

# LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

December 16, 2010

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 16, 2010. Chairman Gary Kruse called the meeting to order at 4:35 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  
Henry J. Thoene

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  
Bradley R. Staab  
Kim Walden

### Directors absent

Michael P. Gutzmer

### Staff in attendance

Leon "Butch" Koehlmoos, General Manager  
Robert T. Mohler, District Engineer  
Larry D. Schultz, I&E Coordinator  
Richard Woollen, North Cent. Dist. Forester

Russell Callaln, Assistant Manager  
Tylr Naprstek, Water Modeling Coord.  
Rita Goldfish, Administrative Assistant  
Mike Lorenz, Agronomy Tech., Fullerton

### Guests in attendance

Bryce Bauer, NRCS, Ord  
Jeremy Straka, Wolbach

Jack Mansfield, Ord  
Tim Bartak, Merna

## 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 notice was also posted at the NRD Headquarters office in Ord, the NRD web site, and the eight field office locations.

**Eschliman motioned, seconded by Petersen, to approve the verification of the meeting notice, adopt the modified 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 18, 2010, Board meeting minutes. Koehlmoos said that under Adjournment, the minutes should read Chairman Kruse, rather than Chairman Citta. He said that Tylr Naprstek should be removed from staff in attendance.

**D. Rasmussen motioned, seconded by Walden, to approve the November 18, 2010, minutes as corrected. Motion carried by roll call vote, all present voting yes.**

## 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 NRD had received a new pick-up purchased from Ericson Ford in Loup City. He said it would replace the pickup used by Mike Lorenz at the Fullerton Field Office. He said the old pickup would be used by the TSP at the Broken Bow office. Koehlmoos said that flood damage repairs at the Aagaard Farm had been completed. The driveway and two terraces had been repaired using a road grader owned by Shop Manager Jim Hansen and a rented dirt scraper. Koehlmoos said that a bill for \$265.72 from Country Partners Coop was an incorrect entry and should be disregarded. He asked that a \$5,912.84 bill from B-Systems, Inc. of Omaha for four new staff computers be included in the Treasurer’s Report.

D. Rasmussen asked why a bill from Boone County for election results was higher than that from Custer County and Goldfish said the Boone County bill was for both the primary and general elections.

**Anderson motioned, seconded by L. Rasmussen, to approve the December, 2010, Treasurer’s Report and pay all the bills. Motion carried by roll call vote, all present voting yes.**

## PUBLIC COMMENTS

Kruse introduced Tim Bartak, who was elected to the NRD Board and would begin his term in January.

## FORESTER'S REPORT

North Central District Forester Rich Woollen of the Nebraska Forest Service told the Board that a windbreak planted for Adams Land & Cattle near Broken Bow had been constructed in 2004 to act as a filter to capture dust and odor. He said the company was renewing its effort by interplanting new seedlings and providing other resources.

Woollen said that grants from the Forest Products Lab in Wisconsin had been announced for 2011. He said that the grants were for projects to address the use of low-valued materials as a renewable energy source. He said there may be some potential uses for the grant funds in the area.

Woollen said that NARD is working on rejuvenating the living snowfence program in conjunction with the Nebraska Department of Roads. He said that the Lower Loup NRD was a key player in the program when it was developed.

## NRCS REPORT

District Conservationist Bryce Bauer told the Board that letters had been sent out reminding producers of the CSP January 7<sup>th</sup> deadline. He said that response has been good with 20-30 new applications. There were 25-30 new WRP applications in the District and most should be funded. He said the Burwell NRCS office had received new furniture and the old furniture would be auctioned in Lincoln. Bauer reported that EQIP rankings had been completed for 2011 and that EQIP applications had been split into rangeland and pastureland categories to better distribute funding across the District. The new procedure allowed applications for reduced stocking rates and fire breaks to move higher in the rankings.

Thoene asked if there had been any action on the request for bids on a new location for the Burwell office and Bauer said it would likely take place in January. Bauer said that Wheeler County producers were now being served by the Greeley County office. Some producers had requested that their work continue to be done in Burwell.

## ENGINEERING REPORT

### Lake Ericson Spillway Repair

District Engineer Robert Mohler told the Board that Joe Wadas of the Lake Ericson Corporation had been notified by FEMA that disaster relief funding would not be available to the lake association. He said that FEMA's problem with providing funding stems from the tax-exempt status of the corporation. Flood control benefits from the Lake Ericson dam could not be justified as there was not enough available storage capacity in the lake to provide flood prevention benefits on the Cedar River. Wadas had notified him that Lake Ericson Corporation would continue to look elsewhere for funding to help make repairs at the site, including an IPA. Mohler said he had notified Wadas that before the District could consider creation of an Improvement Project Area, a decision as to what type of project was desired would need to be made. He said that a DNR official told him that the spillway would need to be stable, and that would require a continuous, locked-in structure, not rock or concrete rubble.

