

LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

August 27, 2009

Ord, Nebraska

The August meeting of the Board of Directors of the Lower Loup Natural Resources District was held at the Headquarters Office, 2620 Airport Drive, Ord, Nebraska, on August 27, 2009. Chairman Kruse called the meeting to order at 5:07 p.m.

CALL TO ORDER

Directors in attendance

James C. Adams
Darwin B. Anderson, Secretary
Allen G. Conner
Virgil W. Gellermann
James F. Lightner
Dean J. Rasmussen
Gerald P. Smith
Henry J. Thoene

Rollie D. Amsberry, Treasurer
Joseph L. Citta, Jr., Vice Chairman
Craig E. Frenzen
Gary A. Kruse, Chairman
Alan D. Petersen
Darwin R. Sieh
Bradley R. Staab
Kim C. Walden

Directors absent

James J. Eschliman
N. Richard Hadenfeldt
Lyle D. Rasmussen

Michael P. Gutzmer
James C. Nelson

Staff in attendance

Leon "Butch" Koehlmoos, General Manager
Dell Harris, Water Resources Specialist
Robert T. Mohler, District Engineer
Larry D. Schultz, I&E Coordinator

Russell Callan, Assistant Manager
Cheryl Hornickel, Programs Assistant
Tylr Naprstek, Water Modeling Coordinator

Guests in attendance

Tim Schaaf, NRCS, Broken Bow

NOTICE OF OPEN MEETING LAW POSTING

Chairman Kruse referred those in attendance to the open meeting law information posted in the Board room.

APPROVAL OF VERIFICATION OF MEETING NOTICE, ADOPTION OF AGENDA AND EXCUSED ABSENCES

Chairman Kruse asked for verification of the meeting notice. General Manager Leon “Butch” Koehlmoos verified that the meeting notice was properly published in all newspapers. The meeting notice was posted at the NRD Headquarters office in Ord, the NRD web site, and the eight field office locations.

Frenzen motioned, seconded by Smith, to approve the verification of the meeting notice, adopt the agenda, and excuse all absent directors. Motion carried by roll call vote, all present voting yes.

MINUTES

Chairman Kruse asked for corrections and/or additions to the July 23, 2009, Board meeting minutes. Lightner asked for clarification on the District’s share of the Fullerton Wastewater Treatment Center Streambank Erosion project. Koehlmoos explained that the District would pick up 25% of the local cost of the project. No corrections being heard, Kruse ruled that the July 23, 2009, minutes would stand approved as circulated.

TREASURER’S REPORT

Chairman Kruse directed the Board’s attention to the Treasurer’s Report as published in the regular and supplemental agendas. Koehlmoos said that the report included the latest pay request for the building project.

Sieh motioned, seconded by D. Rasmussen, to approve the Treasurer’s Report and pay all bills. Motion carried by roll call vote. Directors voting yes: Amsberry, Anderson, Citta, Conner, Frenzen, Gellermann, Kruse, Lightner, Petersen, D. Rasmussen, Sieh, Smith, Staab, Thoene, and Walden. Director abstaining: Adams. Directors absent: Eschliman, Gutzmer, Hadenfeldt, Nelson, L. Rasmussen.

PUBLIC HEARING - FY 2010 BUDGET

Chairman Kruse opened the public hearing on the Lower Loup NRD’s FY 2010 Budget at 5:16 p.m. He asked for public comments. None were heard. Kruse asked for comments from the NRD Directors. None were heard.

Koehlmoos told the Board that he had to trim the “Project Construction” budget from \$1.36 million to \$1.25 million and the “Capital Outlay-Buildings” from \$600,000 to \$350,000. He said that \$600,000 was included in the District’s “Borrowing Capacity” on the income side of the budget which required an additional \$100,000 in the cash reserves as an offset.

Koehlmoos told the Board that there was a \$674 million increase in valuations in the District, and the valuation was now at \$7,434,741,757.00 an increase of \$674,559,562.00. He said that the District’s property tax levy would be 0.038858. He said that most of the increase in

levy resulted from the levee projects in the Columbus area and consultant work being done in Area 28.

Frenzen asked where funds would be borrowed from if a new project was approved. Koehlmoos said that a line of credit had been previously set with a local bank.

Chairman Kruse closed the hearing at 5:35 p.m.

Anderson motioned, seconded by Citta, to adopt the Lower Loup NRD budget for FY 2010. Motion carried by roll call vote, all present voting yes.

PUBLIC HEARING - SET FINAL TAX REQUEST FOR FY 2010

Chairman Kruse opened the public hearing to set the NRD's final tax request for the FY 2010 Budget at 5:37 p.m. He asked for public comments. None were heard. Kruse asked for comments from the NRD Directors. None were heard.

Koehlmoos told the Board a motion would be required to adopt a Resolution for an additional one percent increase, a second motion to adopt a Resolution to set the property tax request, and a third motion to adopt a Resolution to set the tax rate.

