

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
September 9, 2013**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 6:17 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, September 9, 2013.

1. NOTICE OF MEETING

The advanced notice of our September 9, 2013 board meeting was published on August 22, 2013 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Hilger 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	Birkel	Clausen
Gibney	Hagerbaumer	Hannah
Johannes	Kavan	McDermott
Meduna	Olson (left 7:40 pm)	Pieke
Pollard	Ruzicka	Saalfeld
Sabatka	Taylor	Veskerna
Hilger		

DIRECTORS ABSENT

STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Almond	Gottschalk
Heimann	Angle	Ekstein

Jovan Lausterer, NRD Legal Counsel

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. NRCS Report - None

Mark Walkenhorst was present to go over his written report.

c. NARD Report

Kavan reminded all Directors about the NARD Fall Conference September 22-24, Kearney.

d. NRC Report

Johannes reported on LB517 the Water Sustainability Task Force Meetings and that the Commission will be meeting in conjunction with the NARD Fall Conference.

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

Dean Edson, Executive Director of the NARD updated to the Board on NARD programs and responsibilities.

5. APPROVAL OF MINUTES

Meduna made the motion, seconded by Hannah, to approve the minutes from the August 12, 2013 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. NARD Fall Conference – Update Given

2. Changes: Climate, Water and Life on the Great Plains & Water Law – Update Given

b. Reports – None

2. Management Items

a. Directors Absence

Meduna made the motion, seconded by Hannah, to approve Director Gibney’s excuse of absence from the August 2013 Board meeting. Motion carried on consent agenda.

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

Meduna made the motion, seconded by Hannah, to approve payment of \$3,200 to Bob Weaver for August services and bill LPSNRD and Papiro NRD for their share. Motion carried on consent agenda.

c. Monthly Education Program – Update Given

d. Martinez Lawsuit – Update Given

e. CCEI Lawsuit – Update Given

f. Committee and Director Workshop Dates for 2014

Ruzicka made the motion, seconded by Meduna, to set the January Committee Meeting dates and times as follows:

<u>Monday, December 30</u>	<u>O-E-RW Committee</u>	<u>8:30 a.m.</u>
<u>Monday, December 30</u>	<u>Water Committee</u>	<u>5:00 p.m.</u>
<u>Thursday, January 2</u>	<u>Projects Committee</u>	<u>8:30 a.m.</u>
<u>Friday, January 3</u>	<u>Executive Committee</u>	<u>9:00 a.m.</u>
<u>Monday, January 13</u>	<u>Board Meeting</u>	<u>1:30 p.m.</u>
<u>Wednesday, February 12</u>	<u>Director Retreat</u>	<u>9:00 a.m.</u>

Motion carried all members present voting aye.

g. Annual Conference Resolutions – Update Given

h. NRDF Payment

Saalfeld made the motion, seconded by Johannes, to make a \$401,211.42 principal loan payment to Union Bank on Loan #1606489. Motion carried all members present voting aye.

i. NARD Dues

Ruzicka made the motion, seconded by Kavan, to pay the F.Y. 14 NARD dues in the amount of \$22,006.79. Motion carried all members present voting aye.

j. Rural Water Survey

Meduna made the motion, seconded by Hannah, to send a survey to all rural residents in the Bruno area to see their interest in hooking on to the Bruno Rural Water Line. Motion carried on consent agenda.

3. Equipment – None

4. Personnel - None

5. Finance

a. Approval of Financial Report – Update Given

b. Approval of Managers Expenses

Meduna made the motion, seconded by Hannah, 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

e. FY 2014 Levy Hearing

Meduna made the motion, seconded by Hannah, to ratify holding the hearing to set the F.Y. 2014 final tax levy on Monday, September 9th at 5:00 p.m. Motion carried on consent agenda.

f. Set the FY 2014 Tax Levy

Hannah made the motion, seconded by Saalfeld, to set the F.Y. 2014 tax levy at .052603 as presented at the levy hearing. Motion carried.

