

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
March 8, 2012**

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, March 8, 2012.

1. NOTICE OF MEETING

The advanced notice of our March board meeting was published on February 23, 2012 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:

Bailey	Birkel	Casey
Clausen	Hagerbaumer	Hannah
Hilger	Johannes	Kavan
McDermott	Meduna	Olson
Pollard	Pieke	Ruzicka
Saalfeld	Sabatka	Taylor
Veskerna		

DIRECTORS ABSENT

STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Angle	Gottschalk	Heimann

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 and reviewed his written report.

c. NARD Report

Director Kavan reported on the Building the NARD purchased at Husker Harvest and the upcoming Washington DC Trip.

d. NRC Report

Johannes reported that the next Commission meeting will be in June.

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

A program update on the Schuyler 205 Design was given by the Corps of Engineers prior to the board meeting (at 4:30 p.m.).

5. APPROVAL OF MINUTES

Olson made the motion, seconded by Saalfeld, to approve the minutes from the February 13, 2012 Board Meeting. Motion carried all members present voting aye.

Item 6.D.6.a.2. was taken at this time

Recreation Construction/Agreement (G&P Update)

Johannes made the motion, seconded by McDermott, to take off the table the agreement with Game and Parks Commission to operate Lake Wanahoo. Motion carried.

AYE: Bailey, Casey, Clausen, Johannes, McDermott, Meduna, Olson, Ruzicka, Saalfeld, Sabatka, Veskerna

NAY: Birkel, Hagerbaumer, Hannah, Hilger, Kavan, Pollard, Taylor, Pieke

Due to some confusion about the tabled motion, Johannes made the motion, seconded by Saalfeld, to approve the Interlocal Agreement with Nebraska Game and Parks Commission for operating and maintaining Lake Wanahoo as a state recreation area, understanding that funds (\$17,000/year or \$51,000 total) may come back to the NRD from state appropriations. Motion carried.

AYE: Bailey, Casey, Clausen, Johannes, McDermott, Meduna, Olson, Ruzicka, Saalfeld, Sabatka, Veskerna

NAY: Birkel, Hagerbaumer, Hannah, Hilger, Kavan, Pollard, Taylor, Pieke

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. Western Sarpy/Clear Creek Discussions in Washington DC

Olson made the motion, seconded by Saalfeld, to approve expenses and allow Miyoshi to attend the March 28th Western Sarpy/Clear Creek meetings in Washington DC. Motion carried on consent agenda.

2. Google Earth Workshop in Sausalito, CA

Olson made the motion, seconded by Saalfeld, to approve expenses to allow Thompson to attend the Google Earth Workshop in Sausalito, CA on March 19-20, 2012. 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

Olson made the motion, seconded by Saalfeld, to approve payment of \$3,000 to Bob Weaver for February services and bill LPSNRD and Papio NRD for their share. Motion carried on consent agenda.

c. NARD Building at Husker Harvest – Update Given

d. Monthly Education Program – Item was taken earlier

e. Lake Wanahoo Finances – Update Given

f. Election Certification – Update Given

g. CCEI Lawsuit

Legal Counsel Jovan Lausterer gave an update to the Board on the CCEI Lawsuit. In the future he will provide a monthly written update.

h. Legislation – Update Given

i. NEARNG Request

Olson made the motion, seconded by Saalfeld, to work with NEARNG on the Interlocal Agreement for Operation and Maintenance of the WS/CC Project and assist them in performing a JLUS (Joint Land Use Study). Motion carried on consent agenda.

3. Equipment

a. iPad Purchase

Meduna made the motion, seconded by Saalfeld, to purchase an upgraded iPad as attached to the Executive Committee Minutes which includes 64 gig of memory and 3-G capability at a cost of \$699.00. Motion carried on consent agenda.

4. Personnel

a. Accountant Position

1. Filling Vacant Position

Olson made the motion, seconded by Saalfeld, to fill the vacant Accountant position. Motion carried on consent agenda.

2. Schedule for Filling Accountant Position – Update Given

3. Use of Staff Locating Firm – Update Given

4. Approval of Leave Payout

Olson made the motion, seconded by Saalfeld, to pay Sund her 86 hours of unused vacation time at her current rate of pay which totals \$1,984.88. Motion carried on consent agenda.

5. Allow Hourly Employment of Sund

Olson made the motion, seconded by Saalfeld, to hire Sund as a temporary, part time employee to assist the NRD with accounting on an as needed basis up to 4 hours per week at a rate of \$28 per hour. Motion carried on consent agenda.

