

LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
SEPTEMBER 8, 2008

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 7:00 p.m. at Colfax County Courthouse, Schuyler, NE on Monday, September 8, 2008.

1. NOTICE OF MEETING

The advanced notice of our September board meeting was published on August 21, 2008 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Jedlicka 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	Bull	Boyd
Eden	Hannah	Hilger
Johannes	Johnson	Kavan
Meduna	Pieke	Renter
Saalfeld	Sabatka	Taylor
Veskerna	Vrana	
Jedlicka		

DIRECTORS ABSENT

Reitmajer

STAFF AND GUESTS:

Mountford	Breunig	Gottschalk
Angle	Murren	Becker

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 reminded all Directors about the upcoming Fall Conference and other

future meeting dates. He had Mountford review discussion items from the August 25<sup>th</sup> Risk Management Pool Association Meeting. Mountford said that at the end of F.Y. 08 the NARD's Health Insurance Program had \$750,000 more in assets than expected. Since restructuring two years ago, the program has been financially sound.

d. NRC Report

Director Johannes reported the next NRC meeting will be held in conjunction with the NARD Fall Conference in September.

e. Managers Report

Manager Miyoshi's report was reviewed.

f. Army COE Update on Schuyler 205 Study

Mark Nelson representing the COE reported on the current Schuyler 205 Study and answered questions.

g. Hughes-Payzant Ditch Flood Control Discussion with Colfax County Commissioners and Schuyler City Council

Much discussion took place with Colfax County Commissioners, area landowners and other interested parties regarding the Hughes-Payzant Drainage Ditch located North and east of Schuyler. A tour of this ditch was conducted prior to the Board Meeting. Discussion focused on the history of the ditch and how it may be improved to help transport drainage and possibility flood waters to Shell Creek. It was generally felt that a Steering Committee made up of City, County, Landowners and NRD representatives be formed to further discuss this issue.

5. APPROVAL OF MINUTES

Kavan made the motion, seconded by Boyd, to approve minutes from the August 11, 2008 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending - None

1. No-Till Conference - Update Given

2. NARD Fall Conference

The following Directors have been registered for the Fall Conference: Acklie, Eden, Hannah, Johannes, Johnson, Pieke, Saalfeld and Renter.

b. Reports

1. SWCS Conference

Attached to the Executive Committee Minutes is a report from Tom Mountford from the SWCS Conference, Tucson, AZ.\_\_\_\_\_

2. Management Items

a. Directors Absence - Update Given

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

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

c. September Board Meeting Location

Saalfeld made the motion, seconded by Kavan, to donate \$50 each to Dick Dunker and Mike Hancock for transporting the Directors and Staff on the tour of the Hughes-Payzant Ditch. Motion carried.

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

ABSTAIN: Taylor

d. Monthly Education Program - Update Given

e. Voting Delegates - Update Given

f. NARD Resolutions - Update Given

g. Rules of Conduct

Kavan made the motion, seconded by Boyd, to have Mountford draft a "Rules of Conduct" for the District to use at all Public Meetings. Motion carried on consent agenda.

h. Union Bank Offer - Update Given

I. Environmental Trust Grant for Water Management Needs

Kavan made the motion, seconded by Boyd, to approve sending a letter of support to CPNRD for the Environmental Trust Grant for Water Management Needs, with the understanding that we will withdraw our letter of support if the motion is not approved by the entire board on September 8. Motion carried on consent agenda.

3. Equipment

a. Color Laser Printer

Johnson made the motion, seconded by Sabatka, to approve purchasing a HP Color

LaserJet 5550dtn printer from TigerDirect at a cost of \$4,134.02. Motion carried all member present voting aye.

#### 4. Personnel

Director Johannes met with Manager Miyoshi and reviewed his Goals and Objectives for 2009. Comments and suggestions were taken from the Managers Evaluation as filled out by the Directors.

