

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
May 13, 2013**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 6:00 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, May 13, 2013.

1. NOTICE OF MEETING

The advanced notice of our May 13, 2013 board meeting was published on April 18, 2013 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Hilger 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:

Birkel	Clausen	Gibney
Hagerbaumer	Hannah	Johannes
Kavan	Meduna	Olson
Pieke	Pollard	Ruzicka
Sabatka	Veskerna	Hilger

DIRECTORS ABSENT

Bailey	McDermott	Saalfeld
Taylor		

STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Angle	Gottschalk	

Jovan Lausterer, NRD Legal Counsel

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. NRCS Report

Mark Walkenhorst was present to review the NRCS written report.

c. NARD Report

Kavan reported on LB517 the Water Sustainability Task Force.

d. NRC Report

Johannes also reported on LB517 the Water Sustainability Task Force.

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

Dave Russ and Meghan Sittler were present and gave a report on the recently completed three year Shell Creek Monitoring Program.

5. APPROVAL OF MINUTES

Pieke made the motion, seconded by Hannah, to approve the minutes from the April 8, 2013 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. DNR Meeting for Title 457 Rules and Regulations - Update Given

2. LPRCA Kayak Tour – Update Given

3. GMDA Summer Meeting

Pieke made the motion, seconded by Hannah, to send up to two directors and two staff to the GMDA Summer Meeting, June 2-4, in Colorado Springs. Motion carried on consent agenda.

4. NARD Basin Tour – Update Given

5. NASB Open Meetings Law Workshops – Update Given

b. Reports – Update Given

2. Management Items

a. Directors Absence – Update Given

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

Pieke made the motion, seconded by Hannah, to approve additional payment of \$400 for a total of \$3,500 to Bob Weaver for February services and an additional \$1,400 for a total of \$4,500 for March services and bill LPSNRD and Papio NRD for their share. Motion carried on consent agenda.

Pieke made the motion, seconded by Hannah, to approve payment of \$3,100 to Bob Weaver for April services and bill LPSNRD and Papio NRD for their share. Motion carried on consent agenda.

c. Monthly Education Program – Update Given

d. November Board Meeting

Pieke made the motion, seconded by Hannah, to hold our November Meeting on Thursday, November 14th in Newman Grove. Motion carried all members present voting aye.

e. Nebraska Habitat Conservation Coalition Annual Meeting - Update Given

f. Martinez Lawsuit – Update Given

g. CCEI Lawsuit – Update Given

h. Butler County CAFO Letters – Update Given

3. Equipment

a. Laser Printer

Pieke made the motion, seconded by Hannah, to purchase a HP P3015DN LaserJet printer for an estimated price of \$599. Motion carried on consent agenda.

4. Personnel

a. Personnel Sub-Committee Meeting

1. Salary Job Codes

Pieke made the motion, seconded by Hannah, to change the Computer/GIS Specialist index source code to 15.1121. Motion carried on consent agenda.

2. Salary Ranges

Johannes made the motion, seconded by Clausen, to approve the F.Y 2014 Salary Ranges as attached to the Personnel Sub-Committee Minutes, which show a maximum mid-point change of 10%. Motion carried all members present voting aye.

3. 9-Step System Initial Placement

Meduna made the motion, seconded by Veskerna, to place each employee on the step as suggested by the Personnel Sub-Committee. This action will not cost the District any money. Motion carried.

AYE: Clausen, Gibney, Hagerbaumer, Hannah, Johannes, Meduna, Olson, Pollard, Ruzicka, Sabatka, Veskerna

NAY: Birkel, Kavan, Pieke, Hilger

4. Personnel Policies Updates

a. Vacation – Policy VI-B

Ruzicka made the motion, seconded by Meduna, to approve the Vacation Policy VI-B as attached to the Personnel Sub-Committee Minutes and reviewed by Legal Counsel. Motion carried all members present voting aye.

b. Military Leave – Policy VII-B

Ruzicka made the motion, seconded by Birkel, to approve the Military Leave Policy VII-B as attached to the Personnel Sub-Committee Minutes and reviewed by Legal Counsel. Motion carried all members present voting aye.

c. Life Insurance, Accidental Death & Dismemberment, LTD Coverage – Policy VIII-B

Pieke made the motion, seconded by Veskerna, to approve the updated Life Insurance, Accidental Death & Dismemberment, LTD Coverage Policy VIII-B as attached to the Personnel Sub-Committee Minutes and reviewed by Legal Counsel. Motion carried all members present voting aye.

