

LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
AUGUST 10, 2009

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 7:00 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, August 10, 2009.

1. NOTICE OF MEETING

The advanced notice of our August board meeting was published on July 23, 2009 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Saalfeld 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	Bailey	Boyd
Casey	Eden	Hannah
Hilger	Johannes	Johnson
Kavan	Meduna	Pieke
Renter	Reitmajer	Sabatka
Taylor	Veskerna	Vrana
Saalfeld		

DIRECTORS ABSENT

STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Gottschalk	Angle

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

None

b. NRCS Report

Roger Reichmuth reviewed his written report.

c. NARD Report

Director Johnson reminded all Directors of the NARD Fall Conference.

d. NRC Report

Director Johannes reported that the next Commission Meeting will be September 29th.

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

Neil Suess from the Loup Power District gave an overview of the District Relicensing Project.

5. APPROVAL OF MINUTES

Johnson made the motion, seconded by Taylor, to approve minutes from the July 13, 2009 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending - None

b. Reports - Update Given

2. Management Items

a. Directors Absence - None

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

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

c. Interim Studies - Update Given

d. NARD Dues

Johnson made the motion, seconded by Pieke, to approve NARD Membership dues for FY 2009-2010 in the amount of \$18,811.49. Motion carried all members present voting aye.

e. Monthly Education Program - Update Given

f. Lower Platte Basin Coalition Dues

Johnson made the motion, seconded by Taylor, to approve payment of the Lower Platte Basin Coalition Dues for FY 2009-2010 in the amount of \$4,000. Motion carried on

consent agenda.

g. NARD Public Relations Campaign - Update Given

h. Accounting Software Renewal and Update

Johnson made the motion, seconded by Taylor, to approve payment to Quadis Technologies in the amount of \$1,127.84 for enhancement fees renewal and update for our Great Accounting Software. Motion carried on agenda.

I. Dean Johnson Appointed to Fremont City Council - Update Given

3. Equipment

a. Director Laptops - Update Given

b. GPS Camera Purchase

Johnson made the motion, seconded by Taylor, to purchase a Ricoh Caplio 500SE GPS Camera for \$1,503.85, funds would come out of the GIS budget. Motion carried on consent agenda.

4. Personnel - None

5. Finance

a. Approval of Financial Report - Update Given

b. Approval of Managers Expenses

Johnson made the motion, seconded by Taylor, 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. Designated Fund Additions

Johnson made the motion, seconded by Taylor, to transfer the following funds to

<u>designated funds:</u>	<u>Additions</u>	<u>New Balance</u>
169.400	\$10,000	\$17,200.50
404.609	\$67,585.74	\$67,585.74
405.103	\$5,000	\$89,000.00
406.501	\$30,000	\$30,000

Motion carried on consent agenda.

e. F.Y. 2010 Budget

Meduna made the motion, seconded by Reitmajer, to approve the F.Y. 2010 Budget as presented at the Budget Hearing. Motion carried on consent agenda.

Pieke made the motion, seconded by Reitmajer, to set the Lower Platte North NRD Levy Hearing for September 14th at 6:00 p.m. at the District office. Motion carried all members present voting aye.

Johnson made the motion, seconded by Taylor, that the August 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

Johnson made the motion, seconded by Taylor, to approve one CREP contract payment of \$72.16 for the Tim & John Gronenthal Trust in Platte County. Motion carried on consent agenda.

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Update Given

b. Budget - Update Given

c. Community Trails

Johnson made the motion, seconded by Taylor, to approve the additional \$1,218 toward the City of Wahoo trails project making the NRD contribution \$5,000 total. Motion carried on consent agenda.

d. South Fremont 205 Feasibility Study - Update Given

e. Czechland and Homestead Rec Areas - Update Given

f. City of Fremont, Washington Heights - Update Given

g. Landowner Request

Johnson made the motion, seconded by Taylor, to cost-share at 50% (\$2,354) on the low water crossing for Russ Lindgren and that no more assistance for this type of crossing be made for 15 years at this location. Motion carried on consent agenda.

