

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
October 13, 2014**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 6:00 p.m. at Lower Platte North NRD office, Wahoo, NE on Monday, October 13, 2014.

1. NOTICE OF MEETING

The advanced notice of our October 13, 2014 board meeting was published on September 25, 2014 in the Banner Press, Columbus Telegram, Fremont Tribune, Schuyler Sun and Wahoo Newspaper.

Chair Hilger 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	Clausen
Gibney	Hagerbaumer	Hannah
Kavan	McDermott	Meduna
Olson	Pieke	Pollard
Ruzicka	Saalfeld	Sabatka
Veskerna	Hilger	

DIRECTORS ABSENT

Johannes	Taylor
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STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Murren	Heimann	Almond
Thompson	Gottschalk	Oaklund
Schomer		

Jovan Lausterer, NRD Legal Counsel

Sign in sheet attached to original minutes.

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. Guest Comments

b. NRCS Report - None

c. NARD Report - None

Director Kavan reported on the Fall Conference that was held Kearney, NE September 21-23.

d. NRC Report - None

e. Managers Report

Manager Miyoshi reviewed his written report.

f. Education Program

Mike Murren and Don Kavan present pictures taken on the UNL Water Tour.

5. APPROVAL OF MINUTES

Ruzicka made the motion, seconded by Saalfeld, to approve the minutes from the September 8, 2014 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Pending

1. GMDA Annual Winter Conference

Ruzicka made the motion, seconded by Saalfeld, to approve up to two staff and two directors to attend the GMDA Winter Conference, January 6-8 in Scottsdale, AZ. Motion carried on consent agenda.

2. November Board Meeting

Ruzicka made the motion, seconded by Saalfeld, to hold the November 10th Board Meeting in Newman Grove. Motion carried on consent agenda.

3. Lower Platte River Corridor Alliance Summit – Update Given

b. Reports

Heimann's written report from the ASDSO Dam Safety Conference is attached to the Executive Committee Minutes.

2. Management Items

a. Director Absences

Ruzicka made the motion, seconded by Saalfeld, to approve Director Hilger's excuse of absence from the September Board Meeting. Motion carried on consent agenda.

b. Bob Weaver

1. Monthly Conference Call and Report - Update Given

2. Monthly Bill

Ruzicka made the motion, seconded by Saalfeld, to approve payment of \$3,300 to Bob Weaver for September services and bill LPSNRD and Papiro NRD for their share. Motion carried on consent agenda.

c. Monthly Education Program – Update Given

d. CCEI Lawsuit – No Update

e. Waters of the United States – Update Given

f. NARD Risk Management Pool Rule Change – Update Given

g. Accountability and Disclosure Commission Complaint – Update Given

h. Master Services Agreement with FYRA Engineering

Olson made the motion, seconded by Meduna, to approve the Master Services Agreement with FYRA Engineering and that a maximum \$10,000 limit per event be set and authorize the board chair to sign the agreement. Motion carried.

AYE: Bailey, Clausen, Gibney, Hagerbaumer, Hilger, Kavan, Meduna, Olson, Pieke, Pollard, Ruzicka, Sabatka, Veskerna

NAY: Birkel, Hannah, McDermott, Saalfeld

i. Lake Wanahoo – Pre and Post Project Hydraulics

Olson made the motion, seconded by Veskerna, to approve hiring FYRA Engineering to preform Pre and Post Project Hydraulics for Lake Wanahoo at a cost not to exceed \$7,355 as attached to the Executive Committee minutes. Motion failed.

AYE: Gibney, Hilger, Olson, Veskerna

NAY: Bailey, Birkel, Clausen, Hagerbaumer, Hannah, Kavan, McDermott, Meduna, Pieke, Pollard, Ruzicka, Saalfeld, Sabatka

j. HBE Audit Bill

Kavan made the motion, seconded by Hannah, to approve payment of \$10,025 to HBE for work completed on the annual audit. Motion carried all members present voting aye.

3. Equipment – None

4. Personnel - None

5. Finance

a. Approval of Financial Report

Meduna made the motion, seconded by Hannah, to approve the June and July Financial Reports as presented. Motion carried all members present voting aye.

b. Approval of Managers Expenses

Ruzicka 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. Audit Report

Saalfeld made the motion, seconded by Sabatka, to accept the Annual Audit as prepared by HBE and presented by Almond. Motion carried all members present voting aye.

e. NRDF Payment

Clausen made the motion, seconded by Ruzicka, to authorize the Board Treasurer and General Manager to make payment to the Union Bank Notes in the same amount as reimbursed when the NRDF Quarterly payment is received. Motion carried all members present voting aye.

