

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
MARCH 14, 2011**

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 14, 2011.

1. NOTICE OF MEETING

The advanced notice of our March board meeting was published on February 24, 2011 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Pieke 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:

Bailey	Boyd	Casey
Hagerbaumer	Hilger	Johannes
Kavan	McDermott	Meduna
Pieke	Pollard	Ruzicka
Saalfeld	Sabatka	Taylor
Veskerna		

DIRECTORS ABSENT

Acklie	Hannah	Renter (NARD)
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STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Gottschalk	Oaklund

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. NRCS Report

Mark Walkenhorst and Brach Johnson were present to give the NRCS/NRD Report for March Board Meeting.

c. NARD Report

Director Kavan reported on the upcoming meetings and Mountford reported on the NARD Board Meeting on Monday, March 7th.

d. NRC Report

Director Johannes reported on the new Commission member.

e. Managers Report

Manager Miyoshi reviewed his written report.

g. Education Program

Roger Kuhn and Jim Swensen from the Nebraska Game and Parks Commission were present to discuss management of the Wanahoo Recreation Area.

5. APPROVAL OF MINUTES

Kavan made the motion, seconded by Casey, to approve minutes from the February 14, 2011 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. Watershed Conference

Kavan made the motion, seconded by Casey, to deviate from our normal out of state travel policy and allow more than two directors to attend the National Watershed Conference, May 15-18, 2011 in Oklahoma City, Oklahoma. Motion carried on consent agenda.

2. Water for Food Conference - Update Given

3. Washington DC - March 7-9

Kavan made the motion, seconded by Casey, to approve Miyoshi and Pieke's travel expenses to Washington DC March 7th - 9th, 2011. Motion carried on consent agenda.

b. Reports - Update Given

2. Management Items

a. Directors Absence

Kavan made the motion, seconded by Casey, to approve Renter, Hannah, Hilger and Boyd's Absence Requests from the January Board Meeting. Motion carried on consent agenda.

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

Kavan made the motion, seconded by Casey, 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. Renewal of Retainer Agreement

Kavan made the motion, seconded by Casey, to approve and authorize Chair Pieke to sign the 2011 Retainer Agreement with Edstrom, Bromm, Lindahl and Freeman-Caddy as attached to the Executive Committee Minutes. Motion carried on consent agenda.

d. Lake Wanahoo Recreation Agreement

This item was taken earlier.

e. Butler County Rural Public Power District Agreement

Meduna made the motion, seconded by Saalfeld, to authorize Manger Miyoshi to sign the agreement between Butler County Rural Public Power District and Prudent Technologies to provide power to the Lake Wanahoo Site as attached to the Executive Committee Minutes. Motion carried.

AYE: Bailey, Boyd, Casey, Hagerbaumer, Hilger, Johannes, McDermott, Meduna, Pollard, Ruzicka, Saalfeld, Sabatka, Veskerna

NAY: Kavan, Taylor, Pieke

f. Monthly Education Program - Update Given

g. June Executive Committee Meeting Day and Time

Kavan made the motion, seconded by Casey, to set the June Executive Committee date as Monday, June 6, 2011 at 9:00 a.m. Motion carried on consent agenda.

3. Equipment

a. Chair Purchase

Kavan made the motion, seconded by Casey, to purchase 8 office chairs for the small conference room at an estimated cost of \$250-\$350 per chair. Motion carried on consent agenda.

4. Personnel

a. Engineer on Staff - Update Given

5. Finance

a. Approval of Financial Report

Kavan made the motion, seconded by Casey, to approve the January Financial Report as distributed. Motion carried on consent agenda.

b. Approval of Managers Expenses

Kavan made the motion, seconded by Casey, 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

d. Platte County Taxes - Update Given

e. Revised Audit Management Recommendation Letter from HBE - Update Given

f. Election Costs - Update Given

g. Monthly Accounting Update - Update Given

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

At this time item 6.D.6.a. was taken

Sabatka made the motion, seconded by Meduna, that due to threat of litigation relating to Commercial Contractors Final Payment Request that the Board go into closed session at 6:32 p.m. and ask that staff members Miyoshi, Murren and Mountford remain along with Legal Counsel Lausterer. Motion carried all members present voting aye.

