

LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
OCTOBER 11, 2010

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 11, 2010.

**1. NOTICE OF MEETING**

The advanced notice of our October board meeting was published on September 30, 2010 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 (left 9:57 pm)
Casey	Eden	Hannah
Hilger	Johannes	Kavan
McDermott	Meduna	Pieke
Pollard	Renter	Saalfeld
Sabatka	Taylor	Veskerna
Vrana		

**DIRECTORS ABSENT**

**STAFF AND GUESTS:**

Miyoshi	Mountford	Breunig
Murren	Oaklund	Sund
Gottschalk		

Sign in sheet attached to original minutes.

**3. APPROVAL OF AGENDA**

No additions or corrections were made to the published agenda.

**4. COMMENTS - ADVISORS/GUESTS/DIRECTORS**

**a. Guest Comments**

**b. NRCS Report**

Roger Reichmuth updated the Board.

**c. NARD Report**

Director Kavan went over the NARD Financials and updated the Board on the Fall Conference.

**d. NRC Report**

Director Johannes reported that the Commission met at the NARD Fall Conference.

**e. Managers Report**

Manager Miyoshi reviewed his written report.

**f. Education Program - None**

**5. APPROVAL OF MINUTES**

Vrana made the motion, seconded by Taylor, to approve minutes from the September 13, 2010 Board Meeting. Motion carried on consent agenda.

**6. REPORT OF STANDING COMMITTEES**

**A. EXECUTIVE COMMITTEE REPORT**

**1. Meetings**

**a. Pending**

**1. Nebraska Water Resources Association - Kearney - November 22-23**

**2. American Water Works Association - Kearney - November 4-5**

**3. NWRA - Round Tables - Update Given**

**4. Lower Platte River Summit - October 21<sup>st</sup> - Update Given**

**2. Management Items**

**a. Directors Absence - None**

**b. Bob Weaver**

**1. Monthly Conference Call and Report - Update Given**

**2. Monthly Bill**

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

**c. Dissolution of Lower Platte Basin Coalition**

Vrana made the motion, seconded by Taylor, to approve and authorize Manager Miyoshi to sign the Lower Platte Basin Coalition Plan of Dissolution Agreement as attached to the Executive Committee Minutes. Motion carried all members present voting aye.

**d. Formation of Lower Platte River Basin Coalition**

Pieke made the motion, seconded by Sabatka, to approve and authorize Manager Miyoshi to sign the Interlocal Cooperative Agreement Lower Platte River Basin Coalition as attached to the Executive Committee Minutes. Motion carried all members present voting aye.

**e. Monthly Education Program - None**

**f. Groundwater Foundation Dues**

Vrana made the motion, seconded by Taylor, to renew our Groundwater Foundation Membership at the \$75 rate. Motion carried on consent agenda.

**g. November Board Meeting Location - Update Given**

**3. Equipment - None**

**4. Personnel - None**

**5. Finance**

**a. Approval of Financial Report**

Vrana made the motion, seconded by Taylor, to approve the July and August Financial Report as distributed. Motion carried on consent agenda.

**b. Approval of Managers Expenses**

Vrana made the motion, seconded by Taylor, 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**

Director Acklie gave the Audit Report to the entire Board.

**e. Approval of Annual Audit**

Meduna made the motion, seconded by Acklie, to accept the Annual Audit as prepared by HBE and approve signing the audit acceptance letter.. Motion carried.

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

ABSTAIN: Kavan

**f. Budget Graphs - Update Given**

Vrana made the motion, seconded by Taylor, 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**

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

**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. Lower Platte Weed Management**

Vrana made the motion, seconded by Taylor, to void an invoice of \$35.55 to Robert Sutherland for spraying on the Platte River last summer because he is not the landowner of the property. Motion carried on consent agenda.

**e. Elkhorn Breakout - Elkhorn River**

Boyd made the motion, seconded by Meduna, to waive our normal bidding procedures and hire Midwest Dumpers at an estimated cost of \$5,000 - \$6,000 to do minor bank stabilization maintenance on the Elkhorn Breakout river bank. Motion carried all members present voting aye.

**f. Cottonwood Dam 41-A**

Vrana made the motion, seconded by Taylor, to approve payment of \$4,800 to contractor Dave Rood for finishing the surface renovation of Cottonwood 41-A. Motion carried on consent agenda.

