

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
October 10, 2011**

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, 2011.

1. NOTICE OF MEETING

The advanced notice of our October board meeting was published on September 22, 2011 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Pieke 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:

Bailey	Boyd	Casey
Hagerbaumer	Hannah	Hilger
Johannes	Kavan	McDermott
Meduna	Olson	Ruzicka
Saalfeld	Sabatka	Taylor
Veskerna		

DIRECTORS ABSENT

Pollard

STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren		

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. NRCS Report

Mark Walkenhorst was present to give the NRCS/NRD Report for October Board Meeting.

c. NARD Report

Kavan reported on the Fall Conference held September 25-27 in Kearney, NE.

d. NRC Report

Johannes reported on the September 27th meeting held in conjunction with NARD Fall Conference.

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program - None

Item 6.B.2.e. Director Vacancy Sub-District 1 was taken at this time.

Saalfeld made the motion, seconded by Meduna, to appoint Lon Olson to fill the vacancy in Sub-District 1. Motion carried all members present voting aye.

At this time Breunig administered the Oath of Office to Director Olson.

Item 6.D.5 a.2. Schuyler 205 Project was taken at this time.

Johannes made the motion, seconded by Hannah, to take from the table the motion as follows from the September 16, 2011 Special Board Meeting:

1. Approve General Manager Miyoshi to send a Letter of Intent for moving forward with the Schuyler 205 Project.
2. Authorize LPNNRD Treasurer Meduna to sign the Non-Federal Sponsor's Self-Certification of Financial Capability for Decision Documents.
3. Authorize LPNNRD Treasurer Meduna to sign the Non-Federal Sponsor's Self-Certification of Financial Capability for Agreements.
4. Authorize General Manager Miyoshi to sign the Project Partnership Agreement between COE, Schuyler and LPNNRD.

Motion to take from the table carried all members present voting aye.

After considerable discussion and testimony from board members and guests the original Motion carried.

AYE: Boyd, Casey, Hagerbaumer, Hannah, Hilger, Johannes, Meduna, Olson, Saalfeld, Veskerna, Pieke

NAY: Kavan, McDermott, Ruzicka, Sabatka, Taylor

ABSTAIN: Bailey (publicly declared a conflict of interest)

Interlocal Agreement and Addendum "A" with City of Schuyler

Johannes made the motion, seconded by Boyd, to approve the Interlocal Agreement and Addendum "A" to the Interlocal Agreement between Schuyler and LPNNRD for completing Project Design for the Schuyler 205 Project as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

5. APPROVAL OF MINUTES

Casey made the motion, seconded by Ruzicka, to approve minutes from the September 12, 2011 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. NWRA Annual Conference – Update Given

2. GMDA Winter Meeting

Casey made the motion, seconded by Ruzicka, to send up to two directors and two staff to the GMDA Winter Meeting, January 11-14, 2012 in New Orleans. Motion carried on consent agenda.

b. Reports – None

2. Management Items

a. Directors Absence - None

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

Casey made the motion, seconded by Ruzicka, to approve payment of \$3,000 to Bob Weaver for September services and bill LPSNRD and Papio NRD for their share. Motion carried on consent agenda.

c. Building Location

Boyd made the motion, seconded by Sabatka, to set aside 15 acres in the Southwest corner of the Lake Wanahoo property off of County Road M as a potential building site for the Lower Platte North NRD. Motion carried all members present voting aye.

d. Monthly Education Program - None

e. Sub-District Vacancy – This item was taken earlier

f. Boyd Resignation

Casey made the motion, seconded by Ruzicka, to regrettably accept Director Boyd’s letter of resignation effective October 15th and declare a vacancy in Sub-District 6. Motion carried on consent agenda. Chair Pieke appointed the following search committee (Hilger (Chair), Bailey, Johannes, Kavan and Sabatka) to bring forth a candidate with similar qualifications.

g. Acklie Resignation

Casey made the motion, seconded by Ruzicka, to regrettably accept Director Acklie’s letter of resignation effective September 30th and declare a vacancy in Sub-District 1. Motion carried on consent agenda. Chair Pieke appointed the following search committee (Taylor (Chair), Hagerbaumer, Olson, Pollard, Ruzicka and Saalfeld) to bring forth a candidate with similar qualifications.

h. Black Hills NEB Gas Utility Co. Tax Refund

Casey made the motion, seconded by Ruzicka, to approve the following refunds from our October tax proceeds totaling \$1,014.62:

<u>Butler County</u>	<u>\$ 238.46</u>
<u>Colfax County</u>	<u>\$ 363.95</u>
<u>Madison County</u>	<u>\$ 37.62</u>
<u>Saunders County</u>	<u>\$ 374.59</u>

