

LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
OCTOBER 13, 2003

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 7:00 a.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, October 13, 2003.

1. NOTICE OF MEETING

Public notification was made in area newspapers no later than September 30, 2003. Meeting notification and agendas were also provided.

2. ROLL CALL - INTRODUCTIONS

DIRECTORS PRESENT AND CONSTITUTING A QUORUM:

Alm	Bailey	Bull
Eden	Hannah	Holstine
Jedlicka	Kavan	Langemeier
Larsen	Mastny	Pieke
Reitmajer	Saalfeld	Sabatka
Shelso	Johnson	

DIRECTORS ABSENT

Johannes	Sabata
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STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Sousek	Angle
Gottschalk		
Lisa Brichacek, Wahoo Newspaper		

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. NRCS Report

No Report.

b. NARD Report

Seven Directors and seven staff attended the NARD Fall Conference held in Kearney. A copy of resolutions that were approved are attached to the Executive Committee Minutes. Director Langemeier informed the Board that the cash reserve for the NARD health insurance fund is low and an increase in premiums should

5. APPROVAL OF MINUTES

Langemeier made the motion, seconded by Sabatka, to approve minutes from the September 8, 2003 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

GMDA Annual Meeting

Shelso made the motion, seconded by Sabatka, that we send up to two staff and two directors to the GMDA Annual Meeting as shown on the attached sheet. Motion carried.

___AYE: Bailey, Bull, Eden, Hannah, Holstine, Jedlicka, Kavan, Langemeier, Larsen, Mastny, Picke, Reitmajer, Saalfeld, Sabatka, Shelso, Johnson

NAY: Alm

b. Reports

ASDSO Dam Safety - Attachment

The Dam Safety meeting report from Heimann is attached to the Executive Committee Minutes.

2. Management Items

a. Directors Absences

None

b. Lower Platte River Corridor Alliance

September Report

Attached to the Executive Committee Minutes is the September report from Rodney Verhoeff.

Quarterly Meeting

The Platte River Corridor Alliance Quarterly Meeting was held at the LPNNRD office on September 30th. Over 45 people were in attendance.

Educational Nature Center

Sabatka made the motion, seconded by Bull, that the LPNNRD serve as grant applicant for the "Tom's of Maine" grant for construction of educational wetlands at the ARDC Property. Motion carried all members present voting aye.

c. Bob Weaver Billing

Sabatka made the motion, seconded by Mastny, to approve the Bob Weaver bill in the amount of \$1,172.50 as attached to the Executive Committee Minutes. Motion carried on consent agenda.

d. Dolezal Case - Motion to Dismiss

The City of Wahoo, Saunders County and the Saunders County Commissioners were dismissed from the Dolezal case. The declaratory judgement was dismissed concerning

legality of our interlocal agreement. The temporary injunction to prevent the sale of the ground to Game and Parks remains to be ruled upon and we are given 21 days (from October 6) to plead.

e. Nieveen Pivot Update

Saalfeld made the motion, seconded by Sabatka, to go into Executive Session at 7:14 p.m. to discuss litigation issues. Motion carried all members present voting aye.

Langemeier made the motion, seconded by Jedlicka, to go out of Executive Session at 7:50 p.m. Motion carried all members present voting aye.

f. John Hannah as Pheasants Forever Employee

A legal opinion was obtained on Pheasants Forever hiring John Hannah to promote conservation work in Platte County. The funds for supporting the Pheasants Forever initiative are paid in part by LPNNRD. It was determined by Legal Counsel Lindahl that there is no conflict of interest in this case and it is ok for Hannah to serve as a Pheasants Forever employee.

g. GIS Coverages for MUD

This District is working on cost estimates to prepare GIS coverages for MUD in the Wann basin. The information from these coverages can be used by MUD, LPNNRD and Landowners in the area.

h. Pallid Sturgeon Task Force

Shelso made the motion, seconded Sabatka, to pay the F.Y. '04 dues for the pallid sturgeon study in the amount of \$5,000. Motion carried.

