

LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
OCTOBER 12, 2009

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 12, 2009.

1. NOTICE OF MEETING

The advanced notice of our October board meeting was published on September 24, 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	Bailey	Boyd
Casey	Hannah	Hilger
Johannes	Johnson	Kavan
Meduna	Pieke	Renter
Sabatka	Taylor	Veskerna
Vrana	Saalfeld	

DIRECTORS ABSENT

Eden	Reitmajer
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STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Gottschalk	Angle

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

Director Johnson reviewed the five resolution that were adopted at the NARD Fall Conference.

d. NRC Report

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

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

Tom Mountford reviewed the Master Plan with the Directors.

5. APPROVAL OF MINUTES

Pieke made the motion, seconded by Boyd, to approve minutes from the September 14, 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

Pieke made the motion, seconded by Boyd, to send two staff and two directors to the NACD Annual Conference January 31-February 3, 2010 in Orlando, Florida. Motion carried on consent agenda.

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

Pieke made the motion, seconded by Boyd, to approve payment of \$2,750 to Bob Weaver for September services and bill LPSNRD and Papiro NRD for their share. Motion carried on consent agenda.

c. Interim Studies - Update Given

d. Monthly Education Program - Update Given

e. NARD Legislative Resolutions - Update Given

f. Director Computer Sub-Committee - Update Given

g. NRD Commercial Package Insurance - Update Given

h. NIROC Digital Air photos - Update Given

3. Equipment - None

4. Personnel - None

5. Finance

a. Approval of Financial Report - Update Given

b. Approval of Managers Expenses

Pieke made the motion, seconded by Boyd, 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 - Update Given

Pieke made the motion, seconded by Boyd, 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 - Update Given

Pieke made the motion, seconded by Boyd, to approve two CREP payments for Mohrman Farms, 1.1 acres, \$20.68 and Mohrman Farms, 5 acres, \$90.90 both in Platte County. Motion carried by consent agenda.

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Update Given

b. South Fremont 205 Feasibility Study

Boyd made the motion, seconded by Sabatka, to approve making payment of \$75,000 for continued work on the Fremont South 205 Study to the Corps of Engineers and bill our partners for their portion of the bill. Motion carried all members present voting aye.

c. Czechland and Homestead Rec Areas - Update Given

d. City of Fremont, Washington Heights - Update Given

e. Invasive Weed Management

Boyd made the motion, seconded by Meduna, to pay Sky Copters \$74,074.88 (which =598.73 acres x \$123.72/acre) for the aerial spraying accomplished on the Platte River, Trouble Creek Dam and Rawhide Ditch. Motion carried all members present voting aye.

f. Vehicle For Sale - Update Given

g. Trouble Creek Dam Easement - Update Given

3. ROCK AND JETTY

a. New Applications - Update Given

b. Payment Requests

Pieke made the motion, seconded by Boyd, to pay Mark Timm \$2,000 for stream bank stabilization work accomplished on Wahoo Creek in Saunders County. Motion carried on consent agenda.

4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given

5. INFORMATION & EDUCATION

a. Information

1. KTIC Ads - Update Given

2. Tree Booklet - Update Given

3. NARD Newsletter - Update Given

4. Master Plan - Update Given

b. Education

1. Range Judging - Update Given

2. Land Judging - Update Given

c. Computer

1. Server Repair - Update Given

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 - Update Given

Pieke made the motion, seconded by Boyd, 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. Irrigation Ranking Criteria for Hydrologically Connected Area

Pieke made the motion, seconded by Boyd, to approve the variance requests for the following individuals:

<u>APPLICANT</u>	<u>ACRES</u>	<u>APPLICANT</u>	<u>ACRES</u>
Brian Greisen	71	Jim Hegemann	135
Tom & Dan Lutjens	11	Dennis Dohmen	44
Dale & Elizabeth Grotelueschen	66	Vanice Mueller	135
James Fujan	100	Vanice Mueller	135
Wilfred Janecek	137	John Larson	135
Steven J. & Cynthia A Gehring	76	Brian Sanderson	136
Kent Lee	67	John Sanderson	70
David Pieke	66	Mike Steinbach	137
Kevin Wolfe	69	Charles Folsom	58
Mark Rickert	11	Don C. Bauermeister	135
James Foltz, - Robert Foltz	74		

Motion carried on consent agenda.

Pieke made the motion, seconded by Boyd, to approve the variance request for Bob Speicher for 6 acres and Taylor Farms for 65.06 acres on Class 6 or higher soils since these are based on soil type, and to approve the variance request for Larry Temme for 78 acres and to set aside an additional 52 acres on the rest of this field with Class 6 or higher soils pending further review to determine its erosion potential. Motion carried on consent agenda.