Resolution to Approve Additional One Percent Increase

Koehlmoos told the Board that approval of the one percent increase would require a super majority vote of the Board. The additional one percent increases the District's unused budget authority by \$13,051.10

Sieh motioned, seconded by D. Rasmussen, to approve a Resolution for an additional one percent increase in the budget. Motion failed by roll call vote. Directors voting yes: Amsberry, Anderson, Citta, Conner, Frenzen, Gellermann, Kruse, Lightner, Petersen, D. Rasmussen, Sieh, Smith, Staab, Thoene, Walden. Director voting no: Adams. Directors absent: Eschliman, Gutzmer, Hadenfeldt, Nelson, L. Rasmussen.

Resolution to Set the Property Tax Request

Koehlmoos said the Resolution stated the 2009/2010 property tax request be set at \$2,889,023.34 and that a copy would be certified and forwarded to the Platte County Clerk.

Citta motioned, seconded by Smith, to approve the Resolution to set the property tax request at \$2,889,023.34. Motion carried by roll call vote, all present voting yes.

Resolution to Set Levy for the Lower Loup Natural Resources District for Fiscal Year 2010

Koehlmoos said the Resolution stated the District property valuation is \$7,434,741,757.00 and the levy for FY 2010 be established at \$0.038858 per \$100 of property valuation.

Smith motioned, seconded by Walden, to set the levy for the Lower Loup Natural Resources District at \$0.038858 cents per \$100 valuation. Motion carried by roll call vote, all present voting yes.

Chairman Kruse closed the hearing at 5:44 p.m.

PUBLIC COMMENTS

There were no comments from the public.

FORESTER'S REPORT

Koehlmoos told the Board that North Central District Forester Rich Woollen and his wife were on a church mission to Alaska and directed the Board to the forester's written report in the agenda.

NRCS REPORT

Tim Schaaf, NRCS Resources Conservationist in Broken Bow, told the Board that the NRCS agreement with the NRD regarding TSPs had resulted in five part-time employees working in NRCS offices in the Lower Loup NRD. He said the funds would remain in place until November and a new agreement was pending. He said Kraig Beck was working in St. Paul, Sonnia Bottorf was working in Burwell, Nancy Carlson was working in Fullerton, and Tom Hoff was working in Broken Bow. He said there is a second agreement that covers the range positions.

Schaaf said that informational meetings were being held regarding the Conservation Security Program and that attendance had been good. The program rewards good conservation efforts and was meant to encourage continued conservation work. Initial funding for the program would cover only a small number of contracts.

Koehlmoos told Schaaf that the NRD Board had passed a resolution expressing its appreciation for his work as District Conservationist in the Lower Loup NRD. Chairman Kruse presented Schaaf a framed certificate and expressed his thanks.

ENGINEERING REPORTS

Fullerton WWTF Streambank Erosion

District Engineer Robert Mohler referred the Board to a map in the agenda showing the relationship between the wastewater facility and the stream. Mohler said the total project cost was \$284,000. He said 65% of the cost would be paid by the Corps of Engineers and 35% would be local costs. The request from the city of Fullerton was for NRD funding for 25% of the local costs, or \$25,000.

Frenzen motioned, seconded by Thoene, to approve NRD funding of 25% of the local costs of the Fullerton WWTF Streambank Erosion project, not to exceed \$25,000. Motion carried by roll call vote, all present voting yes.

FEMA Hazard Mitigation Plan

Mohler told the Board that the second round of meetings had been completed and attendance from the participating entities was good. Koehlmoos showed the Board a packet of information provided to each participating community and county, including maps that would be marked to show critical facilities. Mohler referred the Board to project evaluation worksheets included in the agenda.

Sieh asked if each state received a certain amount of money for hazard mitigation and Koehlmoos said that the amount for each state for planning purposes was determined by FEMA and additional federal funds would be released in the event of a disaster declaration. Mohler said that studies have shown that each dollar invested in pre-disaster mitigation planning saves four dollars that would have been spent following a disaster. Walden said that, in his experience with NPPD, mitigation planning is time well invested and results in financial assistance that would otherwise not be available.

Loup River Levee Recertification

Mohler directed the Board to a letter from the Columbus City Administrator included in the supplemental agenda. The letter said that any Corp of Engineers review of the levee recertification work would be to confirm that the levee continues to meet Corps standards. He said the main concern with such a review would be that it would push the project past FEMA's two-year window for completion.

INFORMATION AND EDUCATION REPORT

National Envirothon

Information & Education Coordinator Larry Schultz told the Board that the Ord Envirothon team that represented Nebraska at the national contest in Asheville, North Carolina finished 28th among teams from 45 states and 7 Canadian provinces. He said a team from Pennsylvania was the top finisher.