AYE: Bull, Eden, Hannah, Holstine, Jedlicka, Kavan, Langemeier, Larsen, Mastny, Pieke, Reitmajer, Saalfeld, Sabatka, Shelso, Johnson

NAY: Alm, Bailey

i. Western Sarpy/Clear Creek PCA Approval

Saalfeld made the motion, seconded Jedlicka, to approve the WS/CC PCA as distributed and authorize the General Manager and District Legal Counsel to sign said agreement on behalf of LPNNRD. Motion carried all members present voting aye.

3. Equipment

a. USDA Computer Purchase

Conservation Districts were given the option to purchase computers on a USDA computer contract from Gateway. Langemeier made the motion, seconded by Sabatka, to approve the purchase of four Gateway computers at a total cost of \$4,370. Motion carried on consent agenda.

4. Personnel

No new business.

5. Finance

a. Financial Reports

Langemeier made the motion, seconded by Sabatka, to approve the August Financial Statement as distributed. Motion carried on consent agenda.

b. Approval of Managers Expenses

Langemeier made the motion, seconded by Sabatka, to approve the Managers expenses as attached to the Executive Committee Minutes. Motion carried on consent agenda.

c. Accounts Receivable over 90 Days

None.

d. FY '04 Budget

Langemeier made the motion, seconded by Sabatka, to accept and approve the F.Y. 03 audit for LPNNRD as prepared by HBE. Motion carried on consent agenda.

Langemeier 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/WILD NE REPORT

a. Payments

Langemeier made the motion, seconded by Sabatka, to approve one Wildlife Habitat contract payment :

Larry Novak Butler \$285

Motion carried on consent agenda.

2. OPERATION & MAINTENANCE

a. The Following Updates Were Given:

Operation and Maintenance Activities
Rawhide Creek North Branch
South Fremont 205 Study

b. Tentative Conservation Tree Prices from the U.S. Forest Service

1-0 Hardwood & Shrubs	\$367.50/Thousand	Last yr. .37
1-0 Cottonwood & Willow	\$535.50/Thousand	" .53
2-0 Hardwood & Shrubs	\$399.00/Thousand	" .40
2-0 Conifer	\$414.75/Thousand	" .42
3-0 Conifer	\$446.25/Thousand	

Firm prices for FY-04 should follow in a few weeks.

Sabatka made the motion, seconded by Bull, to set the LPNNRD tree seedling price at .50¢ per tree seedling. Motion carried all members present voting aye.

c. Lower Platte Weed Management Area

Langemeier made the motion, seconded by Sabatka, to contribute \$1,000 as budgeted, to the Lower Platte Weed Management Group to combat the proliferation of Purple Loose Strife along the Lower Platte River. Motion carried on consent agenda.

3. ROCK AND JETTY

Langemeier made the motion, seconded by Sabatka, to allocate \$1,000 each to four new rock and jetty applicants, Edward Foral, Gary Thrasher, Ken Snyder and Iris Moore for future bank stabilization work on the Platte River in Colfax County. Motion carried on consent agenda.

Langemeier made the motion, seconded by Sabatka, to pay the City of North Bend \$3,000 and Gale Shields \$2,000 for work accomplished on a Dike and Platte River bank respectively pending staff inspection. If funds exist at the end of the fiscal year, the District will help both parties reach 50% cost-share of their total bills. Motion carried on consent agenda.

4. EROSION & SEDIMENT RULES & REGULATIONS

The District has not received any complaints.

