

MINUTES

LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

July 25, 2019

Ord, Nebraska

The July 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 July 25, 2019. Chairman Citta called the meeting to order at 5:06 p.m.

CALL TO ORDER

Directors in attendance:

James C. Adams
Darwin B. Anderson
Beth Boesch
Joseph L. Citta, Chairman
Jim Eschliman, Vice Chairman
Randy Kauk
Larry Mohrman
Alan D. Petersen
Gerald Smith
Rick Vlach

Rollie D. Amsberry, Treasurer
Timothy E. Bartak
Robert L. Bauer
John Coffey
N. Richard Hadenfeldt
Gary A. Kruse
James C. Nelson
Chad J. Podolak
Henry J. Thoene, Secretary

Directors absent:

Matt Lukasiewicz

Dean G. Thede

Staff in attendance:

Russell G. Callan, General Manager
Irene F. Kreifels, Administrative Assistant
Cheryl Hornickel, Programs Assistant
Cam Conrad, Water Modeling Coordinator
Jason Moudry, Water Programs Specialist
Jane K. Klanecky, Receptionist

Tylr Naprstek, Assistant General Manager
Larry D. Schultz, I&E Coordinator
V. Anne Freeman, Water Programs Sec
Dell R. Harris, Water Resources Specialist
Brent D. Lakin, Water Resources Tech

Guests in attendance:

Mark Sintek, RC, NRCS, Ord
Pat Engelbert, HDR, Omaha
Ed Heinz, Spalding
Janet Heinz, Spalding

Todd Nitsch, Boelus
Bill Hart, Sargent
Travis Heinz, Spalding

NOTICE OF OPEN MEETING LAW POSTING

Chairman Citta referred those in attendance to the open meeting law information posted in the Board room and that meeting material was available at the entrance to the Board room.

VERIFICATION OF MEETING NOTICE AND ADOPTION OF AGENDA

Chairman Citta asked for verification of the meeting notice. General Manager Russell Callan stated that the agenda was current, and that the meeting notices were properly published in all newspapers, posted at the NRD Headquarters office in Ord, on the NRD web site, and in the eight field office locations.

ROLL CALL AND EXCUSED ABSENCES

Roll Call was conducted electronically. Directors present: Adams, Amsberry, Anderson, Bartak, Bauer, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nelson, Petersen, Podolak, Thede, and Thoene, and Vlach. Directors Absent: Lukasiewicz and Thede.

Citta stated that Directors Lukasiewicz and Thede had asked to be excused.

Kauk motioned, seconded by Smith, to excuse absent directors. Motion carried by electronic vote, all present voting yes.

MINUTES

Chairman Citta asked for corrections and/or additions to the June 27, 2019, Board meeting minutes. Changes to the minutes were discussed and will be corrected.

Adams motioned, seconded by Anderson, to approve the minutes as corrected. Motion carried by electronic vote, all present voting yes.

TREASURER'S REPORT

Russell Callan, General Manager, highlighted expenditures on the Treasurer's Report of \$30,048.00 to Gene's Electric for Davis Creek electrical upgrades; \$9,000.00 to Robert Bagwell for concrete picnic tables; \$6,669.00 to Loup Valley Redi-Mix for rock at Davis Creek; \$7,882.31 to HDR for South Loup work that will be billed to CPNRD; \$6,436.00 to JEO for Ravenna Lake; \$14,161.00 to USGS for stream gauges; and \$190,761.75 to Frahm Construction for Pibel Lake auxiliary tube replacement.

Eschliman motioned, seconded by Kruse, to approve the July 25, 2019, Treasurer's Report and pay all bills. Motion carried by electronic vote. Directors voting yes: Amsberry, Anderson, Bartak Bauer, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nelson, Petersen, Podolak, Smith, Thoene, and Vlach. Director abstaining: Adams. Directors absent: Lukasiewicz and Thede.

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

Citta asked for public comments.

