

LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
SEPTEMBER 8, 2003

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 7:00 a.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, September 8, 2003.

1. NOTICE OF MEETING

Public notification was made in area newspapers no later than August 30, 2003. Meeting notification and agendas were also provided.

2. ROLL CALL - INTRODUCTIONS

DIRECTORS PRESENT AND CONSTITUTING A QUORUM:

Alm	Bailey	Bull
Eden	Holstine	Jedlicka (arrived 7:15)
Johannes	Kavan	Langemeier (arrived 7:12)
Larsen	Mastny	Pieke
Reitmajer	Saalfeld (arrived 7:15)	Sabata (arrived 8:00)
Sabatka	Shelso (arrived 7:45)	Johnson

DIRECTORS ABSENT

Hannah

STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Sousek	Angle
Gottschalk		
Lisa Brichacek, Wahoo Newspaper		Rodney Verhoeff, LPRCA
Cindy Love, HBE		Ron Ecklund, HBE

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. NRCS Report

No Report.

b. NARD Report

Directors were reminded about the Annual Conference which will be held in Kearney on September 22-23.

c. Annual Audit Report

Cindy Love and Ron Ecklund were present to give the Annual Audit Report for the year ending June 30, 2003.

Rodney Verhoeff gave a presentation on the Airboat tour that was held July 18th. He also reported on the recent golf tournament which was held September 4th.

Jedlicka and Johannes updated the Board on progress that the Water Policy Task Force is making.

5. APPROVAL OF MINUTES

Sabatka made the motion, seconded by Mastny, to approve minutes from the August 11, 2003 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

The following Directors are registered to attend the NARD Fall Conference: Bailey, Eden, Holstine, Johannes, Langemeier, Saalfeld and Shelso.

2. Management Items

a. Directors Absences

None

b. Lower Platte River Corridor Alliance

Sabatka made the motion, seconded by Saalfeld, to approve the F.Y. '04 Lower Platte River Corridor Alliance Dues in the amount of \$12,500. Motion carried all members present voting aye.

a. Bob Weaver Billing

Sabatka made the motion, seconded by Mastny, to approve the Bob Weaver bill in the amount of \$1,744.17 as attached to the Executive Committee Minutes. Motion carried on consent agenda.

d. Dolezal Case - Motion to Dismiss

Attached to the Executive Committee Minutes is a copy of the Motion to Dismiss as prepared by our Legal Counsel, Loren Lindahl.

e. NARD Resolutions

Sabatka made the motion, seconded by Mastny, to authorize Chris Langemeier, NARD Voting Delegate to listen to discussion and consult with other LPNNRD Directors in attendance and vote on NARD Resolutions as they see fit. Motion carried on consent agenda.

f. Nieveen Pivot Update

Miyoshi reported he met with Dave Jarecke who is requesting additional information which has been sent to him.

g. NACD Changes

Miyoshi updated the Board on changes that are taking place within NACD. Ernie Shea has announced that he will be leaving the association as of February 15, 2004 to pursue other opportunities.

h. Executive Committee Meeting Time

The Executive Committee is changing their monthly meeting start time to 9:00 a.m.

3. Equipment

No new business.

4. Personnel

No new business.

5. Finance

b. Financial Reports

Sabatka made the motion, seconded by Mastny, to approve the July Financial Statement as distributed. Motion carried on consent agenda.

c. Approval of Managers Expenses

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

c. Accounts Receivable over 90 Days

Directors reviewed the accounts receivable over 90 days.

d. FY '04 Budget

1. Amend Budget to Increase Cash Reserve

Sabatka made the motion, seconded by Mastny, to amend the previously approved F.Y. '04 Budget by increasing the District's cash reserve to \$250,000. Motion carried on consent agenda.

2. Set FY 04 Tax Levy

Langemeier made the motion, seconded by Saalfeld, to set the F.Y. '04 Tax Levy at .044278. Motion carried all members present voting aye. This is a reduction of 3.7% from F.Y. '03.

Sabatka made the motion, seconded by Mastny, 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/WILD NE REPORT

a. Payments

Sabatka made the motion, seconded by Mastny, to approve four Wildlife Habitat contracts for a total payment of \$10,896.28.

Steve Houfek Saunders \$270

Larry Novak Butler \$525

Charles Becher Platte \$161.28

Patrick Poehling Saunders \$9,940 (Wetland Restoration)

Motion carried on consent agenda.