Motion carried on consent agenda

i. 2011 LPNNRD Sub-District Boundaries

Attached to the Executive Committee Minutes find new Sub-District boundary maps for our NRD which GIS Specialist Chris Poole has prepared. There are some minor revisions but generally the maps are very close to our 2001 boundaries. Chris has also prepared a map of what our district would look like if we went to a one-to-one ratio. Hilger made the motion, seconded by Sabatka, to

approve the three to one ratio redistricting sub-district boundaries as attached to the Executive Committee Minutes. Motion carried

AYE: Bailey, Boyd, Casey, Hagerbaumer, Hilger, Kavan, McDermott, Meduna, Olson, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Pieke

NAY: Hannah, Johannes

j. LPNNRD Committee System – Update Given

k. Ratify Actions from Special Board Meeting

Casey made the motion, seconded by Ruzicka, to ratify all actions taken at the September 16th Special Board Meeting and approve the Minutes as attached to the Executive Committee Minutes. Motion carried on consent agenda.

l. November Board Meeting

Casey made the motion, seconded by Ruzicka, to conduct our November 14th Board Meeting in Newman Grove starting at 5:30 p.m. Motion carried on consent agenda.

m. November Committee Meeting Dates

Casey made the motion, seconded by Ruzicka, to have our November committee meetings at the following times and dates:

<u>Projects Committee</u>	<u>Monday, October 31</u>	<u>8:30 am</u>
<u>O, E & RW Committee</u>	<u>Tuesday, November 1</u>	<u>8:30 am</u>
<u>Water Committee</u>	<u>Tuesday, November 1</u>	<u>5:00 pm</u>
<u>Executive Committee</u>	<u>Friday, November 4</u>	<u>9:00 am</u>

Motion carried on consent agenda.

n. Lidar Imagery Payment

Saalfeld made the motion, seconded by Meduna, to approve payment of \$18,500 to NRCS for our portion of quality assurance and project management of NRCS's LiDar flight data as approved at our October 11, 2010 Board Meeting. Motion carried all members present voting aye.

3. Equipment - None

4. Personnel

a. NRCS CTA (conservation technical assistance) Position

Saalfeld made the motion, seconded by Meduna, to hire Bret Schomer to fill the NRCS CTA conservation technician position at the entry level wage with the position having an ending date of December 31, 2012. Motion carried all members present voting aye.

5. Finance

a. Approval of Financial Report – Update Given

b. Approval of Managers Expenses

Casey made the motion, seconded by Ruzicka, 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

Casey made the motion, seconded by Ruzicka, 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 - None

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Update Given

b. South Fremont 205 Feasibility Study - Update Given

c. Czechland Camper

Ruzicka made the motion, seconded by Boyd, to purchase 12 fire rings, 5 grills and 6 picnic tables for new tent camping areas at Czechland Lake for a price of \$4,695. Motion carried all members present voting aye.

d. Hail Damage to Office & Out Building – Update Given

e. Grass Drills & Equipment

Casey made the motion, seconded by Ruzicka, to purchase a used fuel tank from Joe Ekstein for \$100. Motion carried on consent agenda.

f. Watershed Dams – Update Given

g. Emergency Action Plans (EAP) – Update Given

h. Vehicles – Update Given

i. Building on Wanahoo Property

Casey made the motion, seconded by Ruzicka, to advertise for bid proposals for a steel or pole building with the square footage between 4,100 to 4,250 with a large overhead door on the gable end and two overhead doors on the side. Motion carried.

AYE: Bailey, Boyd, Casey, Hagerbaumer, Hannah, Hilger, Johannes, McDermott, Meduna, Olson, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Pieke

NAY: Kavan

j. Budget Review

3. ROCK AND JETTY

a. Applications – Update Given

b. Payment Requests – None

4. EROSION & SEDIMENT RULES & REGULATIONS – Update Given

5. INFORMATION & EDUCATION

a. Information

- 1. KTIC Ads – Update Given**
- 2. Mobile Aps – Update Given**

b. Education

1. Science Bowl Request

Casey made the motion, seconded by Ruzicka, to provide \$200 for the 2012 Nebraska Science Bowl. Motion carried on consent agenda.

