

**LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
MAY 14, 2001**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 7:05 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, May 14, 2001.

**1. NOTICE OF MEETING**

Public notification was made in area newspapers no later than March 1, 2001. Meeting notification and agendas were also provided.

**2. ROLL CALL - INTRODUCTIONS**

**DIRECTORS PRESENT AND CONSTITUTING A QUORUM:**

Bull	Eden	Grueber (arrived 7:40)
Johannes (left 9:30)	Johnson	Kavan (left 9:15)
Langemeier (left 8:15)	Mastny	McDermott (left 9:30)
Nelson	Saalfeld (arrived 7:15)	Sabatka
Sendgraff	Shelso	Wilke

**DIRECTORS ABSENT**

Bailey	Daufeldt	Jedlicka
Sabata		

**STAFF AND GUESTS:**

Miyoshi	Mountford	Breunig
Murren	Gottschalk	Angle
Lisa Brichacek, Wahoo Newspaper		Fern Dolezal
Kristin Uhing, Dodge NRCS		Grant Porter

**3. APPROVAL OF AGENDA**

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

**a. NRCS Report**

Kristin Uhing, Dodge County NRCS Clerk briefed the Directors on her duties as the clerk at the Dodge County NRCS Office.

**b. NARD Report**

Don Kavan reported that all Directors have a copy of the NARD Board and Committee Meeting Minutes in their box. The next Board Meeting will be June 4th.

**5. APPROVAL OF MINUTES**

Mastny made the motion, seconded by Shelso, to approve minutes from the April 9, 2001 Board Meeting. Motion carried on consent agenda.

**6. REPORT OF STANDING COMMITTEES**

**A. EXECUTIVE COMMITTEE REPORT**

**1. Meetings**

**a. Pending**

Mastny made the motion, seconded by Shelso, to approve up to two Directors and two Staff members to attend the GMDA Summer Meeting, June 3-5. Motion carried on consent agenda.

Mastny made the motion, seconded by Shelso, to allow one staff person to attend the SWCS Annual Conference August 4-8. Motion carried on consent agenda.

**b. Reports**

Attached to the Executive Committee Minutes are reports on the Washington, DC trip.

**2. Management Items**

**a. Directors Absences**

None Received.

**b. Keep Nebraska Beautiful**

Mastny made the motion, seconded by Shelso, to approve dues to the Keep Nebraska Beautiful in the amount of \$30. Motion carried on consent agenda.

**c. MUD -vs- Saunders County**

Attached to the Executive Committee Minutes is a letter received from Saunders County Deputy Attorney, Grant Porter informing the District that a request for a hearing to DNR in the Saunders County -vs- MUD Case has been turned down due to the lack of standing by Saunders County. The County is therefore requesting a hearing as set forth in 1999. The original complaint was filed jointly with the District and the Nebraska Department of Natural Resources. By agreement, any action by the NRD was suspended until a decision was reached by Department of Natural Resources. In January of 2000 a Committee was set up to work with Lindahl and Management through this process. Those on the Committee are: McDermott, Daufeldt, Johnson, with Bull listed as the alternate. The original petition filed with the District sited 16 points of complaint. The District does have jurisdiction over item number one, which deals with well registration. However, there seems to be some question if the District will have jurisdiction over items 2-16. Lindahl suggested that the Committee be activated and a pre-trial conference be set for all parties to sit down and discuss the best line of action. Langemeier made the motion, seconded by McDermott, that the following LPNNRD Directors be appointed to the Saunders County -vs- MUD Sub-Committee: Johnson, Bull, Sabatka and Shelso as an alternate, and authorize the Saunders County -vs- MUD Sub-Committee to:

1. Act on behalf of the LPNNRD on all matters concerning Saunders County -vs- MUD,
  2. Hire a hearing officer if needed,
  3. At the advice of Legal Counsel set a pre-hearing conference,
  4. Report to the Board all Sub-Committee actions for ratification or adoption by the Board as necessary.
- Motion carried all members present voting aye.

