

LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
MARCH 9, 2009

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 9, 2009.

1. NOTICE OF MEETING

The advanced notice of our March board meeting was published on February 19, 2009 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	Johnson
Kavan (arrived 6:00)	Meduna	Pieke
Reitmajer	Renter	Sabatka
Taylor	Veskerna	Vrana
Saalfeld		

DIRECTORS ABSENT

STAFF AND GUESTS:

Mountford	Miyoshi	Breunig
Gottschalk	Angle	Murren

Heimann

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

Lisa Brichacek representing the Wahoo Chamber of Commerce presented Mike Murren with the Darryl Zanuck award given annually to the areas top contributor for his work on the Lake Wanahoo Project.

b. NRCS Report

Roger Reichmuth reviewed his written report.

c. NARD Report

Director Johnson gave the NARD report.

d. NRC Report

Director Johannes reported that the next Commission meeting will be March 12th.

e. Managers Report

Manager Miyoshi's reviewed his written report.

f. Education Program

Manager Miyoshi gave a presentation on "Water 101 and What does Fully Appropriated Mean."

5. APPROVAL OF MINUTES

Johnson made the motion, seconded by Sabatka, to approve minutes from the February 9, 2009 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending - None

1. AWWA ACE 09 Conference

Johnson made the motion, seconded by Sabatka, to send Sousek and Barlean to the AWWA Annual Conference, June 14-18, 2009 at an estimated cost to the District of \$1,815 per person. Motion carried on consent agenda.

b. Reports - None

2. Management Items

a. Directors Absence

Johnson made the motion, seconded by Sabatka, to approve the absence request from Boyd from the February Meeting. Motion carried on consent agenda.

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

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

c. Federal Stimulus Bill - Update Given

d. Director Retreat - Update Given

e. Monthly Education Program - Update Given

f. Recognition Banquet

Johnson made the motion, seconded by Sabatka, to hold the Recognition Banquet on November 29th at the Kline Center in Brainard, and have CK Catering cater the event. Motion carried on consent agenda.

g. Legislative Bills - Update Given

h. Presentations - Update Given

I. Preliminarily Fully Appropriated Status - Update Given

j. Lincoln Journal Star Editorial - Update Given

3. Equipment - None

4. Personnel - None

5. Finance

a. Approval of Financial Report

Johnson made the motion, seconded by Sabatka, to approve the January financial reports. Motion carried on consent agenda.

b. Approval of Managers Expenses

Johnson made the motion, seconded by Sabatka, 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

Johnson made the motion, seconded by Sabatka, that the March 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 - None

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Update Given

b. Conservation Tree Program

Johnson made the motion, seconded by Sabatka, to remove a portion of a policy motion

made in 1994 that states "Anyone planting 400 or more trees is to get a \$.05 discount/tree. Motion carried on consent agenda.

c. City of Fremont Trails Request - Update Given

d. South Fremont 205 Study

Johnson made the motion, seconded by Sabatka, to make final payment of \$7,864 on the current study to the COE. Motion carried on consent agenda.

e. Vehicle Replacement - Update Given

f. Czechland Boat Ramp Dock - Update Given

g. Eagle Scout Project - Update Given

h. Pesticide Re-Certification - Update Given

3. ROCK AND JETTY

a. New Applications - None

b. Payment Requests - None

4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given

5. INFORMATION & EDUCATION

a. Information/Education

1. Annual Report - Update Given

2. Soil and Water Stewardship Week - Update Given

3. East Butler Nature Night - Update Given

4. Earth Wellness Festival - Update Given

5. Homestead Sign - Update Given

6. NACEE Conference

Johnson made the motion, seconded by Sabatka, to provide \$150 in sponsorship to the NACEE State Conference. Motion carried on consent agenda.

7. ENWRA Website - Update Given

6. RURAL WATER ACTIVITIES

a. Bruno/David City Rural Water

Boyd made the motion, seconded by Reitmajer, to approve the new water rate increases and approve the attached Water Rate Schedule for the Butler County Rural Water Supply System. This new Water Rate Schedule will complement the already established Rules and Regulations of the Butler County Rural Water System. Motion carried all members present voting aye.

b. Colon/Wahoo Rural Water System

Boyd made the motion, seconded by Meduna, to approve the new water rate increases and approve the attached Water Rate Schedule for the Saunders County Rural Water Supply System. This new Water Rate Schedule will complement the already established Rules and Regulations of the Saunders County Rural Water System. Motion carried all members present voting aye.

