

**LOWER PLATTE NORTH NRD MINUTES  
BOARD MEETING  
July 11, 2011**

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, July 11, 2011.

**1. NOTICE OF MEETING**

The advanced notice of our July board meeting was published on June 23, 2011 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Pieke 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	Hannah	Hilger
Johannes	Kavan (left 7:35)	McDermott
Meduna	Pieke	Pollard
Ruzicka	Saalfeld	Sabatka
Taylor	Veskerna	

**DIRECTORS ABSENT**

Hagerbaumer	Renter
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**STAFF AND GUESTS:**

Miyoshi	Mountford	Breunig
Murren	Gottschalk	

Sign in sheet attached to original minutes.

**3. APPROVAL OF AGENDA**

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

**a. Guest Comments**

**b. NRCS Report**

Mark Walkenhorst was present to give the NRCS/NRD Report for July Board Meeting.

**c. NARD Report**

Kavan reported on the NARD Draft Budget and upcoming Basin Tour.

**d. NRC Report**

Director Johannes reported that the Commission will meeting in September in conjunction with NARD Fall Conference.

**e. Managers Report**

Manager Miyoshi reviewed his written report.

**g. Education Program**

Miyoshi reviewed the Sturgis code of parliamentary procedure with the Board.

**5. APPROVAL OF MINUTES**

Casey made the motion, seconded by Sabatka, to approve minutes from the June 13, 2011 Board Meeting. Motion carried on consent agenda.

**6. REPORT OF STANDING COMMITTEES**

**A. EXECUTIVE COMMITTEE REPORT**

**1. Meetings**

**a. Pending - None**

**b. Reports**

**1. GMDA Reports - Update Given**

**2. Management Items**

**a. Directors Absence**

Casey made the motion, seconded by Sabatka, to approve Director Bailey and Taylor's absence request for the May Board Meeting. Motion carried on consent agenda.

**b. Bob Weaver**

**1. Monthly Conference Call and Report - Update Given**

**2. Monthly Bill**

Casey made the motion, seconded by Sabatka, to approve payment of \$2,750 to Bob Weaver for June services and bill LPSNRD and Papiro NRD for their share. Motion carried on consent agenda.

**3. Increase in Monthly Fees**

Sabatka made the motion, seconded by Hilger, to approve increasing Bob Weaver's monthly fee to \$3,000 per month. Motion carried all members present voting aye.

**4. Budget Line Change – Update Given**

**c. Planning for RC&D Changes – Update Given**

**d. Monthly Education Program - Update Given**

**e. Lake Wanahoo Tolling Agreement**

Saalfeld made the motion, seconded by Sabatka, to approve the Tolling Agreement with Olsson Associates and authorize the Board Chair to sign said agreement on behalf of the board. Motion carried all members present voting aye.

**f. Olsson Associates Bill for Lake Wanahoo Dam**

Meduna made the motion, seconded by Saalfeld, to reject issuance of payment to Olsson Associates in the amount of \$100,700 for the additional engineering costs on the Wanahoo Dam due to the relief well system not being functional when the dam was closed. Motion carried all members present voting aye.

**g. Platte County Election Commissioner Letter – Update Given**

**h. Quadis Technologies Service Agreement**

Casey made the motion, seconded by Sabatka, to approve the service agreement with Quadis Technologies and authorize Manager Miyoshi to sign said agreement. Motion carried on consent agenda.

**i. EMC Commercial Insurance**

Hilger made the motion, seconded by Meduna, to pay EMC Insurance Companies \$46,780 for renewal of our Commercial Insurance. Motion carried all members present voting aye.

**j. Olsson Associates Amendment**

Meduna made the motion, seconded by Hannah, to approve an amendment to our engineering contract (OA Project No. 2005-1568) with Olsson Associates to complete a study of the effect on storm release rates on Lake Wanahoo from operating the structure at a lower than design level for a lump sum cost of \$7,340 and authorize the General Manager to sign said amendment. Motion carried all members present voting aye.

