

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
November 14, 2013**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 6:00 p.m. at Newman Grove Community Center, Newman Grove, NE on Thursday, November 14, 2013.

1. NOTICE OF MEETING

The advanced notice of our November 14, 2013 board meeting was published on October 24, 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	Kavan
Meduna	Olson	Pieke
Pollard	Ruzicka	Saalfeld
Sabatka	Veskerna	Hilger

DIRECTORS ABSENT

Bailey	Johannes (Task Force)	McDermott
Taylor		

STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Almond	Angle	Oaklund

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 reviewed his written report.

c. NARD Report

Kavan reported that the NARD Board met on November 11th and much discussion centered on the Water Policy Task Force.

d. NRC Report - None

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

Prior to the Board Meeting the Newman Grove Science Club gave their annual presentation on the quality of water in Shell Creek.

5. APPROVAL OF MINUTES

Pieke made the motion, seconded by Hannah, to approve the minutes from the October 14, 2013 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. NACD Annual Conference – February 2-5

Pieke made the motion, seconded by Hannah, to approve expenses for up to two staff and two directors to attend the NACD Annual Conference, February 2-5, Anaheim, California. Motion carried on consent agenda.

b. Reports

1. Employee Benefits Meeting Notes – Update Given

2. Management Items

a. Director Absences – None

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

Pieke made the motion, seconded by Hannah, to pay Bob Weaver the additional \$1,277 (\$426 per NRD) on the September billing for extra hours worked on the WS/CC Project and bill Lower Platte South and Papiro their share. Motion carried on consent agenda.

Pieke made the motion, seconded by Hannah, to approve payment of \$3,200 to Bob Weaver for October services and bill LPSNRD and Papiro NRD for their share. Motion carried on consent agenda.

c. Monthly Education Program – Update Given

d. Martinez Lawsuit – Update Given

e. CCEI Lawsuit – Update Given

f. Federal Shutdown

Ruzicka made the motion, seconded by Meduna, to pay the four NRD Clerks and our Conservation Technician for half of the time (42 hours) that they were displaced from their jobs. Motion carried all members present voting aye.

Saalfeld made the motion, seconded by Hagerbaumer, to send a letter to our congressional delegation to let them know the disruption and hardships that the federal government shutdown created for our district. Motion carried all members present voting aye.

g. NACD Membership Dues

Pieke made the motion, seconded by Hannah, to pay our 2014 NACD Membership dues in the amount of \$1,775 as attached to the Executive Committee Minutes. Motion carried on consent agenda.

h. Letter from Papio NRD Concerning Director Scott Japp – Update Given

i. Recognition to Nebraska Game and Parks Commission – Update Given

3. Equipment – None

4. Personnel - None

5. Finance

a. Approval of Financial Report

Pieke made the motion, seconded by Hannah, to approve the August and September Financial Statements as distributed to all Directors. 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 November LPNIRD 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) – None

c. New Contract (s) - None

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Update Given

b. South Fremont 205 Feasibility Study – Update Given

c. Czechland Lake - Update Given

d. Wanahoo Recreation Area – Update Given

e. Farmland, Fremont and Railroad Drainage District - Update Given

f. Community Forestry

Pieke made the motion, seconded by Hannah, to make payment to David City Public Schools for any current bills received by Board Meeting and to pay any remaining expenses not to exceed 50% of the cost, with a maximum payment not to exceed \$1,000 when the David City Public Schools Community Forestry Project is completed. Motion carried on consent agenda.

g. Tree Program Prices – 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. Fall Newsletter – Update Given

3. Brochures – Update Given

4. NRD Tree Website – Update Given

b. Education

1. Land Judging – Update Given

2. Range Judging – Update Given

c. Computer

1. Computer for GIS Assistant – Update Given

6. RURAL WATER Systems

a. Bruno/David City Rural Water – Update Given

b. Colon/Wahoo Rural Water System – Update Given

c. Cedar Bluffs – Update Given

d. Brainard and Dwight – Update Given

e. Other – Update Given

Pieke made the motion, seconded by Hannah, that the November LPNRRD 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. 2013 Drought Conditions – Update Given

2. Variance Requests in the Normal Development Area (NDA) – Update Given

3. Variance Request in the Limited Development (Hydrologically Connected) Area – Update Given

4. Well Permit Program

a. Well Permits Approved – Update Given

b. Pond Well Permit Applications – Update Given

c. Dave Brezina Well Permit

Pieke made the motion, seconded by Hannah, to change the classification of the original Dave Brezina ‘replacement well permit’ to a ‘new well permit’ to irrigate previously irrigated acres and change the classification on the old irrigation well to a stock well with the condition that this well will pump less than 50 gpm. Motion carried on consent agenda.

d. Michael Dvorak Well Permit – Update Given

e. Mark Hoessel Supplemental Well Permit – Update Given

5. Update of Ground Water Management Area Rules and Regulations (GWMA)

Legal Counsel Lausterer presented in detail a draft copy of the updated GWMA Rules and Regulations that the Water Committee and Staff have amended and revised. The Water Committee is requesting that the Board review and make comments on the GWMA Rules and Regulations and attend the next Water Committee meeting (Monday, November 25 at 5:00 p.m.) so that full discussion on the proposed Rules and Regulations can occur prior the required public hearing.