Ruzicka made the motion, seconded by Saalfeld, that the October LPNRRD Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

B. OPERATIONS, EDUCATION & RURAL WATER COMMITTEE REPORT

1. Wild NE, WHIP, Contract

a. Payments - None

Ruzicka made the motion, seconded by Saalfeld, to pay Mohrman Farms \$111.58 for their two CREP contracts. Motion carried on consent agenda.

2. OPERATION AND MAINTENANCE & OTHER ITEMS

a. Operation and Maintenance - Update Given

b. Conservation Tree Program

Ruzicka made the motion, seconded by Saalfeld, to increase the District's Conservation tree program prices from .70 to .75 for hand plants, from \$1.30 to \$1.35 for machine plants and to keep the small acreage package the same price at \$45. Motion carried on consent agenda.

c. South Fremont 205 Feasibility Study

Ruzicka made the motion, seconded by Pollard, to make payment of \$24,753 to the U.S. Army Corps of Engineers for the Fremont South 205 Study and request reimbursement from our partners, Fremont, Dodge County and Inglewood. Motion carried all members present voting aye.

d. Wanahoo SRA

Hagerbaumer made the motion, seconded by Veskerna, to waive our normal bidding procedure and hire M.E. Collins for the repair of the bank channel scouring below Wanahoo dam, not to exceed \$14,820. Motion carried all members present voting aye.

e. Lake Wanahoo Interlocal Agreement

Veskerna made the motion, seconded by Sabatka, to approve the Interlocal Agreement with Nebraska Game and Parks Commission for operation of the Lake Wanahoo State Recreation Area as attached to the O-E-RW Committee Meeting Minutes. Motion carried.

AYE: Bailey, Clausen, Gibney, Hagerbaumer, Hilger, McDermott, Olson, Pieke, Pollard, Ruzicka, Saalfeld, Sabatka, Veskerna,

NAY: Birkel, Hannah, Kavan, Meduna

3. ROCK AND JETTY

a. Applications - None

4. EROSION & SEDIMENT RULES & REGULATIONS – Update Given

5. INFORMATION & EDUCATION

a. Information

1. KTIC Ads – Update Given

2. Wahoo Newspaper eAds - Update Given

3. Viaduct – Update Given

b. Education

1. David City High School Water Quality Testing - Update Given

2. Land Judging – Update Given

c. Computer

1. Network Upgrades – Update Given

2. iOS 8 Update for iPads – Update Given

6. RURAL WATER SYSTEMS

a. Bruno/David City Rural Water – Update Given

b. Colon/Wahoo Rural Water System

Sabatka made the motion, seconded by Veskerna, to waive one reconnection fee for account 18 on the Colon Rural Water System for reasons of public health in cooperation with the Saunders County Sheriff's office. Motion carried.

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

NAY: Clausen

c. Other – Update Given

Ruzicka made the motion, seconded by Saalfeld, that the October LPNNRD Operations, Education 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. Irrigated Acres for 2015 in the HCA and NHCA – Update Given

2. Variance Requests in the Hydrologically Connected Area

McDermott made the motion, seconded by Birkel, that the Lower Platte North NRD award 2,500 new irrigated acres in the Hydrologically Connected Area for the year 2015 to the first 54 variance requests listed on the ranking criterial spreadsheet, with the exception of variance LPN-V-013-0364 which is to be sent back to the Water Committee for further review. Motion carried.

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

NAY: Kavan

3. Variance Request in the Non-Hydrologically Connected Area – Update Given

4. Variance Request in the Restricted Development Area - None

5. Well Permit Program

a. Well Permits Approved – Update Given

6. Well Interference Complaints – Update Given

7. Fall Fertilizer Application Date – Update Given

8. Special Quantity Subareas – Update Given

9. Lower Platte River Basin Water Management Plan Coalition – Update Given

10. Voluntary Integrated Water Management Plan

Birkel made the motion, seconded by Saalfeld, to pay Olsson Associates \$18,913.73 for their monthly services in developing the Voluntary Integrated Water Management Plan for the LPNNRD as attached to the Water Committee Minutes. Motion carried all members present voting aye.

11. Cost-Share Programs

a. Irrigation Well Sample Kits – Update Given

b. Domestic Well Sample Kits – Update Given

c. Nebraska Agricultural Water Management Network – Update Given

12. Bellwood Phase 2 Area – Update Given

13. Richland-Schuyler Phase 2 Area – Update Given

14. LPNNRD Certification – Update Given

15. Certifying Acres in Saunders and Dodge Counties – Update Given

b. Chemigation

Pollard made the motion, seconded by Birkel, to set LPNNRD Chemigation fees for 2015 and into the future at \$60 for a New permit, \$30 for a Renewal permit, and \$250 for an Emergency permit. Motion carried.

