

LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

January 26, 2012

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 26, 2012. Chairman Kruse called the meeting to order at 5:00 p.m.

CALL TO ORDER

Directors in attendance

James C. Adams
Darwin B. Anderson, Secretary
Joseph L. Citta, Jr. Vice Chairman
Craig E. Frenzen
N. Richard Hadenfeldt
Gary A. Kruse, Chairman
Dean J. Rasmussen
Henry J. Thoene

Rollie D. Amsberry, Treasurer
Tim Bartak
James J. Eschliman
Virgil W. Gellermann
Thomas Knutson
Alan D. Petersen
Darwin R. Sieh
Kim Walden

Directors absent

Michael P. Gutzmer
Gerald P. Smith

James C. Nelson
Bradley R. Staab

Staff in attendance

Leon "Butch" Koehlmoos, General Manager
Cheryl K. Hornickel, Programs Assistant
Jason Moudry, Water Programs Specialist
Irene F. Kreifels, Financial Secretary
Richard L. Woollen, NC District Forester

Russell Callan, Assistant Manager
Robert T. Mohler, District Engineer
Tylr Naprstek, Water Modeling Coordinator
Larry D. Schultz, I&E Coordinator
Dell Harris, Water Resources Specialist

Guests in attendance

Bryce Bauer, DC, NRCS, Ord
Roger Helgoth, Kirkham Michael, Omaha

Eugene Bredthauer, Ord
Rick Zubrod, Kirkham Michael, Lincoln

NOTICE OF OPEN MEETING LAW POSTING

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

APPROVAL OF VERIFICATION OF MEETING NOTICE, ADOPTION OF AGENDA AND EXCUSED ABSENCES

Chairman Kruse asked for verification of the meeting notice. General Manager Leon “Butch” Koehlmoos verified that the meeting notices were properly published in all newspapers. 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 a page of the Treasurer’s Report was omitted and had been provided to the Board.

Sieh motioned, seconded by Frenzen, to approve the verification of the meeting notice, adopt the agenda, and excuse all absent directors. Motion carried by roll call vote, all present voting yes.

MINUTES

Chairman Kruse asked for corrections and/or additions to the December 15, 2011, Board meeting minutes and none were heard. Kruse ruled that the December 15, 2011, Board meeting minutes would stand approved as submitted.

TREASURER’S REPORT

Chairman Kruse directed the Board’s attention to the Treasurer’s Report as published in the regular and supplemental agendas. He told the Board that a page had been omitted in the agendas the Directors received and asked them to utilize newer versions handed out at the meeting.

Koehlmoos told the Board that there were repair expenses to two District pick-ups. One required body work and another needed work on the transmission. He said that payments to the Central District Health Department of Grand Island for \$3762.00 and Ward Laboratories in Kearney for \$2,050.901 were for water quality work. The funds would come from money received from the state for water quality. Koehlmoos reported that \$71,117.00 was a payment to the USGS for work on the Elkhorn Loup Model, and 90% of that figure would be reimbursed.

Eschliman asked why there was a penny difference in the per diem paid to Directors and Koehlmoos said that it might be due to exemptions claimed by Directors.

Rasmussen motioned, seconded by Eschliman, to approve the January, 2012, Treasurer’s Report and pay all bills. Motion carried by roll call vote, all present voting yes.

PUBLIC COMMENTS

There were no public comments.

FORESTER'S REPORT

North Central District Forester Richard Woollen of the Nebraska Forest Service reported that the Nebraska *Buffer Strip* program has funding available for new contracts and renewals of established contracts.

Woollen said that the NRD has worked with Pheasants Forever in the *Corners for Wildlife* program for a number of years. The program provides for the establishment of habitat on pivot corners. He said that the NRD has usually provided planting of shrubs and trees and handled management of payments. Woollen said that the NRD funds the *Corners for Wildlife* plantings through its conservation tree program. The program offers 75% cost-share on trees and shrubs for habitat on pivot corners, and the cost-share amounts vary depending on the plantings. He said close to 20,000 trees and shrubs were planted through the program in 2011. He had contacted Pete Berthelsen regarding the NRD's costs to participate in the program and said Berthelsen had indicated that Pheasants Forever might handle the program on its own in 2012.

