

LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
OCTOBER 10, 2005

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, October 10, 2005.

1. NOTICE OF MEETING

Public notification was made in area newspapers no later than September 29, 2005. Meeting notification and agendas were also provided.

2. ROLL CALL - INTRODUCTIONS

DIRECTORS PRESENT AND CONSTITUTING A QUORUM:

Alm	Bailey	Bull
Eden	Hannah	Hilger
Holstine	Johnson	Kavan
Koertner	Larsen	Reitmajer
Saalfeld	Sabatka	Schmid
Johannes		

DIRECTORS ABSENT

Jedlicka	Mastny	Pieke
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STAFF AND GUESTS:

Mountford	Breunig	Murren
Angle	Heimann	Gottschalk

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

Johnson reported on the NARD Fall Conference and Board Meeting held, September 26-27, Kearney.

d. Managers Report

Manager Miyoshi's written report was in the Directors Boxes.

e. Education Program

Tina Kurtz, DNR answered questions about LB962.

5. APPROVAL OF MINUTES

Schmid made the motion, seconded by Reitmajer, to approve minutes from the September 12, 2005 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. GMDA Annual Meeting

Schmid made the motion, seconded by Reitmajer, to authorize up to two Directors and two Staff to attend the GMDA Annual Conference, January 16-18, 2006, in San Antonio. Motion carried on consent agenda.

2. National No-Till Conference

Schmid made the motion, seconded by Reitmajer, to authorize up to two Directors and two Staff to attend the National No-Till Conference, January 11-14, 2006 in St. Louis. Motion carried on consent agenda.

3. November Board Meeting

Schmid made the motion, seconded by Reitmajer, to have the November 14th Board Meeting in Newman Grove. Motion carried all members present voting aye.

b. Reports

A report on the NARD Fall Conference was given.

2. Management Items

a. Directors Absence - None

b. Lower Platte River Corridor Alliance

1. Monthly Report

Attached to the Executive Committee Minutes is the September LPRCA report.

2. Environmental Carrying Capacity

Attached to the Executive Committee Minutes is an update from HDR on the Lower Platte River Environmental Carrying Capacity Project.

c. Bob Weaver Bill

Attached to the Executive Committee Minutes is an update from Weaver on Water and Energy Appropriations, the 2007 federal budget and WRDA 2005.

d. October Education Program

Tina Kurtz from DNR gave an educational program on "Fully Appropriated".

e. Busing/Brauckmuller -vs- LPNNRD

— On September 16th Judge Steinke ruled in our favor on our motion for Summary Judgment. This motion states there is no reason to go to trial and dismisses the two complaints. Each party is responsible for their own costs and fees encumbered (mostly legal fees). To date we have spent \$17,888.87 defending ourselves on these two suits.

f. Renner Bill

Schmid made the motion, seconded by Reitmajer, to approve payment of \$1,256.67 to Shawn Renner for legal services on the Busing/Brauckmuller lawsuits. Motion carried on consent agenda.

g. HBE Audit Bill

Schmid made the motion, seconded by Reitmajer, to approve payment of \$7,200 to HBE for the audit of financial statements for the year end June 30, 2005. Motion carried on consent agenda.

h. LB 962 Update

A detailed written update is attached to the Water Committee Minutes.

i. NRCS Agreement for Vehicle Use

Attached to the Executive Committee Minutes is an agreement from NRCS to allow our employees stationed at the NRCS offices to use NRCS vehicles. The agreement states we will carry property damage and liability insurance on these employees. Schmid made the motion, seconded by Reitmajer, to authorize management to sign "Agreement for Intermittent use of Transportation Equipment" with NRCS if it is deemed to be in our best interest and to work with our insurance agent to obtain necessary coverage. Motion carried on consent agenda.

j. Endangered Species Act

Each Director has been given a packet of information on legislation congress is considering concerning an update to the ESA.

k. USGS Agreements

Schmid made the motion, seconded by Reitmajer, to approve agreements with USGS for operation of four continuous gages at Shell Creek, Wahoo Creek, Johnson Creek and the Mead Recorder Well at a total cost of \$32,190 and authorize the General Manager to sign said agreements. Motion carried on consent agenda.

l. Comments from the Public at Board Meetings

Chairman Johannes directed staff to update the Agenda and have a place to receive comments from the public at the beginning and also at the end of each Board Meeting.

m. LPNNRD Board Size

Discussion continues to come up on the size of our board. This latest round was started because the committee system we now use does not keep all board members informed

on all topics such as L.B. 962. You would need to attend all four committees to be fully informed.

n. Building Upkeep - Carpet

Sabatka made the motion, seconded by Reitmajer, to authorize staff to move forward and purchase carpet for the Board Room, Library and three offices if staff can do in-house prep work to keep within the budget. Motion carried all members present voting aye.

3. Equipment - None

4. Personnel - None

5. Finance

a. July and August Financial Statements

b. Approval of Managers Expenses

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

c. Accounts Receivable Over 90 Days

The only accounts receivables over 90 days are from DEQ for grant reimbursement.

d. Increase Mileage Rate

Attached to the Executive Committee Minutes is an IRS memo that increases the mileage to \$.48½ effective September 1, 2005.

