

MINUTES

LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

June 27, 2024

Ord, Nebraska

The June 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 June 27, 2024. Chairman Thoene called the meeting to order at 5:01 p.m.

CALL TO ORDER

Directors in attendance:

James C. Adams
Darwin B. Anderson
Colton R. DeBower
Randy Kauk
Gary A. Kruse
Larry Mohrman, Secretary
Alan Petersen
Henry J. Thoene, Chairman
Rick Vlach, Vice Chairman

Rollie D. Amsberry, Treasurer
Robert L. Bauer
James Eschliman
Thomas L. Knutson
Matt Lukasiewicz
Todd Nitsch
Chad J. Podolak
Alexander L. Vlach

Directors absent:

Timothy E. Bartak
Justin W. King

N. Richard Hadenfeldt
Gerald Smith

Staff in attendance:

Russell G. Callan, General Manager
Irene Kreifels, Administrative Assistant
Alan Bartels, I&E Coordinator
Dell Harris, Water Resources Specialist
Cacey Wilken, Water Modeling Coordinator
Jason Moudry, Water Programs Specialist

Tylr Naprstek, Assistant General Manager
Kim A. Lyons, Financial Secretary
Brant Bechtold, Information Specialist
Kevin Gustafson, District Engineer
Brian Kolar, Projects Technician
Ann Freeman, Water Programs Secretary

Guests in attendance:

Sherry Asche, NRCS, Spalding
Jessica Predmore, Taylor

Erika Peterson, Burwell

VERIFICATION OF MEETING NOTICE AND ADOPTION OF AGENDA

Chairman Thoene asked for verification of the meeting notice. General Manager Russ Callan stated that the agenda was current with revisions, 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.

EXCUSED ABSENCES

Thoene stated that Directors Bartak, Hadenfeldt, Smith, and King had asked to be excused.

R. Vlach motioned, seconded by Adams, to excuse absent Directors Bartak, Hadenfeldt, King, and Smith. Motion carried by electronic vote. Directors voting yes: Adams, Anderson, Bauer, Eschliman, Kauk, Knutson, Kruse, Lukasiewicz, Mohrman, Nitsch, Petersen, Podolak, Thoene, A. Vlach, R. Vlach. Directors voting no: None. Directors not present for vote: Amsberry, DeBower. Directors absent: Bartak, Hadenfeldt, King, Smith.

MINUTES

Thoene asked for corrections and/or additions to the May 23, 2024, Board meeting minutes.

Knutson motioned, seconded by Peterson, to approve the May 23, 2024, Board meeting minutes. Motion carried by electronic vote. Directors voting yes: Adams, Anderson, Bauer, Eschliman, Kauk, Kruse, Lukasiewicz, Mohrman, Nitsch, Petersen, Podolak, Thoene, A. Vlach, R. Vlach. Directors voting no: None. Directors not present for vote: Amsberry, DeBower, Knutson. Directors absent: Bartak, Hadenfeldt, King, Smith.

TREASURER'S REPORT

Russell Callan, General Manager, highlighted expenditures of \$1,100.00 to GMDA for registration fees for Naprstek & Moudry and \$10,277.00 to In-Situ Inc. for monitoring well transducers for the wells near Petersburg. Callan also noted additional expenditures of \$27,771.26 to Central Platte NRD for secretary salaries; \$85,887.50 to Downey Drilling Inc. for wells by Petersburg, adding that there will be grant reimbursement; \$62,811.38 to JEO Consulting Group Inc. for Mira Creek WFPO and Sargent Flood work; and \$15,587.10 to JEO Consulting Group Inc. for the Pibel Lake grant application.

DeBower arrived at 5:04 p.m.

Mohrman asked about the Wildlife Habitat cost-share payments listed to multiple producers. Callan stated that the payments coincided with the Nebraska Game and Parks Access Program payments that are made for allowing public access to private lands.

Kruse motioned, seconded by Knutson, to approve the June 27, 2024, Treasurer's Report. Motion carried by electronic vote. Directors voting yes: Adams, Anderson, Bauer, DeBower, Eschliman, Kauk, Knutson, Kruse, Lukasiewicz, Mohrman, Nitsch, Petersen, Podolak, Thoene, A. Vlach, R. Vlach. Directors voting no: None. Director not present for vote: Amsberry. Directors absent: Bartak, Hadenfeldt, King, Smith.

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

Thoene asked for public comments. None were heard.

Amsberry arrived at 5:07 p.m.