c. Abie - Update Given

d. Bellwood/Richland - Update Given

e. Swedeburg - Update Given

f. Other Items - Update Given

Johnson made the motion, seconded by Sabatka, that the March 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. DNR Declares Lower Platte River Basin as Fully Appropriated - Update Given

2. Platte River Uplands Subarea LPNNRD Stay Management Area

Johnson made the motion, seconded by Sabatka, to proceed to a Public Hearing on April 13, 2009 at 6:00 p.m. in Wahoo, to collect information that the Lower Platte North NRD designate the Platte River Uplands subarea a permanent LPNNRD stay management area to take effect on June 6, 2009 or declare a second 180 day LPNNRD temporary stay management area to take effect on June 6, 2009 or let the existing temporary LPNNRD stay management area lapse on June 6, 2009. Motion carried on consent agenda.

3. Well Permit Program

a. Well Permits Approved

Johannes made the motion, seconded by Acklie, to lift the stay effective April 1, 2009 on the 12 well permits that have been on hold since December 16th. Motion carried all members present voting aye.

b. Expansion of Irrigated Acres- Update Given

c. Water Use Reporting - Update Given

4. Variance Request

Johannes made the motion, seconded by Vrana, to state that a variance request for an existing irrigation well to expand the number of irrigated acres by 80 new acres for Leon R and Adair F. Muehlich in the SW1/4, Section 13, T15N, R3E is NOT needed since the water use location, water well and any cone of influence caused by that water well, will be outside of the defined Prague subarea and the stay management areas of the District and the Nebraska Department of Natural Resources hydrologically connected surface water and ground water stay management areas. Motion carried all members present voting aye.

5. Cost-Share Programs

a. Irrigation Well Sample Kits - Update Given

b. Domestic Well Sample Kits - Update Given

c. Phase 2 Irrigation Flow Meter Cost-Share - Update Given

6. LPNNRD Certification Classes - Update Given

7. Bellwood Phase II Area - Update Given

8. Richland/Schuyler Phase II Area- Update Given

9. 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

Johnson made the motion, seconded by Sabatka, to approve cost share payment to decommission the stock well for GNB Farms, Inc. for \$291.58 and a domestic well for Brad Williams for \$417.83. 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

5. Eastern Nebraska HEM Aquifer Mapping - Update Given

b. Ground Water Energy Levels - Update Given

1. District Spring Measurements - Update Given

c. Former Ordinance Plant Mead

1. Corps of Engineers - Restoration Advisory Board - Update Given

3. OTHER

a. Groundwater Coalition Meeting

Johnson made the motion, seconded by Sabatka, that the LPNNRD Board votes to support the Groundwater Coalition intervening in the Central Public Power and Irrigation District vs North Platte NRD Administrative Action Proceeding. Motion carried on consent agenda.

b. Comments from the Public - Update Given

Johnson made the motion, seconded by Sabatka, 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 Applications Approvals - None

b. SWCP Payments - None

c. SWCP Cancellations - None

d. Sand/Duck Creek Approvals

Johnson made the motion, seconded by Sabatka, to approve the following Sand/Duck Creek 319 grant cost share application:

Brent Zakovec - No-Till incentive - Coord. w/EQIP - 229.9/acre @ \$20/ac. 2-yrs. \$ 4,598/yr
Motion carried on consent agenda.

e. Sand/Duck Creek Cost-Share Payments

Johnson made the motion, seconded by Sabatka, to approve the following Sand/Duck Creek 319 Grant cost share payments:

<u>Justin Kavan- No-Till Incentive Pmt</u>	<u>160 ac. @ \$ 10.00/ac. - yr.1 of 2</u>	<u>\$1,600</u>
<u>Lawrence Styskal - No-Till Incentive Pmt</u>	<u>57 ac. @ \$ 10.00/ac. yr. - 4 of 5</u>	<u>\$570</u>

<u>Scott Dvorak- No-till Incentive Pmt.</u>	<u>136.4 ac. @ \$ 10/ac. yr. 1 of 2</u>	<u>\$1,364</u>
<u>Gary Musilek- No-till Incentive Pmt</u>	<u>63.3 ac. @ \$ 10/ac. yr. 3 of 5</u>	<u>\$231.</u>
	<u>Total Payments:</u>	<u>\$3,765</u>

Motion carried on consent agenda.

f. SWCP Policy Review - Update Given

g. Sand/Duck Cancellations - Update Given

2. WATERSHEDS

3. FSA , EQIP & CRP PLANS SIGNED

4. LOCALLY LED LANDOWNER GROUPS

a. Shell Creek Watershed Improvement Group

1. Plaques and Medal for Shell Creek Students - Update Given

b. Saunders County Road Structure Assistance Request

Johnson made the motion, seconded by Sabatka, to support Saunders County's effort toward building a road structure in Section 19, T13N, R8E and to budget assistance funds in the 2010 Budget. Motion carried on consent agenda.