Schmid made the motion, seconded by Reitmajer, that the October LPNNRD Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

B. OPERATIONS, EDUCATION & RURAL WATER COMMITTEE REPORT

1. WHIP/WILD NE REPORT

a. Payments

Schmid made the motion, seconded by Reitmajer, to approve annual payments on four wildlife habitat contracts, Steve Houfek \$270, Larry Novak \$525, Charles Becher \$161.28 and Larry Novak \$285 at a total payment of \$1,241.28. Motion carried on consent agenda.

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Report Given

b. Conservation Reserve Enhancement Program - Report Given

c. South Fremont 205 Study

Schmid made the motion, seconded by Reitmajer, to approve the final payment of \$3,402.48 to JEO for cross sectional surveying on the Platte River for the South Fremont 205 study. Motion carried on consent agenda.

d. Rawhide Creek & Ditch 8

Schmid made the motion, seconded by Reitmajer, to advertise for bids to accomplish the needed work on Rawhide Ditch 8 on the Diers property. Motion carried on consent agenda.

e. Lower Platte River Weed Management - Report Given

f. Bellwood Dam 2-C Bids

Johnson made the motion, seconded by Reitmajer, to accept the low bid of \$14.48/ton from Schutt Construction to load, haul and place broken concrete on the eroded face of Bellwood Dam 2-C. Motion carried all members present voting aye.

g. Grass Drills Saunders & Platte County - Report Given

h. Pahuk Historical Site - Report Given

I. Conservation Tree Prices

Schmid made the motion, seconded by Reitmajer, to increase the Districts machine planting charge to \$1.00/tree and to leave the hand plants at \$.55/tree. Motion carried all members present voting aye.

3. ROCK AND JETTY

Nothing to Report this month.

4. EROSION & SEDIMENT RULES & REGULATIONS

There is another drainage/sedimentation issue with the Timbercrest Housing area on the east side of Yutan.

5. INFORMATION & EDUCATION

a. Education

1. Land Judging - Report Given

2. Water Quality Open - Report Given

3. DC West Festival

b. Information

1. Harvest of Ideas - Report Given

2. NARD Conference - Report Given

3. Husker Harvest Days - Report Given

6. RURAL WATER ACTIVITIES

a. Abie/Linwood - Report Given

b. Bruno/David City

Schmid made the motion, seconded by Reitmajer, to authorize the General Manager to sign the David City to Bruno Rural Water Systems Construction contract once Loren Lindahl approves the contract, performance bonds and insurance documents. Motion carried on consent agenda.

c. Colon/Wahoo Rural Water System - Report Given

d. Richland / Columbus Rural Water System - Report Given

e. Cedar Bluffs

Bull made the motion , seconded by Saalfeld, that JEO be awarded the contract in the amount of \$1,900 to complete a water system feasibility study to connect Cedar Bluffs to the LPNNRD Colon transmission main or explore the possibility of Cedar Bluffs developing a treatment plant to supply safe drinking water to its customers. Motion carried on consent agenda.

Schmid made the motion, seconded by Reitmajer, that the October LPNNRD Operation-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. Well Permits

As of September 28th the total number of well permits to drill for 2005 is 183.

2. Cost-Share Programs Reports

☞ Irrigation Well Sample Kits

☞ Domestic Well Sample Kits

3. Nitrogen Certification Report - Update Given

4. Bellwood Phase II Area - Update Given

5. Richland/Schuyler Phase II Area - Update Given

6. Updates on LB962

Schmid made the motion, seconded by Reitmajer, to place a 'condition' on well permits issued after October 1, 2005 for all NEW water uses, such as placing new

land under irrigation, to report total gallons or total acre inches of water pumped from that well in a given calendar year by January 31st of the following year. Motion carried.

AYE: Alm, Bailey, Bull, Eden, Hannah, Hilger, Holstine, Johnson, Kavan, Larsen, Reitmajer, Saalfeld, Sabatka, Schmid, Johannes

NAY: Koertner

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

Schmid made the motion, seconded by Reitmajer, to approve cost share payment to decommission the domestic well for Randy Benson for \$196.62. Motion carried on consent agenda.

b. Well Head Protection Areas

1. Prague - Update Given

2. Newman Grove - Update Given

3. Wahoo - Update Given

c. Groundwater Quality - Update Given

d. Groundwater Energy Levels - Update Given

e. LPNNRD Monitoring Wells

Schmid made the motion, seconded by Reitmajer, to approve the amendments and the final Agreement titled "Interlocal Cooperation Act Agreement Wann Basin Monitoring Well Construction" between the Lower Platte North NRD and the Metropolitan Utilities District of Omaha. Motion carried on consent agenda.

