

LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
JANUARY 15, 2009

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 5:30 p.m. at Lower Platte North NRD Office, Wahoo, NE on Thursday, January 15, 2009.

1. NOTICE OF MEETING

The advanced notice of our January board meeting was published on December 24 and 31, 2008 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Sabatka made the motion, seconded by Johnson, to ratify the action of Acting Chair Saalfeld to postpone the January 12th LPNNRD Board Meeting to January 15th due to near blizzard conditions. Motion carried all members present voting aye.

Acting 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
Reitmajer	Sabatka (left 7:00 p.m.)	Taylor
Vrana	Saalfeld	

DIRECTORS ABSENT

Renter	Veskerna
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STAFF AND GUESTS:

Mountford	Miyoshi	Breunig
Gottschalk	Angle	Murren
Oaklund	Becker	

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. NRCS Report

Roger Reichmuth reviewed his written report.

c. NARD Report

Director Johnson reminded the Directors about the Legislative Conference January 27-28, 2009 in Lincoln.

d. NRC Report

The next NRC meeting will be held in conjunction with the NARD Legislative Conference.

e. Managers Report

Manager Miyoshi's reviewed his written report.

f. Education Program

Jesse Bradley from Department of Natural Resources gave a presentation on the Preliminary Fully Appropriated Status for the Lower Platte Basin.

5. APPROVAL OF MINUTES

Meduna made the motion, seconded by Boyd, to approve minutes from the December 8, 2008 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending - None

1. NARD Legislative Conference - Update Given

2. NARD Washington DC Conference

Meduna made the motion, seconded by Boyd, to send up to two directors and two staff to the NARD Annual Washington DC Conference, March 21-25, 2009. Motion carried on consent agenda.

b. Reports - Update Given

2. Management Items

a. Directors Absence - Update Given

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

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

c. Nominating Sub-Committee

___ Director Johnson reported that the Nominating Sub-Committee met.

Saalfeld opened the floor for nominations for LPNNRD Chair for 2009.

Johnson on behalf of the nominating committee nominated Saalfeld for Chair.

With no further nominations Johannes made the motion, seconded by Meduna, that nominations cease and a unanimous ballot be cast for Dave Saalfeld, Chair. Motion carried by voice call.

___ Saalfeld opened the floor for nominations for LPNNRD Vice-Chair for 2009.

Johnson on behalf of the nominating committee nominated Pieke for Vice-Chair.

With no further nominations Saalfeld made the motion, seconded by Johnson, that nominations cease and a unanimous ballot be cast for Ralph Pieke, Vice-Chair. Motion carried by voice call.

___ Saalfeld opened the floor for nominations for LPNNRD Secretary for 2009.

Johnson on behalf of the nominating committee nominated Hilger for Secretary.

With no further nominations Kavan made the motion, seconded by Johnson, that nominations cease and a unanimous ballot be cast for Hilger, Secretary. Motion carried by voice call.

___ Saalfeld opened the floor for nominations for LPNNRD Treasurer for 2009.

Johnson on behalf of the nominating committee nominated Johnson for Treasurer.

With no further nominations Reitmajer made the motion, seconded by Meduna, that nominations cease and a unanimous ballot be cast for Dean Johnson, Treasurer. Motion carried by voice call.

___ Saalfeld opened the floor for nominations for NARD representative for 2009.

Johannes nominated Johnson for NARD Delegate and Kavan as Alternate.

With no further nominations Hilger made the motion, seconded by Reitmajer, that nominations cease and a unanimous ballot be cast for Dean Johnson, NARD Delegate and Don Kavan as Alternate. Motion carried by voice call.

d. New Directors - Update Given

e. Monthly Education Program - Update Given

f. Committee Assignments - Update Given

g. Annual Recognition Banquet - Update Given

h. Mindi Rogers Claim

Meduna made the motion, seconded by Boyd, to turndown the claim from Mindi Rogers for lost wages. Motion carried on consent agenda.

i. Director Workshop- Update Given

3. Equipment - None

4. Personnel

5. Finance

a. Approval of Financial Report

Meduna made the motion, seconded by Boyd, to approve the November financial reports. Motion carried on consent agenda.

b. Approval of Managers Expenses

Meduna made the motion, seconded by Boyd, 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. Mileage Rate - Update Given

Meduna made the motion, seconded by Boyd, that the January 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

Meduna made the motion, seconded by Boyd, to approve a WHIP contract payment of \$375 to Roger Nelson in Colfax County. Motion carried on consent agenda.

