

# MINUTES

## LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

May 28, 2020

Ord, Nebraska

The May meeting of the Board of Directors of the Lower Loup Natural Resources District was held at the Headquarters Office, 2620 Airport Drive, Ord, Nebraska, and via teleconference, on May 28, 2020. Chairman Citta called the meeting to order at 5:00 p.m.

### CALL TO ORDER

#### Directors in attendance at LLNRD Headquarters:

Rollie D. Amsberry, Treasurer  
Jim Eschliman, Vice Chairman  
Alan D. Petersen  
Rick Vlach

Darwin B. Anderson  
Larry Mohrman  
Dean G. Thede

#### Directors in attendance via teleconference:

James C. Adams  
Beth Boesch  
John Coffey  
Randy Kauk  
Todd Nitsch  
Gerald Smith

Timothy E. Bartak  
Joseph L. Citta, Chairman  
N. Richard Hadenfeldt  
Gary A. Kruse  
Chad J. Podolak  
Henry J. Thoene, Secretary

#### Directors absent:

Robert L. Bauer

Matt Lukasiewicz

#### Staff in attendance:

Russell G. Callan, General Manager  
Irene F. Kreifels, Administrative Assistant  
Larry D. Schultz, I&E Coordinator  
Cam Conrad, Water Modeling Coordinator  
Brian Kolar, Projects Technician

Tylr Naprstek, Assistant General Manager  
Kim A. Lyons, Financial Secretary  
Richard L. Woollen, District Forester  
Dell R. Harris, Water Resources Specialist

## ROLL CALL

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

## EXCUSED ABSENCES

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

**Eschliman motioned, seconded by Boesch, to excuse absent directors. Motion carried by roll call vote. Directors voting yes: Amsberry, Anderson, Bartak, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Director not present for vote: Adams. Directors absent: Bauer and Lukasiewicz.**

## NOTICE OF OPEN MEETING LAW POSTING

Chairman Citta referred those in attendance at the Headquarters office to the open meeting law information posted in the Board room and said that meeting material was available at the entrance to the Board room. Citta also announced that, in accordance with Governor Ricketts' policy to allow meetings to be held by teleconference and to allow for social distancing in the Board room, General Manager Callan would monitor attendees for symptoms of illness, and anyone showing symptoms would be asked to leave.

## VERIFICATION OF MEETING NOTICE AND ADOPTION OF AGENDA

Chairman Citta asked for verification of the meeting notice. 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.

## MINUTES

Chairman Citta asked for corrections and/or additions to the April 23, 2020, Board meeting minutes. No corrections were heard.

**Smith motioned, seconded by Kauk, to approve the April 23, 2020, Board meeting minutes as presented. Motion carried by roll call vote. Directors voting yes: Amsberry, Anderson, Bartak, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Director not present for vote: Adams. Directors absent: Bauer and Lukasiewicz.**

## TREASURER'S REPORT

Russell Callan, General Manager, highlighted expenditures of \$27,449.88 to JEO for the North Loup-Valley County Drainage Study; \$9,016.93 to Siem Ag Technology for maintenance

on flowmeters in Area 28; \$42,764.32 to NARD for stock purchases of trees from Bessey Nursery; \$2,600.00 to the Nebraska State Climate Office for the Merna Weather Station; \$50,270.42 to Husker Engineering, Inc. for work on the crossing at Duncan East; and \$1,257.98 to Fireguard, Inc. for service inspection on the sprinkler system. Callan informed the Board that there would be another bill in the future to Fireguard for repairs to the bell on the outside of the building.

Smith asked if there were a lot of meter repairs needed. Callan replied that there were not and Naprstek stated that there was nothing out of the ordinary. He said some repairs were due to flooding.

Adams joined via teleconference at 5:13 p.m.

**Thoene motioned, seconded by Nitsch, to approve the May 28, 2020, Treasurer's Report and pay all bills. Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Directors absent: Bauer and Lukasiewicz.**

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

Richard Woollen, District Forester, reported that tree planting had been completed right before Memorial Day. He also reported that he had been working with NRCS to get buffer strip renewals completed. He stated that field visits were completed for those wanting to renew.

## NRCS REPORT

Callan reported that no one from NRCS was able to join the meeting.

## INFORMATION & EDUCATION REPORT

### Camps

Larry Schultz, Information & Education Coordinator, reported that both Range and ACE camps had been cancelled due to COVID-19.

### *In the Loup*

Schultz reported that the new edition of *In the Loup* was at the printers and would be mailed shortly.

## ASSISTANT GENERAL MANAGER'S REPORT

### Davis Creek

Tylr Naprstek, Assistant General Manager, reported that Davis Creek had opened for tent and RV camping with the same rules as the State Parks and that the playgrounds and shower houses remained closed, but restrooms were open. He reported an income on Memorial Day weekend of \$3,150 from reservations and \$3,370 from walk-in sites. Naprstek reported staff had received many calls regarding refunds from cancelled reservations and that there was an incident of a camper removing fencing around the playground.

