

LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
OCTOBER 14, 2002

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, October 14, 2002

1. NOTICE OF MEETING

Public notification was made in area newspapers no later than October 3, 2002. Meeting notification and agendas were also provided.

2. ROLL CALL - INTRODUCTIONS

DIRECTORS PRESENT AND CONSTITUTING A QUORUM:

Bailey	Bull (arrived 7:16)	Grueber (arrived 7:18)
Johannes (arrived 7:30)	Johnson	Kavan
Langemeier	Larsen (arrived 7:10)	Mastny
Nelson	Reitmayer	Sabatka
Sendgraff	Shelso	Wilke

DIRECTORS ABSENT

Eden	Jedlicka	Saalfeld
Sabata		

STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Angle	Sousek
Gottschalk		
Lisa Brichacek, Wahoo Newspaper		Al Hottovy, Hottovy and Associates
Ralph Pieke		Newman Grove Students
Cindy Love, HBE		

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. NRCS Report

No Report.

b. NARD Report

Kavan reported that the approved resolutions were attached to the Executive Committee Minutes.

c. Annual Audit Report

Cindy Love from HBE was present to hand out and discuss the Lower Platte North NRD Annual Audit Report and to answer questions.

Shelso made the motion, seconded by Bull, to approve the F.Y. 02 Annual Audit as present to the Board. Motion carried all members present voting aye.

d. Water Project Report - Newman Grove Science Class

Several students from the Newman Grove Science Class gave a presentation on the Shell Creek Watershed Study they did in the Summer of 2002.

e. Rural Water Report

Al Hottovy gave the Executive Summary to the Board on the Weston-Malmo Rural Water Study he completed.

5. APPROVAL OF MINUTES

Kavan made the motion, seconded by Sabatka, to approve minutes from the September 9, 2002 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

Kavan made the motion, seconded by Sabatka, to send two staff and two directors to the NACD Annual Conference, February 9-13. Motion carried on consent agenda.

b. Reports

Miyoshi gave an update on the Dam Safety Conference held in September.

2. Management

a. Directors Absence

None

b. Lower Platte River Corridor Alliance

The monthly Corridor Alliance report is attached to the Executive Committee Minutes.

c. Schaaf Billing

Kavan made the motion, seconded by Sabatka, to pay the bill for hearing officer, Terry Schaaf for the Saunders County -vs- MUD Case in the amount of \$461.25. Motion carried on consent agenda.

d. Nebraska Habitat Coalition - Piping Plover

Miyoshi explained that the Fish and Wildlife Service has released the critical habitat designation area for the Piping Plover. The Coalition was formed to try to prevent enforcement of any critical habitat designation. The Coalition has informed the U.S. Fish and Wildlife Service of our intent to sue over this critical habitat designation. There is a 60 day waiting period before lawsuits can be filed after this notification.

e. NARD Fall Conference

Attached to the Executive Committee Minutes are the four resolutions that were approved by the NARD Board at the Fall Conference.

f. Bob Weaver Bill

Johannes made the motion, seconded by Shelso, to approve the Bob Weaver bill for June, July and August in the amount of \$5,267.50. Motion carried all members present voting aye.

g. Nebraska Groundwater Coalition

Attached to the Executive Committee Minutes is a copy of an interlocal agreement for the formation of the Nebraska Groundwater Coalition. The purpose of the coalition is to protect the rights of groundwater users across the State. There are many questions about the purpose and benefits of the group. Ron Bishop will attend the November 11th Board Meeting to give us a better explanation of the Coalition.

3. Equipment

No new business.

4. Personnel

No new business.

5. Finance

a. Approval of July and August Financial Statement

Kavan made the motion, seconded by Sabatka, to approve the July and August Financial Statement as distributed at Committee Meeting. Motion carried on consent agenda.

b. Approval of Managers Expenses

Kavan made the motion, seconded by Sabatka, to approve the Manager's expenses as attached to the Executive Committee Minutes. Motion carried on consent agenda.

c. Accounts Receivable over 90 Days

Kavan made the motion, seconded by Sabatka, to write off the one account receivable over 90 days in the amount of \$20.75. Motion carried on consent agenda.