#### 5. Finance

##### a. Approval of Financial Report - Update Given

##### b. Approval of Managers Expenses

Kavan made the motion, seconded by Boyd, to approve Manager Miyoshi's time sheets as attached to the Executive Committee Minutes. Motion carried on consent agenda.

##### c. Accounts Receivable Over 90 Days

We have no accounts over 90 days.

##### d. Audit Sub-Committee

The Audit Sub-Committee will meet on September 23<sup>rd</sup> at 1:00 p.m. A full report will be given by the committee to the board at our October 13<sup>th</sup> Board Meeting.

#### 6. Budget - Update Given

##### a. Set Budget Levy

The budget levy hearing was held September 3<sup>rd</sup> at 10:00 at the NRD office. Johnson made the motion, seconded by Bull, to set the property tax request amount at \$2,263,313 and to change the Lower Platte North NRD Property Tax Levy for F.Y. 2009 and set the levy amount at \$0.045670 per \$100 of valuation. Motion carried all members present voting aye.

Kavan made the motion, seconded by Boyd, that the September 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

#### 2. OPERATION AND MAINTENANCE

##### a. Operation and Maintenance - Update Given

##### b. Lower Platte Weed Management Area - Update Given

##### c. Hay NRD Recreation Areas - Update Given

d. South Fremont 205 Study - Update Given

e. Bellwood Dam 6-F Easement - Update Given

f. Grass Drill Saunders County - Update Given

g. Request for Platte River Boat Ramp

Kavan made the motion, seconded by Boyd, to request the NE Airboaters Association secure a location and then the District work with NE Game & Parks for funding and construction of a Platte River boat ramp project. Motion carried on consent agenda.

h. Tree Program Prices

Kavan made the motion, seconded by Boyd, to increase the District's tree planting program prices for hand plants to .65/tree and \$1.25/tree for machine planting. Motion carried on consent agenda.

3. ROCK AND JETTY

a. New Applications - None

b. Payment Requests

Kavan made the motion, seconded by Boyd, to pay Joe Cunningham \$2,000 for rock and jetty work accomplished and if the budget allows at the end of the fiscal year, pay him 50% for the remaining amount. Motion carried on consent agenda.

4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given

5. INFORMATION & EDUCATION

a. Information

1. "Natural Play Spaces" Summit - Update Given

2. NRD Fact Sheets - Update Given

3. Land Judging - Update Given

4. LPRCA Water Quality Open - Update Given

b. Computer

1. Online Payment Processing - Update Given

6. RURAL WATER ACTIVITIES

a. Bruno/David City Rural Water

Kavan made the motion, seconded by Boyd, to make crop damage payments to those affected by the Pokorny Rural Water extension. Those payments will be made to Brain Hlavac for \$25.78, Larry Hlavac for \$31.84 and Gary Vandenburg for \$126.74. Motion carried on consent agenda.

b. Colon/Wahoo Rural Water System - Update Given

c. Abie/Linwood - Update Given

d. Bellwood/Richland - Update Given

e. Swedeburg

Sabatka made the motion, seconded by Renter, to approve the following with Swedeburg IPA process:

1. It was determined the proposed IPA project “conforms with all laws, District goals, criteria and policies”, and recommends to proceed to make detailed plans and cost estimates, and determine the total benefits.
2. Have staff develop an Apportionment of Benefits.
3. Hold a Public Hearing on Apportionment of Benefits, hearing time at 9:30 a.m. on October 29, 2008 at the Lower Platte North NRD office.

Motion carried.

AYE: Acklie, Boyd, Bull, Eden Hannah, Johannes, Johnson, Renter, Sabatka, Taylor, Veskerna, Vrana

NAY: Hilger, Kavan, Meduna, Pieke, Saalfeld, Jedlicka

f. Czechland Lake - Update Given

Kavan made the motion, seconded by Boyd, that the September 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. Well Permit Program

a. Well Permits Approved - Update Given

2. Stay Management Areas

a. Variance Requests

Johannes made the motion, seconded by Vrana, to state that a variance request for the new public water supply well and its water use for the Military Department - State of Nebraska in the NW1/4 of the SE1/4, Section 8, T14N, R9E is NOT needed since the water use location, water well and any cone of influence caused by that water well, will be outside of the defined Yutan South subarea and the stay management areas of the District. Motion carried all members present voting aye.

