

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
March 10, 2014**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 6:00 p.m. at Lower Platte North NRD office, Wahoo, NE on Monday, March 10, 2014.

1. NOTICE OF MEETING

The advanced notice of our March 10, 2014 board meeting was published on February 20, 2014 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	Pieke	Pollard
Saalfeld	Sabatka	Taylor
Veskerna	Hilger	

DIRECTORS ABSENT

Olson	Ruzicka
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STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Almond	Angle

Heimann

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

Mark Walkenhorst reviewed the NRCS Report.

c. NARD Report - None

Director Kavan reported on the NARD Board Meeting earlier in the day.

d. NRC Report

Director Johannes updated the Board on LB 1047 which would re-appropriate \$843,701 from the General Fund back to the Nebraska Resources Development Fund.

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

Dave Sands from the Nebraska Land Trust gave an update to the Board.

5. APPROVAL OF MINUTES

Clausen made the motion, seconded by Veskerna, to approve the minutes from the February 10, 2014 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending - None

b. Reports

1. NACD Annual Meeting – Update Given

2. Management Items

a. Director Absences – None

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

Clausen made the motion, seconded by Veskerna, to approve payment of \$3,200 to Bob Weaver for February services and bill LPSNRD and Papio 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. Legislation – Update Given

g. Insurance for FY 2015

Clausen made the motion, seconded by Veskerna, to advertise Requests for Proposals (RFPs) for LPNNRD insurance needs for F.Y.2015. Motion carried on consent agenda.

h. Annual Recognition Banquet – Update Given

i. Director Contract Information – Update Given

j. eMeeting Software – Update Given

3. Equipment – None

4. Personnel - None

a. Operation and Maintenance Technician

Andrew Ekstein submitted his resignation letter to Miyoshi and his last day of work for the NRD will be Friday, March 14th. Clausen made the motion, seconded by Veskerna, to begin advertising for the vacant Operation and Maintenance Technician position and the office cleaning contract. Motion carried on consent agenda.

5. Finance

a. Approval of Financial Report

Clausen made the motion, seconded by Veskerna, to approve the January Financial Statement as distributed to all Directors. Motion carried on consent agenda.

b. Approval of Managers Expenses

Clausen made the motion, seconded by Veskerna, 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. LPNNRD District Wide Tax Influence – Update Given

e. Saunders County Road Fund Payment

Saalfeld made the motion, seconded by Sabatka, to authorize the Board Treasurer and General Manager to make payment on the Union Bank Notes for \$1,270,000 once the County Road Funds are received from Saunders County. Motion carried all members present voting aye.

f. Payoff Line of Credit

Kavan made the motion, seconded by Meduna, to authorize the Board Treasurer and General Manager to pay off the line of Credit with Union Bank when proceeds from sale of the Wirka Tract are received with any excess proceeds to be applied to the Union Bank Note. Motion carried all members present voting aye.

Clausen made the motion, seconded by Veskerna, that the March LPNNRD 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) – None

c. New Contract (s) - None

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Update Given

b. South Fremont 205 Feasibility Study – Update Given

c. Czechland Lake Tree Clearing

Veskerna made the motion, seconded by Pieke, to pay Goracke Contracting \$8,450 for tree clearing work completed at Czechland Lake. Motion carried all members present voting aye.

d. Lake Wanahoo SRA Finances 2013

Kavan made the motion, seconded by Hannah, to approve payment of \$30,462.69 to NGPC for the deficit in operating & maintaining the Lake Wanahoo SRA and send a 30 day notice letter that we want to terminate our contract.

Kavan made the motion, seconded by Hannah, to table the previous motion. Motion carried.

AYE: Gibney, Hagerbaumer, Hannah, Kavan, McDermott, Meduna, Pieke, Sabatka, Hilger

NAY: Bailey, Birkel, Clausen, Johannes, Pollard, Saalfeld, Taylor, Veskerna

Veskerna made the motion, seconded by Sabatka, to approve payment of \$30,462.69 to NGPC for the deficit in operating and maintaining the Lake Wanahoo SRA for 2013 as attached to the O, E & RW Committee minutes. Motion carried.

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

NAY: Birkel, Kavan, Pieke

e. Wanahoo Recreation Area – Update Given

f. Vehicle Replacement – Update Given

g. Tree Program – Update Given

h. Lower Platte Weed Management – 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. Viaduct/Annual Report – Update Given

3. Newspaper Online Ads

Clausen made the motion, seconded by Veskerna, to do a one-year trial of online ads on the Wahoo Newspaper website, with a monthly rate not to exceed \$150. Motion carried on consent agenda.

b. Education

1. Career Day – Update Given

2. Soil and Water Stewardship Week – Update Given

3. Shell Creek Scholarships – Update Given

4. Spring Conservation Sensation – Update Given

c. Computer

1. iPads & Board Software – Update Given

6. RURAL WATER Systems

- a. Bruno/David City Rural Water – Update Given**
- b. Colon/Wahoo Rural Water System – Update Given**
- c. Cedar Bluffs – Update Given**
- d. Brainard and Dwight – Update Given**
- e. Other – Update Given**

Clausen made the motion, seconded by Veskerna, that the March LPNRRD 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. Variance Requests in the Hydrologically Connected Area – Update Given

2. Variance Request in the Non-Hydrologically Connected Area

Clausen made the motion, seconded by Veskerna, to continue to accept applications as variance requests in the Special Quantity Subareas but not accept the \$75 fee. These variance requests will be placed on file and listed as incomplete until the fee, other variance requirements are met and review by staff is complete. Motion carried on consent agenda.