Kavan made the motion, seconded by Sabatka, that the October 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

Kavan made the motion, seconded by Sabatka, to approve a WHIP contract payment for Larry Novak at a total payment of \$285.00. Motion carried on consent agenda.

b. Materials Payment

Kavan made the motion, seconded by Sabatka, to approve a materials payment of \$3,385.20 to Scott Mueller for grass planted on 35 acres of his Wild NE contract and a payment of \$5,000 to Patrick Poehling for his Wild NE Wetland Restoration Project. Motion carried on consent agenda.

2. OPERATION & MAINTENANCE

a. The Following Updates Were Given:

- ✓ Operation and Maintenance Activities
- ✓ Rawhide "Ditch 8"
- ✓ South Fremont Feasibility Study
- ✓ Rawhide Creek North Branch
- ✓ Hormel Park

3. ROCK AND JETTY

a. Payment

Kavan made the motion, seconded by Sabatka, to approve a bank stabilization payment of \$1,006.67 to Joe Cunningham on the Elkhorn River in Dodge County pending site inspection by Staff. Motion carried on consent agenda.

4. EROSION & SEDIMENT RULES & REGULATIONS

The District has not received any new complaints.

5. INFORMATION & EDUCATION

a. The following Updates Were Given:

- * Landscape Connections
- * NACEE
- * Wonderful World of Water
- * Tree Booklet
- * Land Judging

b. NRD Labels

Kavan made the motion, seconded by Sabatka, to purchase 1,000 NRD logo labels at a cost of \$611. Motion carried on consent agenda.

Kavan made the motion, seconded by Sabatka, that the October 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

The total number of permits for 2002 is 61.

2. Newspaper Ad for November 1st Deadline

Kavan made the motion, seconded by Sabatka, to approve payment to place an ad in all area newspapers reminding producers not to apply fertilizer before November 1st. Motion carried on consent agenda.

3. The Following Updates Were Given:

- ☛ Water Meter Cost Share Program
- ☛ Nitrogen Certification
- ☛ UltraSonic Flow Meter
- ☛ Cost-share Programs for 2003

2. GROUND WATER PROGRAMS

a. Decommissioned Well Program

Kavan made the motion, seconded by Sabatka, to approve cost share payment to decommission the domestic well for Mike Murren for \$168.75, an irrigation well for Scheerer Farms for \$468.67 and a stock well for Fred Benesch for \$176.55. Motion carried on consent agenda.

b. The Following Reports Were Given

- * Well Estimates
- * Wellhead Protection Areas
- * Rural Water Systems
- * Ground Water Energy Levels

c. Groundwater Quality

Kavan made the motion, seconded by Sabatka, to designate the Bellwood area as a Phase 2 Ground Water Management Area in January 2003 and the Richland-Schuyler area in January 2004 with a time line of meeting with the Advisory Board in October to set management boundaries to be approved at the November Board meeting, holding public hearings in November with final approval of the Phase 2 Management area at the December Board meeting in order to initiate the Bellwood Phase 2 Management area on January 1, 2003. Motion carried on consent agenda.

d. Funding Agreement with USGS and COE on Stream Gauging Stations

Kavan made the motion, seconded by Sabatka, to approve payment of \$23,940 to United States Geological Survey to maintain the gauging stations on Johnson and Wahoo Creeks as part of the Army Corps of Engineers clean up efforts of the former ordnance site at Mead Nebraska to be paid with pass through funds from the Army Corps of Engineers. Motion carried on consent agenda.

3. OTHER

A. USGS - LPNNRD AGREEMENTS

1. Mead Recorder Well

Kavan made the motion, seconded by Sabatka, to approve funding of \$405 to the United States Geological Survey (USGS) for the next fiscal year to operate the recorder well near Mead Nebraska as part of the joint funding agreement between the USGS and the LPNNRD. Motion carried on consent agenda.

