

LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
NOVEMBER 9, 2009

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 5:50 p.m. at Newman Grove Community Center, Newman Grove, NE on Monday, November 9, 2009.

1. NOTICE OF MEETING

The advanced notice of our October board meeting was published on October 22, 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	Boyd	Eden
Casey	Hannah	Hilger
Johannes (arrived 6:20)	Kavan	Meduna
Pieke	Renter	Sabatka
Veskerna	Vrana	Saalfeld

DIRECTORS ABSENT

Bailey	Johnson	Reitmajer
Taylor		

STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Gottschalk	Angle

Sund

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

None

b. NRCS Report

None

c. NARD Report

None

d. NRC Report

Director Johannes reported that the next Commission Meeting will be November 19<sup>th</sup> at LPNNRD Office.

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

The Newman Grove Science Club gave their annual update to the Board.

5. APPROVAL OF MINUTES

Meduna made the motion, seconded by Acklie, to approve minutes from the October 12, 2009 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. NACD Annual Conference

Hilger made the motion, seconded by Pieke, to send one staff and three directors (Saalfeld, Kavan and Johnson) to the NACD Annual Conference January 31-February 3, 2010 in Orlando, Florida. Motion carried.

AYE: Acklie, Boyd, Casey, Eden, Hannah, Hilger, Meduna, Pieke, Renter, Veskerna, Vrana, Saalfeld

ABSTAIN: Kavan

b. Reports - Update Given

2. Management Items

a. Directors Absence - None

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

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

c. Insurance Coverage Changes - Update Given

d. Master Plan - Update Given

e. Monthly Education Program - Update Given

f. Director Computer Sub-Committee - Update Given

g. Security System - Update Given

Kavan made the motion, seconded by Meduna, to purchase the Security Equipment from Webco ADT Security for a total of \$1,618. It was further recommended to pay a \$30.99/month for security monitoring and \$2.00/month for fire monitoring. Motion carried all members present voting aye.

h. New Executive Director for SWCS - Update Given

I. NWRA Takes Position on Pallid Sturgeon - Update Given

j. Resolution by Central Platte NRD - Update Given

k. Benefit Committee Report - Update Given

j. January Committee Meeting Dates

Meduna made the motion, seconded by Acklie, to set the January Committee Meetings as follows: Monday, January 4<sup>th</sup> 8:30 a.m. O-E-RW Committee; 10:00 a.m. Water Committee and Tuesday, January 5<sup>th</sup>, 8:30 a.m. Projects Committee, 10:30 a.m. Executive Committee. Motion carried on consent agenda.

3. Equipment

a. Computer

Boyd made the motion, seconded by Meduna, to authorize the purchase of a new GIS Computer in the amount of \$2,455 as outlined on the specifications as attached to the Executive Committee Minutes. It was further recommended to use \$1,000 from the "Director Computer" Fund with the remaining funds coming from the "Office Equipment-Computer" fund. Motion carried all members present voting aye.

4. Personnel

a. Sub-Committee Meeting - Update Given

5. Finance

a. Approval of Financial Report

Meduna made the motion, seconded by Acklie, to approve the June, July and August Financial Reports as distributed. Motion carried on consent agenda.

b. Approval of Managers Expenses

Meduna made the motion, seconded by Acklie, 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. Annual Audit Report

Sund reviewed the Annual Audit Report with the Directors and answered any questions. Renter made the motion, seconded by Pieke, to accept and approve the 2009 LPNNRD Annual Audit Report prepared by HBE. Motion carried all members present voting aye.

e. Accounting Review

Beginning next month we will ask each committee to review the monthly financial report for their individual committee. We will also have Krystal give an update on Wanahoo Finances at the end of Projects Committee. Any Executive Committee member who wishes to hear the review should arrive early.

f. Uncashed Check

Meduna made the motion, seconded by Acklie, to void the Karen Mitera check and record the overpayment as income. Motion carried on consent agenda.

g. Payment to HBE

Boyd made the motion, seconded by Renter, to approve payment for the remaining 25% or \$5,000 to HBE for completing the audit of our financial statements for the year ending 6/30/09. It was further recommended to approve \$3,680 to HBE for additional services related to Lake Wanahoo. Motion carried all members present voting aye.