**g. District Tree Program**

Vrana made the motion, seconded by Taylor, to approve the updated District Tree Planting Program Policy as attached to the E-O-RW Committee Minutes. Motion carried on consent agenda.

**h. Grass Drill Colfax County - Update Given**

**i. Central Platte/Nebraska Forest Service Request**

Vrana made the motion, seconded by Taylor, to approve a \$1,000 matching contribution to the Central Platte/NE Forest Service "Burn Bosses" national grant proposal. Motion carried on consent agenda.

**j. Financial Review - Update Given**

**3. ROCK AND JETTY**

**a. Payment Requests**

Vrana made the motion, seconded by Taylor, to pay Seth McGinn \$1,440 for work accomplished on the Platte River in Dodge County. Motion carried on consent agenda.

**b. Other Rock and Jetty Issue - Update Given**

**4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given**

**5. INFORMATION & EDUCATION**

**a. Information**

**1. KTIC Ads - Update Given**

**2. Tree Booklet - Website - Update Given**

**3. Tree Sales - Update Given**

**4. NARD Lifetime Achievement Award - Update Given**

**b. Education**

**1. Land Judging- Update Given**

**2. David City Careers - Update Given**

**c. Computer**

**1. Failed Router - Update Given**

**6. RURAL WATER ACTIVITIES**

**a. Bruno/David City Rural Water - Update Given**

**b. Colon/Wahoo Rural Water System - Update Given**

**c. Bellwood/Richland - Update Given**

**d. Posi-Tack Replacement**

Boyd made the motion, seconded by Renter, to waive our normal bidding procedures and purchase a new Bobcat model T630 from Virgl Implement, Inc. of Wahoo for the quoted price of \$40,000. This price includes a trade-in of our current machine and a government discount. This new machine will include a quick attach backhoe and snowblower. Motion carried all members present voting aye.

**e. Czechland Lake Improvements**

Boyd made the motion, seconded by Meduna, to hire JEO for the contracted amount of \$8,857.00 to design the Czechland Lake Improvements. (Scope of Services attached to Education-Operation and Rural Water Minutes. It was also recommended to have staff continue working on the 404 permit and Sport Restoration Grant in conjunction with the JEO design. Motion carried.

AYE: Acklie, Bailey, Boyd, Eden, Hannah, Hilger, Johannes, Kavan, McDermott, Meduna, Pieke, Pollard, Renter, Sabatka, Taylor, Veskerna, Vrana, Saalfeld

ABSTAIN: Casey

**f. Other - Update Given**

Vrana made the motion, seconded by Taylor, 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. Variance Request for Limited Development (Hydrologically Connected) Area**

**a. September Variance Requests - Update Given**

**b. Ranking Regions for Limited Development Areas**

Vrana made the motion, seconded by Taylor, to approve the variance request LPN-V-010-0045 for Leroy Becker for 30 new irrigated acres from an existing well in NW1/4, Section 26, T22N, R5W, Boone County and variance request LPN-V-010-0046 for Dennis McCloud for 27.02 new irrigated acres from an existing well in NW1/4, Section 13, T21N, R5W, Boone County and to transfer 57.02 acres from the Platte Valley ranking region to the Shell Creek ranking region. Motion carried on consent agenda.

**2. Well Permit Program**

**a. Well Permits Approved - Update Given**

**3. Cost-Share Programs**

**a. Irrigation Well Sample Kits - Update Given**

**b. Domestic Well Sample Kits - Update Given**

**c. NAWMDN 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**

**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**

Vrana made the motion, seconded by Taylor, to approve cost share payment to decommission the irrigation well for Norbert Foltz for \$532.45. 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)**

Acklie made the motion, seconded by Pieke, to approve payment of \$30,000 to LPSNRD for the ENWRA project for FY10-11. Motion carried all members present voting aye.

**4. Eastern Nebraska HEM Aquifer Mapping - Update Given**

**5. Farm Process Package of MODFLOW - Update Given**

**c. Ground Water Energy Levels - Update Given**

**d. Ground Water Quality - Update Given**

**1. Statewide Network - Update Given**

**2. Bellwood Intensive Sampling Area - Update Given**

**e. Platte River Uplands Subarea - Update Given**

**3. SURFACE WATER**

**a. State Lakes**

**1. Bacteria Sampling - Update Given**

**2. Toxic Algae - Update Given**

**4. OTHER**

**a. Equipment Purchases/Repairs**

Vrana made the motion, seconded by Taylor, to purchase a new Level Troll 700 from In-Situ for \$899.40 and to pay shipping for that troll. Motion carried on consent agenda.

