

LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

September 24, 2009

Ord, Nebraska

The September 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 September 24, 2009. Chairman Kruse called the meeting to order at 5:00 p.m.

CALL TO ORDER

Directors in attendance

James C. Adams
Darwin B. Anderson, Secretary
James J. Eschliman
N. Richard Hadenfeldt
James F. Lightner
Alan D. Petersen
Gerald P. Smith
Kim C. Walden

Rollie D. Amsberry, Treasurer
Allen G. Conner
Virgil W. Gellermann
Gary A. Kruse, Chairman
James C. Nelson
Dean J. Rasmussen
Henry J. Thoene

Directors absent

Joseph L. Citta, Jr., Vice Chairman
Michael P. Gutzmer
Darwin R. Sieh

Craig E. Frenzen
Lyle D. Rasmussen
Bradley R. Staab

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
Richard Woollen, NC District Forester

Guests in attendance

Mark Sintek, NRCS, Ord
Debra Wray, Scotia

Kris Hornickel, Ord

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.

Anderson motioned, seconded by Walden, 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 August 27, 2009, Board meeting minutes. No corrections being heard, Kruse ruled that the August 27, 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 Pay Request #12 for the building project in the amount of \$48,557.00. He said that he and the architect did a walk- through on the project and everything was in order.

Hadenfeldt asked if the amount of \$7,700.00 for decommissioning four livestock wells in Garfield County was correct and Koehlmoos said he would check the figure. He asked the Board to move to the next agenda item and he would clarify.

PUBLIC COMMENTS

There were no comments from the public.

FORESTER’S REPORT

North Central District Forester Rich Woollen directed the Board to his written report in the agenda. He said that another woodlands workshop had been held at the Aagaard Farm near Ord on the 22nd. There was good attendance at the workshop, including a natural resources class from Ord High School. He said that he would assist with a Loggers Safety Training Workshop on September 30th in the Niobrara Valley. A trainer from Wisconsin would provide instruction on chainsaw safety and other areas. He said that the Lower Loup Conservation Tree Roundtable would be held on October 8th and would provide a kickoff to conservation tree efforts for 2010.

TREASURER'S REPORT

Koehlmoos reported to the Board that the correct figure on the Garfield County well decommissioning was \$770.00.

Walden motioned, seconded by Rasmussen, to approve the Treasurer's Report and pay all bills. Motion carried by roll call vote, all present voting yes.

NRCS REPORT

Mark Sintek, NRCS Resources Conservationist in Ord, provided the Board with a copy of the brochure for the Conservation Stewardship Program. He said that the applicant had to follow a number of steps, including a screening test, an application to fill out, and a variety of data. Adams asked if there was good attendance at a CSP meeting in Lincoln County and Sintek said that a number of the meetings had been held around the state. He said that there had been some interest in CSP and the first round of applications would be due by the 30th. Gellermann asked if the program had changed over the years and Sintek said that he had not been involved in earlier versions of the program.

ENGINEERING REPORTS

Big Slough Replacement Chute

District Engineer Robert Mohler told the Board that the Howard County Roads Superintendent had resigned for a position in Valley County and that meant a re-start for the project. He said that he had sent a letter to the Howard County Clerk reviewing the project's status and the steps needed to construct and maintain the project. The County Board will meet on the 29th and consider the dirt work that needs to be done. He said that 4,500 cubic yards of dirt needs to be moved and that he had grade-staked the area. Mohler planned to be on-site when the work was done. He said that the contractor who would build the chute and sheet piling would proceed once the dirt work was done.

FEMA Hazard Mitigation Plan

Mohler told the Board that the participants in the plan were to have their "homework" completed and back to the consultant by the 15th. The consultant would incorporate the community data into the plan over the next six weeks, and the participants would get their sections of the plan back for review around the first of December.

Walden asked how many communities had met the deadline and Mohler said he did not have the information, but expected Kirkham Michael to remind those participants who failed to meet the deadline that their information was needed.

INFORMATION AND EDUCATION REPORT

Information & Education Coordinator Larry Schultz introduced two students, Debra Wray and Kris Hornickel, from the Ord Envirothon team that represented Nebraska at the

national contest in Asheville, North Carolina. The students provided the Board with a power point presentation on their experiences at the contest. Wray thanked the Board for its financial support of the team. The students also thanked the NRD for the training it provided as the team prepared for the contest.

State Range Judging

Schultz told the Board he would be assisting with the 2009 State Range Judging Contest, which will be held on September 30th in Keith County near Ogallala.

Environmental Festival

Schultz said that the theme for the 2009 Festival would be “Wind.” The NRD presentation at the festival would be wind and would include a demonstration of the windbreak model and the concept of “working trees.”

ASSISTANT MANAGER’S REPORT

Variance Committee

Assistant Manager Russell Callan told the Board that the Variance Committee met earlier in the day and heard presentations on four requests. He directed the Board to the minutes of the committee included in the supplemental agenda.

Groundwater Management Area Activities

LB 483 Acre Signup

Callan told the Board that the signup period for new irrigated acres was passed and had kept staff busy with phone calls and in-office visits. He said that the process went smoothly and nearly 200 applications requesting over 12,000 acres had been received. He said that staff was ranking applications and the highest ranked would be brought to the Variance Committee for review.

