

**LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
DECEMBER 10,2001**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 1:05 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, December 10, 2001.

**1. NOTICE OF MEETING**

Public notification was made in area newspapers no later than November 30, 2001. Meeting notification and agendas were also provided.

**2. ROLL CALL - INTRODUCTIONS**

**DIRECTORS PRESENT AND CONSTITUTING A QUORUM:**

Bailey	Bull	Eden (arrived 1:31)
Jedlicka (arrived 1:35)	Johnson (arrived 1:40)	Kavan
Mastny (arrived 1:27)	Nelson	Reitmajer
Saalfeld (arrived 1:40)	Sabata (arrived 1:15)	Sendgraff (arrived 1:40)
Shelso (arrived 1:40)	Wilke	

**DIRECTORS ABSENT**

Grueber	Johannes	McDermott
Sabatka		

**STAFF AND GUESTS:**

Miyoshi	Mountford	Breunig
Heimann	Murren	Angle
Oaklund		
Greg Fetterman, LPRCA		Brad Soncksen, Saunders County NRCS
Kristin Uhing, Dodge County NRCS		Carol Prokesh, Saunders County NRCS

**3. APPROVAL OF AGENDA**

**4. COMMENTS - ADVISORS/GUESTS/DIRECTORS**

**a. NRCS Report**

Soncksen handed out an update from the Soil and Water Conservation Society on how the Soil and Water Conservation Society is seeking common ground for conservation.

**b. NARD Report**

Don Kavan reminded all the Directors of the upcoming Legislative Conference January 29-30, 2002 at the Embassy Suites in Lincoln.

**5. APPROVAL OF MINUTES**

Jedlicka made the motion, seconded by Saalfeld, to approve minutes from the November 12, 2001 Board Meeting. Motion carried on consent agenda.

**6. REPORT OF STANDING COMMITTEES**

**A. EXECUTIVE COMMITTEE REPORT**

**1. Meetings**

**a. Pending**

The NARD Legislative Conference will be held January 29-30, 2002 at the Embassy Suites Hotel in Lincoln. Once again directors are encouraged to attend the event. A reminder that the reception for State Senators on the evening of January 29th.

**2. Management Items**

**a. Director Absence**

None

**b. Super Majority Vote for Land Purchase**

At the November Board Meeting direction was given for discussion of a super majority vote for NRD land purchases to be discussed at the Directors Retreat in January. Attached to the Executive Committee is an e-mail note and a copy of the statutes from Jim Cook, Legal Counsel for Department of Natural Resources questioning if this action is allowed by State Statutes. Miyoshi will discuss this with Legal Counsel, Lindahl prior to the Board Retreat in January.

**c. Nieveen Pivot Update**

Attached to the Executive Committee Minutes is a copy of a letter received from Arnold Nieveen claiming ownership of the center pivot on the former Nieveen property. The letter has been forwarded to Legal Counsel Lindahl for response. At this time it is the opinion of the Board that the pivot is the District's property.

**d. Saunders County -vs- MUD**

**1. Update**

Attached to the Executive Committee Minutes is an update from Hearing Officer, Terry Schaff concerning the Saunders County -vs- MUD hearing. The hearing will continue after the Executive Committee Meeting on November 30th for accepting testimony on whether the original case should be dismissed due to lack of standing by the County and lack of jurisdiction by the District to hear the matter. An update will be given at the December Board Meeting.

**2. Attorney General Model Rules and Regulations**

A petition requesting adoption of the Nebraska Attorney General's model Rules and Regulation has been received from Deputy County Attorney, Grant Porter. Mr. Porter is once again asking that the District adopt these model rules and regulations for use at our District Hearings. This request has been previously turned down. Jedlicka made the motion, seconded by Saalfeld, to turn down the petition request by the Saunders County Deputy Attorney and refer the matter to Legal Counsel and let Mr. Porter know he may visit with our Legal Counsel about the merits of adopting this model set of rules and regulations. Motion carried on consent agenda.

**3. Landowner Request for Hearing**

A request for hearing has been received from five District Landowners. A copy of the letter is attached to the Executive Committee Minutes. The petition once again asks for a hearing concerning the MUD wells which are or will be located in Saunders County. Angle and Miyoshi will correspond with the Landowners and will have a recommendation at the next Water Committee Meeting.

**e. Nebraska Well Drillers Association Dues**

Jedlicka made the motion, seconded by Saalfeld, to approve payment of \$200 dues for the Nebraska Well Drillers Association for 2002. Motion carried on consent agenda.