Hilger made the motion, seconded by Sabatka, to come out of closed session at 6:50 p.m. Motion carried all members present voting aye.

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. South Fremont 205 Feasibility Study - Update Given

c. Lower Platte Weed Management

Kavan made the motion, seconded by Casey, to contribute \$1,000 to the Lower Platte Weed Management group for their Grant Manager/Coordinator to administer their grants. Motion carried on consent agenda.

d. Hail Damage to Office & Out Building

Veskerna made the motion, seconded by Boyd, to make a \$2,000 down payment for the windows and make payment of \$3,695.77 for the cooling unit after it is put in for hail damage repair. Motion carried all members present voting aye.

e. Czechland Camper Electrical Service

Veskerna made the motion, seconded by Sabatka, to have staff advertise for bids to put in eight camper pad electrical hook-ups at Czechland Lake. Motion carried.

AYE: Bailey, Boyd, Casey, Hagerbaumer, Hilger, Johannes, McDermott, Meduna, Ruzicka,

Saalfeld, Sabatka, Veskerna

NAY: Kavan, Pollard, Taylor, Pieke

f. Bellwood Dam 3-A

g. Tree Program - Update Given

h. Financial Review - Update Given

3. ROCK AND JETTY

a. Application Requests & Payments - Update Given

4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given

5. INFORMATION & EDUCATION

a. Information

1. KTIC Ads - Update Given

2. Annual Report - Update Given

b. Education

1. Soil and Water Stewardship Week - Update Given

2. Earth Wellness Festival - Update Given

3. Spring Conservation Sensation - Update Given

4. ACE Camp - Update Given

c. Computer - Update Given

1. Internet Speeds - Update Given

6. RURAL WATER ACTIVITIES

a. Bruno/David City Rural Water - Update Given

b. Colon/Wahoo Rural Water System - Update Given

c. Bellwood/Richland - Update Given

d. Czechland Lake Fish Restoration Grant - Update Given

e. Mead - Update Given

f. Other - Update Given

Kavan made the motion, seconded by Casey, 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. Variance Requests for Limited Development (Hydrologically Connected) Area

a. February Variance Requests - Update Given

b. Ranking Regions for Limited Development Areas

Kavan made the motion, seconded by Casey, to approve the following variance requests:

<u>Variance</u>	<u>Landowner</u>	<u>Acres</u>	<u>Field Legal Description</u>	<u>Well Legal Description</u>	<u>County</u>
<u>LPN-V-011-0075</u>	<u>Justin Kavan</u>	<u>40</u>	<u>SE1/4, NW1/4, S27, T14N, R8E</u>	<u>new well in SE1/4, NW1/4, S27, T14N, R8E</u>	<u>Saunders</u>
<u>LPN-V-011-0076</u>	<u>John R. Krueger</u>	<u>144.3</u>	<u>SW1/4, S14, T21N, R5W</u>	<u>new well in SW1/4, S14, T21N, R5W</u>	<u>Boone</u>
<u>LPN-V-011-0077</u>	<u>Kerry Knuth</u>	<u>15</u>	<u>NW1/4, S3, T14N, R8E</u>	<u>existing well in NW1/4, S3, T14N, R8E</u>	<u>Saunders</u>
<u>LPN-V-011-0078</u>	<u>Kerry Knuth</u>	<u>10</u>	<u>SW1/4, S28, T15N, R8E</u>	<u>existing well in SW1/4, S28, T15N, R8E</u>	<u>Saunders</u>
<u>LPN-V-011-0079</u>	<u>Paul J. Krings</u>	<u>38.9</u>	<u>SE1/4, SE1/4, S22, T19N, R2W</u>	<u>new well in SE1/4, SE1/4, S22, T19N, R2W</u>	<u>Platte</u>
<u>LPN-V-011-0080</u>	<u>Dennis Novacek</u>	<u>105</u>	<u>SW1/4, S1, T16N, R3E</u>	<u>new well in SW1/4, S1, T16N, R3E</u>	<u>Butler</u>
<u>LPN-V-011-0081</u>	<u>Larry Chapek</u>	<u>64</u>	<u>N1/2, SW1/4, S26, T16N, R7E</u>	<u>new well in NW1/4, SW1/4, S26, T16N, R7E</u>	<u>Saunders</u>
<u>LPN-V-011-0082</u>	<u>David J. Kment</u>	<u>80.6</u>	<u>E1/2, SW1/4, & NW1/4, SE1/4, S34, T17N, R3E</u>	<u>existing well in SE1/4, S34, T17N, R3E</u>	<u>Butler</u>
<u>LPN-V-011-0083</u>	<u>David J. Kment</u>	<u>45.63</u>	<u>S1/2, SW1/4, S35, T17N, R3E</u>	<u>existing well in SE1/4, S34, T17N, R3E</u>	<u>Butler</u>

