

# MINUTES

## LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

November 19, 2020

Ord, Nebraska

The November 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 November 19, 2020. Chairman Citta called the meeting to order at 5:00 p.m.

### CALL TO ORDER

#### Directors in attendance:

Rollie D. Amsberry, Treasurer  
Beth Boesch  
John Coffey  
Randy Kauk  
Matt Lukasiewicz  
Todd Nitsch  
Chad J. Podolak  
Dean G. Thede

Robert L. Bauer  
Joseph L. Citta, Chairman  
Jim Eschliman, Vice Chairman  
Gary A. Kruse  
Larry Mohrman  
Alan D. Petersen  
Gerald Smith  
Rick Vlach

#### Directors in attendance via teleconference (non-voting):

Darwin B. Anderson

Henry J. Thoene, Secretary

#### Director in attendance via teleconference (voting):

James C. Adams

#### Directors absent:

Timothy E. Bartak

N. Richard Hadenfeldt

#### Staff in attendance:

Russell G. Callan, General Manager  
Irene F. Kreifels, Administrative Assistant  
Larry D. Schultz, I&E Coordinator  
Jason Moudry, Water Programs Specialist

Tylr Naprstek, Assistant General Manager  
Kim A. Lyons, Financial Secretary  
Cameron Conrad, Water Modeling Coord.  
Brian Kolar, Projects Technician

## NOTICE OF OPEN MEETING LAW POSTING

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

Governor Pete Ricketts's Executive Orders No. 20-03 and No. 20-24 which permitted state and local government boards, commissions, and other public bodies to host virtual meetings expired on June 30, 2020. Therefore, any director attending the Board meeting via teleconference was unable to vote.

Citta announced that due to Executive Order No. 20-34: Coronavirus - Public Meetings Requirements Limited Waiver for Alternative Participation for Elected Officials, Board members in quarantine were able to attend and vote via teleconference.

## 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 website, and in the eight field office locations.

## ROLL CALL

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

## EXCUSED ABSENCES

Chairman Citta stated that Directors Bartak and Hadenfeldt had asked to be excused.

**Eschliman motioned, seconded by Mohrman, to excuse absent directors. Motion carried by electronic vote, all present voting yes.**

## MINUTES

Chairman Citta asked for corrections and/or additions to the October 22, 2020, Board meeting minutes. Adams stated that he was present via teleconference for the committee meeting.

**Boesch motioned, seconded by Bauer, to approve the October 22, 2020, Board meeting minutes with corrections. Motion carried by roll call vote, all present voting yes.**

## TREASURER'S REPORT

Russell Callan, General Manager, highlighted expenditures of \$10,828.18 to DAS State Accounting for the Directors iPad purchase; \$129,000.00 to Cornerstone Mapping for infrared photography; \$24,550.00 to Phoenix Web Group Inc for software updates; \$9,820.38 to HDR Engineering for the Columbus Project; and \$41,601.81 to JEO Consulting Group for Mud Creek and Sargent East IPA expenses. Callan also highlighted expenditures of \$5,358.23 to Arrow Seed for seed to sell; and \$3,212.45 to The Parts Bin for drill presses for the shop and Davis Creek.

Boesch asked how often the infrared photography was done. Callan stated it was done annually, usually in September and is used to regulate irrigated acres.

**Kruse motioned, seconded by Amsberry, to approve the November 19, 2020, Treasurer's Report and pay all bills. Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Bauer, Boesch, Citta, Eschliman, Kauk, Kruse, Lukasiewicz, Mohrman, Nitsch, Petersen, Podolak, Smith, Thede, Vlach. Director abstaining: Coffey. Directors not voting: Anderson, Thoene. Directors absent: Bartak, Hadenfeldt.**

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

No comments.

## FORESTER'S REPORT

Richard Woollen, District Forester, was not present to report. Citta referred everyone to the report provided in the agenda packet. Callan did state that the 6 cu. in. container trees were ordered a year in advance so the orders placed now would be planted in 2022.