Koehlmoos said that the NRD had spent a considerable amount in the *Corners for Wildlife* program. He said he was concerned that the program arrangements vary from NRD to NRD. Negotiations had continued, but weren't very fruitful. He hoped the NRD and Pheasants Forever could come to an agreement on the financial arrangements, but it appeared there wouldn't be any contracts in 2012.

Woollen said the program would have about 4,000 shrubs in 2012.

NRCS REPORT

NRCS District Conservationist Bryce Bauer told the Board that the DCs from around the state had met Tuesday in Lincoln. The NRCS budget has been passed and there were some cuts, but the EQIP budget had been increased. He said the staff would be rotated around the state for compliance in the coming year. Bauer reported that NRCS planned to continue LIDAR partnerships and the Lower Loup NRD would have the opportunity to continue its partnership. He said general CRP sign-up would be held since a number of contracts had been renewed.

Bauer said EQIP rankings had been completed and that recalculation showed over \$1 million in EQIP allocation. He said that 55 contracts totaling \$800,000 had been approved earlier in the day. Six of those were in Valley County, nine in Sherman County, seven in Nance County, seven in Loup County, four in Wheeler County, one in Garfield County, eleven in Custer County, and five in Howard County. He said there were no new contracts in Boone County. There could be an additional ten contracts approved through Gracie Creek and animal feeding operations. Bauer told the Board that a hoop building was being funded to replace an open feedlot in Valley County, and if the producer agrees to allow tours of the facility, it provides more points in the ranking process. He said two feedlot abandonments had been requested in Valley County and they could be the first to be done in Nebraska.

Bauer reported that the CSP deadline had been extended to Friday. There were 120 contracts in the system, with many coming from Garfield County. He said that the office move from Greeley to Spalding was proceeding and more information would likely be available at the next meeting. He said the Broken Bow office was moving to a new location in two weeks.

Frenzen asked what the cost-share would be on the hoop building and Bauer said it was set at 50 percent. Frenzen asked how CSP contract numbers compared to previous years and Bauer said that it was up slightly. He said that range practices ranked high under CSP criteria and there was good publicity offered in the Sandhills area.

Koehlmoos said that the Broken Bow office move meant that the NRD tree cooler would be far away from the office. NRD staff was attempting to negotiate to move the cooler nearer the new office location. Koehlmoos said that communication needed to be improved between the Platte County office and staff and the rest of the District. He said that Platte County numbers need to be included in all reports about the Lower Loup NRD.

MANAGER'S REPORT

TSP Agreement with NRCS

Koehlmoos asked that this item be brought forward in the agenda as Bauer was present. He said that the position for Range TSP in Burwell remains unfilled, and that he was reluctant to begin another contract due to the instability of federal funding. He said that because the TSP is officially an NRD employee doing federal work, the NRD would be responsible for paying the salary and benefits should federal funding be cut.

It was the consensus of the Board to leave the Burwell TSP position unfilled.

ENGINEERING REPORT

FEMA Hazard Mitigation Plan

District Engineer Robert Mohler reminded the Board that the plan was begun two years prior, but the process was bogged down while FEMA and NEMA looked for ways to create a more concise plan. He introduced consultant Rick Zubrod and Roger Helgoth, president, of Kirkham Michael, the company creating the plan for the NRD. Zubrod told the Board that the plan should be completed in the next few months. Zubrod provided the Board with a power point presentation on the LLNRD Hazard Mitigation Plan's progress and history.

Koehlmoos asked what the status of the Central Platte NRD's plan was and Zubrod said it was in final review and would be submitted for approval.

Zubrod said that when the FEMA and NEMA approval had been received, the plan would go back to the participants for review and consideration of adoption. He said that the NRD's assistance with reintroducing the hazard mitigation plan to the participants would be appreciated. Koehlmoos asked if it would be advisable to notify the participants that the plan was again moving forward. Zubrod said that, at last count, there were 66 participants. Zubrod said that the hazards listed included tornadoes, summer storms, and winter storms, and that a history for each of the hazards had to be compiled, as well as estimates of potential damage from each hazard. Each participant would be required to contribute to an update of the plan every five years. Zubrod suggested this information be sought on an annual basis, making it easier to do the five-year update.

Walden asked if information from the 2010 flooding was included in the plan and Zubrod said it was not. Walden suggested that the flooding be included in the first update of the plan.

