

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
December 8, 2014**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 1:30 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, December 8, 2014.

1. NOTICE OF MEETING

The advanced notice of our December 8, 2014 board meeting was published on November 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
Hagerbaumer	Hannah	Johannes
Kavan	McDermott	Olson
Pieke	Pollard	Ruzicka
Sabatka	Taylor	Veskerna
Hilger		

DIRECTORS ABSENT

Gibney	Saalfeld
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STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Schomer	Almond
Gottschalk	Oaklund	Heimann

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

Item 6.A.2.h. Was taken at this time

h. Report from Director Vacancy Sub-Committee

Director McDermott reported that the Nominating Sub-Committee met and had three candidates file for the vacant position in Sub-District 9. McDermott made the motion, seconded by Kavan, to appoint Bob Meduna Jr. to fill the vacancy in Sub-District 9. Motion carried all members present voting aye.

At this time Breunig administered the Oath of Office to Bob Meduna Jr.

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. NRCS Report

Jami Thoene reviewed the written report from Mark Walkenhorst.

c. NARD Report

Kavan reminded all the Directors of the upcoming Legislative Conference.

d. NRC Report

Johannes reported that the Lower Platte Basin Caucus will be held January 16, 2015 – 9:30 a.m. at Lower Platte South NRD.

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

Tom Mountford gave an update on the Lower Platte North NRD Long Range Plan.

5. APPROVAL OF MINUTES

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

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. Nebraska Water and Water Law Conference – Update Given

2. NARD Legislative Conference – Update Given

b. Reports – Update Given

2. Management Items

a. Director Absences

Ruzicka made the motion, seconded by Clausen, to approve absence requests from Director Johannes and Taylor from October Board Meeting, Kavan, Bailey and Taylor from November Board Meeting. Motion carried on consent agenda.

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

Ruzicka made the motion, seconded by Clausen, to approve payment of \$3,300 to Bob Weaver for November services and bill LPSNRD and Papio NRD for their share. Motion carried on consent agenda.

c. Monthly Education Program – Update Given

d. CCEI Lawsuit – No Update

e. Nominating Sub-Committee

At the January Board Meeting yearly officer elections will take place. Board Chair Hilger appointed a Nominating Committee of past Board Chairs (Johannes, Kavan, McDermott, Saalfeld and Sabatka). The Sub-Committee will report back at the January Board Meeting.

f. Retainer Agreement

Ruzicka made the motion, seconded by McDermott, to approve the two-year retainer agreement with Bromm, Lindahl, Freeman Caddy and Lausterer for legal representation as attached to the Executive

Committee Minutes. Motion carried all members present voting aye.

g. Lower Platte Basin Caucus – Update Given

h. Report from Director Vacancy Sub-Committee

This item was taken earlier in the meeting.

3. Equipment – None

4. Personnel

a. Rural Water Manager Position – Update Given

b. O&M/RW Technician Position – Update Given

5. Finance

a. Approval of Financial Report

Ruzicka made the motion, seconded by Clausen, to approve the October Financial Report as presented. Motion carried on consent agenda.

b. Approval of Managers Expenses

Ruzicka made the motion, seconded by Clausen, 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. Renew Line of Credit with Union Bank

Johannes made the motion, seconded by Pollard, to approve renewal of the District's \$400,000 Line of Credit with Union Bank and approve the Resolution as attached to the Executive Committee Minutes that allows this renewal and authorize the General Manager to sign all necessary documents for the renewal. Motion carried all members present voting aye.

e. Union Bank Note Payment

McDermott made the motion, seconded by Sabatka, to authorize the board chair and general manager to make payment of \$350,000 to Union Bank Note #1606489 when funds are available. Motion carried all members present voting aye.

f. Interest Payment to Union Bank

Bailey made the motion, seconded by Clausen, to approve an interest payment of \$55,492.76 to Union Bank for loan #1606489. Motion carried all members present voting aye.

Ruzicka made the motion, seconded by Clausen, that the December 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, WHIP, Contract

a. Payments - None

2. OPERATION AND MAINTENANCE & OTHER ITEMS

a. Operation and Maintenance - Update Given

b. Equipment – Update Given

c. Community Forestry – St. Peter Lutheran – North Bend

Ruzicka made the motion, seconded by Clausen, to pay St. Peter Lutheran in North Bend \$900 for their community tree planting project of 20 trees pending staff inspection-. Motion carried on consent agenda.

d. Arbor Day Foundation Trees

Veskerna made the motion, seconded by Hagerbaumer, to purchase 1,000 Arbor Day Foundation trees for Educational Events around Earth Day and Arbor Day at a cost of \$970. Motion carried on consent agenda.

