

LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

December 17, 2009

Ord, Nebraska

The December 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 December 17, 2009. Chairman Kruse called the meeting to order at 7:39 p.m.

CALL TO ORDER

Directors in attendance

James C. Adams
Darwin B. Anderson, Secretary
Allen G. Conner
Craig E. Frenzen
N. Richard Hadenfeldt
James F. Lightner
Alan D. Petersen
Lyle D. Rasmussen
Gerald P. Smith
Kim C. Walden

Rollie D. Amsberry, Treasurer
Joseph L. Citta, Jr., Vice Chairman
James J. Eschliman
Virgil W. Gellermann
Gary A. Kruse, Chairman
James C. Nelson
Dean J. Rasmussen
Darwin R. Sieh
Henry J. Thoene

Directors absent

Michael P. Gutzmer

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
Ed Drozd, Technician, Columbus

Russell Callan, Assistant Manager
Rita Goldfish, Administrative Assistant
Tylr Naprstek, Water Modeling Coordinator
Richard Woollen, N. Cent. District Forester

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 notices were properly published in all newspapers. The meeting notices were posted at the NRD Headquarters office in Ord, the NRD web site, and the eight field office locations.

Sieh motioned, seconded by Anderson, 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 November 19, 2009, Board meeting minutes. Koehlmoos said that on Nelson’s motion regarding Variance Committee recommendations, C. Ronald Lambert’s name had been incorrectly added to the list of variances recommended for approval. Kruse ruled that the November 19, 2009, minutes would stand approved as corrected.

TREASURER’S REPORT

Chairman Kruse directed the Board’s attention to the Treasurer’s Report as published in the regular and supplemental agendas. Gellermann asked about Water Quality Cost-Share payments listed in the supplemental agenda. Koehlmoos said with approval of the Treasurer’s Report, the payments would be paid with funds from the Water Quality Enhancement Fund. The Legislature, in its special session, cut funding from the state budget for the Nebraska Soil & Water Conservation Program. It left the LLNRD with a \$92,103.00 deficit in its planned cost-share spending. Koehlmoos said he was able to cancel many of the cost-share approvals, reducing the NRD’s deficit to \$36,401.00. He recommended that Water Quality funds be utilized to fill the gap and any additional needs be met by transferring money from the project construction funding if needed. He said the NSWCP funds are also used as cost-share for the conservation tree program and that the program would be negatively affected unless funds were transferred.

L. Rasmussen motioned, seconded by Citta, to approve transfer of funds from the NRD’s project construction budget to be utilized to cover the state cuts made to NSWCP cost-share funding. Motion carried by roll call vote, all present voting yes.

Koehlmoos said that the final payment on the building renovation would be \$25,044.74 and would be the final payment due on the building renovation. He said the final walk-through had taken place and the check would not be delivered until all work had been completed.

D. Rasmussen motioned, seconded by Eschliman, to approve the December, 2009, Treasurer’s Report and pay all the bills. Motion carried by roll call vote, all present voting yes.

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 the Nebraska Buffer Strip Program is a program that can be used to establish grass filter strips or riparian forest buffers and involves a rental payment for setting the land aside. He said 1,005 acres in the NRD have been enrolled in the program. There were 330 acres enrolled this year with 127 of those acres as new enrollments. Landowners can renew the contract when it expires. The rate was increased to \$250 for irrigated land in conjunction with CRP. Woollen directed the Board to a map showing where the buffers were located across Nebraska. He said the Lower Loup NRD has been recognized over many years for its work with the program.

NRCS REPORT

Tim Schaaf, NRCS Resources Conservationist in Broken Bow, told the Board that this would be his final meeting and the new District Conservationist would begin duties in January. He thanked the Board for its support during his tenure as DC. He directed the Board to his report included in the agenda. Koehlmoos thanked Schaaf for his work on behalf of the District.

ENGINEERING REPORTS

Big Slough Repair

District Engineer Robert Mohler told the Board that the contractor had installed sheet piling on the project, which had been stalled by recent snows. A powerpoint presentation was provided.

FEMA Hazard Mitigation Plan

Mohler told the Board that plan preparation was nearly complete and would be submitted to state and federal authorities in March or April. He said that the entire document would be over 1,000 pages. It appeared only two villages were not participating, Berwyn and Spalding.

INFORMATION AND EDUCATION REPORT

NARD Calendars

Information/Education Coordinator Larry Schultz told the Board that the Lower Loup NRD was represented in the calendar with photos of the White House, the ELM Study, and a sunset in Garfield County.

2010 Board Meeting Calendar

Schultz said that the proposed calendar for 2010 Board of Directors meetings was included in the agenda. Meetings are scheduled for the fourth Thursday of each month with exceptions for November and December when the meetings were moved to the third Thursday.

Walden motioned, seconded by Frenzen to adopt the 2010 Board Meeting Calendar. Motion carried by roll call vote, all present voting yes.

Schultz told the Board he was serving on a committee to establish a natural resources camp at the State 4-H Camp facilities at Halsey. He said the camp would be targeted toward middle school students and would be held in June. A number of components would be studied including range, soil, water and other topics.

Kruse asked how many students could participate and Schultz said the committee was preparing for approximately 50 students, but could handle any number of campers. He said other agencies, including NRCS, the Forest Service and others were assisting.