5. Manager Evaluation – Update Given

5. Finance

a. Approval of Financial Report

Pieke made the motion, seconded by Hannah, to approve the March Financial Statements as

distributed. Motion carried on consent agenda.

b. Approval of Managers Expenses

Pieke made the motion, seconded by Hannah, 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. Monthly Accounting Update – Update Given

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

B. OPERATIONS, EDUCATION & RURAL WATER COMMITTEE REPORT

1. WILD NE/CREP REPORT

a. Wild NE, WHIP, Contract Payments – None

b. CREP Payment(s)

Pieke made the motion, seconded by Hannah, to approve a CREP payment of \$77.08 to Larry Bruhn. Motion carried on consent agenda.

c. New Contract (s) - None

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Update Given

b. South Fremont 205 Feasibility Study – Update Given

c. Cottonwood 21-A

Pieke made the motion, seconded by Hannah, to pay Palensky Dirt Work \$812.50 for work accomplished below Cottonwood 21-A. Motion carried on consent agenda.

d. Wanahoo Recreation Area

Veskerna made the motion, seconded by Meduna, to pay the Nebraska Game & Parks Commission \$29,393.77 for the deficient income of camping fees at Lake Wanahoo SRA for calendar year 2012. Motion carried.

AYE: Clausen, Gibney, Hagerbaumer, Johannes, Meduna, Olson, Ruzicka, Sabatka, Veskerna

NAY: Birkel, Hannah, Kavan, Pieke, Pollard, Hilger

Birkel made the motion, seconded by Ruzicka, to have Legal Counsel Lausterer work with Nebraska Game and Parks Commission on wording in the Interlocal Agreement for the Lake Wanahoo State Recreation Area. Motion carried all members present voting aye.

e. Gifford Payment on Drive Access – Update Given

f. Dam Renovations – Update Given

g. North Bend Trail – Update Given

3. ROCK AND JETTY

a. Applications - None

b. Payment Requests – None

4. EROSION & SEDIMENT RULES & REGULATIONS – Update Given

5. INFORMATION & EDUCATION

a. Information

1. KTIC Ads – Update Given

2. Viaduct/Annual Report

Pieke made the motion, seconded by Hannah, to add the Humphrey newspaper to the Viaduct distribution. Motion carried on consent agenda.

3. NRD Recreation Areas Brochure – Update Given

b. Education

1. Soil and Water Stewardship Week – Update Given

2. Spring Conservation Sensation – Update Given

3. Shell Creek Watershed Scholarship

Pieke made the motion, seconded by Olson, to approve and award the Shell Creek Watershed Scholarships to Darienne Pokorny and Demetria Edgell \$1,000 each for participating in the Shell Creek Watershed Monitoring Program. Motion carried all members present voting aye.

c. Computers

1. Computer Upgrades

Ruzicka made the motion, seconded by Meduna, to purchase four new computers from Lenovo on the WSCA/NASPO contract for \$3,886.88. Motion carried all members present voting aye.

6. RURAL WATER Systems

a. Bruno/David City Rural Water – Update Given

Birkel made the motion, seconded by Sabatka, to approve the connection of Jamie Yindrick to the Bruno Rural Water system and have the general manager; assistant manager and rural water manager sign the tap-on agreement with David City. Motion carried all members present voting aye.

b. Colon/Wahoo Rural Water System – Update Given

c. Other – Update Given

Pieke made the motion, seconded by Hannah, that the May LPNNRD Operations, Education 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

a. April Variance Requests in the Limited Development Area – Update Given

b. April Variance Requests in the Normal Development Area – Update Given

2. Well Permit Program

a. Well Permits Approved

Pieke made the motion, seconded by Hannah, to approve the new well permit for Stuart Gerhold to irrigate 40 acres in the NW1/4 of the SE1/4, and NE1/4 of the SE1/4, Section 13, T16N, R1E (LDA) from a pump placed in sand pit in the NW1/4 of the SE1/4, Section 13, T16N, R1E Butler County. Motion carried on consent agenda.