2. OPERATION AND MAINTENANCE

a. Operation and Maintenance - Update Given

b. Platte River Ice Reporting - Update Given

c. Injury Claim Incident - Update Given

d. South Fremont 205 Study - Update Given

e. Lower Platte Weed Management Area

Boyd made the motion, seconded by Johnson, to pay Pappio-Missouri NRD \$9,493 for aerial and ground herbicide application on the Lower Platte River and also reimburse Butler, Colfax, Dodge and Saunders Counties \$8,872.80 for ground applications on the upper Platte River in the Lower Platte North District. Motion carried all members present voting aye.

f. Conservation Tree Program - Update Given

g. 2002 Chevy Repair - Update Given

h. Vehicle Replacement

Boyd made the motion, seconded by Reitmajer, to purchase a 2010 Ford Fusion on the State of Nebraska contract for \$16,660. Motion carried all members present voting aye.

i. Eagle Scout Project - Update Given

j. Czechland Boat Ramp Dock

Meduna made the motion, seconded by Boyd, to purchase two 48" x 60" x 16" floats to add to the Czechland boat dock for stability, the approximate cost is \$500 and to purchase plastic composite decking to replace the dock floor at a cost of \$748. Motion carried on consent agenda.

3. ROCK AND JETTY

a. New Applications - None

b. Payment Requests - None

4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given

5. INFORMATION & EDUCATION

a. Information/Education

1. Long Range Plan - Update Given

2. Viaduct - Update Given

3. Calendars - Update Given

4. Annual Report

Meduna made the motion, seconded by Boyd, to approve up to \$5,000 for printing and distribution of the 2008 Annual Report. Motion carried on consent agenda.

5. Homestead Sign - Update Given

b. Computer

1. Server Upgrade

2. Network Antivirus Program

Meduna made the motion, seconded by Boyd, to purchase a 3-year contract for Vipre Enterprise Antivirus for \$699. Motion carried on consent agenda.

6. RURAL WATER ACTIVITIES

a. Bruno/David City Rural Water - Update Given

b. Colon/Wahoo Rural Water System

Boyd made the motion, seconded by Eden, to sign a contract with JEO in the amount of \$16,000 to design an above ground water booster station for the LPNNRD Colon RWS. Motion carried.

AYE: Bailey, Boyd, Eden, Hannah, Johannes, Meduna, Pieke, Reitmajer, Taylor, Vrana

NAY: Acklie, Hilger, Johnson, Kavan

ABSTAIN: Casey

c. Abie

Reitmajer made the motion, seconded by Meduna, to sign a contract with JEO in the amount of \$39,000 to design a transmission main going from the NRD Bruno Transmission main to the Village of Abie. Motion failed.

AYE: Eden, Hannah, Johannes, Taylor

NAY: Acklie, Bailey, Boyd, Hilger, Johnson, Kavan, Meduna, Pieke, Reitmajer, Vrana, Saalfeld

ABSTAIN: Casey

d. Bellwood/Richland - Update Given

e. Swedeburg

This motion was sent back to committee by the Board for review, to table the Hillside Estates and Aspen Ridge IPA until a point in time where 40 lots have been built upon the above mentioned developments. It was further agreed upon to write a letter of support to the Saunders County Supervisors and the Saunders County Planning and Zoning committee in favor of allowing 54 lots to be developed with the condition that the irrigation well currently in place be properly abandoned. All lots will also have a

condition on them that once rural water is in place, all lots will have to connect to such system.

The committee after some discussion felt it necessary to move forward with the public hearing on the apportionment of benefits. The public hearing on the Apportionment of Benefits for the Hillside Estates and Aspen Ridge IPA was held on January 5th starting at 8:34 a.m. and ending at 9:17 a.m. Those present included representatives of both developments, citizens of the Swedeburg area, the Wahoo newspaper, RW committee members, NRD Board members, City Administrator of David City, representatives of JEO, and NRD staff. Sousek presented three apportionment of benefits scenarios. See attached documents. The three scenarios included starting RW in 2009, starting RW with 40 lots developed, and lastly starting RW with stimulus package monies. Both representatives of the developments then presented their case on needing RW and their willingness to work with all parties involved in securing a RW project. Citizens of the Swedeburg area then presented their concerns on development in the area and water problems that they have been experiencing. The public hearing was then ended at 9:17 a.m.