6. Lower Platte River Basin Water Management Plan Coalition – Update Given

7. 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

8. LPNNRD Certification – Update Given

9. Bellwood Phase 2 Area – Update Given

10. Richland/Schuyler Phase II Area - Update Given

11. Fall Fertilizer Application Date – 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 Hannah, to approve cost share payment of \$526.29 to decommission the irrigation well for Charles Folsom and payment of \$567.98 to decommission the irrigation well for Dan Lutjens. Motion carried on consent agenda.

b. LPNNRD Ground Water Studies

1. Elkhorn Loup Model – Update Given

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

c. Ground Water Energy Levels – Update Given

3. OTHER

a. GMDA 2014 Annual Meeting – Update Given

b. Comments From The Public – Update Given

Pieke made the motion, seconded by Hannah, 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 Application Approvals

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

			50%
<u>Donna O’Connor</u>	<u>Dodge Co.</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>Burneil Ecklund</u>	<u>Saunders Co.</u>	<u>Flow Meter</u>	<u>\$625.00</u>

Motion carried on consent agenda.

b. SWCP Payments

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

			75%
<u>13-S-24</u>	<u>Jerry Newsham</u>	<u>Terraces/Tile</u>	<u>\$12,500.00</u>

Motion carried on consent agenda.

c. SWCP Cancellations - None

d. Cottonwood Creek Payments - None

e. Sand/Duck Creek Approvals – None

f. Sand/Duck Cost-Share Payment - None

2. WATERSHEDS

a. Wahoo Creek 319 Grant Approval – Update Given

b. Shell Creek Watershed Plan – Update Given

3. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report – Update Given

b. LPRCA Invoice

Kavan made the motion, seconded by Meduna, to approve payment of the \$37,667 invoice from the LPRCA, as attached to the Projects Committee Minutes. Motion carried.

AYE: Clausen, Gibney, Hagerbaumer, Hannah, Kavan, Meduna, Olson, Pieke, Pollard, Saalfeld, Sabatka, Veskerna

NAY: Birkel, Ruzicka, Hilger

4. OTHER

a. Update on Army COE 205 Studies

1. South Fremont 205 – Update Given

2. Schuyler 205

Ruzicka made the motion, seconded by Meduna, to write a letter of support to the City of Schuyler should they decide to complete the Platte River Levee Design with available City and Army COE funding. It was further moved that this is a letter of support and no LPNNRD funding is committed toward completing the Platte River Levee design at this time. Motion carried all members present voting aye.

b. LPNNRD District-Wide All Hazard Mitigation Plan Update

Pieke made the motion, seconded by Hannah, to approve payment of JEO's \$2,207.40 invoice for work completed on our District-wide All Hazard Mitigation Plan as attached to the Projects Committee Minutes. Motion carried on consent agenda.

c. Projects Financial Statement Review – Update Given

5. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT REPORT

a. Lake Wanahoo – Easement to Saunders County

Kavan made the motion, seconded by Meduna, to grant an easement to Saunders County for the paving of County Road 17 in the form of:

.13 acres of permanent easement

.67 acres of temporary construction easement

all located in W½ of SW½ of Section 22–T15N–R7E as specifically shown in documents attached to the Projects Committee Minutes and authorize the board chair to sign the documents on behalf of the board. Motion carried all members present voting aye.

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 November Projects Committee Minutes. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7a. Sand & Duck Creek Payment

Ruzicka made the motion, seconded by Pieke, to approve the following Sand and Duck Creek Payment:

Ginger Lacy Septic System inspection & upgrade \$3,300

Motion carried all members present voting aye.

7b. SWCP Payment:

Ruzicka made the motion, seconded by Pieke, to approve the following SWCP Payment:

<u>12-P-21</u>	<u>Moser KMKR, LLC</u>	<u>Flow meter</u>	<u>\$625.00</u>
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Motion carried all members present voting aye.

7c. Decommissioned Well Payment

Ruzicka made the motion, seconded by Pieke, to approve the following decommissioned well payment:

<u>Schilke – Novak Kids Sports Trust</u>	<u>\$690.65</u>
<u>Gene Hansen x 3 wells</u>	<u>\$1,979.01</u>

Motion carried all members present voting aye.

7d. City of David City Well Permit

Well Permit application has been received from the City of David City to drill a well to irrigate 41.65 acres of turf grass in the Public Golf Course. These acres were previously irrigated with city water then with effluent water from the David City Water Treatment plant. This application was received November 1st, two days after the Water Committee meeting. Test hole information and supporting material has also been received. This irrigation well would be used solely to irrigate these 41.65 acres. Birkel made the motion, seconded by Pollard, to table the City of David City Well Permit until our 180 day “Temporary Stay” is lifted and then the request can be considered with all other permit applications. Motion carried all members present voting aye.

7e. Annual Audit Payment

The billing for our annual audit has been received and is \$3,380 less than budget due to a federal single audit not being required. Ruzicka made the motion, seconded by Pieke, to make payment to HBE in the amount of \$19,570 for the F.Y. 2013 Annual Audit as attached to the additional action items. Motion carried all members present voting aye.

7f. GMDA Annual Meeting

Ruzicka made the motion, seconded by Pieke, to approve expenses for two staff and two directors to attend the GMDA Annual Meeting, January 7-10, Biloxi, Mississippi. Motion carried all members present voting aye.

7g. Land Auctioneer Bid Proposals

Last month the decision was made to take bids for auctioning the Wirka Tract. Bids were advertised and opened on November 12. Birkel made the motion, seconded by Ruzicka, to accept the low bid from Kobza Auction and Reality, Bellwood with an auction fee of 2% to perform the land sale on the Wirka Tract. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Olson, made the motion, seconded by Birkel, 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 November consent agenda. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The December Directors Meeting will be held on Monday, December 9, 2013, 1:30 p.m. Meeting adjourned at 8:30 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 14, 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.

Lon Olson, Secretary