FORESTER'S REPORT

Aron Lewis, Conservation Forester, was not present. Callan stated an update was in the agenda and pointed out that 52,900 trees were sold this year, which was approximately 3,800 less than last year.

NRCS REPORT

Sherry Asche, NRCS, Spalding, reported that the Spalding NRCS staff has been working on FSA annual compliance status reviews. She added that they are also working on 21 EQIP contracts which are partially funded using local Lower Loup IRA EQIP funding, general Lower Loup EQIP funding, and State fund pools. Asche stated that their field office will fund a total of \$1,003,207 contracted dollars, primarily for cover crops, Eastern redcedar control, prescribed burn, with a few contracts for irrigated to dryland conversion, dryland crop to native range conversion, and installing wells, pipelines, and tanks for grazing systems.

Asche added that Ellie Norlen will be starting as a new Soil Conservationist starting July 1, 2024.

INFORMATION & EDUCATION REPORT

Recreation Programs

Alan Bartels, I&E Coordinator, reported that the Arboretum is 1 of 47 destinations in the 2024 Your Parks Adventure Nebraska Trail Trek Program and that the NRD is also in the second year of the NRD Recreation Exploration Program. Participants take "selfies" at the various NRD rec areas in the state and submit them for 'random drawing' prizes.

Educational Events

Bartels reported that the NRD assisted with the Valley County Farm Safety Day with 160 children attending. He also noted that Bev Smedra, NRD Secretary, Ord Field Office, helped co-found Farm Safety Day with Nebraska Extension Services 26 years ago, and that her family was named as NTV's Farm Family of the Month.

Bartels added that NRD staff also hosted ACE Camp, which was held at Kamp Kaleo near Burwell this year, with 18 campers attending. Papio, Lower Platte South and Lower Niobrara NRDs and UNL helped with the camp. Bartels stated that Larry Schultz, with Upper Loup NRD, co-founded ACE Camp in 2010.

Producer Dashboard

Tylr Naprstek, Assistant General Manager, reported that the database is set up for all water quality annual reports and that the producers will be able to enter in their own information through the NRD website. He stated that Bechtold and Hellbusch would be assisting producers with setup.

Brant Bechtold, Information Specialist, showed the website and link location for the dashboard. He added that there will be a video and PDF added showing people how to use the dashboard. He stated that producers will have to sign up for an account and that there are fields to fill in yields, irrigation and fertilizer information. He added that once information is submitted, it will be reviewed by staff and published.

ASSISTANT GENERAL MANAGER'S REPORT

Recreation Areas

Naprstek reported that Davis Creek is the fullest it has been since 2019 and that campsites are being occupied. He added that lots of compliments have been received on cleanliness of the recreation area.

Naprstek added that Pibel Lake is in decent shape and that staff was out to take care of some musk thistle found on the island. He stated there were about 20 geese hatchlings this year.

Well Standards Letter

Naprstek reported that Ed Drozd, NRD Technician in Columbus, had identified several potential aquifer contamination sources, per Title 178 guidelines, and that all wells with open casings have been cataloged and letters sent notifying that repairs need to be made. He stated that there is a deadline of June 30th for landowner response before the violations will be turned over to NDEE.

Chemigation

Naprstek reported that staff is conducting chemigation inspections. He stated there was a chemical tank leaking south of Ord that has been remedied by NDEE standards. He mentioned that, in cases like this, if NDEE was not available for consultation, the next step is to contact the State Patrol.

Flow Meter Cost-Share

Naprstek reported that cost-share for flow meters in Areas 18 & 20 are coming in and that staff is checking them as they are installed. He added that they will be put on maintenance rotation to ensure proper operations.

Thoene asked about the well standards letters and what percentage is domestic vs. irrigation wells. Naprstek stated that most are irrigation wells. He said that information is being passed on to the landowners regarding old wells and that decommissioning cost-share is available.

PROGRAMS & PROJECTS COMMITTEE

Kevin Brown Trail

Kruse reported that the Committee discussed contribution for the trail, as the original request had sunset. He stated that the Committee voted to recommend approval of the original contribution amount.

Kruse motioned, seconded by Petersen, to approve a contribution of \$18,000 to the Kevin Brown Trail.

Erica Peterson and Jessica Predmore, Taylor, were present and reported that they anticipate bid letting in 2025 and groundbreaking in 2026 for the project. They also reported that they have received a \$2 million TAP grant and have been fundraising to get the remaining 20% match required.

Motion was carried by electronic vote, all present voting yes.