After further discussion among the RW committee members on the three scenarios, Sabatka made the motion, seconded by Reitmajer, to table the Hillside Estates and Aspen Ridge Development IPA until a point in time when more information is received concerning the 2009 Stimulus Package grant process and the qualification of this project to receive such grants. Motion carried.

AYE: Acklie, Bailey, Boyd, Casey, Eden, Hilger, Johannes, Johnson, Kavan, Meduna, Reitmajer, Sabatka, Taylor, Vrana, Saalfeld

NAY: Hannah, Pieke

f. Other Items - Update Given

Meduna made the motion, seconded by Boyd, that the January 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. DNR Declares Lower Platte River Basin as Fully Appropriated

Vrana made the motion, seconded by Hannah, to form a coalition with other NRD's to participate in a review of the data that DNR used to make the Preliminary determination of the Lower Platte Basin being declared "Fully Appropriated" at an estimated cost for the legal assistance and review of the water model to be \$50,000 to \$100,000 divided by the number of Districts participating.

Taylor amended the previous motion, seconded by Meduna, that a minimum of six other NRD's participate in the review for LPNNRD to participate. Amendment carried all members present voting aye.

The motion as amended was now voted on. To participate with at least six other NRD's in a review of the data that DNR used to make the Preliminary determination of the Lower Platte Basin being declared "Fully Appropriated" at an estimated cost for the legal assistance and review of the water model to be \$50,000 - \$100,000. Motion carried all members present voting aye.

2. Well Permit Program - Update Given

a. Well Permits on Hold - Update Given

b. Well Permits Approved - Update Given

c. Water Use Reporting - Update Given

3. Cost-Share Programs

a. Irrigation Well Sample Kits - Update Given

b. Domestic Well Sample Kits - Update Given

c. Phase 2 Irrigation Flow Meter Cost-Share - Update Given

4. LPNNRD Certification Classes - Update Given

5. Bellwood Phase II Area - Update Given

6. Richland/Schuyler Phase II Area- Update Given

7. Certifying Acres

b. Chemigation - Update Given

c. Livestock Waste Permits - Update Given

2. GROUND WATER PROGRAMS

a. 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

b. Ground Water Energy Levels - Update Given

1. District Fall Measurements - Update Given

c. Former Ordnance Plant Mead

1. Information Meeting on COE Cleanup - Update Given

2. Information Meeting on Cleanup Sponsored by EPA - Update Given

3. OTHER

a. GMDA Annual Conference - Update Given

b. Comments from the Public - Update Given

Meduna made the motion, seconded by Boyd, that the January LPNNRD 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

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

	15%	75%
Glen Wirka Terraces/Tile (w/Sand & Duck)	\$1,488.33	
08-C-20 Lonnie Kitt Add'l funding request (currently \$ 3,161)		\$2,000.00

Motion carried on consent agenda.

b. SWCP Payments

Meduna made the motion, seconded by Boyd, to approve the following SWCP Payments:

	Approved	Final Cost
*08-S-18 Jim McDermott Terraces/Tile	\$10,000.00	\$9,440.28 (w/ S&D)
08-Bo-20 Borg Dairy Planned Grazing	\$7,565.00	\$5,295.50

Motion carried on consent agenda.

c. SWCP Cancellations - None

Meduna made the motion, seconded by Boyd, to approve the following SWCP cancellation:

08-C-16 Dan Wolfe Planned Grazing \$3,560.00

Motion carried on consent agenda.

d. Sand/Duck Creek Approvals

Meduna made the motion, seconded by Boyd, to approve the following Sand & Duck Creek application:

	75%	15% (SWCP)
John Brabec W&S Basins w/tile	\$8,002.00	\$1,600.00

Motion carried on consent agenda.

e. Sand/Duck Creek Cost-Share Payments

Meduna made the motion, seconded by Boyd, to approve the following Sand & Duck

<u>Creek payments:</u>	<u>15%</u>	<u>75%</u>
<u>* Jim McDermott Terraces/Tile</u>	<u>\$1,416.03</u>	
<u>Glen Wirka Terraces/Tile</u>		<u>\$7,441.65</u>

Motion carried on consent agenda.

f. Sand/Duck Cancellations - None

g. Flow Meter Cost-Share Process

Meduna made the motion, seconded by Boyd, to approve the new LPNNRD Flow Meter Cost-Share Guidelines as attached to the Projects Committee Minutes. Motion carried on consent agenda.