6. Job Description Review

Olson made the motion, seconded by Saalfeld, to approve the Accountant job description as amended by adding the following statement: Prepares monthly financial reports for Management and Directors. It was further recommended to delete Supervises Half-Time

Bookkeeper. Motion carried on consent agenda.

b. Large Project Manager Job Description

Johannes made the motion, seconded by Meduna, to approve the “Large Projects Manager” job description as attached to the Personnel Sub-Committee Minutes. Motion carried.

AYE: Bailey, Birkel, Casey, Clausen, Hagerbaumer, Hilger, Johannes, McDermott, Meduna, Olson, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Pieke

NAY: Hannah, Kavan

c. Colfax County NRD/NRCS Clerk Position Update – Update Given

d. Thompson Quarterly Update – Update Given

e. Personnel Policies

Olson made the motion, seconded by Saalfeld, to approve the following four Personnel Policies (Anti-Harassment, Employee Records, Attendance and Punctuality and Work Breaks) as reviewed by Legal Counsel and attached to the Personnel Sub-Committee Minutes. Motion carried on consent agenda.

f. Future Personnel Committee Meetings – Update Given

5. Finance

a. Approval of Financial Report

Olson made the motion, seconded by Saalfeld, to approve the January Financial Statement as presented and distributed. Motion carried all members present voting aye.

b. Approval of Managers Expenses

Olson made the motion, seconded by Saalfeld, 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. Monthly Accounting Update – Update Given

e. HBE Quarterly Updates – Update Given

f. Incremental Payments – Update Given

Olson made the motion, seconded by Saalfeld, that the March 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. Grass Drill Colfax County – Update Given

d. Tree Program – Update Given

e. Watershed Dam Bellwood 3-A

Meduna made the motion, seconded by Sabatka, to assist in the Bellwood 2-C outlet repair project by contributing \$5,000 payable upon completion of the presented project plan. Motion carried all members present voting aye.

f. Emergency Action Plans (EAP) – Update Given

g. Lake Wanahoo Spillway Railing

Olson made the motion seconded by Saalfeld, to approve the construction of a safety railing by Gerdts Welding at a price of \$3,960 for the downstream walls of the Wanahoo Dam principle spillway. Motion carried on consent agenda.

Veskerna made the motion, seconded by Sabatka, to approve construction of a safety railing by Gerdts Welding at a price of \$2,750 on the Labyrinth Weir wall on the face of the Wanahoo Dam. Motion carried all members present voting aye.

h. Building on Wanahoo Property

Olson made the motion, seconded by Saalfeld, to pay Lierman Excavating \$4,255 for leveling the pole shed site on the Wanahoo property. Motion carried on consent agenda.

i. Community Forestry

Olson made the motion, seconded by Saalfeld, to approve the Community Forestry application from the David City Cemetery Board with planting 50 - 60 trees by Earl May at 50% cost-share not to exceed \$1,000. Motion carried on consent agenda.

j. Equipment – Grass Drill

The Environmental Trust Grant application Heimann submitted for a new No-Till Grass Drill has been preliminarily approved. There is a public comment period until April 3rd. The grant is worth \$20,000 and the drill will cost approximately \$32,000. Birkel made the motion, seconded by Hilger, to purchase the No-Till Grass Drill from Benes Service pending notification of approval of the \$20,000 grant from the Environmental Trust Grant. Motion carried.

AYE: Bailey, Birkel, Casey, Clausen, Hagerbaumer, Hannah, Hilger, Johannes, Kavan, McDermott, Meduna, Olson, Pollard, Ruzicka, Sabatka, Taylor, Veskerna, Pieke,

NAY: Saalfeld

k. Financial Review – Update Given

3. ROCK AND JETTY

a. Applications – Update Given

b. Payment Requests

Olson made the motion, seconded by Saalfeld, to pay Edwin Kudlacek \$2,000 for bank stabilization work on Wahoo Creek. Motion carried on consent agenda.