Bill Hart, Sargent, updated the Board on the excess water issues in Sargent. He stated there was still water running across the road in one spot. He felt that the problem was more than just a private benefit issue since the road had been under water for four months straight. Hart stated he would be glad to show Directors where the flooding issues were if they wanted to come tour the area.

Ed Heinz, Spalding, came to inform the Board of excess water issues on his land. He said he had discussed the situation with Naprstek previously and invited Directors to come and look at the problem. Travis Heinz explained that both he and Ed reside by Pibel Lake. He said they were having a problem with water being diverted onto their property from a neighbor, Rob Ita. Travis stated that Ita put in a tile drain in 2008 to run the excess water off his land, which subsequently flowed onto Heinz property.

Callan said that staff was working with Heinz and Ita to try to resolve the issue. He said no hearing date had been set, although there may be one in the future. Kauk asked what caused the issue. Callan stated that part of the issue involves the tile drain that is separate from the groundwater and that the flooding doesn't help. Citta stated that staff would research the issue to determine what authority the NRD may or may not have in this instance.

FORESTER'S REPORT

Richard Woollen, District Forester, was not present for the meeting. Callan reviewed the summary provided in the agenda. Callan highlighted the Tree Pest Detector and Tree and Landscape Management workshop that was held at the NRD.

NRCS REPORT

Mark Sintek, RC, NRCS, passed out graphs to the Directors, showing that NRCS and the Lower Loup NRD leads the state in funds for various assistance programs. Sintek stated that CSP and EQIP contracts were due next month and that there was a CRP contract coming up in the Spring that would require about 2,000 trees from the NRD to repair the riparian buffer.

INFORMATION & EDUCATION REPORT

Crop Water Use – Web Site

Larry Schultz, I&E Coordinator, showed where the crop water use information could be found on the NRD website. He explained that the report included information on daily crop water use for corn, soybeans, potatoes, and alfalfa, as well as a forecast for the following three days.

Schultz also discussed the NRD Facebook page and ads. He reported that there had been a lot of feedback. He said he had seen more response to the recreation campaign than to the other two. Schultz presented the Board with the statewide recreation directory.

NCF-Envirothon, North Carolina

Schultz said St Paul would have a team competing at the 2019 NCF-Envirothon in North Carolina.

ASSISTANT GENERAL MANAGER'S REPORT

Davis Creek Update

Tylr Naprstek, Assistant General Manager, reported that staff was finishing up the landscaping in the new tent camping area and picnic tables were on the way. He stated the NRD had been getting several calls about recreation area rules and what could be used to mark camping spots. He said camping equipment such as a tent or camper is required to be on site in order to reserve the spot.

Pibel Lake Update

Drone footage of the repairs taking place at Pibel Lake was shown. Naprstek reported that Frahm had most of the clay core in place. He pointed out the cofferdam that had been installed and where the new pipes would be. Naprstek stated that the road would be concrete, and the contractor said it should match up to the existing asphalt road very well. It was reported that project end was scheduled for August 9th; however, there may be an extension needed. Naprstek said he thought the cofferdam would be coming out soon and, once all construction is complete, dirt piles would be moved and the ground reseeded in the construction area.

Buffalo County, Ravenna Lake Report

Naprstek reported that staff had been collecting water quality samples and would do so through the end of the summer sampling season.

Columbus Area Water Resources Assessment Study Update

Updates would be given during the Water Resources Committee report.

WATER RESOURCES COMMITTEE

Columbus Recharge Project Update

Pat Engelbert of HDR was in attendance to answer any questions about the project. Naprstek said that the NRD had received a \$750,000 drought resiliency grant from the U.S. Bureau of Reclamation. Engelbert provided a powerpoint and refreshed the Board on the project, reviewed status and explained the project and layout of the area.