5. INFORMATION & EDUCATION

a. Education Activities

The Following Updates Were Given:

- Land Judging
- Mead Water Testing
- Abie Geo-Cacheing

b. Information Activities

The Following Updates Were Given:

- Water Quality Open
- Husker Harvest Days
- Landscape Connections
- NARD Conference

Langemeier 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. Richland - Schuyler Phase 2 Area

The Water Committee toured the proposed Richland - Schuyler Phase 2 area before the Committee meeting and then reviewed the recommendations of the Advisory Board. Langemeier made the motion, seconded by Sabatka, to designate the following sections as the Richland - Schuyler Phase 2 area: T17N, R2E, Sections 1 - 30, T17N, R3E, Sections 3 - 11, 13 - 22, 27 - 30, T17N, R4E, Sections 17 & 18. Motion carried on consent agenda.

Saalfeld made the motion, seconded by Langemeier, that the LPNNRD have two public meetings and one public hearing to receive comments concerning the designation of a Phase 2 Ground Water Management Area for the Richland to Schuyler area. Motion carried all members present voting aye.

2. The Following Reports Were Given:

- Well Permits
- Nitrogen Certification
- Bellwood Phase 2 Area
- GWMA Sample Kits
- Irrigation Runoff Complaints
- Chemigation
- Livestock Waste Permits

2. GROUND WATER PROGRAMS

a. Plugged Wells

Langemeier made the motion, seconded by Sabatka, to approve cost share payment to decommission the irrigation well for Merle Osten for \$375.00 and a domestic well for Kevin Legband for \$378.71. Motion carried on consent agenda.

b. The Following Reports Were Given

- Decommissioned Well Program
- Wellhead Protection Areas
- Rural Water Systems
- Groundwater Quality

3. OTHER

None

Langemeier made the motion, seconded by Sabatka, that the October LPNNRD Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

D. PROJECTS COMMITTEE REPORT

1. SWCP REPORT

a. SWCP Fall Approvals

None

b. SWCP Cancellations

Langemeier made the motion, seconded by Sabatka, to cancel the following SWCP application:

03-S-08 Roselyn Kenkel \$ 4,500.00

Motion carried on consent agenda.

c. SWCP Payments

Langemeier made the motion, seconded by Sabatka, to approve the following completed SWCP conservation work for payment: 75%

<u>03-S-07</u>	<u>Laura Fick</u>	<u>\$2,971.66</u>
<u>03-S-09</u>	<u>Norman Nelson</u>	<u>6,803.07</u>
<u>03-S-10</u>	<u>Jerry Newsham</u>	<u>10,000.00</u>
<u>03-S-11</u>	<u>Janet Ostransky</u>	<u>9,647.83</u>
<u>03-S-12</u>	<u>Mildred Otte</u>	<u>2,903.23</u>
<u>03-S-13</u>	<u>Mark Walla</u>	<u>2,844.96</u>

Motion carried on consent agenda.

d. Additional Funding for Completed EQIP Contract

Langemeier made the motion, seconded by Sabatka, to not provide an additional 15% cost-share payment on the Robert Kubik EQIP contract. Motion carried on consent agenda.

e. Nebraska Buffer Strip Payments

Langemeier made the motion, seconded by Sabatka, to approve the attached list of Nebraska Buffer Strip Payments for 2003 totaling \$24,602.07. Motion carried on consent agenda.

2. WATERSHEDS

Miyoshi told the Board that he met with Tom Pesek and Gayle Star with NDNR about Skull Creek Dam Site 31. Until recently, it appeared that this project had an excellent chance of being approved for state cost-share assistance. It appears that NDNR staff have recently changed the way they evaluate perspective projects, and now inform us that they do not plan to recommend approval of Skull Creek Site 31.

3. FSA , EQIP & CRP PLANS SIGNED

Langemeier made the motion, seconded by Sabatka, to approve the list of signed conservation plans as attached to the Projects Committee Minutes. Motion carried on consent agenda.