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 two requests. He directed the Board to the minutes of the committee included in the supplemental agenda. He said the Committee recommended denial of the variance request from C. Ronald Lambert, but a request to transfer acres could be done without a variance. He said the Committee recommended approval of the Gary Cook request to relinquish a surface water right in exchange for full-time use of a former supplemental groundwater well.

Nelson motioned, seconded by Gellermann, to approve the recommendations from the Variance Committee to deny the Lambert variance request and approve the Cook request. Motion carried by roll call vote, all present voting yes.

Groundwater Management Area Activities

Irrigated Acres Certification

Callan told the Board that letters had been sent to landowners who had irrigated acres but had not yet certified them with the NRD. He said staff is receiving phone calls and working with landowners on certification. Kruse asked how many letters had been sent and Harris said approximately 50 letters had been sent to Custer County residents, 3 or 4 letters had been sent to Loup and Garfield Counties, and around 30 would go to Sherman County. He said he had received a list from Nance County and would work on letters for landowners there. He said Boone, Howard, Wheeler, Buffalo, and Valley were done. He said work continued in Merrick and Platte Counties.

Area 28 Activities

Callan said that Lorenz and Drozd were working on the database for Area 28 and reports were being assembled for landowners to complete.

ELM Update

Callan said there was nothing new to report on the Elkhorn-Loup Modeling Study.

Adams asked if NRD data on certified acres involving surface water had been sent to DNR and Callan said they had been sent the previous summer. Adams asked if there had been any response and Callan said there was not.

Hadenfeldt asked if there had been a status change on the ELM project and Callan said that DNR had indicated that they were no longer a partner. Koehlmoos said that talks with USGS would continue and the NRDs would decide how to proceed. Citta asked if DNR would question the study's results if they didn't participate and Callan said that was a concern.

MANAGER'S REPORT

Building Progress Report

Koehlmoos told the Board that the final payment would be made when the final work was complete. He said that furniture was expected shortly and audio/visual components for the Board room were planned prior to the January meeting.

Spalding Property

Koehlmoos said he had been contacted by the group interested in the Spalding property and planned to meet with the interested parties after the first of the year. He said that both Directors Smith and Eschliman had been contacted as well.

New Hires

Koehlmoos told the Board that there were no new hires, but that Riley Callan and Kristy Stevens would resume their work on data entry over their college holiday break.

NARD REPORT

Director's Report

D. Rasmussen reported that there was nothing new to report, but expected that to change when the Legislature convened.

Edson's Report

Koehlmoos said that Dean Edson's report had not been received.

NRC REPORT

Commissioner's Report

Hadenfeldt told the Board that the Commission had met on November 19th and the Governor had signed the budget-cutting legislation the following day. He said the Soil and Water Conservation Fund had lost half its monies and that Lower Loup was among the NRDs losing the most money. He said the water well decommissioning fund was reduced by half and half the Natural Resources Development Fund. He said the Interrelated Water Management Fund was also reduced by \$900,000.00.

RC&D REPORTS

Loup Basin RC&D

D. Rasmussen said the RC&D met in Broken Bow on December 15th. The group heard a presentation on wind power generation. He said that an experimental wind turbine had been set up in Custer County. It was reported that RC&D membership has increased, the Junk Jaunt generated around \$13,000.00, and there would be a meeting on the oil pipeline in January in Ericson.

PrairieLand RC&D

Lightner said the RC&D met on December 15th in Madison. He said that the Audit Committee had finished its work and a class session was held for RC&D Directors. A report from the RC&D was included in the supplemental agenda. Lightner said that the NRD had provided \$500.00 in funding to the Boone Central Schools and no request had been received from Cedar Rapids.

ELECTION OF OFFICERS, NARD REPRESENTATIVE AND ALTERNATE, RC&D DELEGATES AND ALTERNATES

D. Rasmussen motioned, seconded by Smith, to retain the current slate of officers. Motion carried by roll call vote. Directors voting yes: Amsberry, Anderson, Citta, Eschliman, Frenzen, Gellermann, Hadenfeldt, Kruse, Lightner, Nelson, Petersen, D. Rasmussen, L. Rasmussen, Sieh, Smith, Thoene, and Walden. Directors voting no: Adams and Conner. Directors absent: Gutzmer and Staab.

Citta motioned, seconded by Sieh, to retain D. Rasmussen as NARD Delegate and Gellermann as alternate. Motion carried by roll call vote, all present voting yes.

Sieh motioned, seconded by Citta, to retain D. Rasmussen as Loup Basin RC&D delegate and L. Rasmussen as alternate; and Lightner as PrairieLand RC&D delegate and Frenzen as alternate. Motion carried by roll call vote, all present voting yes.

DESIGNATION OF OFFICIAL NEWSPAPERS AND BANKS

Koehlmoos told the Board that the District utilizes the following newspapers for meeting announcements and legal notices: The Albion News, The Burwell Tribune, The Custer County Chief, The Columbus Telegram, The Greeley Citizen, The Nance County Journal, The Ord Quiz, The Phonograph-Herald, The Ravenna News, and The Sherman County Times; and uses the Grand Island Independent as a District-wide daily publication.

Koehlmoos said that TierOne in Ord is the main repository for NRD funds; First National Bank in Ord would serve as the secondary repository.

Eschliman motioned, seconded by Walden, to approve the official newspapers and banks. Motion carried by roll call vote, all present voting yes.

ADJOURNMENT

With no further business before the Board, Chairman Kruse declared the meeting adjourned at 8:46 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, January 28, 2010, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

Darwin B. Anderson
Secretary