Engelbert discussed the different options for a water source for the project. Options are to: 1) take water from three vertical wells adjacent to the canal which would intercept a lot of canal seepage, or 2) utilize a direct surface water intake structure which would pull water directly from the canal. He said there had been concern from the Christopher's Cove community about pulling water from the canal due to invasive species; and with the vertical wells, there was concern of possible contamination from Behlen Manufacturing. There was also concern with the vertical wells causing groundwater shortages for other manufacturers such as ADM. Pros and cons were discussed for the different options. There was a difference of about \$75,000 for construction costs; however, there was an additional operation and maintenance cost of about \$5,000 per year for the vertical well option as opposed to the surface water intake.

Smith stated that the Committee had investigated different scenarios for each option and made the recommendation to use Loup Power District as the water source, utilizing surface water instead of groundwater.

Smith motioned, seconded by Mohrman, to approve using Loup Power District canal water as the source of recharge water for the Columbus Area Recharge Project at a cost of \$493,500.

Further discussion was held on any potential effects this option would have on other parties and maintenance after completion. It was the consensus that, long-term, the surface water option would be the most feasible. It was noted that using the canal water would require payments to Loup Power District and approval would be needed from the U.S. Army Corps of Engineers. Callan said that the city would provide in-kind services of cleaning the trash racks and maintaining the creek. He said the NRD would have the easements for the structures.

Podolak asked who would bear the yearly cost of the water, and Callan responded that the coalition organization would, which consists of the NRD, ADM, Platte County, City of Columbus and Christopher's Cove Homeowners Association. Boesch suggested that maintenance responsibilities be put on paper.

Motion carried by electronic vote, all present voting yes.

Kruse asked what the next steps would be and Callan replied that easements for access would be put together and 404 permits filed. Naprstek stated that the final monitoring well being installed would be completed soon.

2019 New Irrigated Acres – Ranking System Alternative

Naprstek reviewed the 2,500 new irrigated acres allotments that would be allowed this year, which include north of Middle Loup-Oak Creek (500 acres), North Loup-Spring Creek-Loup River (1,250 acres), and Plum-Beaver-Loup River (750 acres). It was discussed that there are areas east of Sargent in Custer County (Middle Loup basin) and in Mira Valley in Valley County (North Loup basin) that could benefit from additional irrigated acres due to groundwater increases. Naprstek said the Committee had discussed granting an extra 50 points in the ranking process to applications received in these areas and then explained how the extra 50 points would have affected last year's applications and soil types.

Smith motioned, seconded by Adams, to approve granting 50 extra points to applications for new irrigated acres received in water surplus areas of Mira Valley and east of Sargent.

Citta asked about the effects based on soil types and if there would be a problem approving them if the soil was of lower quality. Adams explained that 50 points may still separate the Class 4 soils. Different soil classes were explained. Thoene said that criteria could be changed again next year, if needed, or grant a variance.

Motion carried by electronic vote, all present voting yes.

Podolak asked what the NRD responsibilities were in regard to the Sargent Area IPA request. Callan said that a petition was being typed up to give to Sargent residents to collect signatures. Then the project would be reviewed to determine public and/or private benefit. Podolak asked if producers could transfer acres from land that was turning into swamp to hill areas and let them farm it, Callan replied that, although it was allowed, the producer would need to contact the NRD and discuss the process.

Area 29 Flowmeters

Naprstek showed the layout of Area 29 fields that could potentially be impacted by the change. He said only row crop fields would be required to have flowmeters. He said a cost-share program for flowmeters was discussed, saying the program would cover flowmeter installation costs of 100% the first year, 75% the second year, and 50% the third year. All flowmeters would be required to have check valves and an anti-reverse mechanism. Naprstek said straightening vanes would be required if needed. It was reported that the estimated cost for a water meter was \$1,500 and that the total cost for meters to be installed would be \$90,000.

Coffey asked if a landowner would qualify for cost-share if he had to upgrade his meter to meet NRD requirements. Naprstek replied that it would. He said that this cost-share would not qualify for the Environmental Trust program. He said the Environmental Trust cannot go where there are mandated flowmeter requirements, and, after the end of this year, there will be a mandate in that area.

