

MINUTES

LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

January 25, 2018

Ord, Nebraska

The January 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 January 25, 2018. In the absence of Chairman Citta and Vice Chairman Eschliman, Secretary Thoene called the meeting to order at 5:00 p.m.

CALL TO ORDER

Directors in attendance

James C. Adams
Darwin B. Anderson
N. Richard Hadenfeldt
Matt R. Lukasiewicz
James C. Nelson
Chad J. Podolak
Dean G. Thede
Rick Vlach

Rollie D. Amsberry, Treasurer
Elizabeth L. Boesch
Randy Kauk
Larry Mohrman
Alan D. Petersen
Gerald Smith
Henry J. Thoene, Secretary

Directors absent

Timothy E. Bartak
Joseph L. Citta, Jr., Chairman
Virgil W. Gellermann

Robert L. Bauer
James J. Eschliman, Vice Chairman
Gary A. Kruse

Staff in attendance

Russell G. Callan, General Manager
Irene F. Kreifels, Administrative Assistant
Brent Lakin, Water Resources Technician
Jason Moudry, Water Programs Specialist
Ann Freeman, Water Programs Secretary
Dell Harris, Water Resources Specialist

Tylr Naprstek, Assistant General Manager
Kim A. Lyions, Financial Secretary
Cheryl Hornickel, Programs Assistant
Larry D. Schultz, I&E Coordinator
Richard L. Woollen, District Forester
Brian Kolar, Projects Technician

Guests in attendance

Cecil Burt, Mayor, Broken Bow

Brent Clark, City Administrator, Broken Bow

NOTICE OF OPEN MEETING LAW POSTING

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

VERIFICATION OF MEETING NOTICE AND ADOPTION OF AGENDA

Chairman Thoene asked for verification of the meeting notice. General Manager Russ Callan 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. Callan said there were no modifications to the agenda.

EXCUSED ABSENCES AND ROLL CALL

Callan reported that Bauer, Citta, Eschliman, Gellermann, and Kruse would not be present at the meeting and had asked to be excused.

Roll Call – Directors present: Adams, Amsberry, Anderson, Boesch, Hadenfeldt, Kauk, Lukaszewicz, Mohrman, Nelson, Petersen, Podolak, Smith, Thede, Thoene, Vlach. Directors absent: Bartak, Bauer, Citta, Eschliman, Gellermann, Kruse.

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

MINUTES

Chairman Thoene asked for corrections and/or additions to the December 29, 2017, Board meeting minutes. None were heard.

Smith motioned, seconded by Anderson, to approve the December 29, 2017, Board meeting minutes as presented. Motion carried by roll call vote, all present voting yes.

TREASURER'S REPORT

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

Callan highlighted expenditures to Bruning Law Group for legal cases and rewriting of the NRD's rules and regulations, and a bill for \$3,800 in vehicle repairs. He also highlighted the Duncan East project maintenance expenditures. On the supplemental agenda, the LiDAR project bill for \$65,000 was discussed, as well as bills from Rutjens for Davis Creek improvements.

Boesch motioned, seconded by Petersen, to approve the January, 2018, Treasurer's Report and pay all bills. Motion carried by roll call vote, all present voting yes.

The Treasurer's Report Approval Policy states that the approved expenditures are to be published and each director who has per diem and/or reimbursement of expenses included in such financial reports, abstains from voting for the approval of his or her own per diem and/or expense reimbursement.

PUBLIC COMMENTS

There were no public comments.

FORESTER'S REPORT

District Forester Rich Woollen reported on the Ponderosa pine stocktype trials across the state to determine the survival rate of the species. He also discussed the Nebraska Forest Service's Eastern redcedar management program. He said there is work being done through the Conservation Tree Program, NFS Forest Fuels Management Program, and Burned Forest Restoration Practice to get some pine planted back in the Pine Ridge and Niobrara Valley. Amsberry asked what was causing old cedar tree stands to die, and Woollen answered that both the drought in 2012 and warm temperatures were factors, along with disease and crowded conditions. Woollen reported that the nurseries have been experimenting with styro-block containers for seedlings.

NRCS REPORT

There was no NRCS representative present. Callan passed around an ad for the *Soil Health, Cover Crop, Grazing & No-Till Conference* to be held on February 15th at the One Box Convention Center in Broken Bow.

INFORMATION AND EDUCATION REPORT

Media Campaign Update

Larry Schultz, Information and Education Coordinator, reported that he was working on several social media apps and other ways to advertise the importance of the NRD. He also showed the video campaign he had been working on with Red Thread for both TV and social media. Along with the videos, he presented a series of newspaper ads and billboards that are being developed.