2. Shell Creek Gauging Station

Kavan made the motion, seconded by Sabatka, to approve funding of \$4,885 to the United States Geological Survey (USGS) for the next fiscal year to operate the Shell Creek Gauging station north of Columbus Nebraska as part of the joint funding agreement between the USGS and the LPNNRD. Motion carried on consent agenda.

Kavan made the motion, seconded by Sabatka, that the October 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

Kavan made the motion, seconded by Sabatka, to approve the Heidi Vana SWCP application for \$499.33 and hold the Steve Plasek application for possible consideration in March 2003. Motion carried on consent agenda.

b. SWCP Payment

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

		<u>(Our C/S Pmt.)</u>	<u>(Approved \$)</u>	<u>(+/-)</u>
<u>02-S-9</u>	<u>Richard Meyer</u>	<u>\$ 4,349.63</u>	<u>\$ 7,500</u>	<u>(\$ 3,150.37)</u>
<u>02-S-6</u>	<u>Eric Nelson</u>	<u>\$ 4,119.21</u>	<u>\$ 7,500</u>	<u>(\$ 3,380.79)</u>
<u>02-S-10</u>	<u>Jerry Newsham</u>	<u>\$ 10,000</u>	<u>\$ 10,000</u>	<u>-0-</u>
<u>02-S-01</u>	<u>Ron Sabatka **</u>	<u>\$5,937.50</u>	<u>\$8,500</u>	<u>(\$ 2,562.50)</u>
<u>02-B-04</u>	<u>Sharen Woosley</u>	<u>\$4,530.92</u>	<u>\$5,692</u>	<u>(\$1,161.08)</u>

** Note: this is not LPNNRD Director Ron Sabatka

Motion carried on consent agenda.

b. Additional SWCP Funding Requests

Kavan made the motion, seconded by Sabatka, to approve the following additional SWCP funding requests:

		<u>Original Approval</u>	<u>Additional Funds</u>	<u>New Total</u>
<u>02-D-20</u>	<u>Darrell Umsheid</u>	<u>\$1,218</u>	<u>\$1,575</u>	<u>(\$2,793)</u>
<u>02-S-6</u>	<u>Gene Larsen</u>	<u>\$1,525</u>	<u>\$</u>	

2,100 (\$3,625)

Motion carried on consent agenda.

2. WATERSHEDS

a. Skull Creek

1. Homestead Lake Sediment Structures

Langemeier made the motion, seconded by Sabatka, to approve paying Schutt Construction \$22,737.42 for completion of the Homestead Lake Sediment Structure. Motion carried all members present voting aye.

2. Skull Creek Site 30 & 31 NRDF Application - Contract Payment

Kavan made the motion, seconded by Sabatka, to approve the \$12,095.99 contract payment

to Olsson Associates for Skull Creek Sites 30 & 31 application preparation. Motion carried on consent agenda.

3. FSA, EQIP & CRP PLANS SIGNED

Kavan made the motion, seconded by Sabatka, to approve the following signed Conservation Farm Plans:

<u>Lila Egger</u>	<u>Butler</u>	<u>James Malousek</u>	<u>Saunders</u>
<u>Barta Family LLP x 3</u>	<u>Butler</u>	<u>Benes Brothers</u>	<u>Saunders</u>
<u>Kelly Bartek</u>	<u>Saunders</u>	<u>Duane Fjellin</u>	<u>Saunders</u>
<u>Diane Ratkovec</u>	<u>Butler</u>	<u>James Quirk/M. Hannan</u>	<u>Saunders</u>
<u>Connie Lea Cronin</u>	<u>Butler</u>	<u>E.- D.- M. Kros-G. Kucera</u>	<u>Saunders</u>
<u>Duane Svehla</u>	<u>Butler</u>	<u>Joe Hanis</u>	<u>Butler</u>
<u>David Mach</u>	<u>Butler</u>	<u>Dennis McCloud</u>	<u>Boone</u>
<u>Judy Severin</u>	<u>Butler</u>	<u>Berlon Spies</u>	<u>Butler</u>
<u>Harry Schmit</u>	<u>Butler</u>	<u>Eloise O'Connor</u>	<u>Dodge</u>
<u>Ourada Brothers</u>	<u>Saunders</u>	<u>John and Jolene Schauer</u>	<u>Dodge</u>
<u>James Smaus</u>	<u>Saunders</u>	<u>Wm.-Florene Schaurer x 2</u>	<u>Dodge</u>

Motion carried on consent agenda.

