

# LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

December 15, 2016

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 15, 2016. Chairman Citta called the meeting to order at 4:34 p.m.

## CALL TO ORDER

### Directors in attendance

James C. Adams  
Darwin B. Anderson  
Beth Boesch  
James J. Eschliman, Vice Chairman  
N. Richard Hadenfeldt  
Gary A. Kruse  
James C. Nelson  
Dean J. Rasmussen  
Dean G. Thede

Rollie D. Amsberry, Treasurer  
Timothy E. Bartak  
Joseph L. Citta, Jr., Chairman  
Virgil W. Gellermann  
Randy Kauk  
Matt Lukasiewicz  
Alan D. Petersen  
Gerald P. Smith  
Henry J. Thoene, Secretary

### Directors absent

Michael P. Gutzmer

Clifford P. Loseke

### Staff in attendance

Leon "Butch" Koehlmoos, General Manager  
Larry D. Schultz, I&E Coordinator  
Cheryl K. Hornickel, Programs Assistant  
Tylr Naprstek, Water Modeling Coordinator  
Richard Woollen, District Forester

Russell G. Callan, Assistant General Manager  
Jason Moudry, Water Programs Specialist  
Dell R. Harris, Water Resources Specialist  
V. Anne Freeman, Water Programs Secretary

### Guests in attendance

Bryce Bauer, LDC, NRCS, Ord  
Jim Boesch, Columbus

Jan Thede, St. Paul

## NOTICE OF OPEN MEETING LAW POSTING

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

## VERIFICATION OF MEETING NOTICE AND ADOPTION OF AGENDA

Chairman Citta asked for verification of the meeting notice. General Manager Leon “Butch” Koehlmoos verified that the meeting notices were properly published in all newspapers and that the meeting notice was also posted at the NRD Headquarters office in Ord, the NRD web site, and the eight field office locations. Koehlmoos said there were no modifications to the agenda.

## EXCUSED ABSENCES

Koehlmoos stated that Directors Gutzmer and Loseke had requested to be excused from the meeting. He said Kauk was on his way.

**Smith motioned, seconded by Boesch, to excuse all absent directors. Motion carried by roll call vote, all present voting yes.**

## MINUTES

Chairman Citta asked for corrections and/or additions to the November 17, 2016, Board meeting minutes. None being heard, Chairman Citta ruled that the November 17, 2016, minutes would stand approved as submitted.

## TREASURER’S REPORT

Chairman Citta directed the Board’s attention to the Treasurer’s Report as published in the regular and supplemental agendas.

Koehlmoos highlighted bills including GWMA Coalition, equipment purchased, Access software rewrite, 2016 remote sensing imagery, Hazard Mitigation Plan expenses, and the Pibel Lake historical marker.

**Rasmussen motioned, seconded by Eschliman to approve the December, 2016, Treasurer’s Report and pay all bills. Motion carried by roll call vote, all present voting yes.**

## PUBLIC COMMENTS

There were no public comments. Chairman Citta introduced guests Jan Thede and Jim Boesch.

## FORESTER'S REPORT

North Central District Forester Richard Woollen reported that the tree planting project at the Columbus High School was completed. He said grants had been awarded to the school through the Lower Loup NRD and NFS community forestry programs.

Woollen said the new database program was being used for ordering conservation trees.

Woollen reported that he had been working with NRCS in several counties to do some forest stand improvement projects through the EQIP program.

## NRCS REPORT

Bryce Bauer, Liaison DC, reported that offices are in the process of making end-of-year EQIP and CSP payments. He said that four CRP grassland contracts have been approved this year, and mentioned that the FSA website should have program details. He said the program would involve having a good grazing plan that benefits wildlife.

Bauer said that 450 people attended the Gabe Brown Conference on December 5<sup>th</sup> in Ord. He said the feedback has been positive.

## INFORMATION AND EDUCATION REPORT

### NARD Calendars

Information & Education Coordinator Larry Schultz mentioned that NRD shirts, pocket calendars and NARD calendars had been distributed to Directors.

### Land Judging Committee

Schultz said that the Land Judging Steering Committee will be meeting on the 29<sup>th</sup> at Central Platte NRD in Grand Island. He said that Lower Loup NRD hosted the 2016 State Land Judging Contest and will be sharing thoughts with the group regarding the scoring system. He said there has been increased attendance at range and land judging contests due to more FFA chapters being developed.

### Hazard Mitigation Plan

Schultz reported that the plan is 60% complete, and 55% of payments have been made by the NRD. He said that every participant in the program had to submit a list of critical needs in their area, and JEO is in the process of compiling that information for each section of the document.