2018 NARD Washington, DC Conference

Schultz reported on the upcoming NARD Conference in Washington, DC, to be held March 17-22, and asked for signups.

Hazard Mitigation Plan

Schultz informed the Directors that there are still 6 participants, out of 59 total, who have yet to sign resolutions for the Hazard Mitigation Plan. He said he had been working with JEO to answer any questions participants had and expressed the importance of the plan. He said participants have until September to sign up.

Land Judging & Envirothon Contests

Schultz informed the Board that the Lower Loup NRD will be hosting the Land Judging Contest on October 10, 2018, in Valley County. He also reported that Lower Loup would be co-hosting Central Region Envirothons at Central Community College in Grand Island on February 12th and CCC-Platte Campus in Columbus on February 27th. He said Nebraska would be hosting the National Envirothon in Lincoln in 2020.

Schultz reported that the Board Retreat would be held on February 13th and there would be no Committee meetings that day. Callan said that Don Blankenau would be giving a presentation and Jason Rosenkranz from NPPD would be facilitating the retreat.

ASSISTANT GENERAL MANAGER'S REPORT

Davis Creek – Phase II Update

Assistant General Manager Naprstek reported that the last bill had been received for the RV cleanout, lagoon, fish cleaning station, and boat ramp. He said he would be submitting reports to Sport and Fish Restoration for reimbursement. He said Frahm and Rutjens construction companies have done excellent work on the Davis Creek improvements. Naprstek said he was in the process of receiving bids for the playground equipment and the maintenance shed to be installed. He said the inlet latrine would be built and pumped by the NRD.

Duncan East Update

Naprstek reported that cooperators had been paid for mowing and other work related with the drainage project.

Buffalo County, Ravenna Lake Report

Naprstek reported that he had met with the Buffalo County Supervisors and discussed the analyses being conducted by JEO for water quality of the lake and water quantity for possible use of Ravenna Lake as a recharge project. He said water quality sampling at the Ravenna Lake would begin in February.

Columbus Area Water Resources Assessment Study Update

Naprstek stated this item would be covered in the Programs/Projects Committee report.

ELM Update

Naprstek reported that staff was told they would be receiving the final Phase III ELM report within four weeks. He said the analysis deadline for submitting to DNR all 2016/2017 work for the Lower Platte River Basin Coalition is March 1st.

VARIANCE COMMITTEE

Thoene reported that the two requests the Committee heard for variances included transferring acres upstream and just outside of the transfer boundaries. He said Krohn would be returning in February with his request and that Chandler's request was recommended for approval. Callan said Chandler would be moving acres about 1¼ miles from the original spot and it would mean the loss of a few irrigated acres because the new location had a higher stream depletion factor.

Smith motioned, seconded by Adams, to approve the variance request submitted by Jason Chandler. Motion carried by roll call vote, all present voting yes.

WATER RESOURCES COMMITTEE

Smith mentioned that several items were discussed at the Committee meeting, with action being taken on one.

South Loup Augmentation Project

Naprstek informed the Board that Lower Loup NRD has implemented the "GET" modeling program for different sites for possible recharge/retiming projects. It was discussed that the new program would go along with the ELM study and other projects. He said that the information could be calibrated for each model and has an interface that shows a list to double-check that the math worked for the program. Thoene stated he felt it would help with Variance Committee decisions so they can look up facts and explain them to applicants requesting variances.

Middle Loup Surface Water Rights Application

Smith said the Committee discussed Middle Loup River Public Power and Irrigation District's application for additional surface water rights.

Smith motioned, seconded by Hadenfeldt, that a letter of support be sent regarding new surface water rights applications by irrigators on the Middle Loup River. Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Boesch, Hadenfeldt, Kauk, Mohrman, Nelson, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Director abstaining: Lukasiewicz.

PROGRAMS/PROJECTS COMMITTEE REPORT

Broken Bow Levee Project

Naprstek reported that JEO gave a presentation to the Committee on the Broken Bow Levee and that the Corps of Engineers has presented updates that need to be made to the levee.

Brent Clark, Broken Bow City Administrator and Cecil Burt, Broken Bow Mayor, were present to answer questions. Clark explained where the railroad tracks run in relation to the levee

location and said the city hired JEO to conduct a study to see what needs to be done to improve the levee and bring it into compliance. Clark also explained that the study must be completed before any repairs can take place.

Boesch motioned, seconded by Petersen, to approve 20% of the cost of the Broken Bow Levee Study, not to exceed \$16,200. Motion carried by roll call vote, all present voting yes.