**d. Legislative Activity**

The main Legislative activity has centered around funding for the Sand Creek project. This funding is currently in place due to efforts by Senator Bromm. The proposal still has two hearings to go through in front of the full legislature and stand up to any action that the Governor may have.

The second legislative item is the water quality funding. NARD Executive Director, Dean Edson has worked diligently. Currently it appears that a comprise 1.2 million will go into the water quality fund which must be matched by the District with 40% of the money coming from the State and 60% match by the District. The 1.2 million dollars is about one-half of what was received in the past from the Fertilizer Tax.

**e. Property Tax by Class**

Attached to the Executive Committee Minutes is a sheet showing how property taxes are collected by the States Natural Resources Districts. From the Lower Platte North about 40% of our income from property tax comes from Agricultural Property.

**f. Western Sarpy/Clear Creek Levee**

Johannes made the motion, seconded by Saalfeld, to approve the Interlocal Agreement to fund the Western Sarpy Clear Creek Levee Project and authorize the manager to sign said agreement pending Legal Counsel Review. Motion carried all members present voting aye.

**g. Lower Platte River Corridor Alliance**

**The following Reports Were Given:**

- ✓ Water Quality Open**
- ✓ Non Profit Status**
- ✓ Rural Water System**
- ✓ Domestic Well Testing**

**Alliance 02 Budget**

Copies of the proposed FY 02 Budget for the LPRCA were distributed. Mastny made the motion, seconded by Shelso, that the LPNNRD host a meeting for the 3 Alliance NRD members and that all Directors be invited to the Meeting. The purpose for the meeting would be to discuss the proposed Alliance FY02 Budget and receive any questions from Directors about the Alliance's budget. Specific instructions were given to not have major presentations at the meeting but the main part be questions from Directors. Motion carried on consent agenda.

**h. Purchase of J Run Software**

Mastny made the motion, seconded by Shelso, to purchase a copy of Jrun software at a cost of \$711.28 as attached to the Executive Committee Minutes. Motion carried on consent agenda.

**i. Upgrading ArcGIS 8.1**

Mastny made the motion, seconded by Shelso, to purchase the Arc GIS 8.1 upgrade at a cost of \$1,300. Motion carried on consent agenda.

**j. Resignation of Director Daufeldt**

Director Jane Daufeldt has accepted an employment position with the Muscatine, IA Chamber of Commerce. She will be leaving her current employment yet in May and is resigning her term with the NRD effective May 18. To fill the vacated position Chairman Wilke has appointed a Search Committee made of up Daufeldt, McDermott, Sabatka and Kavan. The Committee is charged with finding a replacement for Daufeldt which will meet the State Statutes that say a Director of like background fill the remaining 1½ years of the term. The committee is to report back at the June 11 Board Meeting. Several candidates have been suggested by individuals, other entities and Board Members.

Daufeldt also serves as Vice-Chair of the Board a recommendation is needed to fill the vacancy of Vice-Chair. It was suggested that a person step in as Vice-Chair to fill the rest of the 2001 term and at officer elections in 2002 that the current Treasurer and Secretary move up one position and a new Treasurer be elected. Suggestions for filling the remainder of 2001 Vice-Chair Term included any past Chairman or Director LeRoy Nelson. Shelso made the motion, seconded by Bull, to appoint LeRoy Nelson to fill the rest of 2001 term as Vice-Chair effective May 19, 2001. Motion carried.

**AYE:** Bull, Eden, Grueber, Johannes, Johnson, Kavan, Langemeier, Mastny, McDermott, Saalfeld, Sabatka, Sendgraff, Shelso, Wilke

**ABSTAIN:** Nelson

**k. Bob Weaver Bill**

Mastny made the motion, seconded by Shelso, to pay the Bob Weaver bill in the amount of \$1,971.67 as attached to the Executive Committee Minutes. Motion carried on consent agenda.