Meduna made the motion, seconded by Acklie, that the November 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 - Update Given

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Update Given

b. South Fremont 205 Feasibility Study - Update Given

c. Czechland and Homestead Rec Areas - Update Given

d. City of North Bend Trails - Update Given

e. Invasive Weed Management - Update Given

f. Vehicle For Sale - Update Given

g. Trouble Creek Dam Easement - Update Given

h. Conservation Tree Prices

Meduna made the motion, seconded by Acklie, to keep the District tree prices in 2010 at \$.65 for hand plants and \$1.25 for machine plants. Motion carried on consent agenda.

I. Community Forestry

Meduna made the motion, seconded by Acklie, to participate with the City of Wahoo's "Street Tree Rebate Program" at a \$1,000 match. Motion carried on consent agenda.

Meduna made the motion, seconded by Acklie, to purchase 900 Arbor Day Foundation trees for distribution to school children for Arbor Day. Motion carried on consent agenda.

3. ROCK AND JETTY

a. New Applications - Update Given

b. Payment Requests - Update Given

4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given

5. INFORMATION & EDUCATION

a. Information

1. KTIC Ads - Update Given

2. NARD Calendar - Update Given

3. Master Plan

Boyd made the motion, seconded by Renter, to approve the Lower Platte North NRD's 10-year master plan as presented at Committee Meeting. Motion carried all members present voting aye.

b. Education

1. North Bend Ag Class - Update Given

2. Land Judging - Update Given

3. Nebraska Science Bowl Request

Meduna made the motion, seconded by Acklie, to donate \$100 to support the 2010 Nebraska Science Bowl. Motion carried on consent agenda.

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. Other

Boyd made the motion, seconded by Veskerna, to sell the contents of the Federal Surplus trailer purchased in December 2007 to Sam Barlean for \$1,000. Motion carried all members present voting aye.

Meduna made the motion, seconded by Acklie, that the November 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. Platte River Uplands Subarea LPNNRD Stay Management Area

Johannes made the motion, seconded by Acklie, to declare the Platte River Uplands Subarea as a permanent Stay Management Area on December 3, 2009.

Motion carried all members present voting aye.

2. Variance Request for Hydrologically Connected Area

a. For Producers Seeking New Irrigated Acres from a New Well - Update Given

b. For Producers Seeking New Irrigated Acres from an Existing Well

Meduna made the motion, seconded by Acklie, to place an ad in all area newspapers with cost not to exceed \$700.00 announcing that the LPNNRD will have a second round of variance requests for expansion of irrigated acres in the hydrologically connected areas of the District with a deadline of December 15, 2009. Motion carried on consent agenda.

3. Well Permit Program

a. Well Permits Approved - Update Given

4. Water Use Report

Meduna made the motion, seconded by Acklie, to change Board Policy on "Water Use Reports" as follows:

<u>January 31st</u>	<u>Water use reports due</u>
<u>February 10th</u>	<u>For reports not received, landowners or tenants sent certified letter giving them until next Water Comm. to submit those reports.</u>
<u>Water Comm. for March Board meeting</u>	<u>For reports not received, landowners or tenants attend March Board meeting and submit reports.</u>
<u>March Board meeting</u>	<u>Reports not received by Board meeting can be issued Cease and Desist orders.</u>

Motion carried on consent agenda.

5. Cost-Share Programs

a. Irrigation Well Sample Kits - Update Given

b. Domestic Well Sample Kits - Update Given

c. Water mark Sensors and ET Gauges - Update Given

6. LPNNRD Certification Classes - Update Given

7. Bellwood Phase II Area - Update Given

8. Richland/Schuyler Phase II Area- Update Given

9. Phase 2 Fertilizer Reports

Meduna made the motion, seconded by Acklie, to change Board Policy on "Phase 2 Area Fertilizer Reports" as follows:

<u>December 31st</u>	<u>Fertilizer Reports due</u>
<u>January 10th</u>	<u>For reports not received, landowners or tenants sent certified letter giving them until next Water Comm. to submit those reports.</u>
<u>Water Comm. for Feb. Board meeting</u>	<u>For reports not received, landowners or tenants attend February Board meeting and submit reports.</u>
<u>February Board meeting</u>	<u>Reports not received by Board meeting can be issued Cease and Desist orders.</u>

Motion carried on consent agenda.