### 2017 NARD Washington, DC, Conference

Schultz reported that the 2017 Washington, DC, Conference would be held March 18-22, 2017. Schultz said there was no tentative agenda available yet, but encouraged Directors who thought they would be attending to let Schultz know.

## ASSISTANT MANAGER'S REPORT

Assistant Manager Russell Callan reported that he had recently talked to Steve Peterson who said the NRD should have a draft of the ELM model by the end of January.

### Water Resources Committee

Callan said that no formal action was taken at the meeting on any item discussed.

### *South Loup/Wood River Project*

Callan reported that a new dam just outside of Arnold in the Upper Loup NRD had the potential for development of a 300-acre lake. He also said that a groundwater recharge project at Buffalo County Lake near Ravenna could improve water quality. He said these projects were part of the South Loup Study that Lower Loup and Central Platte participated in. He said Lyndon Vogt of Central Platte had been contacted about discussing the project further, but Koehlmoos said that Vogt's Board indicated it wasn't ready to proceed right away.

### *Lower Platte River Basin Coalition*

Callan reported that the draft of an agreement on the mechanism that would provide coordinated groundwater management for the basin would be coming soon. Koehlmoos said that John Engel of HDR would be coming to speak to the Board about everything that has been done to-date.

### *North Loup Irrigation District Mapping*

Callan reported that he and Koehlmoos met with DNR and said that Lower Loup's irrigated acres database was available if they wanted a copy of it.

## PROGRAMS/PROJECTS COMMITTEE

### Bowman Lake Progress

Koehlmoos said a report was given on the progress at the lake. Janet Sanders of the Loup Basin RC&D provided the Committee with a drone video taken of work completed at the lake.

### Erosion and Sediment Control Act Draft Rules

Callan said that Lower Loup NRD has had an Erosion and Sediment Control Act complaint process for quite a while and focused mainly on wind and sheet and rill erosion with a 90% cost-share requirement which inhibited using the process. He said the process was cumbersome and wasn't used much. The new draft rules state that the erosion and sediment control problem needs to be fixed and, if cost-share is available, the cooperators can use it. Callan said a draft template was put together and a few changes were made in 2015. He said staff worked with NRCS.

Callan said that if the draft rules are approved by the NRD Board, it will then go to DNR for their review and approval, then a public hearing would be held for final approval.

**Kruse motioned, seconded by Boesch, to tentatively approve the Erosion and Sediment Control Act Draft Rules and send them to DNR for their review.**

Boesch said the draft states that if someone has a complaint, the NRD has the right to go on the property to inspect. She asked what happens if a landowner denies entrance to the property. Callan answered that the sheriff would be contacted. The next step would be District Court. Koehlmoos said that state statute allows the NRD to enter the land with notification to the landowner.

Citta asked about the term "silviculture." Woollen said the term basically means "management of trees."

**Motion carried by roll call vote, all present voting yes.**

### Standing Bear Trail

Koehlmoos said Senator Deb Fischer was seeking feedback on a virtual historical trail on the route of Standing Bear through Nebraska. Koehlmoos said the NRD Board would have concerns if any condemnations or eminent domain were used for the trail. He said the concerns were satisfied and a letter was sent to Dean Edson.

### Davis Creek Recreation Area

Koehlmoos said that most of the improvements for Phase 1 of the Davis Creek Recreation Area have been made. He said that with the availability of electricity at the recreation area, the Committee thought the Board might want to set some fees for the use of the sites with electricity.

Koehlmoos said the Committee recommended that 50% (21 sites) of the new camp sites be reservable through the internet; the other 50% on a drive up, first-come, first-served basis; and the 25 primitive sites remain first-come, first-served. He said the Committee recommended that the daily fee for the electrical sites be \$19 and the daily fee for the older, primitive sites be \$6.

Tylr Naprstek, Water Modeling Coordinator, said he researched different agencies and the general trend was to go to the Reserve America site for online camp site reservations. He said Game & Parks at Calamus Reservoir is using Reserve America. Naprstek said the contract cost was \$1,500 to set up during the first year, then a \$50 per year maintenance fee. He said Reserve America handles everything in-house and Lower Loup NRD would be tied into the system via the NRD's website. He said Reserve America is drawing up a contract for the Lower Loup and it will be sent to staff for review.

Eschliman asked why "50%" was recommended. Naprstek answered that not all camp site users are familiar with computers and SmartPhone technology, and this would keep some sites available for the people who just drive up to the site. Koehlmoos said this parallels with what Game & Parks is doing.

