

LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
OCTOBER 8, 2007

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 8, 2007.

1. NOTICE OF MEETING

The advanced notice of our October board meeting was published on September 20, 2007 in the Banner Press, Columbus Telegram, Fremont Tribune, North Bend Eagle, Schuyler Sun and Wahoo Newspaper.

Chair Jedlicka 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
Bull	Eden	Hannah
Hilger	Johannes	Johnson
Kavan	Meduna	Pieke
Reitmayer	Renter	Saalfeld
Sabatka	Vrana	Jedlicka

DIRECTORS ABSENT

STAFF AND GUESTS:

Mountford	Breunig	Miyoshi
Angle	Murren	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 updated the Board on the Fall Conference that was held September 23-25 in Kearney.

d. Managers Report

Manager Miyoshi reviewed his written report.

e. Education Program

Karen Griffin and Derek Ryter from Olsson and Associates gave an update to the Board on the Sub-Basin Delineation Study they are working on for the District.

5. APPROVAL OF MINUTES

Reitmayer made the motion, seconded by Vrana, to approve minutes from the September 10, 2007 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. National No-Till Conference

Reitmayer made the motion, seconded by Vrana, to not send any staff or directors to the National No-Till Conference, January 9-12, 2007 in Cincinnati, OH. Motion carried on consent agenda.

2. Management Items

a. Directors Absence

Reitmayer made the motion, seconded by Vrana, to approve the Excuse of Absence requests from Bailey and Hannah for the August Meeting as attached to the Executive Committee Minutes. Motion carried on consent agenda.

b. Lower Platte River Corridor Alliance

1. Monthly Report

Verhoeff reviewed the LPRCA Monthly Report, reminded Directors of the October 30<sup>th</sup> Quarterly Alliance meeting and gave an update of bidding on the River Obstruction Removal Project near Ashland.

2. Managers Planning Meeting - Update Given

c. Bob Weaver

1. Monthly Report - Update Given

2. Monthly Bill

Reitmayer made the motion, seconded by Vrana, to approve payment of \$2,500 to Bob Weaver and bill LPSNRD and Papio NRD for their share. Motion carried all members present voting aye.

d. Sub-District 9 Director Vacancy

Reitmayer made the motion, seconded by Vrana, to accept the resignation of Eric Alm

and declare a vacancy in sub-district nine and have the Nominating Sub-Committee (Sabatka - Chair, Bull, Kavan, Meduna, Vrana and Reitmajer), report back to the Executive Committee. Motion carried on consent agenda.

e. NARD Resolutions - Update Given

f. Monthly Education Programs

g. Legal Fees - Update Given

h. WRDA - Update Given

i. Directors Annual Retreat - Update Given

j. NACD Raffle - Update Given

k. Lower Platte Weed Management - Update Given

l. Bruno Water Study

Johnson made the motion, seconded by Sabatka, for the protection of the public interest, I move to go into a closed session at 7:58 p.m. for the purpose of discussing the Bruno Water Study litigation with our attorney, Manager and Assistant Manager. Motion carried all members present voting aye.

Bull made the motion, seconded by Saalfeld, to go out of closed session at 8:46 p.m. Motion carried all members present voting aye.

Johannes made the motion, seconded by Bull, to ratify the decision of the Bruno Water Study Sub-Committee to file a complaint (lawsuit) against the engineers and firms who prepared the Bruno Water Study. Motion carried.

AYE: Acklie, Bailey, Boyd, Bull, Eden, Johannes, Johnson, Meduna, Pieke, Reitmajer, Renter, Saalfeld, Sabatka, Vrana, Jedlicka

NAY: Kavan

ABSTAIN: Hannah, Hilger

### 3. Equipment

a. List of Equipment for F.Y. 08 - Update Given

b. Tables, Chairs and Laptops

Reitmajer made the motion, seconded by Vrana, to have staff request price quotes for table and chairs for our Board Room and report back to Executive Committee in November. Motion carried on consent agenda.

4. Personnel - None

5. Finance

a. Approval of Financial Statements - None

b. Approval of Managers Expenses

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

c. Accounts Receivable Over 90 Days - Update Given

d. Audit - Update Given

Reitmajer made the motion, seconded by Vrana, that the October 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

Reitmajer made the motion, seconded by Vrana, to make payment on one NE Wild contract, Larry Novak, Butler, \$285. Motion carried on consent agenda.