3. Cost-Share Programs

a. GWEL Network, Irrigation Flow Meter Cost-Share - Update Given

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b. Phase 2 Irrigation Flow Meter Cost-Share  
Kavan made the motion, seconded by Boyd, to apply for a 319 grant through DEQ to establish a flow meter cost share program for irrigation wells in the District's Phase 2 areas. Motion carried on consent agenda.

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c. Irrigation Well Sample Kits - Update Given

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d. Domestic Well Sample Kits - Update Given

4. Nitrogen Certification - Update Given

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5. Bellwood Phase II Area - Update Given

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6. Richland/Schuyler Phase II Area- Update Given

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7. Irrigation Runoff Complaint - Update Given

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8. Certifying Acres - Update Given

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b. Chemigation - Update Given

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c. Livestock Waste Permits - Update Given

## 2. GROUND WATER PROGRAMS

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a. Decommissioned Well Program

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1. Well Estimates - Update Given

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2. Plugged Wells - Update Given

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3. Nebraska Water Well Decommissioning Fund - Update Given

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b. LPNNRD Ground Water Studies

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1. Sub-Area Delineation Study - Update Given

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2. LPNNRD Platte River Ground Water Model - Update Given

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3. Elkhorn Loup Model (ELM) - Update Given

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4. Eastern Nebraska Water Resources Assessment (ENWRA) - Update Given

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5. Eastern Nebraska HEM Aquifer Mapping - Update Given

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c. Ground Water Energy Levels - Update Given

d. Ground Water Quality - Statewide Network - Update Given

e. Ground Water Complaints

1. Platte River Uplands Subarea - Update Given

2. North Bend Subarea - Update Given

f. Czechland Lake Well - Update Given

3. SURFACE WATER

a. State Lakes

1. Bacteria Sampling - Update Given

2. Toxic Algae - Update Given

4. OTHER

a. Comments from the Public - Update Given

Kavan made the motion, seconded by Boyd, that the September LPNDRD Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

D. PROJECTS COMMITTEE REPORT

1. SWCP REPORT

a. SWCP Applications Approval

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

			<u>75%</u>
<u>Kaye Lidolph</u>	<u>Platte Co.</u>	<u>Planned Grazing</u>	<u>\$2,354.00</u>
<u>Borg Dairy</u>	<u>Boone Co.</u>	<u>Planned Grazing</u>	<u>\$7,565.00</u>
<u>Dale Glodowski</u>	<u>Colfax Co.</u>	<u>Terraces w/tile</u>	<u>\$10,000.00</u>
<u>Lonny Kitt</u>	<u>Colfax Co.</u>	<u>Diversion (w/no-till)</u>	<u>\$3,161.00</u>
<u>Randall Fendrich</u>	<u>Butler Co.</u>	<u>Terraces w/tile</u>	<u>\$10,000.00</u>
<u>David Schmit</u>	<u>Butler Co.</u>	<u>Terraces w/tile</u>	<u>\$4,770.00</u>
<u>Michael Demuth</u>	<u>Butler Co.</u>	<u>W/S Basins</u>	<u>\$4,500.00</u>
<u>Jim McDermott</u>	<u>Saunders Co.</u>	<u>Terraces w/tile (Sand/Duck)</u>	<u>\$10,000.00</u>
		<u>TOTAL:</u>	<u>\$52,350.00</u>

Motion carried on consent agenda.

b. SWCP Payments - None

c. SWCP Cancellations - None

d. Sand/Duck Creek Approvals - None



e. Sand/Duck Creek Cost-Share Payments - None

2. WATERSHEDS - Update Given

a. Rawhide Creek - Rawhide Diversion Channel Crossing for Ridge Road

The Board referred this topic back to Committee for further discussion.