Johnson made the motion, seconded by Taylor, to pay for two culverts at a cost of \$763.44 for a low water crossing and that no more assistance for this type of crossing be made for 15 years at this location. Motion carried on consent agenda.

h. Invasive Weed Management - Update Given

I. District Grass Drill Revenue - Update Given

j. Miscellaneous Items - Update Given

3. ROCK AND JETTY

a. New Applications - None

b. Payment Requests

Johnson made the motion, seconded by Taylor, to pay Bob Foral \$637.50 Rock and Jetty work accomplished along the Platte River in Colfax County. Motion carried on consent agenda.

4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given

5. INFORMATION & EDUCATION

a. KTIC Ads - Update Given

b. Recreation Brochure - Update Given

c. County Fairs - Update Given

d. Viaduct - Update Given

e. NARD Newsletter - Update Given

f. WRP Sign - Update Given

6. RURAL WATER ACTIVITIES

a. Bruno/David City Rural Water - Update Given

b. Colon/Wahoo Rural Water System - Update Given

c. Abie - Update Given

d. Bellwood/Richland - Update Given

e. Other - Update Given

Johnson made the motion, seconded by Taylor, that the August 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. Irrigation Ranking Criteria for Hydrologically Connected Area

Johnson made the motion, seconded by Taylor, in the Irrigation Ranking Group 2

criteria to remove from the "Previous Investment prior to December 16, 2008" criteria the status for "well drilled" since in this group the well permit has not yet been issued, and the points awarded for a new or existing well are already awarded in the next criteria "Expanded acres, new or existing well" and to approve the attached Irrigation Ranking Criteria. Motion carried on consent agenda.

Johnson made the motion, seconded by Taylor, to place an advertisement in the local newspapers to inform producers that the District is now accepting variance request for expanded irrigation in the Hydrologically Connected Stay Management areas with an estimated cost of \$750.00. Motion carried on consent agenda.

2. Well Permit Program

a. Well Permits Approved

Johnson made the motion, seconded by Taylor, that the Lyman-Richey Corporation well permit be treated as a class 2 permit. Motion carried on consent agenda.

Johnson made the motion, seconded by Taylor, to add a well permit condition to this current well permit application that Lyman-Richey Corporation limit the size of their sand and gravel operation to the approximately 190 acres of land they will own in Section 6, T17N, R9E and any expansion in sand and gravel operation beyond 190 acres would require Lyman-Richey Corporation to apply for another well permit. Motion carried on consent agenda.

Johnson made the motion, seconded by Taylor, to have Grosch Irrigation apply for a class 3 well permit for the two dewatering wells in SE1/4, Section 7, T17N, R9E. Motion carried on consent agenda.

3. Variance Request

Johnson made the motion, seconded by Taylor, that a variance request for a new irrigation well and expansion of irrigated acres for Randy Rasmussen in the E 1/2 of the NW 1/4 and the W 1/2 NE1/4 of Section 17, T16N, R8E 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 subarea Stay Management area and the Hydrologically Connected Stay Management areas of the District. Motion carried on consent agenda.

4. Cost-Share Programs

a. Irrigation Well Sample Kits - Update Given

b. Domestic Well Sample Kits - Update Given

c. Water Mark Sensors and ET Gauges - Update Given

d. Phase 2 Irrigation Flow Meter Cost-Share and 319 Grant - Update Given

5. LPNNRD Certification Classes - Update Given

6. Bellwood Phase II Area - Update Given

7. Richland/Schuyler Phase II Area- Update Given

8. Certifying Acres - Update Given

9. David City Subarea - LEVEL 1A

Johannes made the motion, seconded by Meduna, to conduct a Public Hearing to move the David City Subarea from a Level 2 ground water management area to a Level 1 management area because ground water levels have recovered above the Level 2 trigger levels for two consecutive spring readings in greater than 50% of the subarea. Motion carried all members present voting aye.

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

Johnson made the motion, seconded by Taylor, to approve cost share payment to decommission the stock well for Bryce Grotelueschen for \$148.34. Motion carried on consent agenda.

b. LPNNRD Ground Water Studies

1. Sub-Area Delineation Study - Update Given

2. LPNNRD Platte River Ground Water Model - Update Given

3. Elkhorn Loup Model (ELM)- Update Given

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

5. Eastern Nebraska HEM Aquifer Mapping - Update Given

c. Ground Water Energy Levels - Update Given

d. Statewide Water Quality Sampling Network - Update Given

e. Former Ordnance Plant at Mead - Update Given

f. Irrigation Runoff Complaints

1. Burneil Ecklund vs Wayne Thorson - Update Given

2. Anonymous vs James Noonan - Update Given

3. SURFACE WATER PROGRAMS

a. State Lakes

1. Bacteria Sampling - Update Given

2. Toxic Algae - Update Given

4. OTHER

a. Water Programs Budget - Update Given

b. District Master Plan - Update Given

c. Comments from the Public - Update Given

Johnson made the motion, seconded by Taylor, that the August 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 Approvals