e. Grass Drill Platte County – Update Given

f. Fremont 205 Feasibility Study

g. Cottonwood Dam 8-D – Update Given

h. Czechland Campground Revenue – Update Given

i. Homestead Lake Silt Basin – Update Given

j. Wanahoo Dam – Update Given

k. Wanahoo Park Expenses to Date – Update Given

3. ROCK AND JETTY

a. Request – Update Given

4. EROSION & SEDIMENT RULES & REGULATIONS – Update Given

5. INFORMATION & EDUCATION

a. Information

1. Radio and eAds – Update Given

2. Long Range Plan - Update Given

3. Tree Program Updates – Update Given

b. Education

1. Range Judging Contest - Update Given

2. County Government Day – Update Given

c. Computer

1. Firewall Training - Update Given

2. Rec Area and Tree App Updates – Update Given

6. RURAL WATER SYSTEMS

a. Bruno/David City Rural Water – Update Given

b. Colon/Wahoo Rural Water System – Update Given

c. Brainard and Dwight Study – Update Given

e. Other

Ruzicka made the motion, seconded by Clausen, to advertise for bids on the Czechland Improvement project. Motion carried on consent agenda.

Veskerna made the motion, seconded by Hagerbaumer, to purchase rip-rap from Kerford Limestone for Czechland improvement project in the amount of \$20,017.50 and approve payment of the same. Motion carried all members present voting aye.

Ruzicka made the motion, seconded by Clausen, that the December 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. DNR Draft Revised Rules Title 457 – Update Given

2. Irrigated Acres for 2015 in the HCA and NHCA – Update Given

3. Variance Requests in the Hydrologically Connected Area – Update Given

a. Jeff Stork New Well Variance – Update Given

4. Variance Request in the Non-Hydrologically Connected Area – Update Given

5. Variance Request in the Restricted Development Area - None

6. Well Permit Program

a. Well Permits Approved – Update Given

b. John Temme New Well Application

McDermott made the motion, seconded by Pollard, to approve the John Temme request to allow him to drill a new irrigation well in the SW1/4 of the SW1/4, Section 15, T22N, R6W and from this well irrigate 66 acres in Section 22, T22N, R6W (variance approved in October 2014) and also use this well to irrigate the 135 acres in Section 15, T22N, R5W that were granted in October 2014 (this is a section change from what was discussed at Water Committee). Motion carried all members present voting aye.

c. Jane Stara Revocable Trust Replacement Well

Ruzicka made the motion, seconded by Clausen, to approve the replacement well for Jane Stara in the SW1/4 of the NE1/4, Section 19, T15N, R4E. Motion carried on consent agenda.

d. Supplement Well Permit Applications in the Platte/Colfax SQS

1. Tim, Richard & Alice Sprunk Supplemental Well Application – Update Given

2. Mark Hoessel Supplemental Well Application – Update Given

e. Wurnemunde Replacement Well Application

Ruzicka made the motion, seconded by Clausen, to approve the status change on the well permit LPN-014-1479 from a replacement irrigation well to a new irrigation well and change the status of the old well G-037431 from irrigation to a stock well owned by Catherine Wurnemunde on the condition that this stock well be limited to pumping less than 50 gpm and that all registration changes be sent to DNR within 90 days. Motion carried on consent agenda.

7. Potential Violation of Expanded Irrigation

McDermott made the motion, seconded by Pollard, the LPNNRD Water Committee request the presence of the landowner or operator of the irrigation system applying water to the corners of SW1/4, Section 33, T18N, R6E, during the summer of 2014 that was not approved for irrigation at that time, to a future Water Committee or Board meeting pending possible action to revoke the approved variance issued on October 13, 2014. Motion carried all members present voting aye.

8. Special Quantity Sub-Areas

a. LPNNRD SQS Operator Certification Classes

McDermott made the motion, seconded by Birkel, to approve the agenda outlined in the Water Committee Minutes for the SQS operator certification classes and to require attendance of the landowner, manager, or operator of irrigation systems in the Butler-Saunders SQS before May 1, 2015.

McDermott amended the motion, seconded by Birkel, if landowner, manager or operator of the irrigation system within the Butler-Saunders SQS fail to attend the scheduled classes a \$75 fee be charged for holding an additional certification class. Amendment passed all members present voting aye.

The amended motion passed with all members present voting aye.

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

10. Voluntary Integrated Water Management Plan

Ruzicka made the motion, seconded by Clausen, to approve payment of the invoice from Olsson Associates for \$2,685.73 for services rendered in the development of our voluntary integrated water management plan as attached to the Water Committee Minutes. Motion carried on consent agenda.