b. Wahoo Creek Watershed - Future Plan for Wahoo Creek Structures - Update Given

3. FSA , EQIP & CRP PLANS SIGNED

Kavan made the motion, seconded by Boyd, to approve the following CRP plan revisions:

<u>Date signed</u>	<u>County Office</u>	<u>Landowners Name</u>	<u>Legal</u>	<u>Acres</u>	<u>New -or- Rev.</u>	<u>Description Plan</u>
<u>7/3/2008</u>	<u>Butler</u>	<u>Daniel Engel</u>	<u>1-15-3</u>	<u>36.6</u>	<u>Rev</u>	<u>CRP Critical Feed Use/H &amp; G</u>
<u>7/8/2008</u>	<u>Butler</u>	<u>Anthony Prochaska</u>	<u>23-16-4</u>	<u>13.5</u>	<u>Rev</u>	<u>CRP Critical Feed Use/H &amp; G</u>
<u>7/8/2008</u>	<u>Butler</u>	<u>Linus Meysenburg</u>	<u>29-16-3</u>	<u>9.0</u>	<u>Rev</u>	<u>CRP Critical Feed Use/H &amp; G</u>
<u>7/8/2008</u>	<u>Butler</u>	<u>Linus Meysenburg</u>	<u>29-16-3</u>	<u>4.8</u>	<u>Rev</u>	<u>CRP Critical Feed Use/H &amp; G</u>
<u>7/25/2008</u>	<u>Butler</u>	<u>Benedict Divis/Larry Jenkins</u>	<u>35-16-4</u>	<u>48.4</u>	<u>Rev</u>	<u>CRP Critical Feed Use/H &amp; G</u>
<u>7/25/2008</u>	<u>Butler</u>	<u>Rita Sabata</u>	<u>9-15-3</u>	<u>11.0</u>	<u>Rev</u>	<u>CRP Critical Feed Use/H &amp; G</u>
<u>7/25/2008</u>	<u>Butler</u>	<u>Fred Benesch</u>	<u>24-16-3</u>	<u>37.5</u>	<u>Rev</u>	<u>CRP Critical Feed Use/H &amp; G</u>
<u>7/28/2008</u>	<u>Butler</u>	<u>Frank Eckstein</u>	<u>19-16-4</u>	<u>24.8</u>	<u>Rev</u>	<u>CRP Critical Feed Use/H &amp; G</u>
<u>7/28/2008</u>	<u>Butler</u>	<u>Frank Eckstein</u>	<u>20-16-4</u>	<u>33.7</u>	<u>Rev</u>	<u>CRP Critical Feed Use/H &amp; G</u>
<u>7/28/2008</u>	<u>Butler</u>	<u>Frank Eckstein</u>	<u>19-16-4</u>	<u>8.5</u>	<u>Rev</u>	<u>CRP Critical Feed Use/H &amp; G</u>
<u>7/30/2008</u>	<u>Butler</u>	<u>Frank Eller</u>	<u>34-16-2</u>	<u>22.1</u>	<u>Rev</u>	<u>CRP Critical Feed Use/H &amp; G</u>
<u>7/30/2008</u>	<u>Butler</u>	<u>Ted Coufal</u>	<u>8-13-4</u>	<u>7.4</u>	<u>Rev</u>	<u>CRP Critical Feed Use/H &amp; G</u>
<u>7/30/2008</u>	<u>Butler</u>	<u>Ted Coufal</u>	<u>8-13-4</u>	<u>12.7</u>	<u>Rev</u>	<u>CRP Critical Feed Use/H &amp; G</u>
<u>7/28/2008</u>	<u>Butler</u>	<u>Betty Schmit</u>	<u>32&amp;33-16-3</u>	<u>60.5</u>	<u>Rev</u>	<u>CRP Critical Feed Use/H &amp; G</u>
<u>7/31/2008</u>	<u>Butler</u>	<u>James Sklenar</u>	<u>18-16-4</u>	<u>13.6</u>	<u>Rev</u>	<u>CRP Critical Feed Use/H &amp; G</u>
<u>7/31/2008</u>	<u>Butler</u>	<u>Janak Farms</u>	<u>7-15-5</u>	<u>16.5</u>	<u>Rev</u>	<u>CRP Critical Feed Use/H &amp; G</u>

Motion carried on consent agenda.