3. Unauthorized Irrigation Expansions – Update Given

4. Lake Ventura Housing Development – Update Given

5. Installation of Irrigation Systems – Update Given

6. Well Permit Program

a. Well Permits Approved – Update Given

b. Water Permit Summary – Update Given

c. Well Permit Application for Supplemental Wells

Clausen made the motion, seconded by Veskerna, to approve the supplemental well for Nancy Hinz in the SW¼SE¼ of section 33-T18N-R2E, to irrigate 120 acres; to approve the supplemental well for Marvin Classen in the NW¼NE¼ of section 20-T21N-R4W, to irrigate 130 acres; to approve the supplemental well for Alan Reichmuth in the NW¼SW¼ of section 30-T20N-R3W, to irrigate 56 acres in the W½SW¼ of this section; and to approve the supplemental well for Chester Knuth application in the NW¼NE¼ of section 11-T16N-R7E, to irrigate 144 acres. Motion carried on consent agenda.

Clausen made the motion, seconded by Veskerna, to table the supplemental well request for Mark Hoessel in the NE¼NE¼ of section 11-T19N-R1E, to irrigate 88 acres with two existing wiper-pivots and request more information. Motion carried on consent agenda.

d. Pond Well Permits

McDermott made the motion, seconded by Taylor, to approve the Draft Policy on Well Permits for "Other" Wells such as ponds with that added "Grandfather Clause" as presented at Board Meeting. Motion carried all members present voting aye.

e. Water Use Reports – Update Given

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

8. Voluntary Integrated Water Management Plan

a. Olsson Associates Contract

Birkel made the motion, seconded by Pollard, to approve the Integrated Management Plan Contract from Olsson Associates including the Water Balance Study at a cost not to exceed \$174,700 and authorize Manager Miyoshi to sign said contract. Motion carried all members present voting aye. This amount is less than the estimate quoted last month due to services and the number of meetings that LPNNRD requires in the contract.

b. Stakeholders Committee Members – Update Given

c. Goals and Objectives – Update Given

9. Cost-Share Programs

a. Irrigation Well Sample Kits – Update Given

b. Domestic Well Sample Kits – Update Given

10. LPNNRD Certification – Update Given

11. Bellwood Phase 2 Area – Update Given

12. 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 – Update Given

b. LPNNRD Ground Water Studies

1. Elkhorn Loup Model – Update Given

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

c. Ground Water Quality

Clausen made the motion, seconded by Veskerna, to approve and authorize signing the interlocal agreement for a grant of \$6,338 from the Department of Environmental Quality to purchase pumps and related equipment to sample monitoring wells as part of the Statewide Network. Motion carried on consent agenda.

d. Acre Certification – Update Given

e. Monitoring Wells – Update Given

3. OTHER

a. Comments From The Public – Update Given

Clausen made the motion, seconded by Veskerna, that the March 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

Clausen made the motion, seconded by Veskerna, to approve the following SWCP applications:

			<u>50%</u>
<u>Dawaine Schmit</u>	<u>Butler</u>	<u>Flow Meter x 2</u>	<u>\$1,250.00</u>
<u>Pine Tree Farms Ltd.</u>	<u>Colfax</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>Oehlrich Farm Inc.</u>	<u>Colfax</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>Carolyn Dietrich</u>	<u>Colfax</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>Todd Maurer</u>	<u>Platte</u>	<u>Flow Meter x 2</u>	<u>\$1,250.00</u>
<u>Myron Leffers</u>	<u>Platte</u>	<u>Flow Meter</u>	<u>\$625.00</u>

Motion carried on consent agenda.

b. SWCP Payments - None

c. SWCP Cancellations - None

d. Cottonwood Creek Payments - None

e. Sand/Duck Creek Approvals – None

f. Sand/Duck Cost-Share Payment – None

g. Annual SWCP Policy Review/Changes – Update Given

2. WATERSHEDS

a. Shell Creek Water Quality Watershed Plan

Clausen made the motion, seconded by Veskerna, to approve payment of the \$2,152 invoice to EA Engineering, for work accomplished on the Shell Creek Water Quality Watershed Plan, as attached to the Projects Committee Minutes. Motion carried on consent agenda.

b. Wahoo Creek Watershed Plan Phase II Proposal – Update Given

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. GPS System Presentation – Update Given

c. Lands for Conservation Program Consideration – Update Given

d. Projects Financial Statement Review - Update Given

5. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT REPORT

a. Lake Wanahoo – Update Given

b. Upstream Structures – Update Given

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

Clausen made the motion, seconded by Veskerna, to accept and place on file the March Projects Committee Minutes. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7a. Hazard Mitigation Payment to JEO

Sabatka made the motion, seconded by Hagerbaumer, to approve payment to JEO in the amount of \$3,310.80 for work completed on the Hazard Mitigation Plan update. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

Clausen made the motion, seconded by Veskerna, to approve the March consent agenda. Motion carried all members present voting aye.

Items 6.A.2.d. and 6.A.2.e were taken at this time.

Birkel made the motion, seconded by Saalfeld, to go into executive session at 8:49 p.m. to discuss the CCEI Lawsuit and the Martinez Lawsuit and ask that Lausterer, Miyoshi, Mountford and Murren be part of the closed session. Motion carried all members present voting aye.

Pieke made the motion, seconded by Clausen, to go out of executive session at 9:28 p.m. Motion carried all members present voting aye.

Birkel made the motion, seconded by Hannah, to authorize Legal Counsel Lausterer to file an appeal on behalf of the NRD on the CCEI lawsuit. Motion carried all members present voting aye.

Pieke made the motion, seconded by Clausen, to authorize payment in the amount of \$300,000 to the court for the CCEI Lawsuit appeal. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The April Directors Meeting will be held on Monday, April 14, 2014, 6:00 p.m. Meeting adjourned at 9:33 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 March 10, 2014, 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