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Report Given

b. Conservation Reserve Enhancement Program

Reitmajer made the motion, seconded by Vrana, to approve two new CREP contracts for Mohrman Farms in Platte County, contract #1 is for 1.1 acres, the District's 20% share is \$20.68 and contract #2 is for 5 acres, the District's 20% share is \$90.90. Motion carried on consent agenda.

c. South Fremont 205 Study - Report Given

d. 1997 Ford - Report Given

e. Village of Prague - Drainage Study - Report Given

f. 4430 Repair - Report Given

g. No-Till Grass Drill Platte County

Reitmajer made the motion, seconded by Vrana, to approve a grass drill rental agreement with Gary Mueller of Platte County as attached to the Education, Operation and Rural Water Committee Minutes. Motion carried on consent agenda.

h. Wahoo Trails

Reitmajer made the motion, seconded by Vrana, to write a letter of support and commit \$3,782 financially to the Wahoo Trails Project when it begins in 2008. Motion carried on consent agenda.

3. ROCK AND JETTY

a. New Applications - None

b. Payment Requests

Reitmajer made the motion, seconded by Vrana, to approve payment of \$1,867.50 to Jim McDermott, Saunders County, for bank stabilization on Sand Creek pending inspection by staff. Motion carried on consent agenda.

4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given

5. INFORMATION & EDUCATION

a. Education

1. LPRCA Water Quality Open - Update Given

2. Land Judging - Update Given

3. Education Conference - Update Given

b. Information

1. NRD Staff Website - Update Given

2. UNL Career Fair - Update Given

6. RURAL WATER ACTIVITIES

a. Bruno/David City Rural Water - Update Given

b. Colon/Wahoo Rural Water System - Update Given

c. Bellwood - Update Given

d. Swedeburg - Update Given

e. Prague - Update Given

f. Abie/Linwood

Reitmajer made the motion, seconded by Vrana, to take some water quality samples from households in Linwood focusing on nitrate and bacteria parameters to establish if there are any health issues in the Village of Linwood. Motion carried on consent agenda.

g. Other - Update Given

Reitmajer made the motion, seconded by Vrana, that the October 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. Well Permit Program

a. Well Permits Approved

The total number approved permits for 2007 is 67.

b. Water Use Reporting - Update Given

c. Reuse Pits as Irrigation Wells - Update Given

2. Well Moratorium - Uplands of Saunders and Butler Counties

a. LB 701

Reitmajer made the motion, seconded by Vrana, to hold the Well Moratorium Public Hearing at 6:00 p.m. on Tuesday, October 30, 2007, during the next Water Committee Meeting at 5:30 p.m. Motion carried on consent agenda.

b. Variance Request - Update Given

c. Review of Variance Policy - Update Given

d. DNR Surface Water Stay - Update Given

3. Cost-Share Programs Reports

a. Irrigation Well Sample Kits - Update Given

b. Domestic Well Sample Kits - Update Given

4. Nitrogen Certification - Update Given

5. David City Aquifer Level 1-A Area - Update Given

6. Bellwood Phase II Area - Update Given

7. Richland/Schuyler Phase II Area- Update Given

8. Action Plan Review by DNR - Update Given

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b. Chemigation - Update Given

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c. Livestock Waste Permits - Update Given

2. GROUND WATER PROGRAMS

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a. Decommissioned Well Program

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1. Well Estimates - Update Given

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2. Plugged Wells

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Reitmayer made the motion, seconded by Vrana, to approve payment of \$524.60 (75% cost-share) to Lynda Shanahan Moser for the decommissioning of an irrigation well. Motion carried on consent agenda.

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b. LPNNRD Ground Water Studies

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1. Sub-Area Delineation Study - Update Given

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2. LPNNRD Platte River Ground Water Model - Update Given

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3. Elkhorn Loup Model (ELM) - Update Given

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4. Eastern Nebraska Water Resources Assessment (ENWRA)

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Reitmayer made the motion, seconded by Vrana, to approve AMENDMENT #1 to the ENWRA Interlocal Agreement with the condition that should grant funding be unavailable for years four and five the Board revisit the project's viability and funding at that time. Motion carried on consent agenda.