4. LOCALLY LED LANDOWNER GROUPS

a. Shell Creek Watershed Improvement Group - Update Given

5. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report - Update Given

6. OTHER

a. Update on COE 205 Studies

1. South Fremont - Update Given

2. Schuyler - Update Given

b. Schuyler Lake Restoration Project

Kavan made the motion, seconded by Boyd, to send a support letter to the City of Schuyler for pursuing an Environmental Trust Fund Grant on their South Park Lake Restoration Project. It was further recommended to approve \$5,000 assistance on

wildlife habitat and wetlands enhancement project components. Motion carried on consent agenda.

c. District-Wide All Hazard Mitigation Plan - Update Given

7. LAKE WANAHOO REPORT

a. Project Report - Update Given

8. WESTERN SARPY/CLEAR CREEK LEVEE REPORT - Update Given

Kavan made the motion, seconded by Boyd, to accept and place on file the [September Projects Committee Minutes](#). Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7.a. SWCP Payments:

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

			<u>Approved</u>	<u>Payment</u>
<u>08-B-04</u>	<u>Dorothy Hajek</u>	<u>Terraces &amp; Basins w/Tile</u>	<u>\$4,247.82</u>	<u>\$3,525.33</u>

Motion carried.

AYE: Acklie, Boyd, Bull, Eden, Hannah, Hilger, Johannes, Johnson, Meduna, Pieke, Renter, Saalfeld, Sabatka, Taylor, Veskerna, Vrana, Jedlicka

ABSTAIN: Kavan

7b. SWCP Approvals

Meduna made the motion, seconded by Boyd, to approve the following SWCP contracts:

			<u>75%</u>
<u>Eugene Stock</u>	<u>Platte</u>	<u>W/S Basins &amp; Tile</u>	<u>\$10,000.00</u>
<u>Dan Wolfe</u>	<u>Colfax</u>	<u>Planned Grazing (w/EQIP)</u>	<u>\$3,560.00</u>
<u>Don Kavan</u>	<u>Saunders</u>	<u>Windbreak Renovation</u>	<u>\$1,140.00</u>
<u>Don Kavan</u>	<u>Saunders</u>	<u>Flow Meter</u>	<u>\$650.00</u>
<u>TOTAL APPROVALS:</u>			<u>\$15,350.00</u>

Motion carried.

AYE: Acklie, Boyd, Bull, Eden, Hannah, Hilger, Johannes, Johnson, Meduna, Pieke, Renter, Saalfeld, Sabatka, Taylor, Veskerna, Vrana, Jedlicka

ABSTAIN: Kavan

7c. Hiring Appraiser

Meduna made the motion, seconded by Boyd, to hire Dwight Johnson and Associates to appraise the final four parcels of land that are needed near the intersection of Highway 109-77 at a total cost of \$4,000. Motion carried.

AYE: Acklie, Boyd, Bull, Eden, Hannah, Hilger, Johannes, Johnson, Meduna, Pieke, Renter, Saalfeld, Sabatka, Taylor, Veskerna, Vrana, Jedlicka

ABSTAIN: Kavan

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

Kavan made the motion, seconded by Boyd, to approve the September consent agenda as amended. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

Director Pieke asked if the Board had interest in having the November 10<sup>th</sup> Board Meeting in Newman Grove. It was generally accepted by the Board to have the November Meeting in Newman Grove.

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The October Board of Directors Meeting will be held on Monday, **October 13**, 2008, 7:00 p.m.

Meeting adjourned at 10:11 p.m.

Discussion on all agenda items that have "Update Given" can be found in corresponding Committee Minutes.

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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 **September 8**, 2008, 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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Ralph Pieke, Secretary