

LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
MARCH 8, 2004

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, March 8, 2004.

1. NOTICE OF MEETING

Public notification was made in area newspapers no later than February 26, 2004. Meeting notification and agendas were also provided.

2. ROLL CALL - INTRODUCTIONS

DIRECTORS PRESENT AND CONSTITUTING A QUORUM:

Alm	Bailey	Bull
Hannah	Holstine	Jedlicka (arrived 5:35)
Johannes	Kavan	Langemeier (left 8:05)
Larsen	Mastny	Pieke
Reitmajer	Saalfeld	Sabatka
Shelso	Johnson	

DIRECTORS ABSENT

Eden	Sabata
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STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Sousek	Gottschalk
Angle	Heimann	
Lisa Brichacek, Wahoo Newspaper		Victor Humlicek, Ashland
Rodney Verhoff, LPRCA		Harold Kolb, Ashland
Brad Soncksen, Saunders NRCS		Doris Karloff, Saunders County
Steve Satra, NGPC		Keith Jurgensen, Ashland
Dean Busing, Ashland		

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. NRCS Report

Soncksen updated the Board on the EQIP Funding and Priorities. He also mentioned they will be starting compliance reviews and spot checks on over 100 farms.

b. NARD Report

Director Langemeier updated the Directors about the NARD Insurance. Earlier that day the NARD Insurance Program Fund and the NARD Board passed the following resolution: "In an attempt to resolve the current deficit in the insurance program this board has authorized the Executive Director to send out an invoice to each district for \$500 per participating employee and highly encourage each district to pay the \$500 per participating employee and

that each District Manager contact the NARD Executive Director with their decision.”

Kavan made the motion, seconded by Alm to go into Executive Session to discuss personnel salaries. Motion failed.

AYE: Alm, Hannah, Holstine, Jedlicka, Kavan, Larsen, Sabatka

NAY: Bull, Johannes, Langemeier, Mastny, Pieke, Reitmajer, Saalfeld, Shelso, Johnson

ABSENT: Bailey

Langemeier made the motion, seconded by Johannes, in an attempt to resolve the current deficit in the NARD health insurance program the LPNNRD pay the NARD \$500 per participating employee in the health insurance program if all other Districts participate. Motion carried.

AYE: Alm, Bailey, Bull, Hannah, Holstine, Jedlicka, Johannes, Langemeier, Larsen, Mastny, Pieke, Reitmajer, Saalfeld, Sabatka, Shelso, Johnson

NAY: Kavan

5. APPROVAL OF MINUTES

Reitmajer made the motion, seconded by Bull, to approve minutes from the February 9, 2004 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

Sand Creek Meeting - Washington, DC

Murren and Miyoshi are scheduled to attend funding meetings for the three Nebraska WRDA Projects on March 1-2. Those meetings will be in conjunction with the Antelope Valley Project in Lincoln, Western Sarpy/Clear Creek Project near Ashland and our Sand Creek Environmental Restoration Project. Reitmajer made the motion, seconded by Bull, to approve attendance at the Washington, DC funding meetings on March 1-2 for two staff members as attached to the Executive Committee Minutes. Motion carried on consent agenda.

b. Reports

Attached to the Executive Committee Minutes are the following reports: National No-Till Conference and NACD Annual Meeting.

2. Management

a. Directors Absences

Attached to the Executive Committee Minutes is an absence request from Bull for February no action was taken.

b. Lower Platte River Corridor Alliance

1. Environmental Carrying Capacity

A proposal for an Environmental Carrying Capacity study by the Alliance is in each Director's box. The Alliance and member NRD's will be attempting to receive funding for the study from Army COE through our 503 program.

2. Newsletter Payment

Reitmayer made the motion, seconded by Bull, to pay \$500 to the Platte River Corridor Alliance for production of the Fall/Winter Newsletter. Motion carried on consent agenda.