Adams asked about DNR’s approval of new rules indicated in the August meeting minutes and Callan said that was the approval of the rules submitted by the Lower Loup to DNR as required by statute.

ELM Model Update

Callan said that contract negotiations continued with DNR. Hadenfeldt asked what would happen if the contract wasn’t signed and Koehlmoos said that the money would go back to the Integrated Water Management Plan. Hadenfeldt said the NRC had asked DNR for clarification on changes being requested by DNR staff regarding the IWMP guidelines. Koehlmoos said he didn’t think the changes were well-received by NRD Managers.

MANAGER'S REPORT

Building Progress Report

Koehlmoos referred the Board to the report included in the agenda. He said that there were change orders that required the Board's review. One of the entry doors needed to be moved; there were some changes to cabinetry; ceiling tiles in the old restrooms were changed; and some electrical and duct work changes were required in the old part of the building. He said the total cost of the changes was \$13,791.00. An itemized list of the changes was included in the supplemental agenda.

Hadenfeldt motioned, seconded by Smith, to approve the building construction change order totaling \$13,791.00. Motion carried by roll call vote, all present voting yes.

New Hires

Koehlmoos told the Board that Courteney Trampe had been hired as a part-time high school intern. He said that she began work the previous month and would work more when the Cross Country season was completed. He said an additional intern may also be hired.

District Policy on District Resources

Koehlmoos said that the District needed to approve a policy regarding the use of public resources, a copy of which was included in the written agenda. He said he had modified a policy developed for the city of Ord to meet the needs of the NRD.

Kruse asked if there was a dollar limit that would meet the meaning of "de minimis use" and Koehlmoos said that the statute did not include one and that would be at the discretion of the NRD Board. Lightner asked if there had been a previous policy and Koehlmoos said that staff had acted under the Manager's discretion. Hadenfeldt asked if there was need for a Committee to aid management in these decisions and Koehlmoos said that when additional input was required, he sought the input of the Board Chairman or the Executive Committee. Kruse said he felt that it was important to review each situation and use management's best judgment.

Walden said he felt it was important to include a documented presentation on the policy to District staff.

Hadenfeldt motioned, seconded by Gellermann, to approve the proposed policy on District Resources. Motion carried by roll call vote, all present voting yes.

NARD REPORT

Director's Report

D. Rasmussen reported that the NARD would meet during the Annual Conference in Kearney.

Koehlmoos said the extra room reservations for the conference had not yet been cancelled and that any Director who wished to attend should notify Schultz.

Edson's Report

Koehlmoos said that Dean Edson's report was now included in an electronic newsletter, "News & Notes," that was e-mailed monthly. He said that any Director wishing to receive the newsletter should contact him or Schultz.

Resolutions for Annual Conference

Koehlmoos asked the Board to disregard the resolutions included in the agenda as they were from 2008. He said that one new resolution had been submitted by the Lower Platte South NRD regarding municipal groundwater uses and required offsets.

Koehlmoos said that the District had written Senator Beau McCoy of Omaha a letter that included a summary of the Lower Loup's activities in response to his inquiry of the activities of the state's NRDs.

Koehlmoos said he had been contacted by irrigation districts in the NRD who were concerned about a resolution submitted by the Republican NRDs that would require DNR to review, modify and/or revoke all surface water appropriations back to a level that accounts for reductions in service area resulting from conversion of uses to groundwater. He said the word "revoke" was the point of concern. Koehlmoos said that he felt there was need for some "housekeeping" regarding surface water uses that exist only on "paper."

Adams said he felt that maintaining good ties with irrigation districts was important. Koehlmoos said he felt that some surface water rights that had never been utilized and had never resulted in any water delivery should be taken off the books by DNR.

Koehlmoos said that Gellermann had indicated that he would not be able to attend the business session at the NARD Conference on Tuesday. He said another alternate should be selected.

Adams motioned, seconded by Petersen, to approve Jim Nelson as the alternate voting delegate at the 2009 NARD Conference. Motion carried by roll call vote, all present voting yes.

NRC REPORT

Hadenfeldt said the NRC had would meet in Kearney at the NARD Conference. He said he had been asked to serve on a panel discussion on how to generate funds for the Natural Resources Development Fund without raising taxes. He said that he would appreciate any input that the Directors might have for increasing the fund

RC&D REPORTS

Loup Basin RC&D

D. Rasmussen said the RC&D would meet while the NARD Conference was underway in Kearney. He said that 33 towns would take part in the annual Junk Jaunt and 480 vendors would have items for sale.

PrairieLand RC&D

Lightner said the RC&D had held its annual banquet in Newman Grove. Al Mittan had presented a review of the RC&D's projects and Paul Hosford of Albion was the featured speaker.

Koehlmoos said that he had been contacted by former NRD Director Rob Robinson who had requested the Board be notified the Quality Deer Management Association would be meeting in Petersburg. Information was included in the supplemental agenda.

ADJOURNMENT

With no further business before the Board, Chairman Kruse declared the meeting adjourned at 6:34 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, October 22, 2009, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

Darwin B. Anderson
Secretary