11. Cost-Share Programs

a. Irrigation Well Sample Kits – Update Given

b. Domestic Well Sample Kits – Update Given

12. Bellwood Phase 2 Area – Update Given

13. Richland-Schuyler Phase 2 Area – Update Given

14. LPNNRD Certification – Update Given

a. LPNNRD Operator Certification Classes – Update Given

15. Certifying Acres in Saunders and Dodge Counties – 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 - None

b. LPNNRD Ground Water Studies

1. Elkhorn Loup Model – Update Given

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

c. Ground Water Energy Levels – Update Given

d. Ground Water Quality Sampling – Update Given

e. Former Ordnance Plant Near Mead – Update Given

3. SURFACE WATER PROGRAMS

a. USGS Stream Flow Gauging Sites

McDermott made the motion, seconded by Johannes, to approve the cooperative agreement with the US Geological Survey for the period from October 1, 2014 to September 30, 2015 for \$16,170 (LPNNRD share) to measure the stream flow at Wahoo Creek near Ithaca, Shell Creek near Columbus, and to record the real-time ground water energy level at a monitoring well site at ARDC as attached to the Water Committee Minutes. Motion carried all members present voting aye.

4. OTHER

a. GMDA Annual Conference – Update Given

b. Comments from the Public – Update Given

Ruzicka made the motion, seconded by Clausen, that the December 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 - None

b. SWCP Payments – None

c. SWCP Cancelations – None

d. Cottonwood Creek Payments – None

e. Sand/Duck Cost-Share Approvals - None

f. Sand/Duck Creek Payments - None

g. 2014 Nebraska Buffer Strip Payments

Ruzicka made the motion, seconded by Pieke, to approve eight 2014 Nebraska Buffer Strip Payments totaling \$11,881.69 as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

h. Wahoo Creek Watershed Cost-Share Approvals

Pieke made the motion, seconded by Hannah, to approve three Summer 2014 Lands for Conservation applications in the Wahoo Creek with Cost-Share totaling \$17,820 as summarized below:

Wahoo Creek - Lands for Conservation Approvals:

<u>Don Fujan – 8 Acres</u>	<u>\$1,760</u>
<u>Dennis Fujan – 40 Acres</u>	<u>\$8,800</u>
<u>Dennis Fujan – 33 Acres</u>	<u>\$7,260</u>
<u>TOTAL:</u>	<u>\$17,820</u>

Motion carried all members present voting aye.

2. WATERSHEDS

a. Shell Creek Watershed Plan Payment – None

b. Wahoo Creek Watershed Water Quality Plan Phase I

Ruzicka made the motion, seconded by Clausen, to approve payment of JEO's \$1,875.00 invoice for work accomplished as attached to the Projects Committee Minutes. Motion carried on consent agenda.

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. Shell Creek Landowner Levee Project – Update Given

c. All Hazard Mitigation Plan

Bailey, made the motion, seconded by Clausen, to approve payment to JEO for \$8,526.70 for work completed on LPNDRD's District-wide All Hazard Mitigation Plan as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

d. Review of Projects Financial Statement – Update Given

5. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT REPORT

a. Lake Wanahoo

1. Wahoo By-Pass & County Road Paving Project – Update Given

b. Upstream Structures – Update Given

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

a. Project Invoice from PMRNRD

Ruzicka made the motion, seconded by Clausen, to approve payment of PMRNRD's \$150,000 FY2015 invoice for the Western Sarpy/Clear Creek Project as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

Ruzicka made the motion, seconded by Clausen, that the December LPNRRD Projects Committee Minutes be received and placed on file. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7a. LARM Interlocal

Johannes made the motion, seconded by Sabatka, to approve the revised "Agreement for the Establishment and Operation of the League Association of Risk Management" (that provides our insurance coverage) as distributed and authorize the General Manager to sign the Interlocal Agreement. Motion carried all members present voting aye.

7b. LARM Representative

Johannes made the motion, seconded by Sabatka, to appoint Bob Clausen as the LPNRRD representative on the LARM Risk Management Board. Motion carried all members present voting aye.

7c. Lower Platte Weed Management Payment to PMRNRD

Johannes made the motion, seconded by Sabatka, to approve the annual payment of \$20,000 to Papio-Missouri NRD to fund the Cost/Share Agreement for control of Phragmites on the Platte & Elkhorn Rivers and their tributaries. Motion carried all members present voting aye.

7d. Hazard Mitigation Payment to JEO

Johannes made the motion, seconded by Sabatka, to approve a \$6,479.30 payment to JEO for work accomplished on the Hazard Mitigation Plan. Motion carried all members present voting aye.

7e. Wahoo Creek WQ Plan Payment to JEO

Johannes made the motion, seconded by Sabatka, to approve a \$2,125 payment to JEO for work accomplished on the Wahoo Creek Phase I Project. Motion carried all members present voting aye.

7f. Amendment to Czechland Shoreline Contract with JEO

Johannes made the motion, seconded by Sabatka, to approve the Czechland Lake shoreline Improvement Contract Amendment with JEO to perform contract duties at a fee of \$15,000. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

Ruzicka made the motion, seconded by Clausen, to approve the December consent agenda. Motion carried

all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The January Directors Meeting will be held on Monday, January 12, 2015, 1:30 p.m. Meeting adjourned at 3:45 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 December 8, 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