**3. Equipment**

No new business.

**4. Personnel**

**a. Wellhead Protection Coordinator**

Mike Sousek has been hired to fill the vacant Wellhead Protection Coordinator Position currently open with the District. Mike comes to us with a multitude of experience both working with people and a laboratory background.

**b. Receptionist Interviews**

Karen Rezac has been hired to fill the receptionist position. Karen and her husband have four children and live on a farm near Valparaiso.

**5. Finance**

**a. Financial Reports**

Jedlicka made the motion, seconded by Saalfeld, to approve the October Financial Statement. Motion carried all members present voting aye.

**b. Approval of Managers Expenses**

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

Jedlicka made the motion, seconded by Saalfeld, that the December LPNNRD Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

**B. OPERATION AND EDUCATION COMMITTEE REPORT**

**1. WHIP REPORT**

**a. Payments - WHIP**

Jedlicka made the motion, seconded by Saalfeld, to approve eight WHIP/WILD NE contract payments for a total payment of \$3,417.50.

<u>Tom Topil,</u>	<u>\$700</u>	<u>Joe Reisdorff,</u>	<u>\$612.50</u>
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<u>Dave Prochaska</u>	<u>\$175</u>	<u>Dennis Holubar</u>	<u>\$285</u>
<u>Dennis Cippera</u>	<u>\$450</u>	<u>Donna Havlik</u>	<u>\$385</u>
<u>Roger Nelson</u>	<u>\$600</u>	<u>Frank Hicken Jr.</u>	<u>\$210</u>

Motion carried on consent agenda.

**2. OPERATION & MAINTENANCE**

**a. The Following Updates Were Given:**

- ✓ Operation and Maintenance Activities
- ✓ Rawhide Creek North Branch
- ✓ Bellwood Ditch 4 Drainage
- ✓ South Fremont Feasibility Study
- ✓ Tree Program

**b. Czechland Silt Dam**

Mastny made the motion, seconded by Bull, to approve payment of \$17,441.05 to Midwest Dumpers to place broken concrete and concrete slurry on Czechland Silt Dam. Motion carried all members present voting aye.

**c. Vehicle Replacement**

Jedlicka made the motion, seconded by Saalfeld, to put the 1986 Dodge Ram 4x4 up for sale. Motion carried on consent agenda.

**3. ROCK AND JETTY**

**a. Applications**

Jedlicka made the motion, seconded by Saalfeld, to approve a bank stabilization allocation and payment for Don Kment, Butler Co. Platte River for \$1,645 pending inspection by staff. Motion carried all members present voting aye.

**4. EROSION & SEDIMENT RULES & REGULATIONS**

The District has not received any new complaints.

**5. INFORMATION & EDUCATION**

**a. The following Updates Were Given:**

- \* FFA Speech Contests
- \* Long Range Plan
- \* County Government Day
- \* LPRCA Newsletter
- \* Annual Banquet
- \* Yutan CSI

Jedlicka made the motion, seconded by Saalfeld, that the December 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. Well Permits**

For 2001 the NRD has approved 56 new well permits. This time last year we had 52 permits.

**2. Cost Share Programs for FY01-02**

Jedlicka made the motion, seconded by Saalfeld, to approve GWMA cost share funding for Manure testing, Nitrate testing for irrigation, municipal and industrial wells, Distribution manifolds and Calibration meters. Motion carried on consent agenda.

**3. Newspaper Ad**

Jedlicka made the motion, seconded by Saalfeld, to approve funding of \$500.00 to advertise the NRD cost share programs and a schedule of the upcoming Nitrogen Certification Classes. Motion carried on consent agenda.

**4. The Following Updates Were Given:**

- ☛ Chemigation
- ☛ Saunders County -vs- MUD
- ☛ Livestock Waste Permits

**2. GROUND WATER PROGRAMS**

**a. Decommissioned Well Program**

Jedlicka made the motion, seconded by Saalfeld, to approve cost share payment to decommission the two irrigation wells for Lawrence Pokorny for \$849.10, the irrigation well for Chuck Becher for \$465.45, the irrigation well for Keith Schmit for \$457.35, the two irrigation wells for Kosch Brothers for \$839.85, and a domestic well for Don Furasek for \$274.99. Motion carried on consent agenda.