Pieke made the motion, seconded by Boyd, to approve the variance request for Harvey Brabec for 137 acres which partially overlaps into the Prague Subarea since the original well permit was issued before the Stay Management Area was declared. Motion carried consent agenda.

Pieke made the motion, seconded by Boyd, to approve the variance request for Kent Grotelueschen for 49 acres which partially overlaps into the Prague Subarea since the net increase is 18.6 acres in this subarea and the new well would be greater than 1,000 feet from the boundary line. Motion carried on consent agenda.

Pieke made the motion, seconded by Boyd, to continue to accept variance requests with the next deadline for applications to be December 15, 2009 and each three

months thereafter until available acres for 2009-2010 have been awarded.
Motion carried on consent agenda.

2. Well Permits - Update Given

3. 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

4. LPNNRD Certification Classes - Update Given

5. Bellwood Phase II Area - Update Given

6. Richland/Schuyler Phase II Area- Update Given

7. Certifying Acres - Update Given

8. David City Sub-Area-Status Change from Potential Level 2 to Level 1-Update

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 Boyd, to approve cost share payment to decommission the domestic well and stock well for Jerry Herchenbach for \$588.76. Motion carried on consent agenda.

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

5. Conservation and Survey Division - Update Given

c. Ground Water Energy Levels - Update Given

d. Statewide Water Quality Sampling Network - Update Given

3. SURFACE WATER PROGRAMS

a. State Lakes

1. Bacteria Sampling - Update Given

2. Toxic Algae - Update Given

4. OTHER

a. District Master Plan - Update Given

b. Comments from the Public - Update Given

Pieke made the motion, seconded by Boyd, 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 Approvals

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

Louis Welch Platte Co. Water/Sediment Basins (\$ 17,000 project) \$ 10,000

Motion carried on consent agenda.

b. SWCP Payments

Pieke made the motion, seconded Boyd, to approve the following SWCP payments:

	<u>Approved</u>	<u>Actual</u>
<u>09-B-04 Randall Fendrich Terr./Tile</u>	<u>\$ 9,618.85</u>	<u>\$ 10,000.00</u>
<u>09-S-05 Richard Cherovsky Terr./Tile</u>	<u>\$ 7,215.00</u>	<u>\$ 5,302.48</u>
<u>09-S-22 Joe Vasa Terr./Tile</u>	<u>\$ 10,000.00</u>	<u>\$ 10,000.00</u>
<u>09-Bo-29Jeffery Temme Flow Meter</u>	<u>\$ 667.71</u>	<u>\$ 667.71</u>
	<u>TOTAL PAYMENTS:</u>	<u>\$ 25,970.19</u>

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

g. Water Mark Sensor and Evaporation Transpiration Gauges

Pieke made the motion, seconded by Boyd, to add ET gauges and Water Mark Sensors as eligible SWCP irrigation cost-share practices. It was further recommended to designate \$15,000 of SWCP cost-share funds to be used as a back-up revenue source, only if needed, to supplement available federal AWEP and EPA 319 Funds and local GWMA cost-share assistance. Motion carried on consent agenda.

2. WATERSHEDS

a. Locally Led Landowner Groups

1. Shell Creek Watershed Improvement Group (SWIG)- Update Given

3. FSA , EQIP & CRP PLANS SIGNED

4. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report - Update Given

5. OTHER

a. City of Yutan Drainage Project Assistance Request

Hannah made the motion, seconded by Meduna, to approve 50%-cost share to the City of Yutan, up to a maximum assistance of \$3,746.51, provided the City acts as the project sponsor to fix the gully erosion problem on the North edge of Yutan. Motion carried.

AYE: Acklie, Bailey, Boyd, Casey, Hannah, Hilger, Johannes, Johnson, Meduna, Sabatka, Veskerna

NAY: Kavan, Pieke, Renter, Taylor, Vrana, Saalfeld

b. Update on COE 205 Studies

1. South Fremont - Update Given

2. Schuyler 205

Hannah made the motion, seconded by Meduna, to approve payment of \$120,000 to the Army COE to continue work on the Schuyler 205 Study. Motion carried on consent agenda.

c. District-Wide All Hazard Mitigation Plan

Pieke made the motion, seconded by Boyd, to approve JEO's September contract payment (No. 16) of \$1,260.00 for the District-wide All Hazard Mitigation Plan as attached to the Projects Committee Minutes. Motion carried on consent agenda.

d. Platte Center Scrap Tire Collection Payment Request

Pieke made the motion, seconded by Boyd, to approve paying Champlin Tire Recycling Inc. \$8,673.76 and the PrairieLand RC&D \$551.00, as attached, for

expenses incurred for the Platte Center Scrap Tire Collection held on July 9 & 10, 2009. Motion carried on consent agenda.

e. Draft Master Plan Review & Discussion - Update Given

f. Butler County Assistance Request - Repair of Erosion Control Structures

Pieke made the motion, seconded by Boyd, to deny Butler County's assistance request to repair three erosion control structures at this time. Motion carried on consent agenda.

6. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT

a. Lake Wanahoo Committee Meeting Review - Update Given

1. Lake Wanahoo Business Review - Update Given

2. Contract Payment to Commercial Contractors

Johnson made the motion, seconded by Sabatka, to approve payment request No. 11 to Commercial Contractors, as attached to the Projects Committee Minutes, for Lake Wanahoo Dam Construction in the amount of \$763,593.03 and use SRF funds to pay. Motion carried.

AYE: Acklie, Bailey, Boyd, Casey, Hannah, Hilger, Johannes, Johnson, Meduna, Pieke, Renter, Sabatka, Taylor, Veskerna, Vrana, Saalfeld

ABSTAIN: Kavan

3. Change Order Commercial Contractors Contract

Pieke made the motion, seconded by Boyd, to approve contract change order #3 with Commercial Contractors, as attached to the Projects Committee Minutes, on the Lake Wanahoo Dam Construction Project which decreases the contract price \$138,171.52. Motion carried on consent agenda.

b. Nebraska Off Highway Vehicle Association (NOHVA) Request - Update Given

7. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

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

7. ADDITIONAL ACTION ITEMS

7a. Public Access Hunting Signs for Czechland & Homestead Recreation Areas

Casey made the motion, seconded by Boyd, to approve purchasing from Mead Signs six, 24" x 34", public access hunting signs for Czechland and Homestead Recreation Areas for a total price of \$810. Motion carried.

AYE: Acklie, Bailey, Boyd, Casey, Hannah, Hilger, Johannes, Johnson, Kavan, Meduna,

Pieke, Renter Sabatka, Veskerna, Vrana

NAY: Taylor, Saalfeld

7.b. Easement Survey for the Ronspies Property on Trouble Creek Dam

Casey made the motion, seconded by Boyd, to approve hiring GLS Surveying to survey the easement area around the Ronspies residence at Trouble Creek Dam not to exceed \$500. Motion carried.

AYE: Acklie, Bailey, Boyd, Casey, Hannah, Hilger, Johannes, Johnson, Kavan, Meduna,

Pieke, Renter Sabatka, Veskerna, Vrana

NAY: Taylor, Saalfeld

7.c. SWCP Payments

Casey made the motion, seconded by Boyd, to approve the following SWCP Payments:

			<u>Approved</u>	<u>Payment</u>
<u>09-S-10</u>	<u>Jerry Newsham</u>	<u>Terraces & Tile</u>	<u>\$8,080.00</u>	<u>\$7,164.88</u>
<u>09-S-20</u>	<u>Peter Kruce</u>	<u>Flow Meter</u>	<u>\$650.00</u>	<u>\$475.00</u>
<u>09-S-25</u>	<u>Bill Stoupa</u>	<u>Flow Meter</u>	<u>\$667.71</u>	<u>\$475.00</u>

Motion carried.

AYE: Acklie, Bailey, Boyd, Casey, Hannah, Hilger, Johannes, Johnson, Kavan, Meduna,

Pieke, Renter Sabatka, Veskerna, Vrana

NAY: Taylor, Saalfeld

7.d. Johnson Lake Cost-Share Payment

Casey made the motion, seconded by Boyd, to approve \$5,000 cost-share payment to City of Fremont for the Johnson Lake Erosion Control Project as approved in July 2009. Motion carried.

AYE: Acklie, Bailey, Boyd, Casey, Hannah, Hilger, Johannes, Johnson, Kavan, Meduna,

Pieke, Renter Sabatka, Veskerna, Vrana

NAY: Taylor, Saalfeld

8. BILLS TO BE APPROVED

Johnson 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 Boyd, to approve the October consent agenda. Motion carried.

AYE: Acklie, Bailey, Boyd, Hannah, Hilger, Johannes, Johnson, Kavan, Meduna, Pieke, Renter, Saalfeld, Sabatka, Veskerna, Vrana

ABSTAIN: Casey, Taylor

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The November Board of Directors Meeting will be held on Monday, November 9, 2009, 5:30 p.m.

Meeting adjourned at 9:24 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 October 12, 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.

Robert Hilger, Secretary