### Drainage near Sargent Golf Course

Mohler told the Board he had designed a system and met with the landowners who gave their approval. He said that the U.S. Army Corps of Engineers would need to sign off on the project, so two of the landowners planned to visit the Corps office.

## INFORMATION AND EDUCATION REPORT

### Land Judging Steering Committee

Information & Education Coordinator Larry Schultz told the Board that the State Land Judging Committee would be meeting via conference call on December 23<sup>rd</sup>. The committee would review the 2010 contests and plan for the 2011 events.

### NARD Calendars

Schultz directed the Board to their copies of the 2011 NARD calendar. Schultz said that he was a member of the committee that assembled the calendar photos. He said there were several photos from the Lower Loup NRD in the calendar.

Frenzen commented that there were a number of articles included the clipping book regarding the Keystone Pipeline. D. Rasmussen said he was pleased to see 2010 NARD Grassland Award winners Pat and Vickie Hruby of Comstock included in the calendar.

## ASSISTANT MANAGER'S REPORT

### Variance Committee Meeting

Assistant Manager Russell Callan said the Variance Committee had met on Tuesday and heard two variance requests. Each was heard for the second time. The request from Steve Linden involved the transfer of 69.5 acres upstream approximately 3 miles. He said that the distance from the river meant the transfer would likely have little impact on river flows. The Niewohner Farms request would involve a transfer of irrigated acres to a tract closer to the river, meaning a loss of irrigated acres, from 134 to 63.5.

**Nelson motioned, seconded by Thoene, to approve the Variance Committee recommendations to approve the Steve Linden variance request to transfer 69.5 acres from Section 9, Township 12 North, Range 16 West to Section 31, Township 13 North, Range 16 West, Sherman County; and to approve the Niewohner Farms Partnership variance request to transfer irrigated acres from Section 23, Township 21 North, Range 6 West to Section 31, Township 21 North, Range 6 West, Boone County - the resulting transfer of 134 irrigated acres would allow for 63.5 acres of new irrigation; and to require the conversion of the old irrigation well to non-irrigated status. Motion carried by roll call vote, all present voting yes.**

### Water Resources Committee

Callan told the Board that Diggers Hotline is requiring a telephone call each time a 3-foot soil sample is taken. He said the Water Resources Committee recommended that the 3-foot soil sample remain a requirement and directed staff to work with the consultants and officials from Diggers Hotline to remedy the situation. He said that agricultural practices are exempted from Diggers Hotline requirements.

Callan said the Committee also discussed the effect of irrigated acres transfers on the price of agricultural land. The Committee discussed whether to continue to certify CRP acres as irrigated. He said that the Committee voted to recommend to the full NRD Board that if an acre is in an irrigated CRP contract two out of ten years, from January 1998 to January 2008, it is considered irrigated and allowed to be certified and transferred.

Callan said the Committee also discussed the potential cuts in funding to the Interrelated Water Management Fund.

**Sieh motioned, seconded by Citta, to approve the Water Resources Committee recommendations to maintain the rules and regulations regarding soil sampling in Area 28 and direct NRD staff to work with Digger's Hotline personnel and consultants for an outcome favorable to all; and to establish that if an acre is in an irrigated CRP contract two out of ten years, from January 1998 to January 2008, it is considered irrigated and allowed to be certified and transferred. Motion carried by roll call vote, all present voting yes.**

### Groundwater Management Area Activities

#### Irrigated Acres Certification Progress

Callan said there was no report.

#### Area 28 Activities

Callan told the Board that Area 28 report forms had been sent out. He said the forms are partially completed for the producer's convenience. He introduced Agronomy Technician Mike Lorenz, who reported that he had already been contacted by some producers with individual questions.

Callan said the annual reports for Area 28 would be sent out to producers for completion in the coming weeks.

### ELM Update

Water Modeling Coordinator Tylr Naprstek told the Board that state budget cuts have been laid out for the Department of Natural Resources, and the initial plan is to take those cuts from the IWMPP Fund. He said that warranted discussions with Steve Peterson of USGS to plan for the decrease in funding. The impact on the ELM Study is likely to be felt in 2013. He said that Jennifer Stanton had

also been notified of the potential loss of funding. Callan said that replacement funds might be sought from the Environmental Trust.

Naprstek said funds were still available for the NRD's flow meter cost-share program funded through the Environmental Trust. He had met with the staff at Olsson Associates regarding the Area 28 Study. The use of hydrosleeves had received approval from DEQ with the requirement that one monitoring well would have to be pumped every time a hydrosleeve sample is taken.