Bartlett Splash Pad Request

Kruse reported that Bartlett has raised \$78,000 and their total cost is \$250,000 for their Splash Pad project. He stated they are using a recycling system for the water so it can be reused for another purpose. Kruse added that they plan to have the project complete by Summer, 2025, and that they are seeking additional grant funding on the project.

Kruse motioned, seconded by Eschliman, to approve a contribution of \$10,000 to the Bartlett Splash Pad, subject to them receiving the necessary funding. Motion carried by electronic vote, all present voting yes.

NRCS/RCPP Participation

Callan stated that participation in the RCPP Program would provide \$15 million in grant funds and the NRD contribution would be \$1 million over a 5-year period. He added that the program focuses on EQIP, nitrate management, water conservation projects, and soil health. He stated that funds could be used for gravity to pivot irrigation, Sentinel Fertigation, and other improvements. Callan added that NRCS would do the field work on the project.

Kruse motioned, seconded by Knutson, to approve RCPP grant application and allocate \$1 million to the program, over a 5-year period, subject to grant award. Motion carried by electronic vote, all present voting yes.

Range Judging

Kruse reported that the Society for Range Management has denied requests to use the Scantron device for scoring, which simplifies the process and eliminates the need for excess staff assistance. Staff recommended to the Committee that the NRD not participate unless Scantron is used.

Kruse motioned, seconded by Anderson, to inform the Society for Range Management that Lower Loup NRD will not provide scoring assistance unless the Scantron device is utilized in future competitions.

Callan added that he has sent a letter stating that traditional scoring is a major added workload, and that NARD, along with other NRDs, have sent a letter stating the same. He stated that there is too much staff and time required for the current process. He added that other states use the Scantron device, which can complete the scoring in minutes with one person, versus several hours and multiple people required now.

Kruse asked about the cost of the machine. Bartels stated that one was purchased for land judging.

Motion carried by electronic vote, all present voting yes.

Mud Creek WFPO - Ansley

Kruse stated Kevin Gustafson, District Engineer, would have information in his report.

Mira Creek WFPO – North Loup

Kruse stated Gustafson would have information in his report.

Sargent Flood Project

Kruse stated Gustafson would have information in his report.

WATER RESOURCES COMMITTEE

Large Water User Rule

Nitsch reported that Callan gave a report on the updates needed to the NRD's Large Water User Rule which has been in place since 2012. He stated it was modeled after Upper Big Blue NRD's rule and that there are some things that need updated with permitting, etc. He added that there will be more information later.

Well Interference Area Monitoring Wells

Nitsch reported that Brian Kolar, Projects Technician, is working on the new monitoring wells in the Petersburg area and that a new one was installed by Downey Drilling in May. He added that there are concerns with interference between irrigation wells and domestic wells in the area. Callan added that these wells will report in real-time and data can be viewed online.

Vadose Zone Project

Nitsch stated that Jason Moudry, Water Programs Specialist, reported on the Cedar Rapids and St. Edward area sampling. It was reported that they are applying potassium bromide to simulate nitrogen movement through the soil and that they will be taking 8-foot vadose samples. He added that Derek Vogt, Agronomist, reported on the USDA and UNL collaboration.

It was also reported that LeeAnn Smith, Water Programs Assistant, is working on sampling lakes through September for E. coli and blue green algae and that the Nitrate Vulnerability Model is drafted and will be finalized soon.

ENGINEER'S REPORT

Pibel Lake Expansion

Gustafson reported on the cost breakdown of the estimated campground expansion for Pibel Lake. He stated that the estimated cost for the campground will be \$862,000 with \$431,000 NRD funds used; the trail \$437,000 with \$187,000 NRD funds used; and the boat launch \$275,000 with \$110,000 NRD funds used. He stated that the applications should be ready to be submitted soon for each grant. He added that if funding is received, final contracts will be put into place.

Mud Creek WFPO

Gustafson reported that NRCS has submitted the plan to the Chief for funding approval. He stated this is the last step in this process and the next step will be design. He stated the plan was sent on June 21st and that he is working with JEO on the design cost of the project. He added that he has been told there are no funds available right now, so funding may be available after October 1st, along with the federal fiscal year.

Gustafson stated that there would be no Lower Loup NRD funds used in the design phase and that Lower Loup NRD would only be responsible for land rights, permitting, and those types of expenses. NRCS would be 100% responsible for design and construction costs.

Sargent Flood Project

Gustafson reported that all field work and surveying is done, as well as the environmental and archaeological reviews. He stated that pre-application meetings are being set up with the Corps of Engineers for permitting. Funding sources for this project include FEMA-Hazard Mitigation Grant, Water Sustainability Fund, City of Sargent, and Lower Loup NRD.