Johnson made the motion, seconded by Taylor, to approve the following SWCP applications:

<u>Chester Knuth</u>	<u>Saunders Co.</u>	<u>Flow Meter</u>	<u>\$667.71</u>
<u>Ray Kucera Jr.</u>	<u>Saunders Co.</u>	<u>Flow Meter</u>	<u>\$667.71</u>
<u>Jeffery Temme</u>	<u>Boone Co.</u>	<u>Flow Meter</u>	<u>\$668.00</u>
<u>John P. Smith</u>	<u>Saunders Co.</u>	<u>Flow Meter</u>	<u>\$667.71</u>
<u>Thomas Holtorf</u>	<u>Saunders Co.</u>	<u>Terraces/Tile</u>	<u>\$2,380.05</u>
<u>09-S-22 Joe Vasa</u>	<u>Add'l funding request to \$ 10,000</u>		<u>\$2,150.00</u>

Motion carried on consent agenda.

b. SWCP Payments

Johnson made the motion, seconded Taylor, to approve the following SWCP payments:

		<u>Approved</u>	<u>Actual</u>
<u>09-C-12 Charles Emanuel & Sons Inc.</u>	<u>Flow Mtr. x 2</u>	<u>\$1,335.42</u>	<u>\$1,335.42</u>
<u>Thomas Holtorf</u>	<u>Terr./Tile</u>	<u>\$2,380.05</u>	<u>\$2,380.05</u>

Motion carried on consent agenda.

c. SWCP Cancellations - None

d. Sand/Duck Creek Approvals

Johnson made the motion, seconded by Taylor, to approve the following Sand & Duck Creek applications:

<u>Wilma Racek</u>	<u>24-17-5</u>	<u>No-Till - 45 acres @ \$ 20/ac. 3 yr. contract</u>	<u>\$2,700</u>
<u>Michael Swanson</u>	<u>29-16-6</u>	<u>Terr./Tile</u>	<u>\$10,000</u>
<u>Gary Musilek</u>	<u>20-16-6</u>	<u>Septic Upgrade w/inspection</u>	<u>\$3,300</u>

Motion carried on consent agenda.

e. Sand/Duck Creek Cost-Share Payments

Johnson made the motion, seconded by Taylor, to approve the following Sand & Duck Creek payment:

<u>Creek payment:</u>	<u>Approved</u>	<u>Actual</u>
<u>08-S&D 20 Thomas Holtorf Tile & Terraces(w/EQIP)</u>	<u>\$ 8,000.00</u>	<u>\$ 3,966.75</u>

Motion carried on consent agenda.

f. Sand/Duck Cancellations - None

g. Jerry Hestekind - Return Small Dam Deposit Request

Johnson made the motion, seconded by Taylor, to return the \$500 small dam deposit to Jerry Hestekind. Motion carried on consent agenda.

h. David Schmit Small Dam - Update Given

I. Land Treatment Requirements above Small Dams Update Given

2. WATERSHEDS

a. Locally Led Landowner Groups

1. Shell Creek Watershed Improvement Group (SWIG)- Update Given

3. FSA , EQIP & CRP PLANS SIGNED

4. PLATTE RIVER CORRIDOR ALLIANCE REPORT

a. LPRCA Monthly Report - Update Given

b. LPRCA Dues and Contingency Payment

Meduna made the motion, seconded by Pieke, to approve our \$16,000 dues and \$7,000 contingency payment to the LPRCA as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

c. LPRCA Water Quality Open Golf Tournament - Update Given

5. OTHER

a. Ratify AWEP Partnership Agreement

Johnson made the motion, seconded by Taylor, to ratify Manager Miyoshi's signature

and approve the AWEP Partnership Agreement as attached to the Projects Committee Minutes. Motion carried on consent agenda.