**k. Budget Increase – Update Given**

**3. Equipment**

**a. IRS Mileage Rate – Update Given**

**4. Personnel**

**a. NRCS CTA (conservation technical assistance) Position**

Casey made the motion, seconded by Sabatka, to approve and authorize Mark Walkenhorst and Jamie Thoene to submit an application to the State NRCS Office for the Conservation Technical Assistance (CTA) Funds within the LPNNRD area. Motion carried on consent agenda.

**b. Time Split for Mike Murren**

Casey made the motion, seconded by Sabatka, that Mike Murren's time be billed to reflect actual time spent on each project. Motion carried on consent agenda.

**5. Finance**

**a. Approval of Financial Report**

Casey made the motion, seconded by Sabatka, to approve the May Financial Report as distributed and presented. Motion carried on consent agenda.

**b. Approval of Managers Expenses**

Casey made the motion, seconded by Sabatka, 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**

Casey made the motion, seconded by Sabatka, to write off two account receivables due to inactivity, Gary Haynes (Phragmites Spraying) \$66.80 and William Ingwersen (Phragmites Spraying) \$20.54. Motion carried on consent agenda.

**d. Monthly Accounting Update – Update Given**

**e. Set Budget Workshop Date and Time**

Casey made the motion, seconded by Sabatka, to set our annual Director's Budget Workshop for Tuesday, August 2<sup>nd</sup> at 1:00 p.m., at the NRD Office. Motion carried.

AYE: Acklie, Bailey, Boyd, Casey, Hannah, Hilger, Johannes, McDermott, Meduna, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor

NAY: Veskerna

ABSTAIN: Pieke

**f. Set Budget Hearing Time**

Casey made the motion, seconded by Sabatka, to set the Budget Hearing for Monday, August 8<sup>th</sup> at 6:00 p.m. (just prior to the board meeting). Motion carried on consent agenda.

**g. Designated Fund Changes**

It was recommended (by Meduna), seconded (by Hilger), to make the following designated fund changes for the end of the 2011 Fiscal Year:

1. Move \$5,000 from code 405.103 Intergovernmental Emergency Repair to the Designated Fund creating a new balance of \$99,000 in the fund.
2. Eliminate code 169.400 Director Laptops and move the \$7,200.50 balance to the general fund.

Motion carried on consent agenda.

Casey made the motion, seconded by Sabatka, that the July 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 -None**

**2. OPERATION AND MAINTENANCE**

**a. Operation and Maintenance - Update Given**

**b. South Fremont 205 Feasibility Study - Update Given**

**c. Czechland Camper Pad Electrical**

Casey made the motion, seconded by Sabatka, to pay Butler Public Power \$2,200 for the installation of electricity at Czechland Lake for the camper pads. Motion carried on consent agenda.

Casey made the motion, seconded by Sabatka, to pay G & R Electric \$4,600 for wiring and installing pedestals at the Czechland Lake camper pads. Motion carried on consent agenda.

**d. Hail Damage to Office & Out Building - Update Given**

**e. Equipment**

Casey made the motion, seconded by Sabatka, to sell the front end loader for the JD 1050. Motion carried on consent agenda.

**f. Bellwood Dam 3-A - Update Given**

- g. Emergency Action Plans (EAP) – Update Given**
- h. Financial Review - Update Given**
- i. Budget Review – Update Given**
- 3. ROCK AND JETTY – Update Given**
- 4. EROSION & SEDIMENT RULES & REGULATIONS - Update Given**
- 5. INFORMATION & EDUCATION**
  - a. Information**
    - 1. KTIC Ads - Update Given**
    - 2. NRD Recreation Areas Website - Update Given**
    - 3. Viaduct**
    - 4. Fact Sheet – Update Given**
    - 5. Fremont Lake Project – Update Given**
  - b. Education**
    - 1. ACE Camp – Update Given**
    - 2. GPS Activity for Kids Summer Institute – Update Given**
  - c. Computers**
    - 1. New Server – Update Given**
    - 2. Server Storage - Update Given**
- 6. RURAL WATER ACTIVITIES**
  - a. Bruno/David City Rural Water - Update Given**
  - b. Colon/Wahoo Rural Water System**