Husker Harvest Days

Schultz said the Husker Harvest Days farm show would be held September 15-17, 2009. He said that Directors D. Rasmussen, Gellermann, Anderson and Citta have volunteered to assist with handing out trees on the 16th.

Environmental Festival

Schultz said that planning was underway for the event that draws students from seven counties in the District. The NRD, NRCS, and other agencies team up to present the festival.

Schultz said that the NRD website was generating an increased number of visits. He said that the web site was especially popular on the date that the application form for new irrigated acres became available.

ASSISTANT MANAGER'S REPORT

Area 28 Activities

Assistant Manager Russell Callan told the Board that water sampling in Area 28 is nearing completion. He said that about a dozen or so wells remained to be sampled.

Groundwater Management Area Rules & Regulations

Callan told the Board that staff has been receiving numerous questions regarding irrigated acres applications. He said that a few applications had been received before September 1st and that those had been returned for resubmission after that date. The ranking criteria were complete and Naprstek had created maps showing stream depletion factors and irrigation concentration factors that were displayed on the NRD web site.

Amsberry asked how Lower Loup's criteria matched with other NRDs in the lower Platte River Basin allowing new irrigation and Callan said that the criteria were similar, but there were some variances in the factors considered.

Callan said that the Lower Loup NRD had been notified that DNR had approved the new rules and regulations regarding the increase in irrigated acres.

ELM Model Update

Water Modeling Coordinator Tylr Naprstek told the Board that data was being assembled for Phase II of the ELM model. DNR had requested data regarding the irrigation canals in the study area, and the primary interest was in open ditch laterals and the groundwater recharge that comes from them. Data had been received for most of the irrigation canals in the District. Naprstek said that he would host a USGS employee to provide more background on the project. He said he had also assembled the data from gauging stations around the District. The data would show where additional information might be needed regarding surface water. Callan said that knowing where canals go from ditch to underground pipe is important for the ELM model because of the fluctuations in recharge to the aquifer.

MANAGER'S REPORT

Building Progress Report

Koehlmoos told the Board that a walk-through of the building construction had been held on August 19th and a report was included in the supplemental agenda. The estimated date for completion was October 31st, but a more realistic completion date was November 28th.

Lightner said he was impressed by the acoustics of the new conference room. Kruse said the new facility was excellent and thanked Koehlmoos and the staff for their work.

New Hires

Koehlmoos told the Board there were no new hires.

District Policy on District Resources

Koehlmoos said that the District will need to develop a policy regarding the use of District resources such as cell phones for non-work related uses. He said that the Legislature found that most uses were de minimis and that, with a policy, those uses would be allowed. He said he would include a proposed policy for the next meeting.

NARD REPORTDirector's Report

D. Rasmussen reported that the NARD had not met. He had decided to submit his name as a candidate for Secretary/Treasurer for the NARD Board of Directors.

Edson's Report

Koehlmoos said that Dean Edson's report was not available by meeting time.

Voting Delegate and Alternate for Annual Conference

Citta motioned, seconded by Frenzen, to nominate Dean Rasmussen as the voting delegate and Virgil Gellermann as the alternate for the NARD Annual Conference. Motion carried by roll call vote, all present voting yes.

Resolutions for Annual Conference

Koehlmoos directed the Board to the resolutions included in the agenda. He said that the NRD managers had reviewed the resolutions and all would be considered at the annual conference. He told the Board that Lower Loup's resolution regarding water banking did not garner any opposition among the managers. The only concern raised was that "water banking" was not an officially recognized term and a definition might need to be included.

NRC REPORT

Koehlmoos said that Hadenfeldt was absent, but the NRC had not met and would meet in Kearney at the NARD Conference.

RC&D REPORTS

Loup Basin RC&D

D. Rasmussen said the RC&D had met in Loup City and discussed the Junk Jaunt in September. He said the event continues to grow in scale. He said that a tire collection would be held in September with collections in Ord, Loup City, Broken Bow, and Greeley.

PrairieLand RC&D

Lightner said the RC&D had met in Tilden on August 18th at the Elkhorn Valley School and received a presentation on the school's wind turbine generator. There are several students studying the concept of wind-driven electrical generators and could pursue that study further at Northeast Community College.

Lightner said the RC&D continues to work on its five-year plan. Walden asked if the RC&D was still considering projects for power generation. He said that the federal stimulus bill might be a source for projects in the area.

ADJOURNMENT

With no further business before the Board, Chairman Kruse declared the meeting adjourned at 6:52 p.m.

Roster for attendance of this meeting and tally of votes cast on motions at this meeting are being filed with the official minutes of this meeting at the Lower Loup Natural Resources District's Headquarters Office, 2620 Airport Drive, Ord, Nebraska. Publication notification of this meeting was made via newspaper in each county within the District. The next Board of Directors meeting will be held Thursday, September 24, 2009, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

Darwin B. Anderson
Secretary