<u>LPN-V-011-0084</u>	<u>Robert Flood</u>	<u>150</u>	<u>SW1/4, S15, T22N, R5W</u>	<u>new well in Center, SW1/4, S15, T22N, R5W</u>	<u>Boone</u>
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and as shown on the attached maps. Motion carried on consent agenda.

2. Well Permit Program

a. Well Permits Approved - Update Given

b. Water Use Report

Kavan made the motion, seconded by Casey, to send certified letters to well owners and/or tenants who have not yet turned in their water use reports, requiring them to attend the March 14, 2011 Board meeting and to submit the completed water use reports. Completed reports not received by the March 14, 2011 Board meeting could be issued Cease and Desist orders against further fertilizer application to the field served by that well and/or further use of water from that well. Motion carried on consent agenda.

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 - Update Given

d. Flow Meters for Phase 2 Groundwater Management Area - Update Given

4. LPNNRD Certification Classes

Kavan made the motion, seconded by Casey, to approve placing an ad in area newspapers announcing the remaining LPNNRD certification classes for a total cost of approximately \$700.00. Motion carried on consent agenda.

5. Bellwood Phase II Area - Update Given

6. Richland/Schuyler Phase II Area - Update Given

7. Phase II Fertilizer Reports - Update Given

8. 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

Kavan made the motion seconded by Casey, to approve cost share payment to decommission the stock well for Jack Beller for \$209.78, an irrigation well for Pollock Farms c/o RBS for \$336.75, and for two domestic wells for Kurt Wilke for \$506.16. Motion carried on consent agenda.

b. LPNNRD Ground Water Studies

1. LPNNRD Platte River Ground Water Model - Update Given

2. Elkhorn Loup Model (ELM) - Update Given

3. Eastern Nebraska Water Resources Assessment (ENWRA)

4. Eastern Nebraska HEM Aquifer Mapping - Update Given

5. Farm Process Package of MODFLOW - Update Given

c. Ground Water Energy Levels - Update Given

d. Ground Water Quality - Summer Sampling - Update Given

3. OTHER

a. GMDA Annual Conference - Update Given

b. Equipment Purchase/Repairs - Update Given

c. Comments from the Public - Update Given

Kavan made the motion, seconded by Casey, 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

Kavan made the motion, seconded by Casey, to approve the following SWCP applications:

TREES:			Total Cost	Cost Share	
Name	County	# Trees	w/out Tax	Program	75%
Randy Fendrich	Butler	790 trees	\$1,027.00	SWCP	\$770.25
Rod Hoelscher	Butler	212 trees	\$275.60	SWCP	\$206.70
Don Koeppe	Saunders	200 trees	\$260.00	SWCP	\$195.00
Total		1,202 trees	\$1,562.60		\$1,171.95

Flow Meters:			50%	TOTAL
*Christensen Corp.	Dodge Co.	Flow Meter	\$642.50	\$642.50
*Edward Schmit Family Tr.	Butler Co.	Flow Meter	\$642.50	\$642.50
*William Peters Tr.	Butler Co.	Flow Meter	\$642.50	\$642.50

(* Upon approval Cooperators will be informed C/S payment may not be available until next fiscal year)

Emergency Terrace Repair:	50%
Dan Pavel Butler Co. 2009 EQIP Project	\$1,000.00

Motion carried on consent agenda.