**l. Lake Wanahoo**

Bull made the motion, seconded by Shelso, to approve the Sand Creek Environmental Restoration Project PMP (Project Management Plan), Design Agreement and Escrow Agreement and authorize the General Manager to sign and execute the three agreements. Motion carried all members present voting aye.

**3. Equipment**

**a. Computer Purchases for FY01**

Two computers were budgeted for purchase for FY01. Specification for these computers will be presented at the next Executive Committee Meeting.

**4. Personnel**

**a. Interlocal Agreement**

Mastny made the motion, seconded by Shelso, to approve the Interlocal Agreement for the Butler County Field Clerk as attached to the Executive Committee Minutes. Motion carried on consent agenda.

**b. Travel Policy**

Dean Johnson has produced a potential Travel Policy for the District to consider. The item will be

reviewed by Staff and the Personnel Sub-Committee for full Board approval at a future meeting.

**c. Personnel Sub-Committee Minutes and Motions**

Attached to the Executive committee Minutes is a copy of the Personnel Sub-Committee Meeting Minutes. Items that need full Board action are as follows:

Mastny made the motion, seconded by Shelso, to change Murren's job code to 655 as set in the Nebraska State Government Salary Survey and that Heimann's job code be changed to 434. Motion carried on consent agenda.

Mastny made the motion, seconded by Shelso, that employees receive no working hours when attending the annual recognition banquet, however the District will pay for meal costs of each employee and spouse attending the recognition banquet. Motion carried on consent agenda.

Mastny made the motion, seconded by Shelso, that the Water Resources Manager or the Operation and Maintenance Manager attend each Board Meeting and that each of them are required to attend a minimum of 6 Board Meetings per year. Motion carried on consent agenda.

**d. Scott Nelson Resignation**

Water Resources Specialist, Scott Nelson has resigned from the NRD effective May 4, 2001. Scott has accepted the position of Assistant Manager, at the Nemaha NRD. McDermott made the motion, seconded by Nelson, to fill the vacant Water Resources Specialist position. Motion carried all members present voting aye.

**5. Finance**

**a. Financial Reports**

Bull made the motion, seconded by Mastny, to approve the March Financial Statements as distributed. Motion carried all members present voting aye.

**b. Approval of Managers Expenses**

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

**c. Check Signing Policy**

Attached to the Executive Committee Minutes is a copy of the check signing policy followed by LPSNRD. This signing policy allows for single signatures on most District checks. This item will be discussed by the Executive Committee.

Mastny made the motion, seconded by Shelso, that the May LPNNRD Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

**B. OPERATION AND EDUCATION COMMITTEE REPORT**

**1. WHIP REPORT**

**a. Payments**

Mastny made the motion, seconded by Shelso, to approve one WHIP contract at a total payment of \$270 and approve one new Wild Nebraska Contract.

H.H. Harney                Saunders    18 acres                \$ 270.00

**New Contract**

Larry Loseke                Platte                3.3 acres                \$221.76/year for 5 years, contract is for ten

Motion carried on consent agenda.

**2. OPERATION & MAINTENANCE**

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

- ✓ Operation and Maintenance Activities
- ✓ Rawhide Creek North Branch
- ✓ Tree Program
- ✓ Homestead Lake
- ✓ Platte River Boat Ramp Access
- ✓ Bellwood Ditch 4 Drainage

**3. ROCK AND JETTY**

**a. Payment**

Mastny made the motion, seconded by Shelso, to approve payment of \$975 to Martin Masek for work accomplished on the Platte River in Butler County, pending inspection by staff. Motion carried on consent agenda.

**b. New Application**

Mastny made the motion, seconded by Shelso, to approve a new application for Kolb Farms, Saunders County, stream bank erosion on Wahoo Creek near Ashland. 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
- \* Soil and Water Stewardship Week
- \* GMDA Newsletter

**b. Spring Conservation Sensation**

Mastny made the motion, seconded by Shelso, to approve payment of \$541.27 for the Spring Sensation giveaway. Motion carried on consent agenda.