2. David City Ag Classes – Update Given

3. Land Judging Contests – Update Given

c. Computers

1. GIS Server – Update Given

6. RURAL WATER ACTIVITIES

a. Bruno/David City Rural Water – Update Given

b. Colon/Wahoo Rural Water System

Ruzicka made the motion, seconded by Hagerbaumer, to accept Miles Otte as a customer to the Colon Rural Water District with the caveat that all necessary paperwork is signed by Miles Otte such as easements, application for service and financing documents. It was further recommended to finance \$3,000 with Miles Otte over a two year period with and finance fee of \$7.50 per month. Motion carried all members present voting aye.

c. Mead – Update Given

d. Other – Update Given

Casey made the motion, seconded by Ruzicka, 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 Requests for Limited Development (Hydrologically Connected) Area

a. September Variance Requests – Update Given

b. Limited Development Areas

Casey made the motion, seconded by Ruzicka, to conditionally approve the following variance requests:

<u>Variance</u>	<u>Landowner</u>	<u>Acres</u>	<u>Field Legal Description</u>	<u>Well Legal Description</u>	<u>County</u>
<u>LPN-V-012-0115</u>	<u>Allan Shonka</u>	<u>111</u>	<u>NW1/4 of NW1/4, SW1/4 of NW1/4, and SE1/4 of NW1/4, S3, T17N, R2E</u>	<u>Existing well in Center of NE1/4, S3, T17N, R2E</u>	<u>Colfax</u>
<u>LPN-V-012-0116</u>	<u>Paul Kettelson</u>	<u>140</u>	<u>SE1/4, S6, T21N, R5W</u>	<u>New well in Center of</u>	<u>Boone</u>

				<u>SE1/4, S6, T21N, R5W</u>	
<u>LPN-V-012-0117</u>	<u>Jack Beller</u>	<u>90</u>	<u>NE1/4 of NW1/4, SE1/4 of NW1/4, NW1/4 of NE1/4, SW1/4 of NE1/4, S5, T19N, R2W</u>	<u>New well in Center of N1/2, S5, T19N, R2W</u>	<u>Platte</u>
<u>LPN-V-012-0118</u>	<u>Byron R. Flood</u>	<u>78</u>	<u>S1/2 of SW1/4, S8, T21N, R4W</u>	<u>New well in Center of SW1/4, S8, T21N, R4W</u>	<u>Madison</u>
<u>LPN-V-012-0119</u>	<u>Scott Lyon</u>	<u>66</u>	<u>E1/2 of NE1/4, S6, T21N, R4W</u>	<u>Existing well in Center of NE1/4, S6, T21N, R4W</u>	<u>Madison</u>
<u>LPN-V-012-0120</u>	<u>Scott Lyon</u>	<u>100</u>	<u>NW1/4 of SW1/4, NE1/4 of SW1/4, SE1/4 of SW1/4, S11, T21N, R5W</u>	<u>New well in NE1/4 of SW1/4, S11, T21N, R5W</u>	<u>Boone</u>
<u>LPN-V-012-0121</u>	<u>Scott Lyon</u>	<u>102</u>	<u>SE1/4, S6, T21N, R4W</u>	<u>New well in Center of SE1/4, S6, T21N, R4W</u>	<u>Madison</u>
<u>LPN-V-012-0122</u>	<u>Jim Podany</u>	<u>66</u>	<u>Portions of the SW1/4 and portions of SE1/4, S23, T22N, R5W</u>	<u>Existing well in NW1/4 of SW1/4, S23, T22N, R5W and Existing well in Center of SE1/4, S23, T22N, R5W</u>	<u>Boone</u>

and as shown on the attached maps and to use 753.0 acres from the 2012 acre allotment. Motion carried on consent agenda.

2. Well Permit Program

a. Well Permits Approved - Update Given

b. Lindsay Manufacturing - Update Given

3. Integrated Water Management Plan

4. Cost-Share Programs

a. Irrigation Well Sample Kits - Update Given

b. Domestic Well Sample Kits - Update Given

c. Cost-Share from 319 Grant for Phase 2 Groundwater Management Area – Update Given

5. LPNRRD Certification Classes

Casey made the motion, seconded by Ruzicka, to place ads in the District newspapers advertising that fertilizer cannot be applied on non-sandy soils before November 1st at a cost of \$700. Motion carried on consent agenda.

7. Bellwood Phase II Area - Update Given

7. Richland/Schuyler Phase II Area - 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

Casey made the motion, seconded by Ruzicka, to approve cost share payment to decommission the irrigation well for Tom Sprunk for \$112.72. 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)

4. Eastern Nebraska HEM Aquifer Mapping - Update Given

5. LR314 Survey – Update Given

c. Former Ordnance Plant Near Mead - Update Given

d. Ground Water Energy Levels – Update Given

3. SURFACE WATER PROGRAMS

a. State Lakes

1. Bacteria Sampling – Update Given

2. Toxic Algae – Update Given

b. Shell Creek Manure Dumping – Update Given

c. Stream Gauging Agreement/Payments

Saalfeld made the motion, seconded by Meduna, to approve the Joint Funding Agreement between LPNNRD and USGS for FY2011-2012 for the total cost of \$30,000 for the two stream gauging sites and total cost of \$1,220 for the ground water monitoring site. Motion carried all members present voting aye.

