

LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
MAY 11, 2009

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 7:00 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, May 11, 2009.

1. NOTICE OF MEETING

The advanced notice of our May board meeting was published on April 23, 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	Hilger
Johannes	Johnson	Kavan
Meduna	Pieke	Renter
Sabatka	Taylor	Veskerna
Vrana	Saalfeld	

DIRECTORS ABSENT

Hannah	Reitmajer
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STAFF AND GUESTS:

Mountford	Breunig	Murren
Gottschalk	Angle	

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

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 is May 14.

e. Managers Report

None

f. Education Program

Dana Divine was present to give an update and answer questions on the ENWRA Project.

5. APPROVAL OF MINUTES

Pieike made the motion, seconded by Meduna, to approve minutes from the April 13, 2009 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. GMDA Summer Meeting

Pieike made the motion, seconded by Meduna, to send up to two staff and two directors to the GMDA Summer Meeting, June 7-9, 2009 Estes Park Colorado. Motion carried on consent agenda.

2. NACD Regional Meeting

Pieike made the motion, seconded by Meduna, to up two staff and/or directors to the NACD Regional Meeting in Bismarck, ND, June 14-16, 2009. Motion carried on consent agenda.

3. Future of Water - Update Given

4. NARD Basin Tour - Update Given

2. Management Items

a. Directors Absence

Pieike made the motion, seconded by Meduna, to approve Gene Acklie's excuse of absence from the April Meeting. Motion carried on consent agenda.

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

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

Pieike made the motion, seconded by Meduna, to make payment of \$1,625 or

(\$541.67 per NRD) to Bob Weaver for additional work during the month of March. Motion carried on consent agenda.

c. Monthly Education Program - Update Given

d. Legal Counsel Contact

Boyd made the motion, seconded by Acklie, to update our Legal Counsel Contact policy to "The General Manager and NRD Chair are the principal contacts with our Professional Advisors (Auditors, Engineers, Legal Counsel) and that all other contacts by Directors are to be authorized by the Executive Committee before meeting with Professional Advisors which will create an expense for the District."

Sabatka made the motion, seconded by Johnson, to table the Legal Counsel Contact motion and send it back to the Executive Committee. Motion carried all members present voting aye.

3. Equipment - None

4. Personnel

a. Review of State Salary Survey

Boy made the motion, seconded by Vrana, to approve the FY10 salary ranges for LPNNRD with a maximum change limited to 10% per position as attached to the Executive Committee and Personnel Sub-Committee Minutes. Motion carried.

AYE: Acklie, Bailey, Boyd, Casey, Eden, Hilger, Johannes, Pieke, Taylor, Vrana, Saalfeld

NAY: Johnson, Kavan, Meduna. Renter, Sabatka, Veskerna

b. Manger's Evaluation

Director Johannes handed out the Manager's evaluation that was prepared by the Personnel Sub-Committee and asked everyone to fill it out and return it in the attached envelope.

Director Johnson passed around a Manager's evaluation that he prepared and asked all Directors to fill out that evaluation.

c. Vacation Policy - Update Given

d. Chain of Command/Ethics Policy - Update Given

e. Next Meeting - Update Given

5. Finance

a. Approval of Financial Report

Pieke made the motion, seconded by Meduna, to approve the March financial report as distributed. Motion carried on consent agenda.

b. Approval of Managers Expenses

Pieke made the motion, seconded by Meduna, 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

Director Sabatka asked that all LPNNRD employees reimburse the District for any outstanding personal phone calls. He feels employees should be billed on a more regular basis rather than once a year.

d. Unemployment Insurance Payment

Pieke made the motion, seconded by Meduna, to pay Nebraska Workforce Development \$671.99 for unemployment benefits for Dustin Wilcox. Motion carried on consent agenda.

Pieke made the motion, seconded by Meduna, that the May 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

Pieke made the motion, seconded by Meduna, to pay a CREP contract payment to Larry Bruhn, Colfax, County, \$77.08. Motion carried on consent agenda.

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Update Given

b. Conservation Tree Program - Update Given

c. Community Trails - Update Given

d. South Fremont 205 Study - Update Given

e. Czechland Boat Ramp Dock - Update Given

f. Miscellaneous Items - Update Given

3. ROCK AND JETTY

a. New Applications - None

b. Payment Requests

Pieke made the motion, seconded by Meduna, to pay the Village of Ithaca \$1,800 for armoring Wahoo Creek and repair to a small levee. Motion carried on consent agenda.

4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given

5. INFORMATION & EDUCATION

a. Information/Education

1. Recreation Brochure - Update Given

2. David City Aquinas Field Day - Update Given

3. Spring Conservation Sensation - Update Given

4. County Fairs

Pieke made the motion, seconded by Meduna, to approve display fees for up to four county fairs for summer 2009. Motion carried on consent agenda.

