

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
SEPTEMBER 10, 2001**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 7:05 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, September 10, 2001.

1. NOTICE OF MEETING

Public notification was made in area newspapers no later than August 31, 2001. Meeting notification and agendas were also provided.

2. ROLL CALL - INTRODUCTIONS

DIRECTORS PRESENT AND CONSTITUTING A QUORUM:

Bailey	Bull	Jedlicka
Johannes (left 9:35 p.m.)	Johnson	Kavan
Langemeier	Mastny	Nelson
Reitmajer	Saalfeld	Sabata
Sabatka	Sendgraff	Shelso

DIRECTORS ABSENT

Eden	McDermott	Grueber
Wilke		

STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Gottschalk	
Lisa Brichacek, Wahoo Newspaper		Greg Fetterman, LPRCA
Joe Proskovec, David City		Al Hottovy, Olsson Associates
Al Ott		Clete Hottovy, Omaha
Wilber Ott		

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. NRCS Report

No Report.

b. NARD Report

Don Kavan reminded Directors that the NARD Annual Conference is September 23-25 in Kearney.

Al Ott presented several questions and requested that the Board respond within two weeks to her 12 written questions on the recent land purchase north of the Lake Wanhoo Site.

5. APPROVAL OF MINUTES

Langemeier made the motion, seconded by Saalfeld, to approve minutes from the August 13, 2001 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

Langemeier made the motion, seconded by Saalfeld, to not send Axmann to the Groundwater Foundation Annual Conference. Motion carried on consent agenda.

Sabatka made the motion, seconded by Johannes, to send a maximum of 5 staff to the NARD Annual Conference, September 23-25, 2001. Motion carried.

AYE: Bailey, Bull, Jedlicka, Johannes, Johnson, Kavan, Langemeier, Mastny, Nelson, Reitmajer, Saalfeld, Sabata, Sabatka, Sendgraff

NAY: Shelso

2. Management Items

a. Saunders County -vs- MUD

A pre-hearing conference with MUD and Saunders County was held on August 21st. MUD has filed a motion asking that the case be dismissed and not heard by the NRD. The day of the pre-hearing Saunders County presented a motion asking that MUD's motion to dismiss be dismissed. Hearing Officer, Terry Schaaf gave a preliminary pre-hearing order stating that a hearing will be held on the Saunders County motion scheduled for October 19, 2001 at 9:30 a.m. at the Lower Platte North NRD Office.

b. Proposed Farm Bill Conservation Provisions

A handout is in each Directors box concerning the Conservation provisions of the proposed Farm Bill currently before Congress. The good part of the bill is that there are increase in dollars in some of the conservation programs, however, much of the NRCS conservation operation budget is reduced. Miyoshi will be in contact with our Congressional Delegation urging that the Conservation Operation portion of the budget be sized comparable to what the new farm bill program is proposing.

c. NARD - Resolutions

Attached to the Executive Committee Minutes is a copy of the four resolutions as mailed by NARD. The Executive Committee felt it was best to allow our NARD representative Don Kavan to listen to discussion and vote according to his best judgment at the NARD Fall Conference on these resolutions.

d. Lower Platte River Corridor Alliance

1. F.Y. 02 Dues

Johannes made the motion, seconded by Bull, to pay the Fiscal Year 02 Lower Platte River Corridor Alliance dues of \$10,833. Motion failed.

AYE: Bull, Jedlicka, Johannes, Saalfeld, Sabatka, Sendgraff, Shelso

NAY: Bailey, Johnson, Kavan, Langemeier, Mastny, Nelson, Reitmajer, Sabata

Langemeier made the motion, seconded by Reitmajer, to reconsider paying the Lower Platte River Corridor Alliance F.Y. 02 dues of \$10,833 and review our status with the Alliance in April before the next budget year. Motion carried all members present voting aye.

2. LPRCA Foundation

Fetterman discussed what he felt were advantages of setting up the Lower Platte River Corridor Foundation. The advantage of the Foundation is it would allow tax free monies to come through the Foundation to support Alliance Projects. Johannes made the motion, seconded by Langemeier, to support the LPRCA Foundation with no financial support coming from the Lower Platte North NRD. Motion carried.