Mastny made the motion, seconded by Shelso, that the May LPNDRD Operation and Education 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. Well Permits**

For 2001 the NRD has approved 13 well permits. This time last year we had 34 permits.

##### **2. Distribution Manifold and Calibration Meter Cost-share**

Mastny made the motion, seconded by Shelso, to approve payment to Michael Veskrna for \$1,100.00 for a calibration meter, to Daniel Thiesen for \$1,100.00 for a calibration meter, to Zoucha Farms for \$1,100.00 for a calibration meter and to Russell Hajek for \$1,197.50 for a calibration meter and distribution manifold. Motion carried on consent agenda.

##### **3. The Following Reports Were Given:**

- ☞ Chemigation
- ☞ Nitrogen Certification Classes
- ☞ Vadose Zone Sampling
- ☞ Well Registrations
- ☞ Livestock Waste Permits

### **2. GROUND WATER PROGRAMS**

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

- \* Wellhead Protection Areas
- \* Groundwater Quality - Platte Valley
- \* Mead NOP
- \* Ground Water Energy Levels

#### **b. Decommissioned Well Program**

Mastny made the motion, seconded by Shelso, to approve cost share payment to decommission the irrigation well for Reynold Kucera for \$355.50, an irrigation well for Bonnie Kadavy for \$420.18 and an irrigation well for JJG Farms-John Sobota for \$442.75. Motion carried on consent agenda.

#### **c. WHPA T-shirts**

Mastny made the motion, seconded by Shelso, to approve the purchase of 75 WHPA T-shirts for a cost of \$487.50. Motion carried on consent agenda.

#### **d. Monitoring Wells**

The District is looking at placing a cluster of monitoring wells in the central part of Platte County (T19N, R1W, S29) for long term monitoring of ground water levels. Due to separate aquifers in this area, two or three wells will be needed. Sendgraff made the motion, seconded by Saalfeld, to accept the low bid of \$12,920 from Coranco Great Plains to drill up to three monitoring wells if need. Motion carried all members present voting aye.





**Tom Koffel Dam**

Mastny made the motion, seconded by Shelso, to return the \$500 small dam deposit to Tom Koffel since he could not obtain the required water storage easement from the adjacent landowner. Recommendation carried. \*

**Marian and Larry Yost**

Mastny made the motion, seconded by Shelso, to approve the sediment basin renovation with the approved project for Marian and Larry Yost and raise the total cost-share approval to \$10,000. It was further recommended that this approval be subject to the landowner signing an agreement that grass buffer strips be established above the site in the fall of 2001, as outlined by the NRCS. Motion carried on consent agenda.

**Gary DeFoil**

Mastny made the motion, seconded by Shelso, to cancel the small dam application for Gary DeFoil this year and allow him to apply for fall SWCP funds to treat land above the subject site in anticipation of a possible 2002 dam approval. It was further recommended to return the \$500 small dam deposit to Mr. DeFoil at this time. Motion carried on consent agenda.

**2. WATERSHEDS**

**a. Skull Creek Watershed**

**1. Additional Rock Rip-Rap for Emergency Spillway**

Grueber made the motion, seconded by Shelso, to approve a \$15,025.33 change order with Kobus Earth Moving for the Skull Creek 55 Project as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

**2. Landowner Requests to Rent Land at Homestead Lake**

Mastny made the motion, seconded by Shelso, that the District not rent any Homestead Lake property in 2001, to avoid potential conflicts with the project's intent and the planned construction activities later this year. Motion carried on consent agenda.

**3. Designate Base Crop Acres on Property to Remain with Previous Owners**

Mastny made the motion, seconded by Shelso, to authorize the Assistant Manager to sign FSA-155 forms to designate that all contract base crop acres remain with previous landowners/tenants on property purchased for the Skull Creek 55 (Homestead Lake) project. Motion carried on consent agenda.