4. Locally Led Landowner Groups

a. The Following Reports Were Given:

- ✧ Skull/Bone Creek Locally Led Landowners
- ✧ Shell Creek Locally Led Landowners

5. Other

a. Nebraska Buffer Strip Program Payments

Kavan made the motion, seconded by Sabatka, to approve \$24,828.30 of Nebraska Buffer Strip contract payments to 89 District landowners as attached to the Projects Committee Minutes. Motion carried on consent agenda.

b. Elkhorn Breakout Project Area

Kavan made the motion, seconded by Sabatka, to have staff advertise for bids for the proposed Elkhorn Breakout tube outlet project. Motion carried on consent agenda.

c. Clear Creek Dike & Drainage District Project Request

Johnson made the motion, seconded by Sabatka, that the LPNNRD not participate with Clear Creek Dike & Drainage District in the ditch cleaning request on upper Clear Creek Tributaries. Motion carried all members present voting aye.

d. The Following Reports Were Given:

- ✧ David City Wetlands and Aquatic Restoration Project
- ✧ Elm Creek/Valley View Update
- ✧ Prairie Land RC&D Assistance Request

6. SNITILY WETLAND PROJECT UPDATE

Murren reported that we signed and returned a Wetlands Reserve Program option agreement to the NRCS. The agreement for consideration is on 159 acres at \$2,038/acre or for a potential wetland easement payment of \$324,000. Our purchase price on the 179-acre tract was \$396,000. There is also an opportunity to amend the agreement for a few more acres based on the completed land survey. After NRCS approval of the proposed agreement, it will be brought to the committee for final recommendation and subsequent Board approval.

7. LAKE WANAHOO REPORT

Kavan made the motion, seconded by Sabatka, to set the new monthly house rental payment on the former Ted Divis property at \$450/month. Motion carried on consent agenda.

8. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

No new news.

7. ADDITIONAL ACTION ITEMS

7.a. Skull Creek Site 30 & 31 NRDF Application Contract Payment

Shelso made the motion, seconded by Sendgraff, to approve the \$2,786.41 contract payment to Olsson Associates for Skull Creek Sites 30 and 31 application preparation. Motion carried.

AYE: Bailey, Bull, Grueber, Johannes, Johnson, Langemeier, Larsen, Mastny, Nelson, Reitmajer, Sabatka, Sendgraff, Shelso, Wilke

NAY: Kavan

7.b. Lake Wanahoo (Sand and Duck Creek) Watershed Study

Shelso made the motion, seconded by Sendgraff, to pay Olsson Associates \$9,179.40 for work completed on the Sand and Duck Creek Watershed Study. Motion carried all members present voting aye.

AYE: Bailey, Bull, Grueber, Johannes, Johnson, Langemeier, Larsen, Mastny, Nelson, Reitmajer, Sabatka, Sendgraff, Shelso, Wilke

NAY: Kavan

7.c. Managing Irrigation and Nitrogen to Protect Water Quality Books

Shelso made the motion, seconded by Sendgraff, to pay the University of Nebraska \$1,260 for 7 boxes of Managing Irrigation and Nitrogen to Protect Water Quality Books. Motion carried all members present voting aye.

AYE: Bailey, Bull, Grueber, Johannes, Johnson, Langemeier, Larsen, Mastny, Nelson, Reitmajer, Sabatka, Sendgraff, Shelso, Wilke

NAY: Kavan

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

Kavan made the motion, seconded by Sabatka, to approve the October consent agenda. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

None

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The November Board of Directors Meeting will be held on Monday, November 11, 2002. Time and location to be determined. Meeting adjourned at 9:25 p.m.

Clint Johannes, Secretary