Pieke made the motion, seconded by Hannah, to approve a replacement well permit for G-114989 that will be a submersible pump located in a sandpit at NW1/4 of the NE1/4 of Section 13, T16N, R1E and will irrigate 40 acres of the same ground in the NW1/4 of the NE1/4 and the NE1/4 of the NE1/4, Section 13, T16N, R1E Butler County as the original well G-114989 and will also serve as a supplemental well to G-075997 to irrigate the same ground in the NW1/4 of the NE1/4, Section 13, T16N, R1E Butler County also covered by well G-075997. No new irrigated acres will be involved. Motion carried on consent agenda.

b. Supplemental Well Permits Requiring Review

Pieke made the motion, seconded by Hannah, to approve the supplemental well permit for Ralph Pelster which will be located in the SE1/4, Section 11, T22N, R6W Boone County (LDA) and will supplement the irrigation well G-044176. Motion carried all members present voting aye.

c. New Acre Development Applications in Normal Development Area (NDA)

Pieke made the motion, seconded by Hannah, to consider the variance application for Lawrence Hynek well in NE1/4, Section 3, T16N, R5E, Saunders County (RDA) and the variance application for Daryl Kubik well in SE1/4, Section 28, T15N, R5E, Saunders County (RDA) since these applications are within the 1 mile boundary of the Restricted Development Area and to place these applications within the pool of acres for the Normal Development Area that will be rated using the established ranking criteria established by LPNDRD for consideration at the September Board meeting. Motion carried all members present voting aye.

d. Michael Dvorak Well Application – Update Given

e. David Deerson Well Application – Update Given

f. City of Mead Well Application

Pieke made the motion, seconded by Hannah, to approve the well permit for the City of Mead to fill a wastewater lagoon in Section 36, T15N, R8E Saunders County. Motion carried on consent agenda.

3. Voluntary Integrated Water Management Plan – Update Given

4. Lower Platte River Basin Water Management Plan

Pieke made the motion, seconded by Hannah, to approve the Interlocal Cooperative Agreement, Lower Platte River Basin Water Management Plan Coalition. Motion carried on consent agenda.

5. Cost-Share Programs

a. Irrigation Well Sample Kits - Update Given

b. Domestic Well Sample Kits - Update Given

c. NAWMN Water Mark Sensors and ET Gauges – Update Given

6. LPNNRD Certification Classes – Update Given

7. Bellwood Phase 2 Area – Update Given

8. Richland/Schuyler Phase II Area - Update Given

9. Charles Wortman Presentation – Update Given

10. Certifying Acres

Pieke made the motion, seconded by Hannah, to approve the LPNNRD acre ‘transfer form between parcels of the same landowner’ and the LPNNRD ‘transfer form between landowners’.
Motion carried on consent agenda.

b. Chemigation – Update Given

c. Livestock Waste Permits

Pieke made the motion, seconded by Hannah, to answer the letters received from people concerned about the Danbred swine livestock operation to outline the role of the LPNNRD in this situation.
Motion carried on consent agenda.

2. GROUND WATER PROGRAMS

a. Decommissioned Well Program

1. Well Estimates - Update Given

2. Plugged Wells

Pieke made the motion, seconded by Hannah, to approve cost share payment of \$720.81 to decommission the irrigation well for Freddie Siefken and payment of \$925.15 to decommission the two irrigation wells for Beebe Production Enterprises, LLC. Motion carried on consent agenda.

b. LPNNRD Ground Water Studies

1. LPNNRD Platte River Ground Water Model – Update Given

2. Elkhorn Loup Model – Update Given

3. Eastern Nebraska Water Resources Assessment (ENWRA) – Update Given

c. Ground Water Energy Levels-

Meduna made the motion, seconded by Ruzicka, to accept the bid from Sargent Irrigation totaling \$57,644.89 for the installation of six monitoring wells at the proposed locations. Motion failed.