**4. Homestead Lake - Bids for Recreation Development**

Grueber made the motion, seconded by Nelson, to authorize staff to advertise for bids for Homestead Lake's recreation component, upon receipt of the final plans, specification and bid documents from Olsson Associates. Motion carried all members present voting aye.

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

Mastny made the motion, seconded by Shelso, to approve the following conservation plans:

Signed Farm Plans: April 2001

<u>Wayne Ratkovec</u>	<u>Butler</u>
<u>Lindwood Land Co./Dawson</u>	<u>Butler</u>
<u>David Hanis</u>	<u>Butler</u>
<u>Viola Lindsay</u>	<u>Butler</u>
<u>Loye Max Steinbach X 2</u>	<u>Dodge</u>
<u>John Trutna</u>	<u>Saunders</u>
<u>Arnold Johnson</u>	<u>Saunders</u>
<u>Paul Cederlind</u>	<u>Boone</u>
<u>David Rech</u>	<u>Butler</u>




Motion carried on consent agenda.

**4. Elkhorn Breakout IPA Assessment Hearing**

Mastny made the motion, seconded by Shelso, to approve the attached Resolution No. 01-01 to be delivered to the Dodge County Clerk and Treasurers office on July 11, 2001. Motion carried on consent agenda.





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

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

-  Northwest Butler County Landowners Meeting
-  Shell Creek Locally Led Landowners
-  Skull/Bone Creek Locally Led Landowners

**6. LAKE WANAHOO REPORT**

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

-  Shooting Range
-  COE Feasibility Study
-  Addendum I
-  Tree Nursery

Mastny made the motion, seconded by Shelso, that the May LPNNRD Projects Committee Minutes be received and placed on file. Motion carried on consent agenda.

**7. ADDITIONAL ACTION ITEMS**

**7.a. Distribution Manifold & Calibration Meter Cost-share**

Sendgraff made the motion, seconded by Saalfeld, to approve payment to David Deerson for \$1,185.35 for a calibration meter and distribution manifold. Motion carried all members present voting aye.

**7.b. Booth Rental Fees for County Fairs**

Sendgraff made the motion, seconded by Saalfeld, to approve the following booth rental fees; Saunders

County Fair - \$75; Platte County Fair - \$120. Motion carried all members present voting aye.

**7.c. NACD Northern Plains Regional Meeting - Attachment**

Sendgraff made the motion, seconded by Saalfeld, to approve one staff and one director to attend the NACD Regional Meeting, Great Falls, MT, June 17-19, see attached sheet for details. Motion carried all members present voting aye.

**7.d. Summer 2001 Water & Natural Resources Tour - Attachment**

Sendgraff made the motion, seconded by Saalfeld, to send interested Directors and Staff to the 2001 Water and Natural Resources Tour, June 18-20 at a cost of \$375 per person. Motion carried all members present voting aye.

**7.e. Return Dam Deposit**

Sendgraff made the motion, seconded by Saalfeld, to return Jim Truksa's \$500 Dam Deposit. Motion carried all members present voting aye.

**8. BILLS TO BE APPROVED**

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

**9. CONSENT AGENDA ADOPTION**

Mastny made the motion, seconded by Shelso, to approve the May consent agenda as amended. Motion carried all members present voting aye.

Shelso made the motion, that the District pay one-half of the cost for any Directors or Staff wishing to participate in the LPRCA Water Quality Open. Motion died for lack of a second.

**10. COMMENTS FROM DIRECTORS/GUESTS**

Sabatka made the motion, seconded by Grueber, that the LPNNRD Executive Committee and Management review any staff positions that are to be replaced or created before any interviews are conducted. Motion carried all members present voting aye.

**11. MEETING ESTABLISHMENT AND ADJOURNMENT**

The June Board of Directors Meeting will be held on Monday, June 11, 2001. Time and location to be determined. Meeting adjourned at 10:05 p.m.

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Dean Johnson, Secretary