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Reitmayer made the motion, seconded by Vrana, to approve AMENDMENT #2 to the ENWRA Interlocal Agreement with the above described changes in place. Motion carried on consent agenda.

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c. Groundwater Quality - Update Given

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1. Statewide Network - Update Given

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d. Former Ordnance Plant Near Mead - Update Given

3. SURFACE WATER PROGRAMS

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a. Fremont State Lakes - Update Given

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b. USGS Streamflow Sites

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Saalfeld made the motion, seconded by Meduna, to approve the three stream flow gaging station agreements with USGS: Shell Creek \$5,830; Wahoo Creek near Ashland \$13,800; Johnson Creek near Memphis \$13,800 conditioned on receiving the funding from ECC. Motion carried all members present voting aye.

4. OTHER

a. Equipment Purchase

Reitmajer made the motion, seconded by Vrana, to approve purchase of the following items: RuggedReader – \$1,180; LevelTroll 500 and 100' Cable – \$1,328.55. Motion carried on consent agenda.

b. Comments from the Public - Update Given

Reitmajer made the motion, seconded by Vrana, 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 Applications

Reitmajer made the motion, seconded by Vrana, to approve the following Duck/Sand Creek cost share applications:

		Grant	SWCP
		25%	15%
Suzanne Wirka	Storage Terraces	\$2,407.50	\$1,444.50
Ronald Slegl	Storage Terraces	\$4,815.63	\$2,889.37
Mary Lou Cihal	Storage Terraces	\$1,168.75	\$ 701.25
Larry Dauel	Storage Terraces	\$3,156.25	\$1,893.75
Glenn Chvatal	Storage Terraces	\$2,513.00	\$1,507.80
Leon Vermeline	Storage Terraces	\$3,221.88	\$1,933.12
Terry Kubik	Storage Terraces	\$3,146.88	\$1,888.12
TOTAL:		\$20,429.89	\$12,257.91

Motion carried on consent agenda.

Reitmajer made the motion, seconded by Vrana, to approve the following Duck/Sand Creek cost share applications:

		Grant	SWCP
		75%	15%
Jim McDermott Farms	Storage Terraces	\$ 5,323.20	\$1,064.64
Wilber Ott	Storage Terraces	\$15,207.63	\$3,041.53
Dwayne Sedlacek	Storage Terraces	\$10,192.80	\$2,038.56
Mike Swanson	Storage Terraces	\$6,284.71	\$1,256.94
Daniel Wesely	Storage Terraces	\$6,236.70	\$1,247.37
John Kaspar	Storage Terraces	\$11,304.30	\$2,260.86
Mike Kubik	Storage Terraces	\$6,434.10	\$1,286.82
Gary Ladenbunger	Storage Terraces	\$8,656.95	\$1,731.39
TOTAL:		\$69,640.39	\$13,926.11

Motion carried on consent agenda.

Reitmajer made the motion, seconded by Vrana, to approve the following Shell Creek applications using SWCP sinking funds: 75%

Donald Wiese	W&S Basins	\$ 9,459.00
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John Wiese	W&S Basins	\$ 8,298.75
TOTAL:		\$17,757.75

Motion carried on consent agenda.

<u>Reitmajer made the motion, seconded by Vrana, to approve the following SWCP cost share applications in Colfax and Butler Counties:</u>			<u>75%</u>
R. Dean Bliss	Colfax Co.	Cropland to grass	\$449.94
Anthony Prochaska	Butler Co.	Terraces & W&S Basin	\$2,997.90
Joseph Yindrick	Butler Co.	Terraces & W&S Basin	\$5,900.00
Randy Fendrich	Butler Co.	Terraces & Tile	\$10,000.00
Richard Semrad	Butler Co.	Terraces & W&S Basin	\$1,958.75
TOTAL:			\$21,306.59

Motion carried on consent agenda.

#### b. SWCP Payments

<u>Reitmajer made the motion, seconded by Vrana, to approve the following SWCP cost share payments as follows:</u>					
			<u>Approved</u>	<u>As Built</u>	<u>Payment</u>
07-S-11	Fred Most	Cropland to Grass	\$585.09	585.16	\$585.16

Motion carried on consent agenda.