AYE: Hannah, Johannes, Kavan, Meduna, Olson, Sabatka, Veskerna

NAY: Birkel, Clausen, Gibney, Hagerbaumer, Pieke, Pollard, Ruzicka, Hilger

d. Former Ordnance Plant Near Mead – Update Given

e. Wellhead Protection Areas for Lincoln and Omaha – Update Given

3. SURFACE WATER PROGRAMS

a. Shell Creek Water Quality Study

Pollard made the motion, seconded by Ruzicka, to pay USGS \$5,505.00 for the Shell Creek continuous water quality monitoring project outlined in the Joint Funding Agreement. Motion carried all members present voting aye.

4. OTHER

a. Lindsay Manufacturing Clean-Up Water

b. Spring Conservation Sensation – Update Given

c. Tom Sunderman Request for Monitoring Well – Update Given

d. Department of Natural Resources Rules and Regulations – Update Given

e. Comments From The Public – Update Given

Pieke made the motion, seconded by Hannah, 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 Application Approvals

Pieke made the motion, seconded by Hannah, to approve the following SWCP tree and flow meter applications:

<u>Trees:</u>		<u>75%</u>	
<u>Nate Rohda</u>	<u>Saunders</u>	<u>600 trees</u>	<u>\$585.00</u>
<u>Pete Rix</u>	<u>Dodge</u>	<u>544 trees</u>	<u>\$530.40</u>
<u>Bryan Hein</u>	<u>Butler</u>	<u>202 trees</u>	<u>\$196.95</u>
<u>Laura Moravic</u>	<u>Butler</u>	<u>240 trees</u>	<u>\$234.00</u>
		<u>TOTAL:</u>	<u>\$1,546.35</u>
<u>Flow Meters:</u>			<u>50%</u>
<u>Sunnyhill Farms Inc.</u>	<u>Colfax Co.</u>	<u>Flow Meter X 2</u>	<u>\$1,250.00</u>
<u>Kermit Wilshusen</u>	<u>Colfax Co.</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>Terry Reichmuth</u>	<u>Platte Co.</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>James Fehringer</u>	<u>Platte Co.</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>Ronald Brandl</u>	<u>Platte Co.</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>Robert Pollock</u>	<u>Dodge Co.</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>Jason Mueller</u>	<u>Platte Co.</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>Jack Beller</u>	<u>Platte Co.</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>Daniel Thiesen</u>	<u>Saunders Co.</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>MTM Farms, LLC</u>	<u>Saunders Co.</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>Rick Beranek</u>	<u>Saunders Co.</u>	<u>Flow Meter</u>	<u>\$625.00</u>

<u>Ken Krafka</u>	<u>Butler Co.</u>	<u>Flow Meter</u>	\$625.00
		TOTAL:	<u>\$8,125.00</u>

Motion carried on consent agenda.

b. SWCP Payments

Pieke made the motion, seconded by Hannah, to approve the following SWCP cost-share Payments:

			<u>75%</u>
<u>12-M-14</u>	<u>MARBU Inc.</u>	<u>Madison Co.</u>	<u>Planned Grazing</u>
			<u>\$1,140.00</u>
<u>12-P-36</u>	<u>Lyle Alswager</u>	<u>Platte Co</u>	<u>Basins/Tile</u>
			<u>\$2,777.08</u>
<u>12-Bo-44</u>	<u>Randall Benson</u>	<u>Boone Co.</u>	<u>Flow Meter</u>
			<u>\$591.50</u>
		TOTAL:	<u>\$4,508.58</u>

Motion carried on consent agenda.

c. SWCP Cancellations

Pieke made the motion, seconded by Hannah, to approve the following SWCP cancellations:

<u>11-S-16</u>	<u>Scheerer Family Trust</u>	<u>Flow Meter</u>	<u>\$642.50</u>
<u>11-P-35</u>	<u>Klassen Farms Inc.</u>	<u>Flow Meter x 2</u>	<u>\$1,285.00</u>
<u>11-D-36</u>	<u>L. Fritz Loeske</u>	<u>Flow Meter</u>	<u>\$642.50</u>
<u>11-B-38</u>	<u>Randal Kremlacek</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>11-D-42</u>	<u>John C. Colgan</u>	<u>Flow Meter x 2</u>	<u>\$1,250.00</u>