We have received a request from Jim Gerrad for cost share assistance for an after-the-fact plugging of an abandoned well. Jedlicka made the motion, seconded by Saalfeld, to follow NRD policy and deny cost share payment to Jim Gerrad for the after-the-fact plugging of the abandoned well. Motion carried on consent agenda.

**b. The Following Reports Were Given**

- \* Wellhead Protection Areas
- \* Groundwater Quality - Platte Valley
- \* Mead NOP
- \* Monitoring Wells
- \* Groundwater Energy Levels

**3. OTHER**

**A. CORRIDOR ALLIANCE WATER WELLNESS**

Jedlicka made the motion, seconded by Saalfeld, to approve payment of \$3,000.00 to the Platte River Corridor Alliance for the Water Wellness Program. Motion carried on consent agenda.

**D. PROJECTS COMMITTEE REPORT**

**1. SWCP REPORT**

**a. SWCP Payments:**

Jedlicka made the motion, seconded by Saalfeld, to approve the following SWCP payment:

<u>James Fujan</u>	<u>15% EQIP Match</u>	<u>\$916.95</u>
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Motion carried on consent agenda.

**b. SWCP Application Approval for Fall**

Jedlicka made the motion, seconded by Saalfeld, to approve the Connie Bohaty SWCP fall application for \$7,647.60. It was further recommended to allow up to 90% cost share for the portion of land that drains to proposed Skull Creek Site 31 and up to 75% cost share for the portion of land that drains to Homestead Lake (Site 55). Motion carried on consent agenda.

**c. Return \$500 Small Dam Deposit - 01-S-21 Marianne Yost - Completed Project**

Jedlicka made the motion, seconded by Saalfeld, to return the \$500 small dam deposit to Marianne Yost (01-S-21). Motion carried on consent agenda.

**2. WATERSHEDS**

**a. Skull Creek Watershed - Site #55 (Homestead Lake)**

Langemeier made the motion, seconded by Saalfeld, to accept the low bid of \$4,445 from Great Plains Well Service for the installation of a well and hydrants for Homestead Lake. Motion carried all members present voting aye.

**3. FSA , EQIP & CRP PLANS SIGNED**

Jedlicka made the motion, seconded by Saalfeld, to approve the following list of conservation plans:

<u>Doris Ahrens</u>	<u>Colfax</u>
<u>David Chmelka</u>	<u>Butler</u>
<u>Eugene Slegl</u>	<u>Butler</u>
<u>Rodney Kratky</u>	<u>Saunders</u>
<u>Chad Sukstorf</u>	<u>Saunders</u>

Motion carried on consent agenda.

**4. Locally Led Landowner Groups**

**a. The Following Reports Were Given:**

- ☼ Shell Creek Locally Led Landowners
- ☼ Skull/Bone Creek Locally Led Landowners
- ☼ Northwest Butler County Landowners

**5. Other**

**a. Valley View Structure Update**

Jedlicka made the motion, seconded by Saalfeld, that the LPNNRD act as the project coordinator for the Valley View Dam Project effort. It was further recommended that District staff work with Saunders County and Valley View representative on an agreement on proceeding with a project feasibility study. Motion carried on consent agenda.

**1. Linwood Township/Butler County Request**

Jedlicka made the motion, seconded by Saalfeld, to approve paying the Linwood Township \$228.40 for replacement of 40 yards of road gravel, lost as a result of hauling water for the Homestead Lake Project. Motion carried on consent agenda.

**6. SNITILY WETLAND PROJECT UPDATE**

An update was given by Murren at Board Meeting

**1. LAKE WANAHOO REPORT**

An update was given by Murren at the Board Meeting

**2. WESTERN SARPY/CLEAR CREEK LEVEE REPORT**

Murren discussed the current activities.

**7. ADDITIONAL ACTION ITEMS**

**7.a. Abandoned Well Cost-Share Payments**

Saalfeld made the motion, seconded by Sabata, to approve the following abandoned well cost-share payment:

Eugene Ramaekers \$363.38

Motion carried all members present voting aye.

**8. BILLS TO BE APPROVED**

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

**3. CONSENT AGENDA ADOPTION**

Jedlicka made the motion, seconded by Saalfeld, to approve the amended December consent agenda. Motion carried all members present voting aye.

**10. COMMENTS FROM DIRECTORS/GUESTS**

**11. MEETING ESTABLISHMENT AND ADJOURNMENT**

The January Board of Directors Meeting will be held on Monday, January 14, 2002. Time and location to be determined. Meeting adjourned at 1:05 p.m.

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Dean Johnson, Secretary