### Pibel Lake

Naprstek reported that Pibel Lake was also open to RV and tent camping and restrooms had been unlocked.

### Columbus Area Water Resources Assessment Study

Naprstek reported that the Water Sustainability Fund report was completed and submitted.

### Buffalo County – Aerial Electromagnetic Survey (AEM)

Naprstek reported that work was completed with AEM.

### Cover Crop Study

Naprstek reported that Moudry, Lakin, and Ruterbories had been working with EA Engineering to remove and reinstall the soil moisture equipment after planting. He stated this was the first year of monitoring for this study.

## LOWER PLATTE RIVER BASIN COALITION

Adams reported that the Coalition met at the NRD Headquarters. He stated that the Coalition would continue. Thoene said that there was nothing new to report, however, the Coalition was doing more research this year. He said dues would be \$10,000 for each partner. Callan stated it was time to update and re-evaluate the Basins and that for the last three years there were no dues and prior to that it was \$20,000 for each partner.

**Smith motioned, seconded by Adams, to pay dues of \$10,000 for the Lower Platte River Basin Coalition. Motion carried by roll call vote. Directors voting yes: Adams,**

**Amsberry, Anderson, Bartak, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Directors absent: Bauer and Lukasiewicz.**

## WATER RESOURCES COMMITTEE

### Aerial Electromagnetic (AEM) Report

Naprstek reported that the Committee decided not to publish the Buffalo County AEM information on the website due to concerns about potential abuses of the data.

### 2020 New Irrigated Acres

Cam Conrad, Water Modeling Coordinator, presented a PowerPoint showing the different scenarios for allocating new acres in the Middle Loup River Basin. He said that 500 new acres were allowed in 2019, and this year staff also reviewed allowing 750 and 1,000 new acres. Information was given showing potential water level declines based on approved applications from last year. Maps were shown highlighting locations where acres were granted and denied over the last two years. The modeling showed that the water budget numbers stayed consistent for the 750-acre option. After reviewing the different scenarios, staff made a recommendation of allowing an additional 250 irrigated acres to the Middle Loup Basin, bringing the basin total to 750 allowable acres and the District-wide total allowable acres to 2,750. Smith asked if the same scoring process would be used and it was replied that it would.

**Smith motioned, seconded by Thoene, to allow a total of 2,750 new irrigated acres in the Middle Loup, North Loup, and Beaver Creek Basins with 750 acres granted in the Middle Loup River Basin.**

Kruse asked what the breakdown was for the rest of the District. Naprstek said the North Loup Basin would be allowed 1,250 new irrigated acres and Beaver Creek would be allowed 750 new irrigated acres. Adams asked how many applications would meet the minimum score. Naprstek stated that scoring will be kept up and that the Middle Loup has had higher scoring. Smith stated he does not think that applications should go below the minimum score used in the past. Hadenfeldt stated he felt that having a minimum score was alright, but that some flexibility should be given as to what the minimum score should be.

**Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, and Thoene, Vlach. Directors absent: Bauer and Lukasiewicz.**

### Columbus Recharge Project

It was reported that an additional bill of \$67,652.00 was received from HDR for meetings related to the Columbus Recharge Project and the Committee had voted to recommend approval.

**Smith motioned, seconded by Mohrman, to approve payment of \$67,652.00 to HDR for additional work and meetings on the Columbus Recharge Project.**

Callan stated the additional bill was for extra meetings and intake structure design. Kauk asked if part of the discussion was on Lost Creek. Callan stated that most of the easement work had been done in-house; however, some was done with HDR. Kauk stated that there was previous discussion that the city didn't like the easements and he also asked about the inlet structure and what was involved. Callan stated that the original discussions included putting in wells next to the canal and, after meeting with HDR and people in the area, it was redesigned as an intake structure from the canal due to concerns with contamination from Behlen. Kauk asked if it would add to the total structure bill. Callan stated that the NRD had received a Bureau of Reclamation grant to cover some of the extra costs.

**Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Directors absent: Bauer and Lukasiewicz.**

#### USGS Research Summary

Naprstek gave an update on projects that Lower Loup NRD had partnered on with USGS. He stated that projects being worked on were the South Loup Thermal Imaging and South Loup Bacteria Assessment, and the Phylochip Analysis Project with NDEE to determine the origination of E. coli in the South Loup River. He said there was also work being done on the streamflow and monitoring gauges on the South Loup River.

#### NDEE Beach Watch Analysis

Naprstek reported that NRD staff had resumed weekly water quality sampling at beaches at Sherman Reservoir, Calamus Reservoir, Pibel Lake, and Davis Creek, testing for E. coli and blue green algae.