Smith motioned, seconded by Thoene, to approve flowmeter cost-share for Water Quality Sub-Area 29 for 3 years at rates of 100% the first year, 75% the second year, and 50% the third year. Motion carried by electronic vote, all present voting yes.

PROGRAMS/PROJECTS COMMITTEE

Sargent Area Drainage Issues

Sargent East

Kruse reported that staff was working with the residents in the Sargent East area to set up a petition and educate them on the IPA process.

Village of Sargent

Kruse reported that the Village of Sargent was working with Miller and Associates to come up with a proposal and drainage plan for the Village.

Potential IPA South of Monroe

Kruse reported that Naprstek and Kolar had been working with Monroe residents on a possible IPA project in the Daniels Produce area.

Duncan East IPA Project

Naprstek reported that staff had been in contact with FEMA and were working on getting an engineer in contact with FEMA. It was reported that there was a lot of sediment in the main drain.

Office Renovation/Addition

Kruse reported that three options were presented for office renovation. Callan stated the plans were available for viewing at the office.

District Cost-Share VRI/Cover Crops

Callan reported that Dan Ruterbories, Rangeland Management Specialist, was working on putting together criteria to get through the VRI/Cover Crop applications that were at NRCS offices.

MANAGER'S REPORT

Litigation Update

Callan reported that an Executive Session would be held at the end of the meeting.

New Hires

Callan reported that there were no new hires, but that ads had been published for a District Engineer and a maintenance person at Davis Creek.

Non-Action Reports

None.

James Nelson – Letter of Resignation from LLNRD Board

Callan presented the Board with James Nelson's letter of resignation.

Eschliman motioned, seconded by Boesch to accept, with regret, James Nelson's letter of resignation. Motion carried by electronic vote, all present voting yes.

Resolution

Callan read the following resolution --

RESOLUTION

Adopted by the Board of Directors
Lower Loup Natural Resources District
July 25, 2019

WHEREAS, the Lower Loup Natural Resources District has provided long-standing service in the conservation of natural resources to the residents of the Loup River Basin,

WHEREAS, James Nelson has provided 47 years of exemplary service and valuable advice to the District as a member of the Lower Loup NRD Board of Directors,

WHEREAS, James Nelson leaves the Lower Loup NRD as the last original Board Member, in the entire State of Nebraska, to serve from day one of the NRD system,

BE IT RESOLVED, by unanimous vote, the Board of Directors of the Lower Loup Natural Resources District extends recognition and commendation to James Nelson.

Kruse motioned, seconded by Anderson, to adopt the Resolution for James Nelson. Motion carried by electronic vote, all present voting yes.

Citta presented Nelson with a waterdrop shaped art glass and Schultz said he would also receive a weather station when it arrived.

NARD REPORT

Director's Report

Eschliman reported that the Benefits and Loss Committee had a meeting last Monday. He said that the State Fair and Husker Harvest Days was coming up and that the NARD Conference would be held in September as scheduled.

NRC REPORT

Hadenfeldt reported that there had been a meeting scheduled for next Monday in Kearney but, due to flood damages, the meeting would be held in December in Gothenburg.

RC&D REPORT

Thoene reported that he wasn't able to attend the meeting, so he had report.

ANNOUNCEMENTS / FUTURE MEETING TOPICS

Board members expressed interest in using drone footage to help them better understand and see the different projects the NRD was working on.

Boesch motioned, seconded by Smith, to enter Executive Session at 6:43 p.m. to discuss legal and litigation matters, as well as personnel issues. Motion carried by electronic vote, all present voting yes.

Boesch motioned, seconded by Anderson, to exit Executive Session at 7:30 p.m. with no action taken. Motion carried by electronic vote, all present voting yes.

ADJOURNMENT

With no further business before the Board, Citta declared the meeting adjourned at 7:32 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 August 22, 2019, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

Henry J. Thoene
Secretary