AYE: Bull, Johannes, Langemeier, Mastny, Nelson, Reitmajer, Saalfeld, Sabata, Sabatka, Sendgraff, Shelso

NAY: Bailey, Jedlicka, Johnson, Kavan

3. Airboat Tour

The Alliance Airboat Tour will be held September 14th. Boats will depart from the PMRNRD boat ramp near highway 64 just west of Valley. Eight people from each NRD are encourage to attend, Directors should let Management know that they wish to attend the Tour.

e. District Insurance Carrier

An insurance carrier Dunbar Petersen out of Omaha has put a package together that would suit NRD's similar to the Inspro package our District currently carries. Management was directed to receive bids for district insurance coverage to be opened at the June 2002 Executive Committee Meeting. The bids would include: Inspro, Dunbar Petersen and any other carriers who could provide proper coverage.

f. State Budget Discussion

The Nebraska State Budget is running below projected revenues. It appears that a special legislative session may be needed the last week in October or the first week in November. It is anticipated that the State Senators would reduce each line item in the budget somewhere between 3 - 8 percent. The main affect on our District would be the small reduction in the Nebraska Resource Development Fund and the Nebraska Soil and Water Conservation Program Fund.

g. Re-districting Discussion

Discussion took place on re-districting. Management was directed to prepare several scenarios.

h. Short Term Disability Insurance

NARD has received a proposal to provide short term disability insurance for all Districts. This information will be forwarded to the Districts after the NARD Board Meeting on September 25.

3. Equipment

No new business.

4. Personnel

No new business.

5. Finance

a. Financial Reports

The June Financial Report (year ending) was distributed. This will be presented for approval in October when our annual audit report is given by Ron Ecklund.

b. Approval of Managers Expenses

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

c. Review F.Y. 01 Valuation

Attached to the Executive Committee Minutes is a copy of the Fiscal Year 01 Valuations. Valuations are up 6% over the previous budget year.

c. Approval F.Y. 02 Budget

Shelso made the motion, seconded by Bailey, to approve the \$6,316,307 F.Y. 02 Budget as presented at the Budget Hearing. Motion carried all members present voting aye.

d. Set F.Y. 02 Levy

Bull made the motion, seconded by Mastny, to change the levy rate from F.Y. 01 and to set the F.Y. 02 LPNNRD levy at 4.4557 cents per \$100 of valuation (.044557). Motion carried all members present voting aye.

Langemeier made the motion, seconded by Saalfeld, that the September LPNNRD Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

B. OPERATION AND EDUCATION COMMITTEE REPORT

1. WHIP REPORT

a. Payments - WHIP

Langemeier made the motion, seconded by Saalfeld, to approve WHIP contract payments for Steve Houfek, Saunders County, \$270 and Larry Novak, Butler County, \$525. Motion carried on consent agenda.

b. New Contract(s)

Langemeier made the motion, seconded by Saalfeld, to approve a Wild Nebraska contract for Charles Becher, Platte County, \$161.28/yr on 2.4 acres. Motion carried on consent agenda.

c. Contract Cancellation

Langemeier made the motion, seconded by Saalfeld, to approve the cancellation of WHIP contract 93-3-50, Susan Bollwitt, Saunders County. Motion carried on consent agenda.

2. OPERATION & MAINTENANCE

a. The Following Updates Were Given:

- ✓ Operation and Maintenance Activities
- ✓ Rawhide Creek North Branch
- ✓ South Fremont Feasibility Study
- ✓ Czechland Silt Dam
- ✓ Czechland Lake Hay Bids

3. ROCK AND JETTY

a. Payment

Langemeier made the motion, seconded by Saalfeld, to approve payment on three bank stabilization projects, Richard Dawson, Butler County Platte River, \$1,410, David Marshall, Colfax County Platte River, \$1,280 and Jim McDermott, Saunders County Creek, \$1,000. Motion carried on consent agenda.

4. EROSION & SEDIMENT RULES & REGULATIONS

The District has not received any new complaints.

5. INFORMATION & EDUCATION

a. The following Updates Were Given:

- * Website
- * Viaduct
- * I&E Staff Group
- * Husker Harvest Days
- * 30th Anniversary

Langemeier made the motion, seconded by Saalfeld, that the September LPNNRD Operation and Education Committee Minutes be received and placed on file. Motion carried on consent agenda.

C. WATER COMMITTEE REPORT

1. REGULATORY

a. GROUND WATER MANAGEMENT AREA

1. Well Permits

For 2001 the NRD has approved 36 new well permits. This time last year we had 45 permits.

2. Well Meters Cost Share Program

LPNNRD has been allocated \$31,701.43 from the State NSWCP for a cost share program on well meters. This money is being distributed to other NRD's with approved Ground Water Management Areas. The amount each District receives is based on the number of registered irrigation wells within their Ground Water Management Area. Langemeier made the motion, seconded by Saalfeld, for LPNNRD to adopt the NSWCP practice for cost share funding on water meters. Motion carried on consent agenda.