**b. Comments from the Public - Update Given**

Vrana made the motion, seconded by Taylor, 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**

Vrana made the motion, seconded by Taylor, to approve the following SWCP applications:

(Pilakowski, Fogelman, Gibson,

Lawson, Peterson, Peterson,

Barnhill) Platte Co. Diversion \$ 4,778.46 (Re-Application)

Motion carried on consent agenda.

**b. SWCP Payments**

Vrana made the motion, seconded by Taylor, to approve the following SWCP payments:

			Approved \$	Payment
	Rich Vernon	235 trees	\$220.90	\$220.90
	Ralph Weeder	240 trees	\$201.10	\$201.10
10-Bo-20	Kurt Skillstad	Planned Grazing	\$3,096.90	\$3,052.35
10-S-15	Darrell Kubik	Terraces/Tile	\$9,031.05	\$8,339.40
		TOTAL:		\$11,813.75

Motion carried on consent agenda.

**c. SWCP Cancellations - Update Given**

**d. Sand/Duck Creek Approvals**

Vrana made the motion, seconded by Taylor, to approve the following Sand/Duck Creek application:

		25%	15% (SWCP)
Harvey Brabec	Terraces/Basins/Tile	\$11,629.77	\$ 6,977.90
Glenn Chvatal	Terraces/Basins/Tile	\$ 6,505.44	\$ 3,903.26
Kenneth Henkens	Terraces/Tile	\$ 1,286.04	\$ 771.63
David Sloup	Terraces/Tile	\$ 4,603.75	\$ 2,762.25
	TOTAL:	\$24,025.00	\$14,415.04

Motion carried on consent agenda.

**e. Sand/Duck Creek Cost-Share Payment**

Vrana made the motion, seconded by Taylor, to approve the following Sand/Duck Creek payment:

		15% (SWCP)
Thomas Holtorf	Terraces/Tile	\$3,401.77

Motion carried on consent agenda.

**f. Sand/Duck Cancellations - None**

**2. WATERSHEDS**

**a. Shell Creek**

**1. Shell Creek Improvement Group - Update Given**

**b. Wahoo Creek**

**1. Wahoo Creek Watershed Plan - Update Given**



Hannah made the motion, seconded by McDermott, that due to the urgency for beginning the process to update the Wahoo Creek Watershed Plan, that we waive our normal bidding procedure and request JEO to provide a Scope of Services Agreement for possible approval. It was further recommended that this approval is contingent on NDEQ's grant assistance (60%) and that the District's local share of the plan update cost not exceed \$15,680 (40%). Motion carried.

AYE: Bailey, Boyd, Eden, Hannah, Hilger, Johannes, Kavan, McDermott, Meduna, Sabatka, Taylor, Veskerna, Vrana, Saalfeld

NAY: Acklie, Pieke, Pollard, Renter

ABSTAIN: Casey

Hannah made the motion, seconded by Sabatka, to approve the Scope of Services Agreement for the Wahoo Creek Watershed Water Quality Management Plan and authorize Manger Miyoshi to sign said agreement as attached to the Projects Committee Minutes. Motion carried.

AYE: Bailey, Boyd, Eden, Hannah, Hilger, Johannes, Kavan, McDermott, Meduna, Sabatka, Taylor, Veskerna, Vrana, Saalfeld

NAY: Acklie, Pieke, Pollard, Renter

ABSTAIN: Casey

**3. FSA , EQIP & CRP PLANS SIGNED - NONE**

**4. LOWER PLATTE RIVER CORRIDOR ALLIANCE**

**a. Monthly Report - Update Given**

**1. Water Quality Open - Update Given**

**2. LPRCA Summit - Update Given**

**3. River Obstruction Removal - Update Given**

**5. OTHER**

**a. LiDAR Coverage Proposal by NRCS**

Meduna made the motion, seconded by Sabatka, to commit 17.7% up to a maximum of \$18,500 for our portion of quality control review of NRCS's LiDAR flight data. It was further recommended to authorize the Board Chair to sign an Intergovernmental Agreement with NRCS for completing this project. Motion carried.