f. Former Ordnance Plant at Mead - Update Given

g. MUD and Landowner Survey - Update Given

h. University Clear Up Efforts - Update Given

3. SURFACE WATER PROGRAMS

- a. Fremont State Lakes Bacteria Sampling - Update Given
 - b. Toxic Algae - Update Given
4. OTHER
- a. Updating of Land Use Maps by Calmit - UNL - Update Given
 - b. Groundwater Management District Association - Update Given
 - c. Comments from the Public - Update Given

Schmid made the motion, seconded by Reitmajer, that the October LPNNRD Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

D. PROJECTS COMMITTEE REPORT

1. SWCP REPORT

- a. SWCP Cancellations & Extensions
None

b. SWCP Approvals

Schmid made the motion, seconded by Reitmajer, to approve the following SWCP Fall Applications:

<u>Zane Wonderheck</u>	<u>Planned Grazing</u>	<u>\$1,950.00</u>
<u>Marcella Dvorak</u>	<u>TOT/Basins</u>	<u>\$7,450.00</u>

Motion carried on consent agenda.

Johnson made the motion, seconded by Larsen, to approve the terrace/tile outlet application submitted by Ermin Snitily in the amount \$3,289.68. Motion carried all members present voting aye.

c. SWCP Payments

Schmid made the motion, seconded by Reitmajer, to approve the following SWCP Payments:

		<u>TOTAL</u>
<u>04-B-44</u>	<u>Norma Matulka</u>	<u>\$5,980.55</u>
<u>05-S-9</u>	<u>Mildred Otte</u>	<u>\$5,214.31</u>
<u>05-S-6</u>	<u>Alice Johnson</u>	<u>\$ 3,950.24</u>

Motion carried on consent agenda.

- d. Richard Rerucha-Small Dam Application - Update Given

2. WATERSHEDS

- a. Duck Creek Watershed Grant - Update Given

3. FSA , EQIP & CRP PLANS SIGNED

None

4. LOCALLY LED LANDOWNER GROUPS

a. Shell Creek Improvement Group - Update Given

5. OTHER

a. Approve Payment for CIS Phase II Interlocal Agreement

Schmid made the motion, seconded by Reitmajer, to make our committed cash payment of \$15,000 for Phase 2 of the Cumulative Impact Study. Motion carried on consent agenda.

b. Cedar Bluffs Drainage Improvement Request - Update Given

c. Approve Diers Family Grazing Plan and Bridge Cost-Share

Schmid made the motion, seconded by Reitmajer, to approve and sign the Cooperative Agreement with the Diers Family Farm Limited Partnership. It was further recommended to make our \$8,000 cost share payment for the completed access bridge over Rawhide Ditch # 8 to the Diers Family Farm Limited Partnership. Motion carried on consent agenda.

d. Shell Creek Innovation Grant Update/Assistance

Director Hannah made the following disclosure: I will be employed by the PrairieLand RC&D to carry out portions of the Perma-Crop demonstration project. All salaries will be paid for by the RC&D. I will not participate in any Lower Platte North NRD voting which concerns this agreement with PrairieLand RC&D.

Director Hannah gave an update on his Conservation Innovation Grant to demonstrate the use of temporary rye grass waterways on no till fields. Since obtaining Board financial support for the grant last March, budget details have changed. John reviewed the modified budget with the committee. Originally, the Board approved \$7,000 (for 3 years) not to exceed 25% of the total project costs. Schmid made the motion, seconded by Saalfeld, to approve a maximum of \$5,448 per year, for up to 3 years, for the Conservation Innovation Grant not to exceed 30% of the total project costs. It was further recommended that this assistance is contingent on the PrairieLand RC& D administering the funds and contingent on final grant approval from the NRCS. Motion carried.

AYE: Alm, Bailey, Bull, Eden, Hilger, Holstine, Johnson, Kavan, Koertner, Larsen, Reitmajer, Saalfeld, Sabatka, Schmid, Johannes

ABSTAIN: Hannah

e. Army COE 205 Studies

1. South Fremont 205 - Update Given

2. Schuyler 205 - Update Given

3. North Bend 205 - Update Given

6. LAKE WANAHOO REPORT

a. Project Update Given

7. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

a. Project Update Given

Schmid made the motion, seconded by Reitmajer, to accept and place on file the October Projects Committee Minutes. Recommendation carried.

7. ADDITIONAL ACTION ITEMS

7.a. New County Average Costs for Cost-Share Contracts - Attachment

LPNNRD has been informed by Brad Soncksen, NRCS that they have approved new County Average Costs effective 10-3-05. Average costs have risen approximately 10-15% the past six months primarily due to rising fuel costs and pipe costs. Johnson made the motion, seconded by Koertner, to pay Summer SWCP Contracts off last year's average costs and pay Fall SWCP cost-share contracts off of the new averages. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Bull 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

Schmid made the motion, seconded by Reitmajer, to approve the October consent agenda as amended. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

Tina Kurtz thanked the Board for inviting her to give a talk about LB 962.

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The November Board of Directors Meeting will be held on Monday, November 14, 2005, 5:30 p.m. Newman Grove, NE

Meeting adjourned at 8:54 p.m.

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 October 10, 2005, 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.

Ted Bailey, Secretary