3. February Alliance Report

Rodney Verhoeff was present to highlight the February Alliance Report.

c. Bob Weaver Billing

Reitmayer made the motion, seconded by Bull, to approve the Bob Weaver bill in the amount of \$1,143.34 as attached to the Executive Committee Minutes. Motion carried on consent agenda.

d. Legislation

The Water Policy Task Force bill was advanced from Committee to General File. LB962 is 162 pages long with only slight revision and amendments to clean up the language as forwarded from the Water Policy Task Force. Any Directors wishing for a copy or to review the Office copy should let Management know.

e. Legal Counsel Monthly Retainer

The Executive Committee discussed the current \$400 retainer paid to Legal Counsel Loren Lindahl and the Firm of Edstrom, Bromm, Lindahl and Freeman-Caddy. The Directors felt that the current financial arrangement with Lindahl is favorable for the District.

f. NACD Dues

Reitmayer made the motion, seconded by Bull, to pay the NACD Dues for 2004 in the amount of \$1,775. Motion carried on consent agenda.

g. Amend January Minutes

Reitmayer made the motion, seconded by Bull, to amend the January Minutes to include the motion that was missed on Groundwater Programs item C. Wahoo Rural Water System. The motion reads: "Sabatka made the motion, seconded by Jedlicka to approve the Interlocal Agreements as attached to the Water Committee Minutes. Motion carried on consent agenda." Motion carried on consent agenda.

h. Water Agreement

A letter is attached to the Executive Committee Minutes giving Bruno information on what

estimated water costs would be with and without NRD participation in ownership of line. The Committee was in favor of sending this letter of intent to Bruno with no formal commitments made by the District.

3. Equipment

No new business.

4. Personnel

No new business.

5. Finance

a. Approval of January Financial Statement

Reitmayer made the motion, seconded by Bull, to approve the January Financial report as distributed. Motion carried on consent agenda.

b. Approval of Managers Expenses

Reitmayer made the motion, seconded by Bull, to approve the Managers expenses as attached to the Executive Committee Minutes. Motion carried on consent agenda.

Reitmayer made the motion, seconded by Bull, that the March LPNNRD Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

B. OPERATION-EDUCATION AND TECHNOLOGY COMMITTEE REPORT

1. WHIP/WILD NE REPORT

a. Payments

Reitmayer made the motion, seconded by Bull, to approve two Wildlife Habitat contracts for a total payment of \$2,402.50.

<u>Donald Thomas</u>	<u>Saunders</u>	<u>40 acres</u>	<u>\$600 Exp.</u>
<u>Blanche Booth</u>	<u>Saunders</u>	<u>6 acres</u>	<u>\$90 Exp.</u>
<u>Greg Wilke</u>	<u>Colfax</u>	<u>25 acres</u>	<u>\$415</u>
<u>Duane Emanuel</u>	<u>Dodge</u>	<u>16 acres</u>	<u>\$400</u>
<u>Joseph Nicolas</u>	<u>Butler</u>	<u>13 acres</u>	<u>\$195</u>
<u>David Hawley</u>	<u>Saunders</u>	<u>6 acres</u>	<u>\$90</u>
<u>Walter Long Estate</u>	<u>Platte</u>	<u>35 acres</u>	<u>\$612.50</u>

Motion carried on consent agenda.

2. OPERATION & MAINTENANCE

a. The Following Updates Were Given:

Operation and Maintenance Activities

Rawhide Creek North Branch

South Fremont 205 Study

Tree Program

CREP

b. Landowner Conflict Cottonwood 22-A

Realtor/Landowner Roger Harders has excavated silt from the conservation pool of Cottonwood 22-A near Malmo. The excavated material was deposited on the shore of the lake. The silt is in violation of our flood storage easement purchased before the structure was built. Mr. Harders has been informed verbally and in writing that the dirt must be removed from our easement area. The District's legal counsel has also been informed. Holstine made the motion, seconded by Bull, to have Legal Counsel send Mr. Harders a letter informing him of the April 1st deadline to remove the dirt from our easement area. Motion carried all members present voting aye.

3. ROCK AND JETTY

No new business.

4. EROSION & SEDIMENT RULES & REGULATIONS

The District has not received any complaints.

5. INFORMATION & EDUCATION

a. Education Activities

The Following Updates Were Given:

Schuyler High School
Fremont Garden Club

b. Information Activities

The Following Updates Were Given:

Viaduct
Annual Report

Soil & Water Stewardship

Reitmajer made the motion, seconded by Bull, to approve up to \$1,000 to purchase Soil & Water Stewardship materials for area schools and churches. Motion carried on consent agenda.