AYE: Bailey, Clausen, Gibney, Hagerbaumer, Hannah, Johannes, Kavan, McDermott, Meduna, Olson, Pieke, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Hilger

NAY: Birkel

Meduna made the motion, seconded by Pollard, that the September LPNRRD Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

B. OPERATIONS, EDUCATION & RURAL WATER COMMITTEE REPORT

1. WILD NE/CREP REPORT

a. Wild NE, WHIP, Contract Payments – None

b. CREP Payment(s)

Meduna made the motion, seconded by Hannah, to pay Gronenthal Trust \$72.16 for their CREP Contract. Motion carried on consent agenda.

c. New Contract (s) - None

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Update Given

b. South Fremont 205 Feasibility Study – Update Given

c. Swedeburg Dams – Update Given

d. Wanahoo Recreation Area

Sabatka made the motion, seconded by Meduna, to accept the Wahoo Ducks Unlimited Mentor Hunting Duck Blind proposal with a written agreement just as the District did with the Big Game Association. Motion carried.

AYE: Bailey, Clausen, Hagerbaumer, Hannah, Johannes, McDermott, Meduna, Pieke, Pollard, Ruzicka, Saalfeld, Sabatka, Veskerna, Hilger

NAY: Birkel, Kavan, Taylor

e. Grass Drill Revenue – Update Given

3. ROCK AND JETTY

a. Applications - None

b. Payment Requests – None

4. EROSION & SEDIMENT RULES & REGULATIONS – Update Given

5. INFORMATION & EDUCATION

a. Information

1. KTIC Ads – Update Given

2. Letterhead

Saalfeld made the motion, seconded by Hagerbaumer, to accept the lowest quote received and purchase 10,000 sheets of NRD letterhead from Gerry Tyler at a cost of \$1,385. Motion carried all members present voting aye.

3. Fall Newsletter – Update Given

4. Husker Harvest Days – Update Given

b. Education

1. Range Judging – Update Given

2. Land Judging – Update Given

3. Shell Creek Scholarships – Update Given

c. Computer

1. Rural Water App – Update Given

6. RURAL WATER Systems

a. Bruno/David City Rural Water – Update Given

b. Colon/Wahoo Rural Water System

Hagerbaumer made the motion, seconded by Sabatka, to order materials for the Wanahoo shed connection and proceed forward with hook-up. Motion carried.

AYE: Bailey, Birkel, Clausen, Gibney, Hagerbaumer, Johannes, Kavan, McDermott, Meduna, Pieke, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Hilger

NAY: Hannah

c. Cedar Bluffs – Update Given

d. Brainard and Dwight – Update Given

f. Other – Update Given

Meduna made the motion, seconded by Hannah, that the September LPNNRD Operations, Education 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. 2013 Drought Conditions – Update Given

2. Variance Requests in the Normal Development Area (NDA)

a. Extension of August 15th Deadline

McDermott made the motion, seconded by Meduna, to extend the deadline date for the acceptance of variance request applications in the Normal Development Area from August 15th to September 15th. Motion carried all members present voting aye.

b. August Variance Requests in the Normal Development Area – Update Given

3. Variance Request in the Limited Development (Hydrologically Connected) Area (LDA)

4. Variance Request in the Restricted Development Area (RDA)

a. Martin Erickson RDA Variance Request – Update Given

5. Well Permit Program

a. Well Permits Approved – Update Given

b. Mark Boschurt Supplemental Well Application

Meduna made the motion, seconded by Hannah, to approve the supplemental irrigation well permit for 40 acres for Mark Boschurt in the NW1/4, Section 1, T14N, R8E (LDA) in the Todd Valley subarea of Saunders County. Motion carried on consent agenda.

c. Kenneth Hasemann Supplemental Well

Meduna made the motion, seconded by Hannah, to approve the supplemental irrigation well permit for 22 acres for Kenneth Hasemann in the SE1/4 of the SE1/4, Section 10, T17N, R7E (LDA) in the North Bend Subarea of Dodge County. Motion carried on consent agenda.

d. Liberty Land and Livestock – Update Given

e. Pond Well Permit Application

Meduna made the motion, seconded by Hannah, to table the review of these pond wells until a policy on such wells can be established at a subsequent Water Committee meeting. Motion carried on consent agenda.