Ruzicka made the motion, seconded by Boyd, to use the \$13,667 connection fee charge received from Prudent Technologies and apply it to the USDA RD loan. Motion carried all members present voting aye.
  - c. Bellwood/Richland - Update Given**
  - d. Mead - Update Given**
  - e. Other**

Sabatka made the motion, seconded by Acklie, to operate the RW systems under the same checking account as the NRD, to charge the RW systems 5% of metered water sales for an administrative fee, and to have the annual audit performed by the Districts auditor with the burden of cost being attributed to the NRD. This motion is for F.Y. 2011 (5% for end of year Administration Fee) and to

have the 5% Administration Fee added to each rural water district on a monthly basis based on total water sales. Motion carried all members present voting aye.

Casey made the motion, seconded by Sabatka, that the July 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. Variance Requests for Limited Development (Hydrologically Connected) Area**

**a. June Variance Requests – Update Given**

**b. Ranking Regions for Limited Development Areas**

Casey made the motion, seconded by Sabatka, to approve the following variance requests:

<u>Variance</u>	<u>Landowner</u>	<u>Acres</u>	<u>Field Legal Description (work)</u>	<u>Well Legal Description (work)</u>	<u>County</u>
<u>LPN-V-011-0107</u>	<u>Ryan &amp; Megan Preister</u>	<u>140</u>	<u>N1/2 of NW1/4 &amp; W1/2 of NE1/4, S15, T18N, R1W</u>	<u>new well in Center of N1/2, S15, T18N, R1W</u>	<u>Platte</u>
<u>LPN-V-011-0108</u>	<u>Steven Hanson</u>	<u>77</u>	<u>E1/2 of NE1/4, S2, T13N, R8E</u>	<u>new well in Center of NE1/4, S2, T13N, R8E</u>	<u>Saunders</u>
<u>LPN-V-011-0109</u>	<u>Steven Osantowski</u>	<u>145</u>	<u>SW1/4, S4, T15N, R1E</u>	<u>new well in Center of SW1/4, S4, T15N, R1E</u>	<u>Butler</u>
<u>LPN-V-011-0110</u>	<u>Joe E. Kavan</u>	<u>15</u>	<u>Portions of the N1/2 of NW1/4, S6, T16N, R6E</u>	<u>existing well in SW1/4 of NW1/4, S6, T16N, R6E</u>	<u>Saunders</u>

and as shown on the attached maps and to allocate 377.0 acres from the 2009 – 2010 acre allotment. Motion carried on consent agenda.

**c. Integrated Management Plan**

Saalfeld made the motion, seconded by Pollard, for LPNNRD to start the Integrated Management Plan (IMP) process. Motion carried.

AYE: Acklie, Bailey, Boyd, Casey, Hannah, Hilger, Johannes, McDermott, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna

NAY: Meduna, Pieke

**2. Well Permit Program**

**a. Well Permits Approved - Update Given**

**b. Water Use Report - Update Given**

**3. Cost-Share Programs**



**b. Comments from the Public - Update Given**

Casey made the motion, seconded by Sabatka, that the July 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**

Casey made the motion, seconded by Sabatka, to approve the following SWCP applications:

		<u>50%</u>
<u>Dale Hanson</u>	<u>Flow Meter</u>	<u>\$ 642.50</u>
<u>Scheerer Family Trust</u>	<u>Flow Meter</u>	<u>\$ 642.50</u>
<u>Milrae Hengen</u>	<u>Flow Meter</u>	<u>\$ 642.50</u>

Motion carried on consent agenda.