## NRCS REPORT

Due to the absence of anyone from NRCS, directors were referred to Bryce Bauer's report provided in the agenda. Eschliman did announce that the State Conservationist Craig Derickson would be retiring at the end of the year.

## INFORMATION & EDUCATION REPORT

Larry Schultz, Information & Education Coordinator, reported on the upcoming Legislative and Washington, DC conferences. A sign-up sheet was passed around for directors wishing to attend. It was announced that the conferences may be cancelled due to the COVID-19 pandemic.

Schultz congratulated the incumbent Directors on their reelection.

## ASSISTANT GENERAL MANAGER'S REPORT

### Davis Creek

Tylr Naprstek, Assistant General Manager, reported that Davis Creek had still been seeing 2-3 sites occupied on the weekends and that the St. Paul Boy Scout troop had called and expressed interest in hosting their campout in the tent area this coming weekend.

### Pibel Lake

Naprstek reported that there were no updates for Pibel Lake.

### Cover Crop Study

Jason Moudry, Water Programs Specialist, reported that he and Dan Ruterbories, Rangeland Management Specialist, worked with EA Engineering last Friday on uploading soil moisture data and that soil samples were taken on the Cruise and Schulte fields in Buffalo County. He said the samples were sent off to Ward Labs and information would be obtained on soil nitrate levels, soil textures, and soil moisture content. Soil samples were collected at 3-foot intervals down to a total depth of 15 feet. Naprstek stated that throughout the winter the nodes would continue to monitor soil moisture levels.

## WATER RESOURCES COMMITTEE

### USGS South Loup Bacteria Study

Naprstek reported that Dave Rus with USGS gave the Committee updates on the preliminary results for the South Loup Bacteria Study and that a final report should be ready in December.

### Columbus Recharge Project

Callan stated that the NRD had received the signed MOU from Columbus and it was available for Citta to review and sign. Callan stated the next step would be to get tentative bids and work on closing on the Gates property. He said that counsel is working on the last of the easements. Naprstek reported that RFPs had been sent out for monitoring wells.

### Irrigated Acres Certification Violations

Naprstek reported that the 2020 infrared imaging was being used to review irrigation areas and staff has marked various areas where surface water irrigation was taking place, but where acres certification was not updated with the NRD. He stated that letters would be sent to landowners and certifications would be updated in the NRD files.

## 2020 Fall Static Water Level Results

Naprstek reviewed the Fall 2020 static water levels throughout the District. Some levels were lower than usual which may be caused by more irrigation on the cover crops. There was a total of 445 sites measured. Citta asked if this was something staff anticipated and if there was concern with the lower levels. Naprstek assured the Board that this was anticipated, and the cover crop study should help to understand the effects of using cover crops to help with nitrate levels and high-water levels and the impact to the water quantity budget.

## 2020 Flowmeter Readings

Naprstek reported that the Fall 2020 flowmeter readings were completed and he reviewed the maximum readings for each county. He stated there may be a few readings to keep an eye on. Coffey asked if a breakdown could be provided on application method. Naprstek stated he would have it broke down by crops as well.

## PROGRAMS/PROJECTS COMMITTEE

### North Loup Flood Mitigation

Kruse reported that there were several phases to the mitigation project including North Loup interior drainage improvements, Mira Creek channel cleanout, Mira Creek channel bypass, and the railroad bridge hydraulic review. He explained that with the current plan, North Loup would fund the interior design for \$41,400.00 and the NRD would fund the design of the remaining projects for \$71,700.00, which the Committee voted to recommend to the Board for approval.

**Kruse motioned, seconded by Boesch, to approve the engineering design and fees of \$71,700.00 for the North Loup Flood Mitigation Project. Motion carried by electronic vote, all present voting yes.**

### City of Sargent Flood Project

Kruse reported that NRD staff would be meeting with Sargent and FEMA to discuss the FEMA Building Resilient Infrastructure and Communities funding that would cover up to 75% of the project cost on previously identified flood prevention projects.