6. Lower Platte River Basin Water Management Plan Coalition – Update Given

7. Cost-Share Programs

a. Irrigation Well Sample Kits - Update Given

b. Domestic Well Sample Kits - Update Given

c. NAWMN Water Mark Sensors and ET Gauges – Update Given

8. LPNNRD Certification – Update Given

9. Bellwood Phase 2 Area – Update Given

10. Richland/Schuyler Phase II Area - Update Given

11. Irrigation Runoff Complaints – Update Given

12. Water Funding Task Force Meeting – 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

Meduna made the motion, seconded by Hannah, to approve cost share payment of \$1,117.38 to decommission a hand dug well for Lawrence Hynek, payment of \$279.38 to decommission the domestic well for Anton Divis, payment of \$683.15 to decommission the irrigation well for Marv Hines, payment of \$621.64 to decommission the hand dug well for Dean Svehla, and payment of \$674.64 to decommission two irrigation wells for Jeffrey Mitties. Motion carried on consent agenda.

b. LPNNRD Ground Water Studies

1. Elkhorn Loup Model – Update Given

2. Eastern Nebraska Water Resources Assessment (ENWRA) – Update Given

3. Integrated Water Budget Study – Update Given

c. Ground Water Energy Levels – Update Given

d. Ground Water Quality Sampling

1. State Wide Network Ground Water Sampling – Update Given

2. Richland-Schuyler Phase 2 Area – Update Given

3. SURFACE WATER PROGRAMS

a. State Lakes

1. Bacteria Sampling – Update Given

2. Toxic Algae – Update Given

4. OTHER

a. UNL Agricultural R&D Center – Update Given

b. Comments From The Public – Update Given

Meduna made the motion, seconded by Hannah, 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 Application Approvals

Meduna made the motion, seconded by Hannah, to approve the following SWCP applications:

<u>Henry Johnson</u>	<u>Saunders Co.</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>Ronald Woita</u>	<u>Saunders Co.</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>Daniel Lutjens</u>	<u>Platte Co.</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>John Colgan x 2</u>	<u>Dodge Co.</u>	<u>Flow Meter</u>	<u>\$1,250.00</u>

Motion carried on consent agenda.

Meduna made the motion, seconded by Hannah, to approve the following SWCP application:

<u>*Richard Kubik</u>	<u>Saunders Co.</u>	<u>Terrace/Tile</u>	<u>\$7,000.60</u>
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Motion carried on consent agenda.

b. SWCP Payments

Meduna made the motion, seconded by Hannah to approve the following SWCP cost-share payments:

<u>13-S-2</u>	<u>Ron Kadavy</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>12-P-30</u>	<u>Larry Hanzel</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>13-P-13</u>	<u>Ronald Brandl</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>12-P-45</u>	<u>Jon Gehring</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>12-P-29</u>	<u>William Fischer</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>13-S-27</u>	<u>Roger Nelson</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>13-S-3</u>	<u>Janecek Trust</u>	<u>Flow Meter</u>	<u>\$552.50</u>
<u>13-S-28</u>	<u>Gene Hansen</u>	<u>Flow Meter</u>	<u>\$552.50</u>
			<u>\$4,855.00</u>

Motion carried on consent agenda.

c. SWCP Cancellations - None

d. Cottonwood Creek Payments - None

e. Sand/Duck Creek Approvals

Meduna made the motion, seconded by Hannah, to approve the following Sand/Duck Creek Approvals:

		25%	15%
<u>Don Kavan</u>	<u>Terraces/Basins/Waterway</u>	<u>\$6,629.50</u>	<u>\$3,997.70</u>
<u>Loren Lindahl</u>	<u>Terraces/Tile/Basins</u>	<u>\$3,988.86</u>	<u>\$2,393.33</u>

Motion carried on consent agenda.

f. Sand/Duck Cost-Share Payment - None

2. WATERSHEDS

a. Wahoo Creek

1. Wahoo Creek Watershed Water Quality Plan – Update Given

2. 319 Grant Proposal for Wahoo Creek Plan – Phase II

Kavan made the motion, seconded by Meduna, to submit grant applications to NDEQ and NET for moving forward with the Wahoo Creek Plan Phase II, as attached to the Projects Committee Minutes. It was further recommended to designate Assistant Manager, Mountford as the grant administrator and sign necessary grant applications and documents. Motion carried.