2. OPERATION & MAINTENANCE

a. No-Till Grass Drill - Saunders

Sabatka made the motion, seconded by Mastny, to allow staff to submit a Grant application for \$15,000 through NE Environmental Trust, for the purpose of purchasing a new No-Till Grass drill for the Saunders/Butler County area. Motion carried on consent agenda. The District would have to pay approximately \$4,240 for the drill.

b. Community Forestry

Sabatka made the motion, seconded by Mastny, to approve a Community Forestry cost-share request of \$592.88 from Educational Service Unit #2 (ESU2) serving schools and students in Saunders, Dodge, Burt and Cuming Counties for landscaping on their office grounds in Fremont. Motion carried on consent agenda.

c. The Following Updates Were Given:

Operation and Maintenance Activities

Rawhide Creek North Branch

South Fremont 205 Study

3. ROCK AND JETTY

The annual requests for applications are coming in slowly.

4. EROSION & SEDIMENT RULES & REGULATIONS

The District has not received any complaints.

5. INFORMATION & EDUCATION

a. Education Activities

1. Land Judging

The East Central Land Judging Contest will be held Wednesday, October 8th.

b. Information Activities

The following Updates Were Given:

ArcIMS Training
Water Quality Open
Husker Harvest Days
Landscape Connections
NARD Conference

Sabatka made the motion, seconded by Mastny, 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. Richland - Schuyler Phase 2 Area

As directed by the Board last January, the Water Committee reviewed information about designating the Richland to Schuyler area as a Phase 2 GWMA. If approved, an Advisory Board meeting needs to be scheduled followed with public meetings and public hearing held this fall for final approval at the December or January Board meeting. Sabatka made the motion, seconded by Mastny, to have the Advisory Board review the information and make recommendations to the NRD Board on whether or not to designate a Phase 2 GWMA for the Richland to Schuyler area and set the Phase 2 boundaries. Motion carried on consent agenda.

2. The Following Reports Were Given:

Well Permits
Nitrogen Certification
Bellwood Phase 2 Area
GWMA Sample Kits
Irrigation Runoff Complaints
Chemigation
Livestock Waste Permits

2. GROUND WATER PROGRAMS

a. Plugged Wells

Sabatka made the motion, seconded by Mastny, to approve cost share payment to decommission the domestic well for Tim Schulz for \$332.25. Motion carried on consent agenda.

b. The Following Reports Were Given

Decommissioned Well Program
Wellhead Protection Areas

Rural Water Systems
Groundwater Quality

3. OTHER

a. Ground Water Coalition

The Board discussed whether LPNNRD should become a member of the Ground Water Coalition. This is for the establishment of a legal fund to defend NRD's against any future litigation dealing primarily with ground water. The discussion ranged from the staff recommendation of waiting to decide until after the Water Policy Task Force has completed their report in December to joining the Coalition right away. Saalfeld made the motion, seconded by Jedlicka, that the Lower Platte North NRD join the Ground Water Coalition and contribute \$5,000 to the organization. Motion carried.

AYE: Alm, Bull, Eden, Holstine, Jedlicka, Johannes, Langemeier, Larsen, Mastny, Pieke, Reitmajer, Saalfeld, Shelso

NAY: Bailey, Kavan, Sabatka, Sabata, Johnson

Sabatka made the motion, seconded by Mastny, 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 Fall Approvals

Sabatka made the motion, seconded by Mastny, to approve the attached list of SWCP fall applications. It was further recommended to have staff prepare a recommendation for approximately \$100,000 of additional fall approvals at the Board Meeting, with approximately 1/3 of this amount to be used in Butler County and 2/3 in Saunders County. Motion carried on consent agenda.

Kavan made the motion, seconded by Langemeier, to approve the Fall SWCP recommendations totaling \$103,024 as attached to the Projects Committee Minutes. Recommendation carried.*

b. SWCP Cancellations

None this month.

c. SWCP Payments

Sabatka made the motion, seconded by Mastny, to approve the following completed SWCP application for payment:

03-B-14 Frank Ellers W&S Basin \$1,296.14

Motion carried on consent agenda.

2. WATERSHEDS

No new information.

3. FSA, EQIP & CRP PLANS SIGNED

No list of plans was received for approval this month.