3. The Following Reports Were Given:

- ☞ Chemigation
- ☞ Vadose Zone Sampling
- ☞ Well Registrations

- ☞ Livestock Waste Permits
- ☞ MUD Complaint

2. GROUND WATER PROGRAMS

a. Decommissioned Well Program

Langemeier made the motion, seconded by Saalfeld, to approve cost share payment to decommission the irrigation well for Herrguth Trust for \$395.85. Motion carried on consent agenda.

b. The Following Reports Were Given

- * Wellhead Protection Areas
- * Groundwater Quality - Platte Valley
- * Mead NOP
- * Monitoring Wells

3. SURFACE WATER PROGRAMS

a. Sand and Duck Creek

DEQ has applied to EPA to do a fecal coliform study on Sand and Duck Creeks using DNA and RNA to identify the animal species that they are originating from. DEQ is asking if the NRD could assist in their water sampling efforts

4. OTHER

A. WAHOO-WESTON-MALMO RURAL WATER SYSTEM

Al Hottovy of Olsson Associates addressed the Board about a proposed rural water system between the communities of Wahoo, Weston and Malmo. This system would ease some concerns that these communities have with water quantity, water quality and future testing requirements from EPA. Johannes made the motion, seconded by Sabatka, to move ahead on the Weston/Malmo Water Supply Study and that LPNNRD cooperate subject to financial feasibility. Motion carried all members present voting aye.

B. LOWER PLATTE RIVER CORRIDOR ALLIANCE

2. Domestic Well and Septic Tank Study

Jedlicka made the motion, seconded by Sendgraff, to approve funding of \$12,500 for the domestic well - septic tank study as specified in the Coop Agreement between the LPNNRD and the LPRCA and authorize the Chairman of the Board to sign the agreement.

AYE: Bailey, Bull, Jedlicka, Nelson, Reitmajer, Saalfeld, Sabata, Sendgraff, Shelso

NAY: Johnson, Kavan, Langemeier, Mastny, Sabatka

3. WATER QUALITY CD-ROM SCOPING

Jedlicka made the motion, seconded by Saalfeld, to approve funding for \$1,600 to scope the feasibility for the Water Quality CD-rom. Motion failed.

AYE: Saalfeld, Sabata, Sendgraff

NAY: Bailey, Bull, Jedlicka, Johnson, Kavan, Langemeier, Mastny, Nelson, Reitmajer,

Sabatka, Shelso

Langemeier made the motion, seconded by Saalfeld, that the September LPNNRD Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

D. PROJECTS COMMITTEE REPORT

1. SWCP REPORT

a. SWCP Payments:

Langemeier made the motion, seconded by Saalfeld, to approve the following SWCP payments:

<u>01-B-17</u>	<u>Jerry Roh</u>	<u>\$ 4,530.34</u>
<u>01-S-09</u>	<u>John Sousek</u>	<u>\$ 2,232.73</u>
<u>01-B-19</u>	<u>Herbert Syring</u>	<u>\$ 5,941.28</u>

Motion carried on consent agenda.

b. SWCP Cancellations

Langemeier made the motion, seconded by Saalfeld, to cancel the following SWCP payments:

<u>01-S-05</u>	<u>Henreitta Fick</u>	<u>\$5,000</u>
<u>01-Bo-15</u>	<u>Kurt Skillstad</u>	<u>\$3,800</u>
<u>01-S-23</u>	<u>Camp Moses Merrill</u>	<u>\$8,500</u>

Motion carried on consent agenda.

c. SWCP Application Approvals for Irrigation Mgt. - Pivot Conversion

Langemeier made the motion, seconded by Saalfeld, to approve the following SWCP applications for Irrigation Practices:

<u>Doug Bartek</u>	<u>Saunders</u>	<u>\$2,290</u>
<u>Richard Nygren</u>	<u>Saunders</u>	<u>\$3,500</u>
<u>James Noonan</u>	<u>Platte</u>	<u>\$2,075</u>

Motion carried on consent agenda.

d. SWCP/CIP Approvals for Fall

Langemeier made the motion, seconded by Mastny, to approve the following SWCP/CIP Fall approvals:

<u>Larry Yost</u>	<u>\$9,500</u>	<u>Kenneth Johnson</u>	<u>\$10,000</u>
<u>Hill Valley Farms</u>	<u>\$10,000</u>	<u>Larry Johnson</u>	<u>\$10,000</u>
<u>Neil Schilke</u>	<u>\$5,000</u>	<u>Gary Ladenburger</u>	<u>\$10,000</u>
<u>James Brazda</u>	<u>\$7,500</u>	<u>Eugene McDaniels</u>	<u>\$10,000</u>
<u>Edensburg Church</u>	<u>\$10,000</u>	<u>Tom Roberts</u>	<u>\$6,000</u>
<u>Arnold Johnson</u>	<u>\$5,000</u>	<u>Ray Sedlacek</u>	<u>\$10,000</u>

Motion carried all members present voting aye.