AYE: Bailey, Clausen, Gibney, Hannah, Johannes, Kavan, McDermott, Meduna, Pieke, Pollard, Ruzicka, Saalfeld, Sabatka, Veskerna, Hilger

NAY: Birkel, Hagerbaumer, Taylor

b. Shell Creek Watershed

Kavan, made the motion, seconded by Meduna, to approve entering into a \$123,000 contract with EA Engineering to complete the Shell Creek Watershed Water Quality Plan and authorize the Board Chair to sign the document as attached to the Projects Committee Minutes. Motion carried.

AYE: Bailey, Birkel, Clausen, Gibney, Hagerbaumer, Hannah, Johannes, McDermott, Meduna, Pieke, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Hilger

NAY: Kavan

3. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report – Update Given

4. OTHER

a. Update on Army COE 205 Studies

1. South Fremont 205 – Update Given

2. Schuyler 205 – Update Given

b. Yutan Project Storm Drainage Project Proposal

Meduna made the motion, seconded by Hannah, to provide a letter of support to Melvin Sudbeck for obtaining Environmental Trust Funds for the Porous Pavement Project in Yutan, but not to provide any

financial assistance. Motion carried on consent agenda.

c. Platte Center Tire Recycling Project

Kavan made the motion, seconded by Meduna, to pay the Butler County Landfill \$7,124 and the PrairieLand RC&D \$201.13 for the Platte Center Tire Recycling Project as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

5. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT REPORT

a. Lake Wanahoo

1. Advertising for Skyline Properties Road Relocation Project

Meduna made the motion, seconded by Hannah, to advertise for bids to complete the Simodynes/Ponderosa Street relocation project as previously agreed upon with Skyline Properties. Motion carried on consent agenda.

b. Upstream Structures – Update Given

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

Meduna made the motion, seconded by Hannah, to accept and place on file the September Projects Committee Minutes. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7a. Newman Grove Community Forestry Project Payment

Saalfeld made the motion, seconded by Birkel, to approve payment of \$611.29 to Newman Grove High School for their Community Forestry Project for planting 125 trees. Motion carried.

AYE: Bailey, Birkel, Clausen, Gibney, Hagerbaumer, Hannah, Johannes, Kavan, Meduna, Pieke, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Hilger

ABSTAIN: McDermott

7b. SWCP Payments

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

<u>13-S-5</u>	<u>McDermott Farms Inc.</u>	<u>Flow meter</u>	<u>\$550.00</u>
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Motion carried.

AYE: Bailey, Birkel, Clausen, Gibney, Hagerbaumer, Hannah, Johannes, Kavan, Meduna, Pieke, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Hilger

ABSTAIN: McDermott

7c. Payment on Line of Credit

Saalfeld made the motion, seconded by Birkel, authorizing the LPNNRD Treasurer and General Manager to make a payment on the Union Bank Line of Credit after the September tax receipts are received as they see fit (estimated to be between \$200,000 and \$300,000). Motion carried.

AYE: Bailey, Birkel, Clausen, Gibney, Hagerbaumer, Hannah, Johannes, Kavan, Meduna, Pieke, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Hilger

ABSTAIN: McDermott

8. BILLS TO BE APPROVED

Pieke, 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

Meduna made the motion, seconded by Hannah, 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 Directors Meeting will be held on Monday, October 14, 2013, 6:00 p.m. Meeting adjourned at 8:49 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 September 9, 2013, 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.

Lon Olson, Secretary