Citta says he has made camp site reservations online and says it works very well. He feels that 50% is too low, but is a good place to start.

Discussion followed. Koehlmoos said that camp site reservations would be limited to two weeks only. He said that the NRD will be looking for a part-time host individual who could be at the rec area during the summer months to collect money and monitor the facilities.

Callan suggested making some of the primitive sites reservable, therefore, making 50% of all sites reservable. He said the NRD is having Reserve America write up the contract for one year, but said the conditions could be changed in the contract without another set-up fee.

Anderson asked about guaranteed late arrival for camping sites. Koehlmoos said a development of a process to use guaranteed late arrival was uncertain at this time and that the process of reserving camp sites online would be a learning experience.

**Adams motioned, seconded by Gellermann, to proceed with a one-year computer camp site reservation system contract using Reserve America and to allow 50% of all camping sites at Davis Creek Recreation Area, both primitive and new electrical, to be reserved online; and to set daily camping fees at \$19 for full service sites and \$6 for primitive sites. Motion carried by roll call vote, all present voting yes.**

#### Ruby's Slough

Koehlmoos said staff received a letter from the U.S. Army Corps of Engineers which would allow the NRD to pull the sheet pile and open up the drain in Ruby's Slough. He said there would most likely be some expense involved.

#### Columbus Levee Update

Koehlmoos said staff had requested an updated report on the Columbus Levee from Columbus city officials. Callan said that he had heard from Rick Bogus, who said that the entire top terrace was done, the dirt fill has been put in, and the toe drain work was in progress. Koehlmoos said the NRD had not received a request for funding yet.

Koehlmoos said that landowners in the Duncan East Drainage Project who haven't been maintaining their area will be contacted; and if they indicate they won't participate, the NRD will mow the areas and assess a fee back to the project. He said that anyone who maintains their own area receives a payment from the NRD.

## MANAGER'S REPORT

### Litigation Update

Koehlmoos said that litigation discussion would be done at the end of the meeting in Executive Session.

## NARD REPORT

### Director's Report

Rasmussen said that legislative bills will be starting to be introduced.

## NRC REPORT

### Commissioner's Report

Hadenfeldt reported that the Water Sustainability Fund Scoring Committee met and then, recently, the Commission. He handed out a sheet listing the scores of the different projects. He indicated which projects would most likely receive funding and said that approximately \$5 million was left. He said the next project listed was \$10 million, The committee decided, at this point, not to fund that project. He said, though, that legally, they would have the ability to fund one more project, but next year's money would need to be used. He said final decisions would be made in June after the Legislature gets funding worked out.

Hadenfeldt said the Rules Committee will be meeting in January to go over the rules and possibly make some changes.

## RC&D REPORTS

### Loup Basin RC&D

Rasmussen reported that a good crowd attended the open house at the Loup Basin RC&D office in Burwell on December 13<sup>th</sup>.

### PrairieLand RC&D

Gellermann reported that the group met in Pilger. He said there is still money available in the RC&D fund and that an expenditure of \$1,712.90 was approved by the RC&D to purchase a drone to fly Shell Creek. It would be used in conjunction with Shell Creek group/Newman

Grove Public Schools who do the water checks. He said no one else is supposed to be able to have access to the drone unless someone from Newman Grove school goes with it so it is not misused. He said the RC&D will meet again in May.

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

Citta said that a listing of the present officers and delegates/alternates was in the agenda.

Citta opened nominations for officers.

**Rasmussen motioned, seconded by Smith, that nominations cease and a vote be cast to retain the existing officers of Joe Citta, Chairman; Jim Eschliman, Vice Chairman; Henry Thoene, Secretary; and Rollie Amsberry, Treasurer. Motion carried by roll call vote, all present voting yes.**

Citta opened nominations for NARD Representative.

Rasmussen told the Board that he would be stepping down from the position of NARD Representative.

Citta nominated Jim Eschliman.

**Smith motioned, seconded by Adams, that nominations cease and a vote be cast to name Eschliman as NARD Representative. Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Boesch, Citta, Gellermann, Hadenfeldt, Kauk, Kruse, Lukasiewicz, Nelson, Petersen, Rasmusen, Smith, Thede, and Thoene. Director abstaining: Eschliman. Directors absent: Gutzmer and Loseke.**

Citta, on behalf of the Board, thanked Rasmussen for his many years of service as NARD Representative.

Citta opened nominations for NARD Alternate.

Lukasiewicz nominated Virgil Gellermann.