10. 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 - Update Given
  - 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) - Update Given
    - 4. Eastern Nebraska HEM Aquifer Mapping - Update Given
  - c. Ground Water Energy Levels - Update Given
  - d. Former Ordnance Plant at Mead - Update Given
3. OTHER
- a. GMDA Annual Conference - Update Given
  - b. District Master Plan - Update Given
  - c. Comments from the Public - Update Given

Meduna made the motion, seconded by Acklie, that the November LPNNRD Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

D. PROJECTS COMMITTEE REPORT

1. SWCP REPORT

a. SWCP Fall Applications Approvals  
Meduna made the motion, seconded by Acklie, to approve the following SWCP applications:

Dale Grotelueschen	Colfax Co.	Flow Meter	\$667.71
Charles Folsom	Dodge Co.	Flow Meter	\$667.71
* James Kaspar (09-S&D-14)		Terraces/Tile	\$3,958.56
<b>TOTAL:</b>			<b>\$4,626.27</b>

Motion carried on consent agenda.

b. SWCP Payments  
Meduna made the motion, seconded Acklie, to approve the following SWCP payments:

	Approved \$	Payment
09-S-07 Gregg Fujan Terraces w/Tile	\$10,000.00	\$10,000.00

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 - None

## 2. WATERSHEDS

a. Locally Led Landowner Groups

1. Shell Creek Watershed Improvement Group (SWIG)

Meduna made the motion, seconded by Acklie, to approve 50% of the cost of medals and a plaque plate for the Shell Creek Water Quality Team Students, up to a maximum of \$150 assistance. Motion carried on consent agenda.

## 3. FSA , EQIP & CRP PLANS SIGNED

## 4. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report - Update Given

## 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. Draft Master Plan Review & Discussion - Update Given

d. Nomination for Conservationist of the Year - Update Given

## 6. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT

a. Contract Payments

1. Commercial Contractors

Casey made the motion, seconded by Meduna, to approve payment request No. 12 to Commercial Contractors, as attached to the Projects Committee Agenda for Lake Wanahoo Dam Construction in the amount of \$1,292,992.11 and use SRF funds to pay. Motion carried all members present voting aye.

2. Change Order Frahm Construction - \$3,213.66 decrease

Meduna made the motion, seconded by Acklie, to approve the contract change order with Frahm Construction, as attached, on the Lake Wanahoo Fisheries Contract

which will decrease the contract price in the amount of \$3,213.66. Motion carried all members present voting aye.

### 3. Frahm Construction

Acklie made the motion, seconded by Renter, to approve final payment request No. 6 (final bill) to Frahm Construction, as attached to the Projects Committee Agenda, for Lake Wanahoo Fisheries work in the amount of \$73,657.79 and use NPAIT funds to pay. Motion carried all members present voting aye.

#### b. Nebraska Department of Roads - Supplemental Agreement No. 1

Murren reviewed a draft supplemental Agreement No. 1 between the Nebraska Department of Roads, LPNNRD, City of Wahoo and Saunders County. After all credits and debits are finalized, it is estimated that NDNR will reimburse the Lake Wanahoo Project approximately \$240,000 for work we have completed involving the state expressway, soil borrow site and land easements. A final agreement will be forthcoming.

#### c. Wahoo State Bank Interest and Extension

Meduna made the motion, seconded by Eden, to make our \$206,264.54 interest payment to Wahoo State Bank on our Lake Wanahoo Land Loan as attached to the Projects Committee Minutes. It was further recommended to authorize the Board Chair to sign a 2-year loan extension agreement with Wahoo State Bank at a 4.29% interest rate. Motion carried all members present voting aye.