2. WATERSHEDS

3. FSA , EQIP & CRP PLANS SIGNED

4. LOCALLY LED LANDOWNER GROUPS

a. Shell Creek Watershed Improvement Group

Meduna made the motion, seconded by Boyd, to approve 50% of total cost, payment not to exceed \$200 for plaques and medals for the Shell Creek Students. Motion carried on consent agenda.

Meduna made the motion, seconded by Boyd, to approve registration payments for up to five District no-tillers to attend the 2009 Annual No-Till Conference held at ARDC in February. Approximate cost of each registration is \$50. Motion carried on consent agenda.

5. LOWER PLATTE RIVER CORRIDOR ALLIANCE

6. OTHER

a. Update on COE 205 Studies

1. South Fremont - Update Given

2. Schuyler 205 - Update Given

b. District-Wide All Hazard Mitigation Plan - Update Given

c. Saunders County SID No. 8 (Woodcliff) Pre-Feasibility Evaluation

Meduna made the motion, seconded by Boyd, to approve final payment of \$5,500 to Saunders County SID No. 8 for their Pre-Feasibility Study. Motion carried on consent agenda.

d. Update on David City NW Drainage Project - Update Given

7. LAKE WANAHOO REPORT

a. Department of Roads Agreement

Kavan made the motion, seconded by Meduna, to approve the draft agreement with Nebraska Department of Roads (Supplement to Agreement XL0850) and to approve and authorize the Chair or Manager to sign the final agreement if all financial numbers are within the range as presented. Motion carried all members present voting aye.

Meduna made the motion, seconded by Boyd, to sell the two water drive pivots from the Wanahoo project land for \$100 each to Elvin Sillivan. Motion carried on consent agenda.

8. WESTERN SARPY/CLEAR CREEK LEVEE REPORT - Update Given

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

7. ADDITIONAL ACTION ITEMS

7.a. Support of Platte Center Tire Recycling Grant Application

Johannes made the motion, seconded by Hilger, that LPNNRD act as grant administrator for another tire recycling effort at Platte Center and appoint Assistant Manager Mountford as the Grant Administrator and authorize him to sign the grant application and other necessary documents. Motion carried all members present voting aye.

7.b. SWCP Payments

Johannes made the motion, seconded by Hilger, to approve the following SWCP Payment: Glen Wirka Terraces/Tile (Coordinating with Sand/Duck Grant) 15% Cost-share for a total payment of \$ 1,488.33. Motion carried all members present voting aye.

7.c. SWCP Cancellations

Johannes made the motion, seconded by Hilger, to cancel the following SWCP Contract:

08-C-27 John Louden Small Dam \$6,716.46

Motion carried all members present voting aye.

7.d. Decommissioned Well Estimates

Johannes made the motion, seconded by Hilger, to approve the following decommission well estimates. One 16" irrigation well for Alan Beller (Platte Co.) \$508.50; One 18" irrigation well, for the Village of Lindsay (Platte Co.) \$493.13; One Hand-dug well for Margie Vrana (Saunders Co.) \$641.30 and Three wells, 2

domestic and 1 Hand-dug, for John Beranek (Saunders Co.) for a total of \$1,595.53.
Motion carried all members present voting aye.

7.e. Decommissioned Well Payment Approvals

Johannes made the motion, seconded by Hilger, to approve the following
decommissioned well payment:

Alan Beller Platte County \$508.50

Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

Boyd made the motion, seconded by Vrana, 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 Boyd, to approve the January consent agenda as
amended. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The February Board of Directors Meeting will be held on Monday, February 9, 2009,
5:30 p.m.

Meeting adjourned at 9:15 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
January 15, 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.

Ralph Pieke, Secretary