**Anderson motioned, seconded by Adams, that nominations cease and a vote be cast to name Gellermann as NARD Alternate. Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Boesch, Citta, Eschliman, Hadenfeldt, Kauk, Kruse, Lukasiewicz, Nelson, Petersen, Rasmusen, Smith, Thede, and Thoene. Director abstaining: Gellermann. Directors absent: Gutzmer and Loseke.**

Citta opened nominations for Loup Basin RC&D Representative.

Eschliman nominated Dean Rasmussen.

**Eschliman motioned, seconded by Smith, that nominations cease and a vote be cast to name Rasmussen as Loup Basin RC&D Representative. Motion carried by roll call vote, all present voting yes.**

Citta opened nominations for Loup Basin RC&D Alternate.

Rasmussen nominated Hank Thoene.

**Smith motioned, seconded by Adams, that nominations cease and a vote be cast to name Thoene as Loup Basin RC&D Alternate. Motion carried by roll call vote, all present voting yes.**

Citta opened nominations for PrairieLand RC&D Delegate.

Anderson nominated Virgil Gellermann.

**Eschliman motioned, seconded by Hadenfeldt, that nominations cease and a vote be cast to name Gellermann as PrairieLand RC&D Representative. Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Boesch, Citta, Eschliman, Hadenfeldt, Kauk, Kruse, Lukasiewicz, Nelson, Petersen, Rasmusen, Smith, Thede, and Thoene. Director abstaining: Gellermann. Directors absent: Gutzmer and Loseke.**

Lukasiewicz announced that he had another engagement and left the meeting.

Gellermann requested that a PrairieLand RC&D Alternate be chosen.

Citta opened nominations for PrairieLand RC&D Alternate.

Smith nominated Anderson.

**Smith motioned, seconded by Adams, that nominations cease and a vote be cast to name Anderson as PrairieLand RC&D Alternate. Motion carried by roll call vote, all present voting yes.**

Citta opened nominations for NARD Legislative Conference Voting Delegate and Alternate and NARD Annual Conference Voting Delegate and Alternate. Citta said that Dean Rasmussen and Virgil Gellermann served as Voting Delegate and Alternate, respectively, at both the 2016 Legislative Conference and 2016 Annual Conference.

Kruse nominated Jim Eschliman as Voting Delegate and Virgil Gellermann as Alternate for both the 2017 Legislative Conference and the 2017 Annual Conference.

Citta asked for further nominations.

**Hadenfeldt motioned, seconded by Bartak, that nominations cease and a vote be cast to name Eschliman as Voting Delegate and Gellermann as Alternate for both the 2017 NARD Legislative Conference and the 2017 NARD Annual Conference. Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Boesch, Citta, Hadenfeldt, Kauk, Kruse, Nelson, Petersen, Rasmusen, Smith, Thede, and Thoene. Directors abstaining: Eschliman and Gellermann. Directors absent: Gutzmer, Loseke and Lukasiewicz.**

**APPROVAL OF 2017 BOARD MEETING CALENDAR, DESIGNATION OF OFFICIAL NEWSPAPERS & BANKS, SET MAXIMUM COST LIMIT PER PLATE FOR AWARDS DINNER AND MAXIMUM FOR 2017 AWARDS**

Citta directed the Board's attention to the information provided in the agenda.

**Smith motioned, seconded by Hadenfeldt, to approve the proposed 2017 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, First National Bank in Ord as the secondary repository, and Cornerstone Bank, North Loup, NE; Pathway Bank, Ord, NE; BankFirst, Ord, NE; Ericson State Bank, Ericson, NE; Citizens Bank & Trust Company, Loup City, NE; State Bank of Scotia, Scotia, NE; and Citizens State Bank, Spalding, NE as additional repositories for Lower Loup NRD funds; and to set the Annual Awards Dinner maximum at \$50 per plate for the meal and \$125 maximum for awards. Motion carried by roll call vote, all present voting yes.**

**ANNOUNCEMENTS / FUTURE MEETING TOPICS**

There were no announcements.

**EXECUTIVE SESSION**

Citta announced that the Board would go into Executive Session to discuss litigation. He said Koehlmoos, Callan, and Schultz would be included.

Adams motioned, seconded by Boesch, that the Board go into Executive Session. Motion carried by roll call vote, all present voting yes. The Board went into Executive Session at 5:54 p.m.

Bartak motioned, seconded by Boesch, that the Board come out of Executive Session. Motion carried by voice vote, all present voting yes. The Board came out of Executive Session at 6:05 p.m.

ADJOURNMENT

With no further business before the Board, Citta declared the meeting adjourned at 6:06 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 a newspaper in each county within the District. The next Board of Directors meeting will be held January 26, 2017, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

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Henry J. Thoene  
Secretary