#### c. Duck/Sand Creek Payment

<u>Reitmajer made the motion, seconded by Vrana, to approve the following Duck/Sand Creek cost share payment:</u>					
			<u>Approved</u>	<u>As Built</u>	<u>Payment</u>
06-DC-06	John Brtek Tr.	Terraces & Tile	\$5,797.05	\$5,861.52	\$5,861.52

Motion carried on consent agenda.

#### d. Duck Creek No-Till Payments - Update Given

#### e. City of Wahoo SWCP Cost Share Request

Reitmajer made the motion, seconded by Vrana, to have LPNDRD staff work with Wahoo to explore land treatment options for City property that causing erosion/sediment problems near the Saunders County Fairgrounds. Motion carried on consent agenda.

## 2. WATERSHEDS - Update Given

### 3. FSA, EQIP & CRP PLANS SIGNED

Reitmajer made the motion, seconded by Vrana, to approve the following signed CRP plans:

<u>Date signed</u>	<u>County</u>	<u>Landowners Name</u>	<u>Legal</u>	<u>Acres</u>	<u>New -or- Rev.</u>	<u>Description Plan</u>
8/1/2007	Butler	Lonnie/Shawn Ratkovec	25 & 36-16-3	16.4	Past/Hay Mgt	CRP
8/1/2007	Butler	Lonnie/Shawn Ratkovec	31-16-4	9.8	Past/Hay Mgt	CRP
8/2/2007	Butler	Robert Schmit	33-16-3	11.2	Past/Hay Mgt	CRP
8/6/2007	Butler	Betty Schmit	32 & 33-16-3	61.4	Past/Hay Mgt	CRP
8/6/2007	Butler	Rudy Svoboda	5-15-3	10.8	Past/Hay Mgt	CRP
8/8/2007	Butler	Leon Janovy/Betty Schmit	32 & 33-16-3	120.9	New	CRP
8/9/2007	Butler	Joseph Nicolas	34-16-1	8.5	Past/Hay Mgt	CRP

Motion carried on consent agenda.

4. LOCALLY LED LANDOWNER GROUPS

- a. Shell Creek Watershed Improvement Group - Update Given

5. NEBRASKA BUFFER STRIP PAYMENTS

Reitmayer made the motion, seconded by Vrana, to approve the 2007 Nebraska Buffer Strip Contact Payments as attached to the Projects Committee Minutes totaling \$20,698.30. Motion carried on consent agenda.

6. OTHER

- a. Hazard Mitigation Plan for District Communities/Counties - Update Given

- b. City of Wahoo Application for FEMA Hazard Mitigation Funds - Update Given

- c. Update on COE 205 Studies

1. South Fremont - Update Given

2. Schuyler - Update Given

- d. Judi Polivka Small Dam Repair Request

Reitmayer made the motion, seconded by Vrana, to provide up to \$2,500 assistance toward a new principle spillway tube for existing small dam located in the S1/2 NW1/4, T15N, R4E, because of the public benefit to Homestead Lake. It was further recommended that this is contingent that an easement with the north landowners be obtained. Motion carried on consent agenda.

- e. Cost-Share of Atmometers - Update Given

7. LAKE WANAHOO REPORT

- a. Review of Lake Wanahoo Committee Information

- b. Proposals for Land Appraisals for Seven (NRCS) Structures

Reitmayer made the motion, seconded by Vrana, to advertise for proposals to complete appraisals for landrights required for the Seven Upstream Structures above Lake Wanahoo pending the WRDA bill becoming law. Motion carried on consent agenda.

8. WESTERN SARPY/CLEAR CREEK LEVEE REPORT - Update Given

Reitmayer the motion, seconded by Vrana, to accept and place on file the October Projects Committee Minutes. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

- 7a. Sand/Duck Creek 319 Grant Approval

Johannes made the motion, seconded by Pieke, to approve the following Sand/Duck

Creek 319 Grant Approval:

Gene Cihacek            Septic System Upgrade/Installation            \$3,300

Motion carried.