5. LOWER PLATTE RIVER CORRIDOR ALLIANCE - Update Given

a. Support Request for Weed Management NAWCA Grant

Johnson made the motion, seconded by Sabatka, to send a letter of support for a NAWCA grant application for obtaining funds to spray invasive weeds in the Platte River Weed Management Area. Motion carried on consent agenda.

6. OTHER

a. Update on COE 205 Studies

1. South Fremont - Update Given

2. Schuyler 205 - Update Given

b. District-Wide All Hazard Mitigation Plan - Update Given

c. Update on David City NW Drainage Project - Update Given

d. Update on Agricultural Water Enhancement Program - Update Given

7. LAKE WANAHOO REPORT

a. Lake Wanahoo Committee Meeting Review - Update Given

b. Payments

Sabatka made the motion, seconded by Reitmajer, to approve pay request Number 4

to Commercial Contractors for work completed on the Lake Wanahoo Project in the amount of \$44,190.00 and use SRF funds to pay this request. Motion carried all members present voting aye.

Reitmajer made the motion, seconded by Sabatka, to approve pay request Number 2 to Frahm Construction for the Wanahoo Fisheries Contract in the amount of \$78,480.90 and use NPAIT funds to pay this request. Motion carried all members present voting aye.

Johnson made the motion, seconded by Sabatka, to approve \$360 of relocation expenses to Doug Bartek. Motion carried on consent agenda.

8. WESTERN SARPY/CLEAR CREEK LEVEE REPORT - Update Given

Johnson made the motion, seconded by Sabatka, to accept and place on file the March Projects Committee Minutes. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7.a. Shell Creek Uplands Class 3 Well Review

Michael Dvorak is requesting a class 3 well permit to irrigate approximately 209 acres in the Shell Creek Uplands subarea of Section 33 and 34, T19N, R2E. This subarea has few irrigation wells and this aquifer may not be able to sustain large scale development. Usual permit conditions are updating assessor records, updating DNR registered well database, installation of LPNNRD approved flow meter and annual water use report sent to the District by January 31st of each subsequent year.

Johannes made the motion, seconded by Meduna, to approve the well permit for Michael Dvorak in Section 33 and 34, T19N, R2E with the condition that he allow LPNNRD to add this well to our GWEL monitoring network. Motion carried.

AYE: Bailey, Boyd, Hilger, Johannes, Meduna, Pieke, Reitmajer, Renter, Sabatka, Taylor, Veskerna, Vrana, Saalfeld

NAY: Acklie, Casey, Eden, Hannah, Johnson, Kavan

7b. Contract with LPSNRD - HEM Mapping Swedeburg Area

Johannes made the motion, seconded by Meduna, that LPNNRD enter into contract with Lower Platte South NRD for HEM and test hole drilling in the Swedeburg area of the Lower Platte North NRD at a cost of \$40,000. Motion carried.

AYE: Acklie, Bailey, Boyd, Casey, Eden, Hilger, Johannes, Johnson, Kavan, Meduna, Reitmajer, Renter, Sabatka, Taylor, Veskerna, Vrana, Saalfeld

NAY: Hannah, Pieke

7c. Olsson Contract to Review Ground Water Model Class 4 Well Permits

Class 4 well permits need to submit a ground water model to LPNNRD for review with their permit application and submit an additional \$500.00 to pay for that review. Class 4 permits are for wells that will pump equal to or exceeding 300 acre feet per year. Johannes made the motion, seconded by Pieke, that LPNNRD enter into contract with Olsson Associates to review ground water models submitted to Lower Platte North NRD as part of class 4 water well permit applications for a fee of \$500 for each well permit reviewed. Motion carried all members present voting aye.

7d. Well Decommission Payments

Pieke made the motion, seconded by Sabatka, to approve payment to decommission the following wells: City of Wahoo - Airport Authority - \$720 and Butler County - Lucille Curda Well \$719.30. Motion carried.

AYE: Acklie, Bailey, Boyd, Casey, Hannah, Hilger, Johannes, Johnson, Kavan, Meduna, Pieke, Reitmajer, Renter, Sabatka, Taylor, Veskerna, Vrana, Saalfeld

NAY: Eden

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

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

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The April Board of Directors Meeting will be held on Monday, April 13, 2009, 7:00 p.m.

Meeting adjourned at 8:10 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 March 9, 2009, 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.

Bob Hilger, Secretary