6. TECHNOLOGY

A. Equipment and Software

1. Problems and Fixes

We finally have the new NRCS computers installed in the office.

2. Needs

Sabatka made the motion, seconded by Shelso, to purchase ArcIMS Software on the NRCS contract at a cost of \$3,991.71. It was further recommended to purchase a new server to run ArcIMS at a cost of \$3,659.20 with funding coming from the Alliance GIS account. Motion carried all members present voting aye.

B. Network

No new business.

C. GIS

1. Active Projects

MUD GIS – Mike Sousek obtained landowner addresses from the courthouse and Karen entered them into the existing MUD Database. Steve needs to QC the data (Karen said there were a lot of errors in the dataset).

Purple Loosestrife – Received 60 new GPS points from Sarpy county that need to be updated in the MapMaker System.

Cumulative Impact Study – Had a meeting on February 19th. The group is looking for change in infrastructure, land use, and hydrology along the Platte River from Columbus to the confluence with the Missouri River.

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

C. WATER COMMITTEE REPORT

1. REGULATORY

a. GROUND WATER MANAGEMENT AREA

1. City of Ashland and MUD Well Permits

The City of Ashland is asking the LPNNRD to deny any well permits from MUD until several conditions have been addressed (attached to the Water Committee Minutes letter from the City of Ashland). Several people gave testimony for and against the NRD issuing these well permits (attached to the Water Committee Minutes is testimony from Dean Bussing). LPNNRD Legal Counsel is currently reviewing State Statutes and other legal documents and will have a report by the next Water Committee.

2. The Following Reports Were Given:

- Well Permits
- Bellwood Phase 2 Area
- Richland-Schuyler Phase 2 Area
- Gary Prochaska Complaint
- Livestock Waste Permits
- Nitrogen Certification
- Cost-Share Program
- Ground Water Management Plan Updates
- Chemigation

2. GROUND WATER PROGRAMS

a. The Following Reports Were Given

Decommissioned Well Program
Wellhead Protection Areas
Former Ordnance Plant - Mead
Ground Water Quantity
Ground Water Quality
Livestock Well Sampling

b. David City Rural Water System

Miyoshi and Sousek met with Bruno on February 12th and the town is interested in having the NRD own and control the waterline. Bruno has since asked the NRD to put in writing exact numbers on how much we would charge them for water.

Reitmayer made the motion, seconded by Bull, to move ahead with the Interlocal Agreement between David City, and the LPNNRD Bruno for construction of a water pipeline between David City and Bruno. Motion carried on consent agenda.

3. SURFACE WATER PROGRAMS

None

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

D. PROJECTS COMMITTEE REPORT

1. SWCP REPORT

a. SWCP Approval

None

b. SWCP Cancellations & Extension

None

c. SWCP Payments

Reitmayer made the motion, seconded by Bull, to approve the following SWCP payments:

		Approved	Total Payment	(+/-)
03-S-38	Wilber Ott	\$ 3,282.00	\$3,089.06	\$-192.94
03-S-31	Deborah Warren	\$ 6,500.00	\$3,766.70	\$-2,733.30
03-S-22	Steven Brabec	\$ 7,000.00	\$5,323.62	\$-1,676.38
03-S-25	Durward Vosler	\$ 4,000.00	\$1,968.62	\$-2,031.38
TOTAL PAYMENTS:		\$14,148.00		

Motion carried on consent agenda.

d. SWCP Summer Applications

We are currently compiling our Summer SWCP applications and will have staff recommendations at next month's Projects committee.

e. SWCP Policy

Kavan made the motion, seconded by Larsen, to approve the SWCP policy changes as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

2. WATERSHEDS

a. Sand Creek Watershed

On February 24, staff met with UNL representatives to discuss formulating an education work plan associated with the recently approved EPA 319 grant for the Sand Creek Watershed. We have been approved for \$200,000 for helping landowners establish land treatment practices and another \$50,000 for education purposes.

b. Shell Creek Watershed

On February 24, we met with UNL representatives and discussed proceeding on the recently approved EPA 319 grant for the Shell Creek Watershed. This is \$180,000 available to help farmers apply various land treatment practices and another \$120,000 has been approved for UNL to conduct information and education activities in the watershed.