4. EROSION & SEDIMENT RULES & REGULATIONS – Update Given

5. INFORMATION & EDUCATION

a. Information

1. KTIC Ads – Update Given

b. Education

1. Soil and Water Stewardship Week – Update Given

2. Spring Conservation Sensation – Update Given

3. Science Bowl Thank-You – Update Given

4. Earth Wellness Festival – Update Given

5. David City Water Testing – Update Given

c. Computers

1. Android Application – Update Given

6. RURAL WATER ACTIVITIES

a. Bruno/David City Rural Water – Update Given

b. Colon/Wahoo Rural Water System – Update Given

c. Mead – Update Given

d. Other – Update Given

e. Financial Review – Update Given

Olson made the motion, seconded by Saalfeld, that the March 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. February Variance Requests – Update Given

b. Limited Development Areas – Update Given

2. Well Permit Program

a. Well Permits Approved - Update Given

- b. Water Use Reports – Update Given**
 - 3. Voluntary Integrated Water Management Plan – Update Given**
 - 4. Acre Allotment for 2013 – Update Given**
 - 5. Cost-Share Programs**
 - a. Irrigation Well Sample Kits - Update Given**
 - b. Domestic Well Sample Kits - Update Given**
 - c. NAWMDN Water Mark Sensors and ET Gauges – Update Given**
 - d. Cost-Share from 319 Grant for Phase 2 Groundwater Management Area – Update Given**
 - 6. LPNNRD Certification Classes – Update Given**
 - 7. Bellwood Phase II Area - Update Given**
 - 8. Richland/Schuyler Phase II Area - Update Given**
 - 9. Phase 2 Fertilizer Reports**
 - 10. Certifying Acres – 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**

Olson made the motion, seconded by Saalfeld, to approve cost share payment to decommission the irrigation well for James Brazda for a total of \$680.67 and to decommission the irrigation well for Mark Hines for 569.18. Motion carried on consent agenda.
 - b. LPNNRD Ground Water Studies**
 - 1. LPNNRD Platte River Ground Water Model – Update Given**
 - 2. Elkhorn Loup Model (ELM) - Update Given**
 - 3. Eastern Nebraska Water Resources Assessment (ENWRA) – Update Given**
 - 4. Eastern Nebraska HEM Aquifer Mapping – Update Given**
 - 5. Todd Valley Ground Water Flow Model – Update Given**

c. Former Ordinance Plant near Mead – Update Given

d. Ground Water Quality – Bellwood Phase 2 Area

1. LPNNRD Sample Results – Update Given

2. Comparison of LPNNRD Sample Results to Producer Sample Results – Update Given

3. SURFACE WATER PROGRAMS

a. Precipitation Gauging Network – Update Given

4. OTHER

a. Nebraska Producer Crop Yield & Management Data Collection Effort

Olson made the motion, seconded by Saalfeld, to provide the fertilizer reports to the University. These reports are to be scanned within our office for the Nebraska Producer Crop Yield Management Data Collection effort by university employees. Motion carried on consent agenda.

b. GMDA Summer Session - Update Given

c. Comments From The Public – Update Given

Olson made the motion, seconded by Saalfeld, that the March 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

Olson made the motion, seconded by Saalfeld, to approve the following SWCP applications for flow meters:

		<u>50%</u>
<u>Lazy K Feedyards, Inc.</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>John Colgan</u>	<u>Flow Meter x 2</u>	<u>\$1,250.00</u>
<u>Bruce Williams</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>Gordon Miller</u>	<u>Flow Meter</u>	<u>\$625.00</u>

Motion carried on consent agenda.

Olson made the motion, seconded by Saalfeld, to approve the following applications for flow meters within our NDEQ 319 Grant Ground Water Quality Phase II areas:

		<u>65%</u>
<u>R. Dean Bliss</u>	<u>Flow Meter</u>	<u>\$750.00</u>
<u>Allan J. Shonka</u>	<u>Flow Meter</u>	<u>\$750.00</u>

Motion carried on consent agenda.

b. SWCP Payments – Update Given

c. SWCP Cancellations - None

d. Sand/Duck Creek Approvals – None

e. Sand/Duck Creek Cost-Share Payments

Olson made the motion, seconded by Saalfeld, to approve the following Sand/Duck cost share payments:

		<u>Approved</u>	<u>75% Grant</u>	<u>25% Grant</u>	<u>15%Grant</u>
<u>11-S&D-8</u>	<u>Lawrence Hynek</u>	<u>\$5,000</u>	<u>\$12,500</u>		<u>\$2,500</u>

Motion carried on consent agenda.

f. Sand/Duck Creek Cancellations – Update Given

g. SWCP Policy Update – Update Given

2. WATERSHEDS

a. Shell Creek

1. Shell Creek Improvement Group – Update Given

b. Wahoo Creek

1. Wahoo Creek Watershed Water Quality Plan Contract Payment

Kavan made the motion, seconded by Meduna, to pay JEO \$19,136.75 for contract work completed on the Wahoo Creek Water Quality Plan as attached to the Projects Committee Minutes. Motion carried.