### PROGRAMS/PROJECTS COMMITTEE

#### Nebraska Forest Service Regional Conservation Partnership Program Grant

Kruse reported that the Committee discussed participation in the Nebraska Forest Service Regional Conservation Partnership Program grant for funding for conservation trees. He reported that the grant would allow for match funds expended by the NRD for conservation trees and other forestry cost-share practices, up to \$35,000 annually, or \$175,000 over a 5-year period. Callan stated the grant funds would allow the NRD to increase the cost-share rate or approve new applications. Woollen stated the funds would come from NRCS and allow flexibility in spending. He said several NRDs would be cooperating in the program statewide.

**Kruse motioned, seconded by Eschliman, to approve the application to the Nebraska Forest Service Regional Conservation Partnership Program through the NRCS**

**for approximately \$175,000.00 over 5 years. Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Directors absent: Bauer and Lukasiewicz.**

#### Horseshoe Dike Repair Request – Loup Power District

Kruse reported that there was a 600-foot breach in the dike along the Loup River in Nance County that Loup Public Power District was repairing and had requested funds from FEMA to cover 75% of the repairs and were requesting 50% of the remaining funds from the NRD. The Committee recommended approval of 12.5%, not to exceed \$32,000.00.

**Kruse motioned, seconded by Boesch, to approve funding of 12.5%, not to exceed \$32,000.00, for flood damage repairs to the Horseshoe Dike on the Loup River in Nance County. Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Directors absent: Bauer and Lukasiewicz.**

#### North Loup Flood Mitigation

Kruse reported that several people in the North Loup area provided feedback and comments related to the North Loup Flood Mitigation options and the final report from JEO had been received. Staff was reviewing the report and should have information by the June meeting. Coffey stated he thought the YouTube video that was provided showed a good idea of what they were doing in the area.

#### WFPO Grant Application – Mira Creek Watershed

Kruse reported that the NRD could apply for a WFPO grant like the one received for Mud Creek to use for Mira Creek. The WFPO grant would provide potential federal funding for the different options being explored to address the issues in North Loup and along Mira Creek.

**Kruse motioned, seconded by Vlach, to submit an application for a Watershed and Flood Prevention Operations grant to address ongoing flooding issues in the Mira Creek Watershed. Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Directors absent: Bauer and Lukasiewicz.**

#### Village of Sargent Drainage Issues

Kruse reported that Olsson had recommended two options for drainways – one through town and the other around the north end of the community. A rough estimate of costs was approximately \$5 million. Olsson is finalizing their recommendations. Kruse said more information should be available in June.

### Sargent East Drainage

Kruse reported that the estimated cost for the Sargent East Drainage Project would be \$500,000.00 utilizing old channels that would need to be cleaned out and rebuilt. Callan stated that Kolar had a meeting scheduled next week for both Sargent projects and he would get feedback then.

Thoene stated that \$500,000.00 sounded like a reasonable price, as he remembers other similar projects may have cost more. Citta asked if the Corps of Engineers would have requirements and if the design could be built around any of those issues. Callan stated that NRCS was designing to meet NRCS guidelines and, and therefore, hopefully Army Corps of Engineers guidelines. Citta agreed that the price seemed fair. Amsberry asked if NRD staff felt this would solve the issues. Callan replied that it would not fix the drainage problem but would keep it within certain boundaries. He said that since it was a wetland area, the problem couldn't be solved, but there were ways to make it better. Vlach stated the price might be reasonable, but based on other wetlands projects he has looked at, wetland materials need to be moved out of the area, and if that were the case, \$500,000.00 wouldn't cover moving out the material.

### Platte County Flood Zone Buyout

Callan reported that the Platte County was moving forward with the flood zone buyout and that several landowners had been interested in having their land sold under the program. FEMA would cover 75% of the cost and the political subdivision entities could cover the remainder of the cost. Callan stated that he had identified one property that the NRD might be interested in that joins to the river. He said the County was asking for letters of interest from participants.

**Kruse motioned, seconded by Boesch, to approve entering into the agreement for the Platte County Flood Zone Buyout program.**

Smith asked how much the NRD would have to put towards the buyout. Callan stated that the NRD did not have to put any towards it and that the NRD was not committing to any amount right now. Callan stated he was just looking into it and may be looking at \$100,000.00 for the NRD's share for the property that the NRD is considering. Callan stated that the NRD's letter of interest just gets a seat at the table but is not committing to any expenses.

Coffey asked that if the NRD puts money in and staff picked a piece of ground it wanted to buy, would the NRD get that property? Callan stated that, in buyouts, the properties must go to a political subdivision and cannot go back to a private owner. He said the City and County have also shown interest in the land in which the NRD is interested.