AYE: Bailey, Birkel, Clausen, Gibney, Hagerbaumer, Hilger, Olson, Pollard, Veskerna,

NAY: Hannah, McDermott, Meduna, Pieke, Ruzicka, Saalfeld, Sabatka

ABSENT: Kavan

c. Livestock Waste Permits – Update Given

2. GROUND WATER PROGRAMS

a. Decommissioned Well Program

1. Well Estimates - Update Given

2. Plugged Wells - None

b. LPNNRD Ground Water Studies

1. Elkhorn Loup Model – Update Given

2. Eastern Nebraska Water Resources Assessment (ENWRA) – Update Given

c. New Monitoring Wells – Update Given

d. Groundwater Energy Levels – Update Given

e. Groundwater Sampling – Update Given

3. SURFACE WATER PROGRAMS

a. STATE LAKES FOR THE WEEK OF JULY 21

1. Bacteria Sampling – Update Given

2. Toxic Algae – Update Given

b. USGS Water Quality Monitoring on Shell Creek

Pieke made the motion, seconded by Bailey, to approve the quarterly payment of \$8,050.00 to USGS for water quality monitoring on Shell Creek. Motion carried all members present voting aye.

c. USGS Stream Flow Gauging Sites

Ruzicka made the motion, seconded by Saalfeld, to approve the quarterly payment of \$3,983 to USGS for stream flow gauging on Shell and Wahoo Creeks and real time ground water energy level site near mead. Motion carried on consent agenda.

4. OTHER

a. GMDA Annual Conference – Update Given

b. Comments from the Public – Update Given

Ruzicka made the motion, seconded by Saalfeld, 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 Application Approvals

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

<u>Stephen Wieser</u>	<u>Platte</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>Shirley Johannes Rev Trust</u>	<u>Colfax</u>	<u>W/S Basins</u>	<u>\$10,337.86</u>

Motion carried on consent agenda.

b. SWCP Payments

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

<u>14-B-24</u>	<u>Patrick Ewert</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>13-P-56</u>	<u>Myron Leffers</u>	<u>Flow Meter</u>	<u>\$493.50</u>
<u>14-P-38</u>	<u>Donald Yindrick</u>	<u>Flow Meter</u>	<u>\$535.00</u>
<u>14-C-20</u>	<u>Lewis Grotelueschen</u>	<u>Flow Meter</u>	<u>\$564.43</u>
<u>14-C-6</u>	<u>Jay Jedlicka</u>	<u>Flow Meter</u>	<u>\$594.50</u>
<u>14-S-7</u>	<u>Laverne Kadavy</u>	<u>Flow Meter</u>	<u>\$511.00</u>
<u>13-S-29</u>	<u>James Kubik</u>	<u>Planned Graz.</u>	<u>\$3,345.55</u>
<u>14-B-17</u>	<u>John Krafka</u>	<u>Flow Meter x 2</u>	<u>\$1,250.00</u>

TOTAL: \$7,918.98

TREE PAYMENTS:

<u>Jeff Peterson</u>	<u>200 trees</u>	<u>\$196.00</u>
<u>Zac Bosley</u>	<u>600 trees</u>	<u>\$588.00</u>
<u>Charles Brezina</u>	<u>214 trees</u>	<u>\$209.72</u>

TOTAL: \$993.72

Motion carried on consent agenda.

c. SWCP Cancelations – Update Given

d. Cottonwood Creek Payments – Update Given

e. Sand/Duck Cost-Share Approval

Ruzicka made the motion, seconded by Saalfeld, to approve the following Sand and Duck Creek Approval:

<u>Michael Swanson</u>	<u>Terraces/Tile</u>	<u>\$10,740.00</u>
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Motion carried on consent agenda.

f. Sand/Duck Creek Payments - None

g. Wahoo Creek Watershed Payment – Update Given

h. Lands for Conservation 2015 Application Review/Approvals – Update Given

i. Future Cost-Share Funding for Irrigation Flow Meters

Pieke made the motion, seconded by Hannah, to no longer approve SWCP cost share applications for irrigation flow meters. Motion carried all members present voting aye.

j. Emergency Terrace Report - None

2. WATERSHEDS

a. Shell Creek

1. Platte County Bridge Replacement Project – Update Given

2. Shell Creek Grant Application

Ruzicka made the motion, seconded by Saalfeld, to approve payment to EA Engineering \$3,000.00 for work completed on the Shell Creek EPA 319 and NET grant applications. Motion carried all members present voting aye.

3. Shell Creek Watershed Plan Payment

Ruzicka made the motion, seconded by Saalfeld, to approve payment to EA Engineering \$3,382.50 for work completed on the Shell Creek Watershed Water Quality Plan. Motion carried all members present voting aye.

b. Wahoo Creek Watershed

1. Water Quality Plan Phase I

Kavan made the motion, seconded by Hannah, to approve payment to JEO in the amount of \$6,150 for work completed on the Wahoo Creek Water Quality Plan - Phase I. Motion carried all members present voting aye.