AYE: Bailey, Birkel, Clausen, Hagerbaumer, Hannah, Hilger, Johannes, Kavan, McDermott, Meduna, Olson, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Pieke

ABSTAIN: Casey

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

4. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report - Update Given

b. Sandbar Study Proposal from USGS

Olson made the motion, seconded by Saalfeld, to not provide any local LPNNRD funds toward the USGS Sandbar Study Proposal, but support LPRCA to submit another Environmental Trust grant application in the fall of 2012 for USGS to continue this work. Motion carried on consent agenda.

5. OTHER

a. Update on Army COE 205 Studies

1. South Fremont 205 – Update Given

2. Schuyler 205 – Update Given

b. NW David City Project – UBBNRD Payment Request

Hilger made the motion, seconded by Meduna, to approve the \$6,081.13 payment to UBBNRD for engineering services completed on the NW David City Project, as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

c. Nebraska Great Plains RC&D Dues Request

Olson made the motion, seconded by Saalfeld, to approve our 2012 dues payment of \$200 to the Nebraska Great Plains RC&D. Motion carried on consent agenda.

d. Project Expense Statement – January 31, 2012 – Update Given

6. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT REPORT

a. Lake Wanahoo

1. CCEI Mediation Update – Update Given

2. Recreation Construction Agreement (G&P's Update) - This item was taken earlier

3. Lake Wanahoo Land Note – Update Given

4. M.E. Collins Borrow Pit Site Draft Agreement – No Action on this item

5. Request to Purchase an acre tract in N ½ NE ¼ S22-T15N-R7E

Olson made the motion, seconded by Saalfeld, to not sell one acre of Lake Wanahoo property located in the N ½ NE ¼ S22-T15N-R7E as requested. Motion carried on consent agenda.

b. Upstream Structures – Update

1. Sale of Land – Site 3 & 24

Olson made the motion, seconded by Saalfeld, to authorize the sale of 62 acres of land on Site #3 and 40 acres of land on Site #24, (purchased with DNR LB 71 funds) of the Upstream Sand Creek Project, at the discretion of the Department of Natural Resources. Motion carried on consent agenda.

2. Purchase of 4 acres – Site 13

McDermott made the motion, seconded by Meduna, to purchase approximately 4 acres of land at Sand Creek Structure Site 13 from Rollie Otte @ \$3,675/acre for a total cost of \$14,700. Motion carried.

AYE: Bailey, Casey, Clausen, Hagerbaumer, Hannah, Johannes, McDermott, Meduna, Olson, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna

NAY: Birkel, Hilger, Kavan, Pieke

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

Olson made the motion, seconded by Saalfeld, to accept and place on file the March Projects Committee Minutes. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7a. SWCP Payments

Saalfeld made the motion, seconded by Ruzicka, to approve the following SWCP Payment:

	<u>Approved</u>	<u>Payment</u>
<u>11-S-3 Allen Meduna Terraces/Tile</u>	<u>\$10,000</u>	<u>\$10,000</u>

Motion carried.

AYE: Bailey, Birkel, Casey, Clausen, Hagerbaumer, Hannah, Hilger, Johannes, McDermott, Olson, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Pieke

ABSTAIN: Meduna, Kavan

7b. SWCP Approvals:

Saalfeld made the motion, seconded by Ruzicka, to approve the following SWCP Approvals:

<u>Bruce & Brad Williams</u>	<u>Flow Meter</u>	<u>\$ 625.00</u>	<u>50% Cost-share</u>
<u>Randal Kremlacek</u>	<u>Flow Meter</u>	<u>\$ 625.00</u>	<u>50% Cost-share</u>

Motion carried.

AYE: Bailey, Birkel, Casey, Clausen, Hagerbaumer, Hannah, Hilger, Johannes, McDermott, Olson, Pollard, Ruzicka, Saalfeld, Sabatka, Taylor, Veskerna, Pieke

ABSTAIN: Meduna, Kavan

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

Olson made the motion, seconded by Saalfeld, to approve the amended March consent agenda by deleting the following motion (6.A.4.b.) Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The April Board of Directors Meeting will be held on Monday, April 9, 2012, 5:30 p.m.

Meeting adjourned at 8:30 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 March 8, 2012, 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.

Ray Casey, Secretary