b. SWCP Approval and Payments

Kavan made the motion, seconded by Casey, to approve and pay the following SWCP

application:	15%	Payment
Kenneth Henkens Terraces/Tile	\$660.48	\$660.48

Motion carried on consent agenda.

c. SWCP Cancellations - None

d. Sand/Duck Creek Approvals - None

e. Sand/Duck Creek Cost-Share Payment

Kavan made the motion, seconded by Casey, to approve the \$5,129.82 SWCP payment request from Glenn Chvatal. Motion carried on consent agenda.

f. Sand/Duck Cancellations - None

2. WATERSHEDS

a. Shell Creek

1. Shell Creek Improvement Group - Update Given

b. Wahoo Creek

1. Wahoo Creek Watershed Water Quality Management Plan - Update Given

3. FSA , EQIP & CRP PLANS SIGNED

Kavan made the motion, seconded by Casey, to approve the following CRP plan modification and revisions:

Date signed	County	Landowners Name	Legal	Acres	New -or- Rev.	Plan
2/16/2011	Butler	Dwaine Schmit Trust	31-16-1	6.7	Mod	CRP
2/22/2011	Butler	Todd Yindrick	19-15-4	7	Revision	CRP
2/22/2011	Butler	Todd Yindrick	19-15-4	7	Revision	CRP

Motion carried on consent agenda.

4. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report - Update Given

5. OTHER

a. Update on Army COE 205 Studies

1. South Fremont - Update Given

2. Schuyler 205 - Update Given

b. Review of Projects Financial Statement - Update Given

c. Nebraska No-Till Conference - Update Given

6. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT REPORT

a. Lake Wanahoo

1. Review of Lake Wanahoo Sub-Committee Business - Update Given

2. Kohl Construction Inverted Filter Pay Request No. 2

Casey made the motion, seconded by Sabatka, to approve payment No. 2 to Kohl Construction, as attached to the Projects Committee Minutes, for Lake Wanahoo Inverted Filter Construction in the amount of \$70,680.47, and use SRF funds to pay. Motion carried all members present voting aye.

3. Wanahoo Surplus Property

Kavan made the motion, seconded by Casey, to declare land owned by LPNNRD South and East of the DOR wetland surplus and direct staff to explore options to dispose or make use of this surplus Lake Wanahoo property. Motion carried on consent agenda.

4. Handicap Fishing Piers Project

Meduna made the motion, seconded by Casey, to pay \$31,551 to Saunders County for their construction portion of the Lake Wanahoo Handicap Fishing Pier Project. It was further recommended to discuss payment options with the County for remaining unpaid balance of \$13,783. Motion carried.

AYE: Bailey, Boyd, Casey, Hagerbaumer, Hilger, Kavan, McDermott, Meduna, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Pleke

NAY: Johannes

b. Sand/Duck Creek Upstream Structures - Update Given

7. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

a. Project Update – No new business

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

7. ADDITIONAL ACTION ITEMS

7a. Sand/Duck Creek Payments

Saalfeld made th motion, seconded Hilger, to approve the following Sand/Duck Payment:

			SWCP 15%	GRANT 75%
09-S&D-20	Steven Brabec	Terraces & Tile	\$1,577.98	\$7950.25

Motion carried all members present voting aye.

7b. Decommissioned Well Payments

Saalfeld made th motion, seconded Hilger, to approve the following decommissioned well payments:

Ruzicka Brothers	Dodge Co.	\$397.75
Norm Kavan	Saunders Co.	\$504.09
Norm Kavan	Saunders Co.	\$544.92

Motion carried all members present voting aye.

7c. Variance Request

Saalfeld made th motion, seconded Hilger, to approve the Class 3 variance request LPN-V-011-0085 for Mr. Ray Kucera Jr. for 68 new irrigated acres in the NW1/4 of NE1/4 & SW1/4 of NE1/4, Section 26, T15N, R8E, Saunders County with ground water from an existing high capacity well in the NE1/4 of the NE1/4, Section 26, T15N, R8E, Saunders County for a total of 207 acres.

Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

Kavan made the motion, seconded by Casey, to approve the March consent agenda as amended. 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 11, 2011, 5:30 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 14, 2011, 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.

William Taylor, Secretary