Saalfeld made the motion, seconded by Meduna, to pay the bill from USGS for the continuous water quality monitoring station on Shell Creek for \$6,950. Motion carried all members present voting aye.

4. OTHER

a. GMDA Annual Conference – Update Given

b. Comments from the Public - Update Given

Casey made the motion, seconded by Ruzicka, 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 Application Approvals

Casey made the motion, seconded by Ruzicka, to approve the following SWCP application:

Donna O’Conner Dodge County Tile into existing Terraces \$4,190

Motion carried on consent agenda.

b. SWCP Payments

Casey made the motion, seconded by Ruzicka, to approve the following SWCP payments:

			<u>Approved</u>	<u>Payment</u>
<u>10-Bo-38</u>	<u>Michael Wolf</u>	<u>Flow Meter</u>	<u>\$678.00</u>	<u>\$607.23</u>
<u>11-Bo-12</u>	<u>Dennis McCloud</u>	<u>Flow Meter</u>	<u>\$642.50</u>	<u>\$642.50</u>

Motion carried on consent agenda.

c. SWCP Cancellations – Update Given

d. Sand/Duck Creek Approvals

Casey made the motion, seconded by Ruzicka, to approve the following Sand/Duck application:

Larry Pospisil Terraces/Tile 25% 15% SWCP approximately 360 acres
\$12,500 \$11,849.70

Motion carried on consent agenda.

e. Sand/Duck Creek Cost-Share Payments – Update Given

f. Sand/Duck Creek Cancellations – Update Given

2. WATERSHEDS

a. Shell Creek

1. Shell Creek Improvement Group – Update Given

b. Wahoo Creek

1. Wahoo Creek Watershed Water Quality Plan – Update Given

3. FSA , EQIP & CRP PLANS SIGNED – Update Given

4. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report - Update Given

b. Project Invoices

Meduna made the motion, seconded by Saalfeld, to approve payment of the \$28,450 LPRCA invoice (FY 12 dues and contingency, Land Suitability Analysis, PR Items and Newsletters) as attached to the Projects Committee Minutes. Motion carried.

AYE: Bailey, Boyd, Casey, Hagerbaumer, Hannah, Johannes, Kavan, McDermott, Meduna, Olson, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna

NAY: Hilger, Pieke

Casey made the motion, seconded by Meduna, to approve payment of the \$7,200 LPRCA invoice (Public Opinion Survey and Coffee Shop Meetings) as attached to the Projects Committee Minutes. Motion carried.

AYE: Bailey, Boyd, Casey, Hannah, Johannes, Olson, Sabatka, Taylor, Veskerna

NAY: Hagerbaumer, Hilger, Kavan, McDermott, Meduna, Ruzicka, Saalfeld, Pieke

5. OTHER

a. Update on Army COE 205 Studies

1. South Fremont 205 – Update Given

2. Schuyler 205 – This item was taken earlier

6. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT REPORT

a. Lake Wanahoo Committee Minutes

1. Design

a. Lake Level Management

Casey made the motion, seconded by Johannes, that for operation of Lake Wanahoo the Lake be lowered by one foot to elevation 1209 on February 1 or ice out on the Lake, whichever occurs last and that the lake remain at this level until July 1 when the lake will gradually be brought back to a normal pool elevation of 1210. This plan will be reviewed each November by the Advisory Board. Motion carried all members present voting aye.

b. DNR Resolution – Update Given

2. CCEI Update - Update Given

3. COE Recreation Construction – Update Given

4. NRDF FY2012 Obligation – Update Given

5. Game and Park O&M Update – Update Given

6. Time of Next Meeting – Update Given

b. Upstream Structure – Update Given

c. Monitoring Proposal for Lake Wanahoo

McDermott made the motion, seconded by Meduna, to approve and authorize the Board Chair to sign the \$27,400 agreement proposal with Olsson Associates for performing instrumentation monitoring and data evaluation on Lake Wanahoo for one year as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

7. WESTERN SARPY/CLEAR CREEK LEVEE REPORT – Update Given

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

7. ADDITIONAL ACTION ITEMS - None

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

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

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The October Board of Directors Meeting will be held on Monday, October 10, 2011, 7:00 p.m.

Meeting adjourned at 10:05 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 10, 2011, 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.

William Taylor, Secretary