AYE: Acklie, Bailey, Boyd, Bull, Eden, Hannah, Hilger, Johannes, Johnson, Meduna,  
Pieke, Reitmajer, Renter, Saalfeld, Sabatka, Vrana, Jedlicka

NAY: Kavan

7b. Payment to Champlin Tire and PrairieLand RC&D

Johannes made the motion, seconded by Pieke, to approve payment to Champlin Tire  
\$9,729.78 and PrairieLand RC&D \$180.00 for expense incurred for the Scrap Tire  
Collection held in Platte Center. Motion carried.

AYE: Acklie, Bailey, Boyd, Bull, Eden, Hannah, Hilger, Johannes, Johnson, Meduna,  
Pieke, Reitmajer, Renter, Saalfeld, Sabatka, Vrana, Jedlicka

NAY: Kavan

7c. Amendment #1 to Cooperative Agreement Between LPNNRD and C&SD

Johannes made the motion, seconded by, Pieke to approve and authorize Manager  
Miyoshi to sign Amendment #1 to C&SD and LPNNRD contract for the ENWRA  
Project. This is for year two of the project and \$200,000 has been dedicated for test  
holes and the installation of monitoring wells at the three study sites. Motion carried.

AYE: Acklie, Bailey, Boyd, Bull, Eden, Hannah, Hilger, Johannes, Johnson, Meduna,  
Pieke, Reitmajer, Renter, Saalfeld, Sabatka, Vrana, Jedlicka

NAY: Kavan

7d. Approval of PATH Contract on PF Property

Johannes made the motion, seconded by Pieke, to approve and authorize Manager  
Miyoshi to sign the PATH contract with Game and Parks Commission on the Pheasant  
Forever Property (former Snitily Property). Motion carried.

AYE: Acklie, Bailey, Boyd, Bull, Eden, Hannah, Hilger, Johannes, Johnson, Meduna,  
Pieke, Reitmajer, Renter, Saalfeld, Sabatka, Vrana, Jedlicka

NAY: Kavan

7e. Increase in Audit Fees

Johannes made the motion, seconded by Pieke, to approve increased annual audit fees  
with HBE up to \$2,500 and authorize management to sign the letter of acceptance.  
Motion carried.

AYE: Acklie, Bailey, Boyd, Bull, Eden, Hannah, Hilger, Johannes, Johnson, Meduna,  
Pieke, Reitmajer, Renter, Saalfeld, Sabatka, Vrana, Jedlicka

NAY: Kavan

7f. LPRCA River Obstruction Removal Project

For the current budget year \$268,000 (\$28,000 from LPNNRD) was budgeted for removal of bridge piers near Camp Ashland. The low bidder on the project is Valley Corp for \$250,749 with an option to also remove the upstream wooden piers which came in at \$35,400. The engineering contract for the project is \$23,800. Johannes made the motion, seconded by Pieke, to approve the additional \$5,900 for the River Obstruction Removal Project, which includes removing the upstream wooden piers with the condition that all other partners approve the funding package. Motion carried.

AYE: Acklie, Bailey, Boyd, Bull, Eden, Hannah, Hilger, Johannes, Johnson, Meduna, Pieke, Reitmajer, Renter, Saalfeld, Sabatka, Vrana, Jedlicka

NAY: Kavan

7g. GPS Camera

Johannes made the motion, seconded by Pieke, to authorize purchase of a GPS Camera for \$1,110 with the condition that Papio NRD and the Lower Platte River Weed Management Group also purchase the same units. Motion carried.

AYE: Acklie, Bailey, Boyd, Bull, Eden, Hannah, Hilger, Johannes, Johnson, Meduna, Pieke, Reitmajer, Renter, Saalfeld, Sabatka, Vrana, Jedlicka

NAY: Kavan

7h. Purchase of Level Trolls for ENWRA Project

Johannes made the motion, seconded by Pieke, to purchase 40 Level Trolls at an estimated cost of \$33,403.50 plus shipping. Motion carried. This is for work with the ENWRA Project and is 100% reimbursable with grant funds.

AYE: Acklie, Bailey, Boyd, Bull, Eden, Hannah, Hilger, Johannes, Johnson, Meduna, Pieke, Reitmajer, Renter, Saalfeld, Sabatka, Vrana, Jedlicka

NAY: Kavan

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

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

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The November Board of Directors Meeting will be held on Monday, November 12, 2007, 5:30 p.m.

Meeting adjourned at 9:55 p.m.

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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 8, 2007, 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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Dave Saalfeld, Secretary