## MANAGER'S REPORT

### Request to Board by Nebraska Statewide Arboretum

Koehlmoos told the Board that the Nebraska Statewide Arboretum was seeking board members from across the state. He asked that any Director wishing to serve contact him and their name would be submitted to the Arboretum officials.

### New Hires

Koehlmoos reported that Margaret Smith had resigned the Range TSP position in Broken Bow for a position with NRCS in Montana. He said that the position had been offered to a candidate, but no response had yet been received.

## NARD REPORT

### Director's Report

D. Rasmussen said the NARD Board had not met. The next meeting was set for the end of January.

Koehlmoos asked Directors interested in attending the 2011 NARD Legislative Conference to notify staff of their intentions.

## NRC REPORT

### Commissioner's Report

NRC Representative Dick Hadenfeldt said that the Natural Resources Commission would meet in January. Koehlmoos told the Board that the Loup Basin Caucus to determine the basin representative for the Natural Resources Commission would be held January 7, 2011 at 10 a.m. at the Lower Loup NRD offices. Koehlmoos said the Lower Platte Basin Caucus for the eastern portion of the NRD, the area served by Directors Anderson, Gellermann, Citta and Sieh, would be held January 13<sup>th</sup> at 5:30 p.m. at the Lower Platte South NRD office in Lincoln.

## RC&D REPORTS

### Loup Basin RC&D

D. Rasmussen told the Board that the RC&D does not hold a December meeting, but the Executive Board would meet in the coming week to discuss the budget.

### PrairieLand RC&D

Lightner reported that the RC&D would meet on the following Tuesday. He directed the Board to an RC&D update from Al Mittan on the Shell Creek Watershed project. Mark Walkenhorst had been selected as District Conservationist for the Lower Platte North NRD, and Eric Smith had been selected as the Resource Conservationist for the NRCS in Columbus. He said it wasn't known whether the Shell Creek Coordinator position would be filled.

## ELECTION OF OFFICERS, NARD REPRESENTATIVE/ALTERNATE, RC&D DELEGATES/ALTERNATES, LEGISLATIVE CONFERENCE VOTING DELEGATE/ALTERNATE, AND ANNUAL CONFERENCE VOTING DELEGATE/ALTERNATE

**D. Rasmussen motioned, seconded by Walden, to maintain the current slate of officers. Walden motioned, seconded by Frenzen, to close nominations and cast an unanimous ballot. Motions carried by roll call vote, all present voting yes.**

**Citta motioned, seconded by Eschliman, to nominate D. Rasmussen as NARD Representative and Gellermann as alternate. Motion carried by roll call vote, all present voting yes.**

**Sieh motioned, seconded by Hadenfeldt, to nominate D. Rasmussen as Loup Basin RC&D Delegate and L. Rasmussen as alternate. Motion carried by roll call vote, all present voting yes.**

**Frenzen motioned, seconded by Adams, to nominate Gellermann as PrairieLand RC&D Delegate and Sieh as alternate. Motion carried by roll call vote, all present voting yes.**

**Eschliman motioned, seconded by Anderson, to nominate D. Rasmussen as voting delegate and Gellermann as alternate for the 2011 NARD Legislative Conference and the 2011 NARD Annual Conference. Motion carried by roll call vote, all present voting yes.**

## APPROVAL OF 2011 BOARD MEETING CALENDAR, DESIGNATION OF OFFICIAL NEWSPAPERS & BANKS, SET MAXIMUM COST LIMIT PER PLATE FOR AWARDS DINNER AND MAXIMUM FOR 2011 AWARDS

**Anderson motioned, seconded by Hadenfeldt, to approve the proposed 2011 Board Meeting calendar; name the Grand Island Independent as the District-wide newspaper with use of 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 for meeting announcements and legal notices; name Great Western Bank in Ord as the main repository for the Lower Loup NRD's funds, and First National Bank in Ord as the secondary repository; and set the Annual Awards Dinner maximum at \$40 per plate for the meal and \$100 maximum for awards. Motion carried by roll call vote, all present voting yes.**

**Hadenfeldt motioned, seconded by Smith, to approve a resolution recognizing the service of Allan Conner and James Lightner on the Lower Loup Natural Resources District Board of Directors. Motion carried by roll call vote, all present voting yes.**

Kruse presented Conner with a framed certificate and gift for his service on the NRD Board of Directors and announced Lightner's award would be presented at the Annual Awards Dinner. Kruse presented a framed certificate to Staab for five years of service on the NRD Board of Directors.

### ANNOUNCEMENTS

There were no announcements.

### ADJOURNMENT

With no further business before the Board, Chairman Kruse declared the meeting adjourned at 5:43 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 27, 2011, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

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Darwin B. Anderson  
Secretary