#### d. Doug Bartek Wanahoo Expense Payment Request

Meduna made the motion, seconded by Acklie, to approve an \$80 payment to Doug Bartek for relocating two fuel tanks as part of additional relocation compensation. It was further recommended to approve paying \$259.40 to S&S Welding & Repair, as attached to the Projects Committee Minutes, for repairing Doug Bartek's irrigation engine shed that was damaged prior to relocation. Motion carried on consent agenda.

## 7. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

It was reported that landrights process to determine right-of-way needs for the levee project continues.

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

## 7. ADDITIONAL ACTION ITEMS

### 7.a. JEO Hazard Mitigation Contract Payment

Johannes made the motion, seconded by Meduna, to approve payment to JEO for work completed on the Hazard Mitigation Plan in the amount of \$8,140. Motion carried.

AYE: Acklie, Boyd, Casey, Eden, Hannah, Hilger, Johannes, Meduna, Pieke, Renter, Veskerna, Vrana, Saalfeld

NAY: Kavan

7.b. Approval of Buffer Strip Payments

Johannes made the motion, seconded by Meduna, to approve payment in the amount of \$12,599.10 for 2009 Buffer Strip contracts as attached to the Board Meeting Booklet. Motion carried.

AYE: Acklie, Boyd, Casey, Eden, Hannah, Hilger, Johannes, Meduna, Pieke, Renter, Veskerna, Vrana, Saalfeld

NAY: Kavan

7.c. Advertise to Hire Appraiser for Seven NRCS Sites

Johannes made the motion, seconded by Meduna, to advertise to hire an appraiser for the seven NRCS sites and open bids on December 10<sup>th</sup> at 1:00 p.m. Motion carried.

AYE: Acklie, Boyd, Casey, Eden, Hannah, Hilger, Johannes, Meduna, Pieke, Renter, Veskerna, Vrana, Saalfeld

NAY: Kavan

7.d. Decommissioned Well Payment

Johannes made the motion, seconded by Meduna, to approve the following Decommissioned Well Payment:

Wilke Homestead Inc. (Evan Wilke)                      \$253.92              Motion carried.

AYE: Acklie, Boyd, Casey, Eden, Hannah, Hilger, Johannes, Meduna, Pieke, Renter, Veskerna, Vrana, Saalfeld

NAY: Kavan

7.e. Sand/Duck Creek Approvals

Johannes made the motion, seconded by Meduna, Recommend to approve the following Sand/Duck Creek Project:

Kathleen Johnson Terraces/Tile with Basins

½ of project in Sand & Duck Creek 90%                      = \$7,399.80

½ of project above Cottonwood Structure (22A) 75%                      = \$6,166.50

Motion carried.

AYE: Acklie, Boyd, Casey, Eden, Hannah, Hilger, Johannes, Meduna, Pieke, Renter, Veskerna, Vrana, Saalfeld

NAY: Kavan

7.f. Update to NARD 457 and 414(h) Plans

Recently the NARD/NRD Benefits Committee made recommendations to update and codify the NARD 457 and 414(h) plans which are the employee retirement and supplemental retirement plans. A copy of the proposed changes are attached. Johannes made the motion, seconded by Meduna, to approve "Amendment Number One" to the "Nebraska Association of Resources Districts 457 Deferred Compensation Plan" as attached to the 11-9-09 Board

Meeting Packet and authorize the Chair to sign said amendment. It is further moved to approve the attached resolution authorizing "Amendment Number One" and direct the District Secretary to verify and sign said resolution. Motion carried.

AYE: Acklie, Boyd, Casey, Eden, Hannah, Hilger, Johannes, Meduna, Pieke, Renter, Veskerna, Vrana, Saalfeld

NAY: Kavan

#### 8. BILLS TO BE APPROVED

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

#### 9. CONSENT AGENDA ADOPTION

Meduna made the motion, seconded by Acklie, to approve the November consent agenda as amended. All members present voting aye.

#### 10. COMMENTS FROM DIRECTORS/GUESTS

#### 11. MEETING ESTABLISHMENT AND ADJOURNMENT

The December Board of Directors Meeting will be held on Monday, December 14, 2009, 5:30 p.m.

Meeting adjourned at 8:15 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 November 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.

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Robert Hilger, Secretary