Zubrod said that the project received an \$82,500 grant from FEMA and \$27,500 local match from the Lower Loup NRD. NRD and Kirkham Michael negotiated a price of \$97,500 for the completed project. He said that the price was a very good deal. Kirkham Michael feels FEMA and NEMA have raised the bar on the project and he said Kirkham Michael would seek additional funding from the NRD for the project in the coming months.

Roger Helgoth told the Board that FEMA and NEMA changed the rules of the game in the middle of the game. His company has spent much more time and effort on the project and would seek additional funds through the NRD from NEMA and/or FEMA.

Rasmussen asked how the flooding of 2010 could still be added in and Zubrod said that the number of events in 2010 would create much more work and add even more to the document. Koehlmoos said that the plan was intended to be an umbrella for disaster assistance to fall under, fine tuned by each participant. He said that the updates in the five-year renewal would take care of the additions. Zubrod said that the draft of the plan would be available in about two weeks. It would go to NEMA for review, and following any revisions, the plan should be back to the NRD in July.

Election Filing Dates

Mohler told the Board that Directors up for re-election have through February 15, 2012, to file for re-election to the NRD Board. He directed the Board to a list of Director seats in the agenda that would be up for election in 2012. Non-incumbents would have until March 1st to file for a Board seat.

Rasmussen said that Matt Lukasiewicz of St. Paul, assistant manager of Farwell Irrigation District, had filed for Subdistrict #5.

Pibel Lake

Mohler told the Board that he had, at the request of Koehlmoos, visited Pibel Lake Recreation Area. He provided the Board with a power point presentation of his visit to the facility. He outlined the various features of the recreation area. Mohler said he was concerned with a bailed tire mat on one of the lake banks slowly disintegrating and he recommended replacing the tire mat with other riprap. He pointed out some features of the emergency spillway that needed to be modified or kept continuously clean. Mohler had suggestions for modifications to the dam for extending pipe work and additional dirt work on the dam. He estimated the cost at approximately \$14,800.

Petersen asked what the life of tubes like the ones in the dam would be and Mohler said that they were good for another 40 years. He said the principal spillway was replaced in 2000, making it virtually new.

Knutson asked what the procedure for the exchange of property would be and Koehlmoos said that if legislation is passed, the facility would be quit claim deeded to the NRD. Koehlmoos said that bringing the property up-to-date could be achieved over a multi-year period. Rasmussen asked if a park permit would be required if the NRD took over and Koehlmoos said that fees would be up to the Board. Koehlmoos said the dam was on Department of Roads property, but would be the

responsibility of the NRD. Sieh asked where the property was located and Koehlmoos said it was two miles south and a quarter-mile east of the Highways 70 & 281 junction. Koehlmoos pointed out the lake's features on a web site map. He said there were a couple of privately owned lots at the facility and the Pibel Bible Camp was adjacent to the lake.

Callan said there was concern by state senators regarding the management of the recreation area that would be addressed by a re-write of the legislation, LB 849. Koehlmoos said he had requested that Game & Parks continue to provide fishery management and some riprap placement. Mohler said there were six to eight ice fishermen at the lake on the day he visited. Koehlmoos said Game & Parks charged \$6 a night for camping and it would be up to the Board to determine future fees. Mohler said that there was a live-in camp manager at the Bible Camp, so there would be a presence at the site year-round.

INFORMATION AND EDUCATION REPORT

Statewide I&E Staff Quarterly Meeting

Information & Education Coordinator Larry Schultz told the Board that I&E staff from around the state met prior to the Legislative Conference. The group heard plans for the 40th Anniversary of Natural Resources Districts. Schultz said Envirothons are underway around the state and Schultz said the Lower Loup NRD would host the North Central Envirothon in Columbus on March 6th. He said that the contests were being modified to be more "hands-on," with numerous items for the students to examine and answer questions about.

North Central Land Judging

Schultz told the Board that the Middle Niobrara NRD had agreed to host the North Central Land Judging Contest. The contest will be held in October near Ainsworth and Schultz had volunteered to assist with the contest.

Schultz said that the NRD shirts provided through the apparel policy had arrived and were passed to the Directors. Schultz said a few styles had been backordered.

Callan told the Board that he would be making a presentation to the Boone/Nance Cattlemen in Albion on Monday night.

ASSISTANT MANAGER'S REPORT

Groundwater Management Area Activities

Variance Committee

Callan told the Board that the Variance Committee had met earlier in the day. He said there was no action taken on any of the requests.