3. LOWER PLATTE RIVER CORRIDOR ALLIANCE

a. Monthly Report – Update Given

b. LPRCA Invoices

Kavan made the motion, seconded by Olson, to approve the LPRCA invoice totaling \$33,367, for LPNNRD

budgeted items as attached to the Projects committee Minutes. Motion carried.

AYE: Bailey, Clausen, Hagerbaumer, Hannah, Kavan, Olson, Pieke, Saalfeld, Sabatka, Veskerna

NAY: Birkel, Gibney, Hilger, McDermott, Meduna, Pollard, Ruzicka

4. OTHER

a. Update on Army COE 205 Studies

1. South Fremont 205 – Update Given

2. Schuyler 205 – Update Given

b. Shell Creek Landowner Levee Project – Update Given

c. All Hazard Mitigation Plan

Meduna made the motion, seconded by Pieke, to approve JEO's \$1,609.80 and \$2,007.00 invoices, totaling \$3,616.80, for work completed on our District-wide All Hazard Mitigation Plan as attached to the Projects Committee Minutes. Motion carried all members present voting aye.

d. Butler County Road Dam Assistance

Kavan made the motion, seconded by Ruzicka, to cost-share with Butler County 50% up to \$4,171.34 assistance for repairing the Engle Road Dam as attached to the Projects Committee Minutes and include this payment in the FY 2016 budget. Motion carried all members present voting aye.

e. Review of Projects Financial Statement - Update Given

5. SAND CREEK ENVIRONMENTAL RESTORATION PROJECT REPORT

a. Lake Wanahoo

1. Wanahoo Recreation Agreement with NGPC – Update Given

2. County Road 17 Paving - Update Given

3. Wahoo By-Pass Project – Update Given

4. Lake Wanahoo Trails – Update Given

b. Upstream Structures – Update Given

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

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

7. ADDITIONAL ACTION ITEMS

7a. Western Sarpy/Clear Creek Landrights

Ruzicka made the motion, seconded by Gibney, to purchase the following easements for the Western Sarpy/Clear Creek Project and authorize the General Manager to execute all necessary documents to secure the landrights (easement 4. Hruska was eliminated)

1. Lyman Richey Corporation

2. Big Sandy Homeowners

2a. Big Sandy Development

3. Abel

5. Dennis Thomas

Motion carried.

AYE: Bailey, Birkel, Clausen, Gibney, Hagerbaumer, Hannah, Hilger, McDermott, Olson, Pieke, Pollard, Saalfeld, Sabatka,

NAY: Kavan, Meduna, Ruzicka, Veskerna

Clausen made the motion, seconded by McDermott, to file Eminent Domain proceedings against any of the Western Sarpy/Clear Creek landowners from the previous motion who are unwilling to settle for the amounts listed in appraisal reports. Motion carried.

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

NAY: Kavan, Meduna

7b. Community Forestry Request

McDermott made the motion, seconded by Ruzicka, to approve St. Peter Lutheran Church of North Bend, request for cost-share assistance on their "Rooted in Faith" tree planting project to plant 20 trees on their grounds at 50% not to exceed \$1,000. Motion carried.

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

NAY: Hannah

7c. SWCP Payments

McDermott made the motion, seconded by Pieke, to approve the following SWCP Payments:

<u>13-S-35</u>	<u>Henry Johnson</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>13-D-44</u>	<u>Donna O'Connor</u>	<u>Flow Meter</u>	<u>\$594.50</u>
<u>13-C-52</u>	<u>Pine Tree Farms</u>	<u>Flow Meter</u>	<u>\$552.70</u>
<u>13-C-53</u>	<u>Oehlrich Farm Inc.</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>13-P-55</u>	<u>Todd Maurer</u>	<u>Flow Meter x 2</u>	<u>\$1,143.00</u>
<u>14-B-4</u>	<u>Robert Hilger</u>	<u>Flow Meter</u>	<u>\$625.00</u>
<u>14-S-27</u>	<u>Jakeman Farms Ltd.</u>	<u>Flow Meter</u>	<u>\$552.50</u>
<u>14-P-29</u>	<u>Paul Ramaekers</u>	<u>Flow Meter</u>	<u>\$535.00</u>

Motion carried.

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

ABSTAIN: Hilger

8. BILLS TO BE APPROVED

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

9. CONSENT AGENDA ADOPTION

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

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The November Directors Meeting will be held on Monday, November 10, 2014, 6:00 p.m. Meeting adjourned at 9:50 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 October 13, 2014, 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.

Lon Olson, Secretary