4. LOCALLY LED CONSERVATION CORE GROUP REPORT

a. The Following Updates Were Given:

Shell Creek Improvement Group
Northwest Butler Landowners Group

5. OTHER

a. City of Wahoo Assistance Request/Presentation

Wahoo Mayor/LPNNRD Director Daryl Reitmajer was present to request cost-share assistance for an erosion control/drainage project in the northwest part of the city. The total project estimate as attached is \$38,259.05. Langemeier made the motion, seconded by Sabatka, to handle contracting the construction of the proposed grassed waterway and seeding involved with the project and provide up to a maximum payment of \$1,200. Motion carried on consent agenda.

b. Update on Proposed COE 205 Studies

a. Fremont South

Staff is working on in-kind services to the project.

b. Schuyler

A meeting with Schuyler to is planned to discuss sharing the estimated \$36,000 for completing hydraulics and survey information which will hopefully provide information to reduce the new 100-year flood plain boundary proposed by FEMA.

c. North Bend

On September 29, the District set up a meeting with North Bend and Fremont to discuss flood issues and the potential of how the final Highway 30 alignment will impact flooding from North Bend to Fremont. Agency representatives from NDNR, NDOR, the Army COE and the Union Pacific Railroad were present. Officials from NDOR indicated that they will wait until the Army COE completes the first \$100,000 phase of the Section 205 Feasibility Study (100% federal expense) before a decision will be made as to the Highway alignment.

c. RC&D- Dues

Langemeier made the motion, seconded by Sabatka, to pay \$250 dues to the PrairieLand RC&D and pay \$300 dues to the Loess Hills RC&D. Motion carried on consent agenda.

6. SNITILY WETLAND PROJECT

Murren reported that while we have not received the federal payment for the WRP contract, the money is available and will be paid after the easements are signed. Since the funds are coming from two federal programs, two easements will be needed from the District.

7. LAKE WANAHOO REPORT

Murren reviewed several agenda items that were discussed at the Lake Wanahoo Committee Meeting held on October 8, 2003. The Lake Wanahoo Minutes are attached to the Projects Committee Minutes.

Saalfeld made the motion, seconded by Holstine, that the LPNNRD enter into a contract with HWS to find the optimum height of the Wanahoo embankment with the cost not to exceed \$7,704.95. Motion carried.

AYE: Alm, Bailey, Bull, Eden, Hannah, Holstine, Jedlicka, Kavan, Langemeier, Mastny, Pieke, Reitmajer, Saalfeld, Sabatka, Shelso, Johnson

ABSTAIN: Larsen

8. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

Murren said that we purchased lot 50 for the project for \$10,000, subject to final survey of the property. There has also been a bid opening for an island clearing which as part of requirements by the US Fish & Wildlife Service.

Langemeier made the motion, seconded by Sabatka, that the October LPNNRD Projects Committee Minutes be received and placed on file. Motion carried on consent agenda.

7. ADDITIONAL ACTION ITEMS

7.a. Hire Person to fill "Technical Service Provider" Position

Jedlicka made the motion, seconded by Saalfeld, to authorize Management to hire a person(s) to fill the "Technical Service Provider" duties as previously approved with total expenses not to exceed \$17,050. It is further recommended that the Assistant General Manager be the primary supervisor for this position. Motion carried all members present voting aye.

7.b. Platte River Cumulative Impact Study Payment

Jedlicka made the motion, seconded by Saalfeld, that the LPNNRD make payment of study costs previously approved of \$2,000 to Nebraska Game and Parks for the "Platte River Cumulative Impact Study. Motion carried all members present voting aye.

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

Langemeier made the motion, seconded by Sabatka, to approve the October consent agenda by removing item 6.A.1.a. Motion carried all members present voting aye.

AYE: Alm, Bailey, Bull, Eden, Hannah, Holstine, Jedlicka, Kavan, Langemeier, Larsen, Mastny, Pieke, Saalfeld, Sabatka, Shelso, Johnson

ABSTAIN: Reitmajer

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The November Board of Directors Meeting will be held on Monday, November 10, 2003. Time and location to be determined. Meeting adjourned at 9:05 p.m.

Board Meeting Minutes

10/13/03

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Lumir Jedlicka, Secretary