statement as mailed out to each of the Directors. Motion carried all members present voting aye.

**b. Approval of Managers Expenses**

Sabatka made the motion, seconded by Sabata, to approve the Mangers expenses as attached to the Executive committee Minutes. Motion carried on consent agenda.

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

**7. ADDITIONAL ACTION ITEMS**

**7.a. SWCP Application Approval**

Sabatka made the motion, seconded by Jedlicka, to approve the following application:

Robert Craig Nelsen    Madison            \$1,405.43            Seed Crop Land to Grass

Motion carried all members present voting aye.

**7.b. SWCP Application Payment**

Sabatka made the motion, seconded by Jedlicka, to approve payment on the following application:

99-S-52            Richard Paseka                            \$10,600.91            S&D #3

Motion carried all members present voting aye.

**7.c. CIP Application Approval**

Sabatka made the motion, seconded by Jedlicka, to approve the following CIP application



Jim Krueger Boone County \$131.50.

Motion carried all members present voting aye.

**7.d. WHIP Contract Approvals**

Sabatka made the motion, seconded by Jedlicka, to approve the following WHIP Contracts:

<u>Lloyd Long</u>	<u>Platte</u>	<u>35 Acres</u>	<u>\$612.50 - Annual Payment</u>
<u>Audren Swanson</u>	<u>Madison</u>	<u>40 Acres</u>	<u>\$2,100 - One Time Payment</u>

Motion carried all members present voting aye.

**7.e. Clear Creek D & D Payments**

Sabatka made the motion, seconded by Jedlicka, to pay Clear Creek Dike and Drainage District \$15,000 for work accomplished on Clear Creek Dike. Motion carried all members present voting aye. A Board motion was made in April 1999 to assist the Clear Creek District with \$15,000/year for a 5 year period.

**7.f. Building Addition Payment Requests**

Sabatka made the motion, seconded by Jedlicka, to approve the following payment requests for the building addition:

Gifford Realty \$60,120.00

City of Wahoo \$3,200 Motion carried all members present voting aye.

**7.g. Wahoo State Bank Line of Credit**

Grueber made the motion, seconded by Sabata, to increase the Lower Platte North NRDs line of credit with Wahoo State Bank to \$400,000. Motion carried.

**AYE:** Grueber, Jedlicka, Johnson, Langemeier, Mastny, Nelson, Sabata, Shelso, Wilke

**ABSTAIN:** Sabatka

**8. BILLS TO BE APPROVED**

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

**9. CONSENT AGENDA ADOPTION**

Sabatka made the motion, seconded by Sabata, to approve the March consent agenda. Motion carried all members present voting aye.

**10. COMMENTS FROM DIRECTORS/GUESTS**

No comments.

**11. MEETING ESTABLISHMENT AND ADJOURNMENT**

The April Board of Directors Meeting will be held on Monday, April 10, 2000. Time and location to be determined. Meeting adjourned at 7:10 p.m.

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Jane Daufeldt, Secretary