Columbus Recharge Project

Naprstek reported that the Water Sustainability Fund grant had been approved by the Natural Resources Commission. He said there were new rules proposed that would possibly make the application process tougher on entities wishing to apply. Naprstek also informed the Board that the Committee had determined it would be beneficial to have the General Manager draft a letter opposing the proposed rules.

Davis Creek Recreation Area Camping Season Report

Naprstek updated the Board on the Davis Creek recreation improvements and income totals. Envelopes were tallied to determine the number of walk-ins, and it was reported that was approximately \$30,000 had been collected from drop-in envelopes. Shower income totaled roughly \$1,200. The Reserve America website was displayed and discussed.

Pibel Lake Update

Naprstek informed the Directors that staff was taking bids to extend the auxiliary outlet pipe, as well as slip-lining it to cease the current leaking problem. He stated the deadline for the bids was January 31, 2018. He said he would have more updates later.

General Projects Update

Naprstek said he gave the Committee an update on the projects that were ongoing in the NRD and hoped to give frequent project updates at Committee meetings.

Platte County Drainage Maintenance Request

Naprstek informed the Directors that a request had been received from Platte County to assist in maintenance and outlet of a drainage that goes to Oconee Bend near Monroe, Nebraska. It was reported that the area downstream of the Loup Power canal was overgrown with trees and shrubs. Anderson reported that the county would be meeting soon to discuss cleanup.

Anderson reported that he had received an email from Mike Reid regarding the weed management agreement the District participates in. Callan reported he is waiting to hear back on what needs to be signed for the agreement to be completed.

MANAGER'S REPORT

Designate Public Video Area

Callan stated he felt it would be a good idea to designate an area for public to video tape meetings, in case the need arises.

Smith motioned, seconded by Mohrman, to designate the area by the south exit door in the Board room as the public video area. Motion carried by roll call vote, all present voting yes.

Report of 2017 Board Attendance

Callan presented the Directors with the attendance report for 2017. The Directors requested some minor changes.

2018 Election

Callan informed Directors of the requirement for incumbents to register by February 15th to continue another term on the Board.

March Board Meeting Date Change

Callan informed the Board of a need to change the March meeting so it doesn't conflict with members returning from the NARD Washington, DC Conference.

Kauk motioned, seconded by Boesch, to change the date of the March Board of Directors meeting from March 22 to March 29, 2018, at 5:00 p.m. Motion carried by roll call vote, all present voting yes.

Litigation Update

Callan informed Directors that the judge had issued a final verdict in the Prokop case, ruling in favor of the NRD. It was determined that the NRD had been correct in their actions. The judge granted Prokop one year with no irrigation and required future annual reporting to continue with irrigating.

Callan also reported that the Koch still had time to appeal the judge's decision.

New Hires

Callan reported that Tylr Naprstek had been hired as the new Assistant General Manager.

Non-Action Reports

Callan presented a letter from Twin Loups Irrigation District requesting additional acres from the Bureau.

Dell Harris stated that Mike Wells and Joe Novotny had visited him and informed him that Twin Loups would be applying for acres and asked for a letter of support for their application.

NARD REPORT

Director's Report

No report.

Legislative Conference Report

Kauk, Boesch, and Thoene reported that they had received a lot of good information at the conference.

NRC REPORT

Commissioner's Report

Hadenfeldt reported that there would be a meeting in Kearney on February 1st to review the comments on the new rules and decide which rules to adopt. He said Governor Ricketts will most likely take most of the money that was not spent in the last round and disperse it elsewhere.

Testimony Regarding Title 261

Callan presented a letter he sent to Jeff Fassett regarding Title 261-NRC's proposed changes to the rules governing the administration of the Water Sustainability Fund, and specifically the change requiring that all permits be in place prior to application for assistance from the Water Sustainability Fund.

RC&D REPORTS

Loup Basin

Thoene reported that he was unable to attend.

PrairieLand

No report.

ANNOUNCEMENTS/FUTURE MEETING TOPICS

Callan reported that the NRD would be advertising for a Water Modeling Coordinator and that bids for vehicles and tractors were sent out to replace and upgrade present stock. He also informed the Board that video conferencing equipment would be installed in the small conference room. Callan stated that the NRD would be selling the gopher getters. He said some four-wheelers, tractors, and the Durango would be sold and that bids would be sent out soon for a new four-wheeler and side-by-side.

Podolak suggested setting up a time for Board members to tour the different NRD projects. Adams suggested having someone come and talk to the Board about aquifers. It was suggested that *The Groundwater Atlas of Nebraska* be made available to the new Board members.

ADJOURNMENT

With no further business before the Board, Chairman Thoene declared the meeting adjourned at 6:49 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 Thursday, February 22, 2018, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

Henry J. Thoene
Secretary