**b. SWCP Payments**

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

		<u>50%</u>	<u>75%</u>	<u>Payment</u>
<u>10-B-29</u>	<u>Anthony Prochaska (Terraces &amp; Tile)</u>		<u>\$5,949.00</u>	<u>\$6,748.32</u>
<u>11-P-8</u>	<u>Jon Gehring (Flowmeter)</u>	<u>\$642.50</u>		<u>\$642.50</u>

Motion carried on consent agenda.

**c. SWCP Cancellations – Update Given**

**d. Sand/Duck Creek Approvals – Update Given**

**e. Sand/Duck Creek Cost-Share Payments**

Casey made the motion, seconded by Sabatka, to approve the following Sand/Duck payments:

		<u>75%</u>	<u>25%</u>	<u>15% (SWCP)</u>
<u>10-S&amp;D-11</u>	<u>Margie Vrana (Terraces and Tile)</u>		<u>\$3,491.66</u>	<u>\$2,092.15</u>

Motion carried on consent agenda.

**f. Sand/Duck Cancellations - None**

**g. Consideration of SWCP Applications Not Following Current Policy – Update Given**

**h. Vrana Cost-Share Assistance Request**

Casey made the motion, seconded by Sabatka, to not deviate from current Board cost-share policies that do not allow cost-share payments for work completed prior to District approval and/or for conservation work not designed and certified by the NRCS (policies attached to the Projects Committee Minutes). It was further recommended that for these reasons to not approve the Margie Vrana cost-share request as presented. Motion carried on consent agenda.

**2. WATERSHEDS**

**a. Shell Creek**

**1. Shell Creek Improvement Group**

**a. Newman Grove Public School Payment Request**

Casey made the motion, seconded by Sabatka, to pay 50% or \$845.08, to the Newman



Grove Public School for their purchase of water testing supplies for the 2011 summer sampling season, as attached to the Projects Committee Minutes. Motion carried on consent agenda.

**b. Wahoo Creek – Update Given**

**3. FSA , EQIP & CRP PLANS SIGNED – Update Given**

**4. LOWER PLATTE RIVER CORRIDOR ALLIANCE**

**a. Monthly Report - Update Given**

Attached to the Projects Committee Minutes find the Lower Platte River Corridor Alliance Monthly Report.

**5. OTHER**

**a. Update on Army COE 205 Studies**

**1. South Fremont 205 – Update Given**

**2. Schuyler 205**

Meduna made the motion, seconded by Saalfeld, to approve the additional \$50,000 payment to the COE for completing the Schuyler 205 Study and bill the City of Schuyler \$25,000 for their share of this expense. Motion carried all members present voting aye.

**b. Resource Conservation & Development Councils (RC&D) – Update Given**

**c. Nebraska Loess Hills RC&D Membership Dues Request**

Casey made the motion, seconded by Sabatka, to continue to support the Nebraska Loess Hills and approve dues payment of \$300 for the next year. Motion carried on consent agenda.

**d. Lower Platte North Local Work Group Recommendations – Update Given**

**e. Review Projects Financial Statement – Update Given**

**f. FY 2012 Draft Budget Review – Update Given**

**6. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT REPORT**

**a. Lake Wanahoo**

**1. Reservoir Management Discussion – Update Given**

**2. Wanahoo Landright (Mary Larsen)**

Casey made the motion, seconded by Sabatka, to exchange approximately one acre of land with Mary Larsen to fulfill our additional right-of-way needs for the Lake Wanahoo Project. Motion carried on consent agenda.

**3. CCEI Update (Reduce retainage by \$50,000)**

Acklie made the motion, seconded by Meduna, to reduce our Lake Wanahoo construction retainage and make payment of \$50,000 to Commercial Contractors Equipment Inc. for Certificate of payment Number 22 as attached to the Projects Committee minutes. Motion carried all members present voting aye.