Motion carried on consent agenda.

d. Cottonwood Creek Payments - None

e. Sand/Duck Creek Approvals - None

f. Sand/Duck Cost-Share Payment - None

g. SWCP 2013 Practice Payment Schedule – Update Given

2. WATERSHEDS

a. Cottonwood Creek – Update Given

b. Shell Creek

1. Newman Grove School Request

Pieke made the motion, seconded by Hannah, to approve an additional payment of \$16.43 (bringing the new total to \$760.68) (50% assistance) for equipment and supplies for the 2013 Shell Creek sampling program to the Newman Grove School. Motion carried on consent agenda.

c. Wahoo Creek

1. Wahoo Creek Watershed Water Quality Plan – Update Given

3. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report – Update Given

b. LPRCA Project Invoice for FY2013

Kavan made the motion, seconded by Meduna, to approve payment of \$66,834 to the LPRCA for the Obstruction Removal Project and the Section 22 Study as attached to the Projects Committee Minutes. Motion carried.

AYE: Birkel, Clausen, Gibney, Hannah, Johannes, Kavan, Meduna, Olson, Pieke, Pollard, Sabatka, Veskerna

NAY: Hagerbaumer, Ruzicka, Hilger

c. LPRCA FY 2014 Proposed Budget Review

Olson made the motion, seconded by Johannes, to approve all FY2014 LPRCA budget items as outlined in black totaling \$81,245 (will be invoiced as completed) and budget an additional \$28,333 for contingent projects (Water Trail- \$23,333; Water Quality Cost Share & Education - \$5,000) for potential future Board approval as outlined in red in the LPRCA Budget as attached to the Projects Committee Minutes. Motion carried.

AYE: Birkel, Gibney, Hagerbaumer, Hannah, Johannes, Kavan, Meduna, Olson, Pieke, Sabatka, Veskerna

NAY: Clausen, Pollard, Ruzicka, Hilger

4. OTHER

a. Update on Army COE 205 Studies

1. South Fremont 205 – Update Given

2. Schuyler 205 – Update Given

b. District-wide Hazard Mitigation Plan- FEMA/NEMA Grant Assistance

1. JEO Contract for Services

Pieke made the motion, seconded by Hannah, to authorize staff to work with JEO for preparing a contract with a detailed scope of services as presented, for updating LPNNRD’s District-wide Hazard Mitigation Plan. Motion carried on consent agenda.

2. Interlocal Agreement with the UBBNRD

Pieke made the motion, seconded by Hannah, to approve moving forward with obtaining a Hazard Mitigation Plan Interlocal agreement with the Upper Big Blue NRD as attached to the Projects Committee Minutes. Motion carried on consent agenda.

3. Approval of City of Wahoo’s Hazard Mitigation Plan (HMP)

Kavan made the motion, seconded by Meduna, to approve annexing the City of Wahoo’s Hazard Mitigation Plan into LPNNRD’s District-wide HMP and authorize the Board Chair to sign a resolution indicating this as the attached to the Projects Committee Minutes. Motion carried all members present voting aye.

c. Project Expense Review – Update Given

5. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT REPORT

a. Lake Wanahoo – Update Given

1. Wanahoo Dam Spillway Report – Update Given

2. Access Road Agreement (Skyline Properties)

Kavan made the motion, seconded by Meduna, to proceed to replace the street as previously agreed upon with Skyline Properties as part of the Sand Creek Project. It was further recommended to hire Olsson Associates to provide needed engineering services for completing this work as outlined in Exhibit “A” to the Letter Agreement for Professional Services totaling

\$10,000, as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

3. Lake Wanahoo Trail Crossing – Update Given

b. Upstream Structures – Update Given

6. WESTERN SARPY/CLEAR CREEK LEVEE REPORT – Update Given

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

7. ADDITIONAL ACTION ITEMS – Reports and discussion – No action taken

8. BILLS TO BE APPROVED

Johannes 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 Hannah, to approve the May consent agenda. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The June Directors Meeting will be held on Monday, June 10, 2013, 6:00 p.m. Meeting adjourned at 9:12 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 13, 2013, 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.