5. Scholarship Request

Pieke made the motion, seconded by Meduna, to approve a \$100 scholarship for Melissa Thalken to attend Aquatic Blast 4-H Camp in August 2009. Motion carried on consent agenda.

b. Computer - Update Given

6. RURAL WATER ACTIVITIES

a. Bruno/David City Rural Water - Update Given

b. Colon/Wahoo Rural Water System - Update Given

c. Abie - Update Given

d. Bellwood/Richland - Update Given

e. Swedeburg - Update Given

Pieke made the motion, seconded by Meduna, that the May 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. LB 483 and Update of LPNNRD Rules and Regulations - Update Given

2. Platte River Uplands Subarea LPNNRD Stay Management Area

Pieke made the motion, seconded by Meduna, to declare a 180 day temporary stay management area to take effect on June 7, 2009 for the Platte River Uplands subarea. which includes all or part of the following sections: T18N, R6E, Sections 24; T18N, R7E, Sections 19-27, and 36; T18N, R8E, Sections 20-21, 28-29, 32-33. Motion carried on consent agenda.

3. Well Permit Program

a. Well Permits Approved - Update Given

b. Water Use Reporting - Update Given

4. Variance Request

Johannes made the motion, seconded by Acklie, to conditionally approve the variance request for a new water well to Randy Rasmussen in the N1/2, Section 21, T16N, R8E and to allow the expansion of approximately 58 irrigated acres with no offsets in the Yutan subarea provided the water well is greater than 1,000 feet from the Yutan subarea boundary. 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

Pieke made the motion, seconded by Meduna, to approve cost share payment to decommission the irrigation well for Sandra Labenz for \$770.04, an irrigation well

for Leonard Farms Partnership for \$507.89, an irrigation well for Patricia Wilson/ Mark Gall for \$750.45, an irrigation well for Randy Reznicek for \$524.98 and a domestic well for Ray Flood for \$347.35. 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

c. Ground Water Energy Levels - Update Given

1. District Spring Measurements - Update Given

d. Former Ordnance Plant Mead

1. COE - Open House - Update Given

3. OTHER

a. GMDA Summer Session - Update Given

b. University of Nebraska Summer Water Tour - Update Given

c. Comments from the Public - Update Given

Piekie made the motion, seconded by Meduna, that the May 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

Piekie made the motion, seconded by Meduna, to approve the following SWCP applications: 75%

<u>Richard Cherovsky</u>	<u>22-14-6</u>	<u>Saunders</u>	<u>Terraces/Tile</u>	<u>\$7,215.00</u>
<u>Richard Coady</u>	<u>35-16-8</u>	<u>Saunders</u>	<u>Terraces/Tile</u>	<u>\$2,980.00</u>
<u>Gregg Fujan</u>	<u>26-15-5</u>	<u>Saunders</u>	<u>Terraces/Tile</u>	<u>\$10,000.00</u>
<u>Janice Newsham</u>	<u>23-13-8</u>	<u>Saunders</u>	<u>Terraces/Tile</u>	<u>\$10,000.00</u>
<u>Jerry Newsham</u>	<u>25-13-8</u>	<u>Saunders</u>	<u>Terraces/Tile</u>	<u>\$8,080.00</u>
<u>David Sloup</u>	<u>13-16-5</u>	<u>Saunders</u>	<u>Terraces/Tile</u>	<u>\$6,080.00</u>
<u>Charles Emanuel Inc.</u>	<u>33-18-2</u>	<u>Colfax</u>	<u>Flow Meter x 2</u>	<u>\$1,335.32</u>
<u>Larry Wolta</u>	<u>27-17-2</u>	<u>Colfax</u>	<u>Planned Grazing</u>	<u>\$6,804.37</u>
<u>Edward Bakenhus</u>	<u>11-18-1</u>	<u>Platte</u>	<u>Crop ground to grass</u>	<u>\$1,999.93</u>

Phil Buhman	3-18-1	Platte	Planned grazing water supply	\$1,683.00
Steven Jahn	11-18-1	Platte	Crop ground to grass	\$310.60
TOTAL SUMMER APPROVALS:				\$56,487.62

Motion carried on consent agenda.

Pieke made the motion, seconded by Meduna, to approve the following SWCP Tree Planting applications:

Landowner	Total Cost			Cost Share
Name	County	# Trees	w/out Tax	Program
Jason Arlt	Saunders	247	\$ 308.75	SWCP
Charles McEvoy	Saunders	275	\$ 343.75	SWCP
Todd Baker	Saunders	1,044	\$1,305.00	SWCP
Rodney Macholan	Butler	200	\$ 250.00	SWCP
Brian Goff	Butler	200	\$ 250.00	SWCP
Total		1,966	\$2,457.50	

Motion carried on consent agenda.

b. SWCP Payments

Pieke made the motion, seconded by Meduna, to approve the following SWCP payment:

	Approved	Actual
08-Bo-9 Oliver Loken Cropground to grass	\$ 739.66	\$ 533.18

Motion carried on consent agenda.

c. SWCP Cancellations - None

d. Sand/Duck Creek Approvals - None

e. Sand/Duck Creek Cost-Share Payments - None

f. Sand/Duck Cancellations - Update Given

g. UNL Sand/Duck & Shell Creek Quarterly Reports - Update Given

2. WATERSHEDS

a. Locally Led Landowner Groups

1. Shell Creek Watershed Improvement Group (SWIG)

Pieke made the motion, seconded by Meduna, to approve 75%-cost share on eligible program components totaling \$321.61 of John Kaufman's \$553.57 well abandonment bill as presented. It was further moved to make payment of \$321.61 to John Kaufman for his abandoned well. Motion carried on consent agenda.