**4. G&P Fishery Enhancement Project - Payment Request**

Meduna made the motion, seconded by Casey, to make payment to Hotwoods for \$53,755.28 for completing the Handicap Fishing Pier Project. Motion carried all members present voting aye.

**5. Inverted Filter – Update Given**

**6. NRDF FY 2012 Obligation – Update Given**

**7. Landowner Questions on Lake Wanahoo Flood Control Operation – Update Given**

Last month, several downstream landowners of Lake Wanahoo expressed their concerns and questions regarding the operation of Lake Wanahoo gate system to allow more flood control for smaller storm events. Wanahoo Project Engineer, Bob Wolf, Olsson Associates, discussed how Wanahoo was designed and answered questions regarding operation scenarios of the gate system and the effect on downstream flooding. Early this month, staff has been operating the gate system to lower the lake level by approximately two feet to allow more storage before water flows over the principle spillway. Representatives from Nebraska Game & Parks Commission (NG&PC) were also present to express their concerns about lowering lake levels greater than one foot, because of the possible adverse effects on fish habitat and on structures they help establish. They indicated that by lowering the lake level too much may put the District in jeopardy of having to return the \$1.4 million of cost-share assistance we received from NG&PC. The Projects Committee instructed staff to form a steering committee with representatives from LPNNRD, NG&PC's, NNDR, Army COE and possible others to begin developing an Operation and Maintenance Plan that will be presented to the Board for future consideration.

**b. Sand/Duck Creek Upstream Structures – Update Given**

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

**a. Report on Adjusted Project Total Cost and Increase –Update Given**

Casey made the motion, seconded by Sabatka, to accept and place on file the July Projects Committee Minutes. Motion carried on consent agenda.

**7. ADDITIONAL ACTION ITEMS**

**7a. Designated Fund Addition**

Meduna made the motion, seconded by McDermott to create a new designated fund titled "Building Sinking Fund" and move the \$12,000 that was budgeting in the 163.000 F.Y. 2011 account to this newly created fund. Motion carried all members present voting aye.

**7b. LPNNRD Platte River Ground Water Model Payment**

Meduna made the motion, seconded by McDermott, to pay the University of Nebraska Lincoln \$6,369.49 for the June 2011 Platte River Modeling Project. Motion carried all members present voting aye.

**7c. Payment to JEO – Wahoo Creek Watershed Plan**

Meduna made the motion, seconded by McDermott, to pay JEO \$3,233.27 for work completed on the Wahoo Creek Watershed Plan. Motion carried with Casey abstaining.

**7d. Approval of SWCP Payments**

Meduna made the motion, seconded by McDermott, to approve the following SWCP Payment

<u>10-S-40 Marvin Vech</u>	<u>Flow Meter</u>	<u>\$536.52</u>
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Motion carried all members present voting aye.

**7e. Decommissioned Well Payment**

Meduna made the motion, seconded by McDermott, to approve the following Decommissioned Well Payment:

<u>Sand Family Farms</u>	<u>Platte County</u>	<u>\$821.91</u>
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Motion carried all members present voting aye.

**7f. Approval of PATH Contracts - Attachment**

Meduna made the motion, seconded by McDermott, to approve and authorize Manager Miyoshi to sign the three Wanahoo PATH Contract for the 2011-2012 hunting seasons as attached to the Additional Action Items. Motion carried all members present voting aye.

**8. BILLS TO BE APPROVED**

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

**9. CONSENT AGENDA ADOPTION**

Casey made the motion, seconded by Sabatka, to approve the July consent agenda as amended. Motion carried all members present voting aye.

**10. COMMENTS FROM DIRECTORS/GUESTS**

**11. MEETING ESTABLISHMENT AND ADJOURNMENT**

The August Board of Directors Meeting will be held on Monday, August 8, 2011, 7:00 p.m.

Meeting adjourned at 9:10 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 July 11, 2011, 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.

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William Taylor, Secretary