Coffey asked if there was property that no one was interested in buying, is the landowner just out? Callan stated that could potentially be right, but he thought the County had agencies lined up for most of the properties.

Coffey asked what the NRD would do with the land if the NRD were to acquire it. Callan stated there were areas that pinch the river and cause issues that would need widening. He said the NRD could do most anything with the land, including recreation or wildlife habitat, but could not put it back into private ownership.

Mohrman asked that if the NRD got the land and there was required tree removal, would that cost be solely NRD or would money be available to cover those costs. It was stated that those were options the NRD would investigate.

**Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Directors absent: Bauer and Lukasiewicz.**

## MANAGER'S REPORT

### Litigation Update

Citta stated that there would be an Executive Session near the end of the meeting.

### New Hires

Callan reported that the summer help had started. New hires included Zach Smith, Quinton Ries, and Chuck Green.

### Non-Action Reports

No non-action reports

## FY 2021 BUDGET WORK SESSION #1

Callan went over the following budget codes and the suggested amounts for budget.

Code 405 – Auto & Truck Expense - \$68,000  
Code 167 – Auto, Trucks, & Other Equipment - \$135,000  
Code 407 – Directors Expenses - \$40,000  
Code 409 – Directors Per Diem - \$32,000  
Code 413 – Dues & Memberships - \$70,000  
Code 417 – Personnel Expenses - \$40,000  
Code 419 – Fees & Licenses - \$58,600  
Code 421 – Public Information, Education, and Promotion - \$160,000  
Code 423 – Bonds - \$500  
Code 425 – Insurance - \$53,000  
Code 426 – Chemigation - \$8,000  
Code 431 – Legal Notices - \$18,000  
Code 432 – Miscellaneous Expenses - \$15,000

Code 433 – Office Supplies & Expenses - \$50,000  
Code 169 – Office Equipment - \$45,000  
Code 436 – Employment Security - \$5,500  
Code 437 – Postage - \$40,000  
Code 439 – Professional Services - \$50,000  
Code 452 – Telephone - \$35,000  
Code 453 – Utilities - \$46,000  
Code 463 – Building Maintenance - \$30,000  
Code 213 – Loan Repayment - \$2,000,000  
Code 464 – Farm Account - \$20,000  
Code 467 – Davis Creek Recreation Area & Maintenance - \$150,000  
Code 479.00 & 454 – Pibel Lake Recreation Area & Maintenance - \$60,000  
Code 469 – Wildlife Habitat Program - \$55,000

**Eschliman motioned, seconded by Amsberry, to tentatively approve the first half of the FY 2021 budget as presented. Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Directors absent: Bauer and Lukasiewicz.**

**Smith motioned, seconded by Eschliman, to enter Executive Session at 6:46 p.m. to discuss a business possibility and salaries of staff and General Manager. Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Directors absent: Bauer and Lukasiewicz.**

**The Board exited Executive Session at 7:26 p.m.**

**Eschliman motioned, seconded by Amsberry, to approve a 2.5% increase in staff salaries for FY 2021, as well as an additional 1% increase to be apportioned at the discretion of the General Manager, for a total of \$62,105.59. Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Directors absent: Bauer and Lukasiewicz.**

**Smith motioned, seconded by Boesch, to increase the General Manager's salary to \$129,000.00 per year, an increase of 3.5%. Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Boesch, Citta, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Thoene, and Vlach. Directors absent: Bauer and Lukasiewicz.**

## NARD REPORT

Eschliman reported that the Risk Pool Committee met May 15<sup>th</sup> to discuss health insurance. He reported that there would be a 7.5% increase in rates. He also reported that the Basin Tour for 2020 had been cancelled due to COVID-19.

## NRC REPORT

Hadenfeldt reported that there was nothing new and that everything that was scheduled had been cancelled. The next meeting would be held in August.

## RC&D REPORT

Adams reported that there had not been very many meetings. He stated there would not be a tire recycling program this year, but RC&D was receiving several calls regarding leftover medication, so they were working on setting up a collection site.

## ANNOUNCEMENTS / FUTURE MEETING TOPICS

Citta stated he was anxious to see the new COVID-19 meeting guidelines coming out June 1<sup>st</sup>. He reported that video conference meetings were currently allowed through June, then meetings would be required to go back to in-person unless changes were made. Citta stated that a lot of meeting rooms were not big enough to accommodate social distancing, so different options would have to be considered as things develop.

Podolak expressed interest in having different State groups come in, perhaps quarterly, to educate the NRD on their scope of work, to see what could be learned about other aspects of State level.

## ADJOURNMENT

With no further business before the Board, Citta declared the meeting adjourned at 7:49 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 June 25, 2019, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

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Henry J. Thoene  
Secretary