3. FSA, EQIP & CRP PLANS SIGNED

Reitmayer made the motion, seconded by Bull, to approve the following conservation plans:

1/28/04	Boone	Brian Stuhr	NW26-22-6	2	New	Compliance Plan	Sodbuster
1/7/04	Butler	Randall Fendrich	24-16-4	23.6	New	CRP	
1/7/04	Butler	Randall Fendrich	24-16-4	2.7	New	CRP	
1/7/04	Butler	Randall Fendrich	24-16-4	11.6	New	CRP	
1/29/04	Butler	Gaylen Kamrath	16-15-1	20.0	New	CRP	

Motion carried on consent agenda.

4. LOCALLY LED LANDOWNER GROUP REPORTS

Attached to the Projects Committee Minutes are the Shell Creek report and EQIP Local Working Group Reports.

5. OTHER

a. The Following Updates Were Given

- North Bend Project Request
- Update on Proposed COE 205 Studies
- Czechland Lake Tree ID Signs

6. SNITILY WETLAND PROJECT UPDATE

Murren reported that we received the WRP/EWP payment today.

7. LAKE WANAHOO REPORT

Steve Satra was present and answered questions on the Sport Fish Restoration Cooperative Agreement. Johannes made the motion, seconded by Bull, to authorize the LPNNRD Board Chairman to sign the Lake Wanahoo Sport Fish Restoration Cooperative Agreement

with the Nebraska Game & Parks Commission as attached. Motion carried.

AYE: Bailey, Bull, Hannah, Holstine, Jedlicka, Johannes, Kavan, Mastny, Pieke, Reitmajer, Saalfeld, Sabatka, Shelso

NAY: Alm

ABSTAIN: Larsen, Johnson

8. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

The project land rights process was initiated last month and is underway.

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

7. ADDITIONAL ACTION ITEMS

7.a. Snitily Wetland - WRP

At the 5/12/03 Board Meeting a motion was made to apply the Federal WRP funds in the amount of \$353,786 towards the corresponding bank note. Funds were budgeted for in the F.Y. 04 Budget to pay the remaining balance of \$55,526.66. Saalfeld made the motion, seconded by Shelso, to approve paying the remaining \$55,526.66 on the former Snitily Wetland Property. Motion carried.

AYE: Alm, Bailey, Bull, Hannah, Holstine, Jedlicka, Johannes, Kavan, Larsen, Mastny, Pieke, Reitmajer, Saalfeld, Shelso, Johnson

ABSTAIN: Sabatka

7.b. SWCP Payments

Saalfeld made the motion, seconded by Shelso, to approve the following SWCP payments:

	<u>Approved Payment</u>		<u>+/-</u>
<u>Dennis Kellner</u>	<u>\$9,698.25</u>	<u>\$7,886.33</u>	<u>-\$1,811.92</u>
<u>Bruce/Amy Williams</u>	<u>\$699.42</u>	<u>\$699.44</u>	<u>+\$0.02</u>

Motion carried.

AYE: Alm, Bailey, Bull, Hannah, Holstine, Jedlicka, Johannes, Kavan, Larsen, Mastny, Pieke, Reitmajer, Saalfeld, Shelso, Johnson

ABSTAIN: Sabatka

7.c Monitoring Well

Saalfeld made the motion, seconded by Shelso, to have the LPNNRD Staff make arrangements with U.S. Geological Survey and their well drilling contractor, for the installation of a monitoring well in the Wann basin for LPNNRD at a cost not to exceed \$6,000. Motion carried.

AYE: Alm, Bailey, Bull, Hannah, Holstine, Jedlicka, Johannes, Kavan, Larsen, Mastny, Pieke, Reitmajer, Saalfeld, Shelso, Johnson

ABSTAIN: Sabatka

8. BILLS TO BE APPROVED

Shelso made the motion, seconded by Johannes, 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 Bull, to approve the March consent agenda. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

None

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The April Board of Directors Meeting will be held on Monday, April 12, 2004. Time and location to be determined. Meeting adjourned at 8:35 p.m.

Lumir Jedlicka, Secretary