Area 28 Activities

Callan said that Lorenz and Horacek had been busy working to get reports sent out to landowners in Area 28. He said the deadline for the reports was the 31st.

Area 18 Activities

Callan told the Board that Moudry and Kolar had completed vadose zone sampling at 28 sites in Area 18. The samples had been sent to the labs and a report would be prepared for the Water Resources Committee and the Board of Directors. He said that the Water Quality Report should also be ready for both groups in February.

2011 Static Water Level Report

Callan said that the 2011 Static Water Level Report had been mailed to each Director and would soon be available on the NRD web site. He said declines were found in Areas 6, 9 and 10. He said each of the areas was in the eastern part of the District. Area 3 in Custer County had shown an improvement and was now above the 1982 trigger level. He said the District average was up about one-half foot over the previous year.

ELM Update

Callan told the Board that he had met with DNR staff regarding funding for the ELM project. He and Koehlmoos reminded the staff that funds were earmarked for NRDs that were not fully or over-appropriated. He said it resulted in an additional \$70,000 for the ELM project.

Callan and the members of the Water Resources Committee set the next meeting for February 15th at 10 a.m.

MANAGER'S REPORT (Cont.)

District Information Request Form

Koehlmoos reported that he had received a draft of an information request form from the District's attorney. He had not yet reviewed the draft and hoped to bring it to the Board at the February meeting.

Spalding Property

Koehlmoos told the Board that the land sale had been completed and payment had been received for the NRD's property in Spalding. He said bids would be reviewed by the NRCS. The NRD still owned one lot in Spalding.

New Hires

Koehlmoos said that he hoped to convert a part-time employee to full-time duties and would consult with the Executive Committee about the possibility.

NARD REPORT

Director's Report

Rasmussen said that he had moderated a session at the Legislative Conference on Clean Water regulations. He attended a session on the Central Platte NRD's presentation on the purchase of an irrigation canal. He also attended a session on the process of fracturing extraction of minerals. He said that the dinner with Senators held with Central Platte was a success. He announced that NARD had purchased a permanent site at Husker Harvest Days for the Natural Resources Districts and that each NRD would be asked for a contribution toward the purchase. Dean Edson had been voted a 4 percent salary increase. Rasmussen reported that the insurance program was currently receiving numerous claims. Koehlmoos said he was pleased with the Lower Loup NRD's representation at the conference with 10 Directors attending. There was not much controversy in the legislative bills.

Edson's Legislative Updates

Koehlmoos asked Directors interested in receiving the updates to contact Schultz.

Washington DC Conference

Schultz said that airline tickets had been purchased for those attending and hotel reservations would be completed shortly.

NRC REPORT

Hadenfeldt told the Board that the Natural Resources Commission had a short meeting following the NARD Legislative Conference. There was nothing to report.

RC&D REPORTS

Loup Basin RC&D

Rasmussen told the Board that he was unable to attend the RC&D meeting.

PrairieLand RC&D

Gellermann reported that the RC&D had discussed a no-till conference to be held in Columbus on February 14th at the Holiday Inn. He said there would be four held around the state.

Koehlmoos asked if a tire collection was being pursued and Gellermann said it was being discussed, if funding could be found.

ANNOUNCEMENTS

Kruse told the Board that he wished to set up a retreat/strategic planning session for the NRD Board to develop a long-range plan. Koehlmoos said that the seven NRDs in the lower Platte River Basin wished to hold a planning session for coordinated action following the completion of LB-483 acre distribution. He said that a basin-wide approach could result in an integrated management plan for the lower Platte River Basin. He said that some NRDs were starting the process for voluntary individual integrated management plans.

Koehlmoos suggested that a moderator be selected for the Board retreat/planning session. Koehlmoos suggested that, for the retreat, speakers be contacted to update the Board on current water management issues. Kruse suggested that the retreat be discussed further at the February meeting.

Kruse asked if time could be set aside for the issues that will likely arise at the lower Platte River Basin meeting. The Board consensus was to set the February Board meeting for 3:00 p.m. start time.

Koehlmoos said the Variance Committee would begin at 11:00 a.m. and lunch would be provided.

ADJOURNMENT

With no further business before the Board, Chairman Kruse declared the meeting adjourned at 7:30 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 newspaper in each county within the District. The next Board of Directors meeting will be held Thursday, February 23, 2012, at 3:00 p.m., at the Headquarters Office in Ord, Nebraska.

Darwin B. Anderson
Secretary