2. WATERSHEDS

a. Skull Creek Watershed - Homestead Lake Construction

Construction is underway on the recreation components and things are going well. Work has started on roads, boat ramp, picnic shelter and toilet. Staff has met with the contractor and landowner Herman Ostry to review plans for fence construction which will also begin soon.




3. FSA, EQIP & CRP PLANS SIGNED

Langemeier made the motion, seconded by Saalfeld, to approve the following list of conservation plans:

<u>Joseph Kopecky</u>	<u>Butler</u>	<u>Marvin Norenberg</u>	<u>Saunders</u>
<u>Rev. Thomas Kuffel</u>	<u>Butler</u>	<u>Richard Meduna</u>	<u>Saunders</u>
<u>John Vandenberg/Don Yindrick</u>	<u>Butler</u>	<u>Tim Vasa</u>	<u>Saunders</u>
<u>David Schmit</u>	<u>Butler</u>	<u>Mike Thomas</u>	<u>Saunders</u>
<u>Kent Grotelueschen</u>	<u>Butler</u>	<u>Charlotte Heumann</u>	<u>Saunders</u>
<u>Steve Wittmersehouse</u>	<u>Saunders</u>	<u>Richard Kavan</u>	<u>Saunders</u>
<u>Starns Brothers</u>	<u>Saunders</u>	<u>Motion carried on consent agenda.</u>	

4. LOCALLY LED CONSERVATION CORE GROUP REPORT

e. The following Reports Were Given:

-  Northwest Butler County Landowners Meeting
-  Skull/Bone Creek Locally Led Landowners
-  Shell Creek Locally Led Landowners

9. OTHER

a. Colfax County/Hill & Valley Farms Road Structure

This project has been constructed and is ready for our cost-share payment. On February 12, 2001, the Board approved 50% cost-share assistance up to a maximum of \$12,500. The final cost of \$34,212.27 was about \$9,212.27 higher than the original estimate. The Board is asked to consider approving 50% cost-share on the \$34,212.27 final bill. The Board discussed where the additional \$4,606.14 will come from in our FY 2002 budget and suggested that it come from the "Intergovernmental - Other" budget line. Langemeier made the motion, seconded by Bull, to approve a \$17,106.14 cost share payment to Colfax County for the completed Colfax County/Hill Valley Farms Road Structure. Motion carried.

AYE: Bailey, Bull, Jedlicka, Johnson, Kavan, Langemeier, Mastny, Nelson, Reitmajer, Sabata, Sabatka, Sendgraff, Shelso

NAY: Saalfeld

6. LAKE WANAHOO REPORT

Langemeier made the motion, seconded by Saalfeld, to approve an \$1,800 payment to Johnson Appraisal for updating an appraisal as requested by Legal Counsel for the Sand Creek Project. Motion carried on consent agenda.

Langemeier made the motion, seconded by Saalfeld, that the September, LPNNRD Projects Committee Minutes be received and placed on file. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7.a. SWCP Payment

Langemeier made the motion, seconded by Sabata, to approve the following SWCP Payments:

<u>01-S-07</u>	<u>Marvin Manske</u>	<u>Saunders</u>	<u>\$3,460.50</u>
----------------	----------------------	-----------------	-------------------

Board Meeting Minutes

9/10/01

Page 9

<u>01-B-02</u>	<u>Dennis Fendrich</u>	<u>Butler</u>	<u>\$673.80</u>
<u>01-B-01</u>	<u>Ron Jakub</u>	<u>Butler</u>	<u>\$2,515.99</u>
<u>01-S-04</u>	<u>Randy Fendrich</u>	<u>Saunders</u>	<u>\$730.35</u>

Motion carried all members present voting aye.

7.b. NET Grant

Langemeier made the motion, seconded by Saalfeld, to authorize the District to submit an Environmental Trust Grant for Acquisition and Restoration of Todd Valley Wetlands. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Shelso 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

Langemeier made the motion, seconded by Saalfeld, to approve the amended September 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 8, 2001. Time and location to be determined. Meeting adjourned at 10:20 p.m.

Dean Johnson, Secretary