4. LOCALLY LED CONSERVATION CORE GROUP REPORT

a. Shell Creek Locally Led Landowners

1. Buffer Position Update

Kavan made the motion, seconded by Pieke, to approve submitting our budgeted \$4,500 to Pheasants Forever who is administering the funds for the Shell Creek Conservation Promotion effort. Motion carried all members present voting aye.

Kavan made the motion, seconded by Langemeier, to approve the Interlocal Agreement among the three participating NRD's for the Platte County Conservation Program Promotion as attached to the Projects Committee Minutes and authorize Chairman to sign said agreement. Motion carried all members present voting aye.

5. OTHER

a. Newman Grove School Payment Request

Sabatka made the motion, seconded by Mastny, to approve paying \$247.30 to the Newman Grove High School for water sampling supplies. Motion carried on consent agenda.

b. City of Newman Grove Assistance Request

Sabatka made the motion, seconded by Mastny, to approve 50% assistance up to a maximum of \$5,000 to Newman Grove for purchasing 354 feet of storm sewer pipe. Motion carried on consent agenda.

c. Update on Proposed COE 205 Studies

a. Fremont South

Staff will be scheduling a meeting with Fremont, Inglewood and Dodge County to determine eligible in-kind services to the COE 205 feasibility study.

b. Schuyler

A meeting with Schuyler is scheduled for October 21 to discuss sharing the estimated \$36,000 for completing hydraulics and survey information which will hopefully provide information to reduce the new 100-year flood plain boundary proposed by FEMA.

c. North Bend

Miyoshi updated the committee on North Bend's meeting with Governor Johanns. North Bend has requested that the District inform the Army COE to proceed with the

first \$100,000 phase of the proposed Section 205 Feasibility Study which will be 100% federal expense. Sabatka made the motion, seconded by Mastny, to request the Army Corps of Engineers to proceed with the first \$100,000 phase of the 205 feasibility Study for North Bend. Motion carried on consent agenda.

6. SNITILY WETLAND PROJECT

Murren reported that we are still awaiting our Wetland Reserve Payment from the USDA. Ken Kotera said that the NRCS is conducting a flood plain study for the planned project so that a no-rise certificate can be obtained.

7. LAKE WANAHOO REPORT

Murren reviewed several agenda items that were discussed at the Lake Wanahoo Committee Meeting held on August 27, 2003. The Lake Wanahoo Minutes are attached to the Projects Committee Minutes.

Sabatka made the motion, seconded by Mastny, to approve paying the real estate taxes of \$16,793.34 on the Wanahoo Property and \$1,446.83 on the former Snitily property. Motion carried on consent agenda.

Sabatka made the motion, seconded by Mastny, to approve "Addendum K" ,as attached, to our Interlocal Agreement with Wahoo and Saunders County for sharing the \$135,770 cost to have Olsson Associates prepare our project application to the Nebraska Department of Natural Resources. Motion carried on consent agenda.

8. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

Sabatka made the motion, seconded by Mastny, to have staff pursue purchasing the available lot located north of Camp Ashland on the Saunders County side and bring a purchase agreement or an option to purchase to the full Board. Motion carried on consent agenda.

Pieke made the motion, seconded by Bull, to authorize purchase of Lot 50 at Thomas Lakes for \$10,000 and authorize Management to sign purchase agreement. Motion carried all members present voting aye.

Sabatka made the motion, seconded by Mastny, that the September LPNRRD Projects Committee Minutes be received and placed on file. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7.a. USGS Joint Funding Agreement

Shelso made the motion, seconded by Sabatka, to approve the attached joint funding agreement with USGS for the processing of data for the recorder well near Mead at a cost of \$425 and authorize Management to sign said agreement. Motion carried all members present voting aye.

7.b. USGS Joint Funding Agreement

Shelso made the motion, seconded by Sabatka, to approve the attached joint funding agreement with USGS for the operation of the Shell Creek (\$5,580), Johnson Creek and Wahoo Creek (\$24,600 with a 100% reimbursement) gaging stations and authorize Management to sign said agreement. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Bull 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

Sabatka made the motion, seconded by Mastny, to approve the 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 13, 2003. Time and location to be determined. Meeting adjourned at 9:30 p.m.

Lumir Jedlicka, Secretary