3. FSA , EQIP & CRP PLANS SIGNED

4. PLATTE RIVER CORRIDOR ALLIANCE REPORT



a.. PRCA Monthly Report - Update Given

b. PRCA Draft Budget for FY10

Meduna made the motion, seconded by Pieke, to approve the proposed FY 2010 PRCA budget with the understanding that each proposed project item will require Projects Committee and Board approval before initiation. Motion carried all members present voting aye.

c. PRCA Project/Program Invoices for FY09

Meduna made the motion, seconded by Pieke, to approve the submitted FY 2009 PRCA project and program invoices as attached totaling \$55,283. Motion carried all members present voting aye.

5. 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. Nebraska No-Till Conference - Update Given

7. LAKE WANAHOO REPORT

a. Lake Wanahoo Committee Meeting Review - Update Given

b. Contract Payments

1. Commercial Contractors Payment Request No. 6

Sabatka made the motion, seconded by Pieke, to approve pay request No. 6 to Commercial Contractors for Lake Wanahoo Dam Construction in the amount of \$1,012,611.11 and use SRF funds to pay this request. Motion carried all members present voting aye.

2. Frahm Construction

Meduna made the motion, seconded by Boyd, to approve payment request No. 3 to Frahm Construction on the Lake Wanahoo Fisheries Contract in the amount of \$231,471.00 and use NPAIT funds to pay. Motion carried all members present voting aye. It should be noted that the District will be reimbursed 75% from Nebraska Game & Parks Commission and 25% from the Nebraska Environmental Trust.

3. AWS Abandoned Wells

Pieke made the motion, seconded by Casey, to approve a \$6,999.00 payment to AWS Well Company for properly abandoning eight irrigation and five domestic

wells located on Lake Wanahoo Property. Motion carried all members present voting aye.

4. Lake Wanahoo Relocation Payment Procedure

Johannes made th motion, seconded by Boyd, to bring the following motion off the table: It was recommended (by Hannah), seconded (by Casey), to approve \$20,000 payment to Mike and Andy Murren for Lake Wanahoo Project relocation expenses. Motion carried.

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

NAY: Meduna

Boyd made the motion, seconded by Pieke, to approve \$20,000 payment to Mike and Andy Murren for for Lake Wanahoo Project relocation expenses. Motion carried.

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

NAY: Kavan, Meduna

8. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

a. Project Update - Update Given

b. Hire Surveying Services

Meduna made the motion, seconded by Pieke, to hire JEO for surveying the first five plats at \$550 a plat or \$2,750 total needed for Clear Creek/Western Sarpy landright determinations. Motion carried.

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

ABSTAIN: Casey

Pieke made the motion, seconded by Meduna, to accept and place on file the May Projects Committee Minutes. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7a. ENWRA - Year 3 Contract Approval

Sabatka made the motion, seconded by Acklie, to approve Year 3 of the ENWRA Contract with Department of Natural Resources and authorize General Manager to sign the attached contract. Motion carried all members present voting aye.

7b. Sub-Area Study - Year 2 Contract Approval

Sabatka made the motion, seconded by Acklie, to approve Year 2 of the Sub-Area study with Department of Natural Resources and authorize General Manger to sign the

attached contract. Motion carried all members present voting aye.

7c. SWCP Payment

Sabatka made the motion, seconded by Acklie, to approve the following SWCP Payment:

	<u>Approved</u>	<u>Actual</u>
<u>08-B-33 Richard Kucera Terraces w/Tile</u>	<u>\$9,170.00</u>	<u>\$7,756.38</u>
<u>Randy Kavan Sand/Duck Coordinating w/ EQIP</u>	<u>\$7,293.70</u>	<u>\$5,766.84</u>

(Cost-share payment represents 40% of total)

Motion carried all members present voting aye.

7d. Decommissioned Well Payment

Sabatka made the motion, seconded by Acklie, to approve the following decommissioned well payment:

<u>Lower Platte North NRD</u>	<u>Wanahoo Abandoned Wells</u>	<u>\$5,021.25</u>
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Motion carried all members present voting aye.

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

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

10. COMMENTS FROM DIRECTORS/GUESTS

Director Johnson informed the Board that he is requesting a pre-audit meeting with HBE for Directors only and would like all Committee Chairs in attendance. He suggested the following dates for this meeting June 7, 16, 22, 29 or 30.

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The June Board of Directors Meeting will be held on Monday, June 8, 2009, 7:00 p.m.

Meeting adjourned at 9:55 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 May 11, 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.

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Bob Hilger, Secretary