### Sargent East IPA

Kruse reported the Sargent East IPA project was moving along and there was a tentative landowner meeting with JEO for December 1<sup>st</sup> to discuss design and benefit methodology; however, the location has not been set. Callan reported that staff was looking at doing a mailing prior to the landowner group meeting to get more feedback.

### Future Project Discussion

Callan reported that the NRD was working on a purchase agreement for a property in Valley County and that he was working on potential ideas for the Platte County flood zone buyout property by Columbus. There was no additional information on the buyout as FEMA was still working on it. Podolak asked how they would relieve stress on the levee. Kruse stated there would be tree removal where there is narrowing near the dike. Citta stated there may be widening of the channel; however, there was another property that may still be a choke point and a few areas near the bridge.

### Building Addition

Kruse reported that the contract with the architecture firm was signed and the architects were working on the project.

### Small Dams Program

Kruse reported that additional discussions would take place with NRCS, but there was nothing new to report at this time.

### Parks and Rec Assistance Program

Kruse reported that there was a request from the City of Burwell to bring the restrooms up to ADA compliance. However, the work had already been completed and the policy of the Board has been to not provide assistance after work had already begun, so they were educated on the process for future projects.

### Sprunk/Swanson Well Interference

Kruse reported that staff had been contacted by Sprunk regarding a well that the NRD approved for Swanson that has caused well interference. Sprunk has requested that the NRD provide cost-share for a new well to be installed. Sprunk has been in contact with Kruse and Mohrman on the issue and has been informed that the Water Resources Committee would hold discussions on the topic. Callan reported he was looking into options and further discussion would be held at the next Committee meeting. Citta stated that, in the future, the NRD should look at waiver options for future unforeseen issues when granting wells.

## MANAGER'S REPORT

### Litigation Update

Callan reported that the Platte Republican Diversion Order was put out to the public and that there would be more discussion. Callan stated he had been in contact with Central Platte NRD and was working on an agreement to save on legal costs on the matter.

### New Hires

None

### Non-action Reports

None

## NARD REPORT

Eschliman reported that there was a meeting November 8-9 in Norfolk and that the NARD Foundation had donated money to the Nebraska Lied program, the FFA, and the Nebraska Ag Institute. He reported on dates for the Washington, DC conference, Envirothon and the Basin Tour; however, conferences would be reviewed and adjusted according to the COVID-19 pandemic. Eschliman also reported that there had been several donations made to NARD to assist with the loss of their office and purchase of a new space. Boesch asked what amount insurance had covered. Eschliman stated it was a little over \$200,000.00.

## NRC REPORT

Hadenfeldt was not present to give report. Citta announced that he got notice from the Governor Ricketts that he had also been appointed to the Natural Resource Commission and would be joining in February. Podolak asked what the role of NRC was. Citta stated they administer the Water Sustainability Fund Grant, as well as look at regulations for water management across the state.

## RC&D REPORT

Adams stated he had a call in to Janet Sanders but had not yet received any updates.

## ANNOUNCEMENTS/FUTURE MEETING TOPICS

Citta announced that in December the NRD was planning to hold the Awards Banquet and asked for input from Callan and the Board. Callan stated he was not sure it would happen, Citta agreed and stated the situation with COVID-19 would have to be monitored to see if the gathering would be allowed. Board members present expressed that they would come if it was held. Eschliman stated that, in the past, it had been moved to January due to weather, so that is a possibility. It was agreed that the situation would be monitored, and planning would be adjusted accordingly. Podolak asked if virtual meetings would be resumed if the COVID-19 levels reached into red on the scale. It was discussed that Governor Ricketts would need to approve it.

Callan announced that the WFPO grant was awarded for the Mira Creek Project for \$500,000.00 and that it was a 100% grant.

## ADJOURNMENT

With no further business before the Board, Chairman 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 December 17, 2020, at 4:00 p.m., at the Headquarters Office in Ord, Nebraska.

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Henry J. Thoene  
Secretary