AYE: Acklie, Bailey, Casey, Eden, Hannah, Hilger, Johannes, Kavan, McDermott, Meduna, Pieke, Pollard, Renter, Sabatka, Taylor, Veskerna, Vrana, Saalfeld

ABSTAIN: Boyd

**b. Update on Army COE 205 Studies**

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**1. South Fremont - Update Given**

**2. Schuyler 205 - Update Given**

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**c. Shell Creek Levee Repair Project Proposal**

Hannah made the motion, seconded by Meduna, to commit 50% of the local costs up to a maximum of \$3,050 for Shell Creek Levee breach repair based on public benefits for highway # 81. It was further recommended that this approval is contingent on NDOR repairing the levee breach on their property. Motion carried all members present voting aye.

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**d. Greg Beringer Assistance Request**

Hannah made the motion, seconded by Meduna, to approve up to \$2,438.79 which is the actual cost of the replacement tube for repairing the Greg Beringer small dam because this structure is used as an LPNNRD operation and maintenance route to Bellwood Floodwater Structure 6-F. Motion carried all members present voting aye.

**e. Review Projects Financial Statement - Update Given**

**6. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT REPORT**

**a. Lake Wanahoo**

**1. Sub-Committee Monthly Report - Update Given**

**2. Payment to Commercial Contractors**

Acklie made the motion, seconded by Renter, to approve payment No. 19 which includes current construction costs plus one-half of the construction retainage to Commercial Contractors, as attached to the Projects Committee Minutes, for Lake Wanahoo Dam Construction, for the total amount of \$713,899.62 and use SRF funds to pay. Motion carried all members present voting aye.

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**3. Saunders County Payment Request**

Meduna made the motion, seconded by Acklie, to approve a \$25,000 payment to Saunders County, as attached to the Projects Committee minutes, for rock and placement on Lake Wanahoo's embankment. Motion carried.

AYE: Acklie, Bailey, Casey, Eden, Hannah, Hilger, Kavan, McDermott, Meduna, Pollard, Renter, Sabatka, Taylor, Veskerna, Vrana

NAY: Johannes, Pieke, Saalfeld

**4. Handicap Fishing Pier**

Sabatka made the motion, seconded by McDermott, to accept the low bid of \$21,176 from Bullock Brothers Construction to construct the concrete work on the handicap fishing pier. Motion carried all members present voting aye.

**5. Inverted Filter Wanahoo Channel – Update given**

**b. Sand/Duck Creek Structures - Update Given**

**7. WESTERN SARPY/CLEAR CREEK LEVEE REPORT**

**a. Project Update - Update Given**

**b. Surplus Project Lots**

Veskerna made the motion, seconded by Taylor, to lease our five and one-half surplus lots to the Thomas Lakes Homeowners Association for \$20 per lot, per year until the lots are sold with all operation and maintenance of the lots being preformed by the Association. It was further recommended that the lease fee be waived though 2011 in exchange for the Association agreeing to clean and care for the properties. Motion carried all members present voting aye.

**c. Project Easements**

**1. Relocation of Power Poles**

Johannes made the motion, seconded by Meduna, to approve \$3,624.17 for OPPD to relocate three power poles away from the proposed Western Sarpy/Clear Creek Levee construction area. Motion carried all members present voting aye.

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

**7. ADDITIONAL ACTION ITEMS**

**7a. ENWRA Funds Transfer**

Sabatka made the motion, seconded by Meduna, to transfer ENWRA funds in the amount of \$153,419.04 to Lower Platte South NRD. Motion carried all members present voting aye.

**7b. SWCP Payments**

Sabatka made the motion, seconded by Meduna, to approve the following SWCP Payment:

09-D-42 Charles Folsom Flow Meter \$584.84

Motion carried all members present voting aye.

**7c. Variance Application Approval**

Sabatka made the motion, seconded by Meduna, to grant a Variance for expansion of irrigated acres to Richard Cody for 14.38 acres in the S1/2 of the NE1/4 of Section 25, Township 17 North, Range 4 East of Butler County. Motion carried all members present voting aye.

**7d. Sale of Chevy Tahoe**

Staff recommends putting the Chevy Tahoe up for sale. It has 88,700 miles and the next vehicle has 83,300. A replacement vehicle will be purchased through the State Contract in early 2011. This item was sent back to Committee.

**8. BILLS TO BE APPROVED**

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

**9. CONSENT AGENDA ADOPTION**

Vrana made the motion, seconded by Taylor, 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 8, 2010, 7:00 p.m.

Meeting adjourned at 10:35 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 11, 2010, 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