b. Update on COE 205 Studies

1. South Fremont - Update Given

2. Schuyler 205 - Update Given

c. Colfax County Reimbursement Request - Hughes/Payzant Ditch Study

Johnson made the motion, seconded by Taylor, to make a \$7,525 payment, to Colfax County for work completed on the Hughes/Payzant Ditch Study through June 2009 as attached to the Projects Committee Minutes. Motion carried on consent agenda.

d. District-Wide All Hazard Mitigation Plan

Johnson made the motion, seconded by Taylor, to approve JEO's \$6,529.75 contract payment request on the Hazard Mitigation Plan as attached to the Projects Committee Minutes. Motion carried on consent agenda.

e. FY 2010 Projects Budget - Update Given

f. Future Committee Meeting Place - Projects Tour - Update Given

6. LAKE WANAHOO REPORT

a. Lake Wanahoo Committee Meeting Review - Update Given

1. SRF Construction Loan

Meduna made the motion, seconded by Johnson, to approve the resolution as attached to the Projects Committee Minutes to revise our SRF loan from \$6 million to \$12 million for Lake Wanahoo Project. Motion carried all members present voting aye.

2. Land Right Activities

Wahoo Industries Agreement- Update Given

Airport Property Purchase Easement

Reitmayer made the motion, seconded by Renter, to approve the Avigation and Hazard Easement with the City of Wahoo as attached to the Project Committee Minutes. Motion carried all members present voting aye.

3. Contract Payment to Commercial Contractors

Johnson made the motion, seconded by Meduna, to approve payment request No. 9 to Commercial Contractors, as attached, for Lake Wanahoo Dam Construction in the amount of \$1,494,312.99 and use NPAIT funds to pay. Motion carried all members present voting aye.

4. Contract Change Order No. 2 to Commercial Contractors

Reitmajer made the motion, seconded by Pieke, to approve Contract Change Order No. 2 to Commercial Contractors, as attached to the Projects Committee Minutes, in the amount of \$35,768.74 for Lake Wanahoo Dam Construction. Motion carried all members present voting aye.

b. Crop Damage Request - Sand Creek Site 13

Johnson made the motion, seconded by Taylor, to pay Otte Enterprises \$697.28 and Kitty Bailey/Bill Chromy (tenant) \$192.45 for crop damages resulting from site surveying completed at Sand Creek Structure Site 13. Motion carried on consent agenda.

7. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

Johnson made the motion, seconded by Taylor, to accept and place on file the August Projects Committee Minutes. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7.a. Cooperative Agreement Between LPNNRD and Board of Regents of University of Nebraska

Sabatka made the motion, seconded by Meduna, to approve the Cooperative Agreement between LPNNRD and the Board of Regents of the University of Nebraska as attached for providing test-hole drilling, equipment and supplies for 3 future monitoring wells and authorize Manager Miyoshi to sign said agreement. The cost of these Dodge and Colfax County wells is not to exceed \$9,000. Motion carried all members present voting aye.

7b. Nebraska Game and Parks Amended Agreement - Lake Wanahoo

Sabatka made the motion, seconded by Meduna, to approve the Amended Cooperative Project Agreement for the Lake Wanahoo Motorboat Access Development Project as attached and authorize Manager Miyoshi to sign said agreement. Approval of this amendment will increase funding from the "Federal Aid in Sport Fish Restoration" from \$850,000 to \$1,325,000. Motion carried all members present voting aye.

7c. Saunders County Drop Structure County Road T - Attachment

Sabatka made the motion, seconded by Meduna, to approve payment to Saunders County Highway Department in the amount of \$1,919.50 for repair of a drop structure on Railroad Road Avenue, North of County Rd. T above Czechland Lake. Motion carried all members present voting aye.

7d. SWCP and Decommissioned Well Payments

Sabatka made the motion, seconded by Meduna, to approve the following payments:
SWCP:

09-C-02 Michael Dvorak Flow Meter Payment \$492.50

Abandoned Well Payments:

Ken Beebe - BLC Partners \$414.32

David Deerson \$309.38

Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Reitmayer 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

Johnson made the motion, seconded by Taylor, to approve the August consent agenda. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The September Board of Directors Meeting will be held on Monday, September 14, 2009, 7:00 p.m.

Meeting adjourned at 9:00 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 August 10, 2009, 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.

Robert Hilger, Secretary