Callaway Aquatic Center

Gustafson showed pictures of the aquatic center that the Lower Loup NRD has committed financial assistance towards. He reported that they installed a climbing wall and splash pad.

FY 2025 BUDGET WORK SESSION #2

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

- Code 475 – Buffer Strip Program - \$150,000
- Code 462 – Arboretum Budget - \$10,000
- Code 438 – Special Projects – \$2,179,500
- Code 473 & 301 – Water Quality Fund - \$185,000
- Code 301&303 – State and Federal Grant Funds - \$4,000,000
- Code 422 – Scrap Tire Collection - \$45,000
- Code 471 – Water Well Decommissioning Fund - \$30,000
- Code 470 & 440 – Land Treatment - \$440,000
- Code 441 – Project Construction - \$7,000,000
- Code 443 – Project Land Rights - \$900,000
- Code 445 – Project Legal Costs - \$70,000
- Code 446 – Columbus Area Recharge Project O&M - \$40,000
- Code 447 – Assessment Projects - \$2,500 (Duncan East IPA)
- Code 448 – Assessment Projects - \$300 (Lost Creek IPA)
- Code 449 & 309 – Stock and Stock Purchases - \$160,000
- Code 165 – Machinery & Equipment - \$80,000
- Code 476 – Community Forestry Program - \$35,000
- Code 477 – Prescribed Burn Program - \$30,000
- Code 441.01 – Park and Recreation Financial Assistance Program - \$12,000
- Code 163 & 161 – Capital Improvements & Land - \$1,200,000

Knutson motioned, seconded by Nitsch, to tentatively approve the second half of the FY 2025 Budget as presented. Motion carried by electronic vote, all present voting yes.

Knutson left 6:30 p.m.

NARD 414H Changes Resolution

Callan reported that NARD had approved changes to the retirement plan for the NRD. He stated it will mean an additional 1% contribution for staff and the District. Eschliman added that the resolution passed NARD unanimously.

Callan presented NARD 414 (h) Contribution Resolution as follows:

WHEREAS, the contribution levels for the NARD 414(h) have not been changed since July 1, 2006; and

WHEREAS, the NRD managers and Nebraska Association of Resources Districts (NARD) Board representatives have been talking to local boards and local employees since August of 2023 about a possible change in contribution levels to assist with recruitment and retention of employees; and

WHEREAS, based on feedback from those conversations, on May 20, 2024, the NRD Employee Benefits Committee voted unanimously to recommend the NRD Managers and NARD Board approve an increase on employee contribution from 5.5% to 6.5% and employer contribution from 6.0% to 7.0% effective January 1, 2025; and

WHEREAS, on June 5, 2024, the NRD Managers voted 21-1-1 to request the NARD Board approve an increase on employee contribution from 5.5% to 6.5% and employer contribution from 6.0% to 7.0% effective January 1, 2025; and

THEREFORE, LET IT BE RESOLVED, that the following Mandatory Employee Contributions Section 30.c, of the Nebraska Association of Resources Districts 414 (h) Plan is to be amended as follows:

30.c [x] An Eligible Employee must contribute to the Plan 6.5% (not to exceed 25% of Compensation). Effective January 1, 2025.

THEREFORE, LET IT BE RESOLVED, that the following Employer Matching Conditions Section 26.B.e.1 and 27.A.c of the Nebraska Association of Resources Districts 414(h) Plan is to be amended as follows:

26.B.e.1 [x] Fixed – uniform rate/amount. The Employer will make matching contributions equal to 100% of the Participant's "matched Employee contributions" that do not exceed 7.0% of a Participant's Compensation. Effective January 1, 2025.

27.A.c [x] 7% of Compensation.

RESOLVED, that the undersigned is hereby authorized to execute, on behalf of the Employer, all documents necessary to effect the changes authorized herein. Such resolution was approved by the NARD Board of Directors on June 10, 2024.

Eschliman motioned, seconded by Amsberry, to adopt the NARD 414 (h) Contribution Resolution. Motion carried by electronic vote, all present voting yes.

NARD REPORT

Eschliman reported that the Basin Tour was held in McCook and that there was a good presentation on Blackshirt Feeders. He stated the feedlot will hold 150,000 head and will be completed with concrete with a holding pond and digester. Several Directors commented on the efficiencies that are going to be put into place during the project construction.

NRC REPORT

Amsberry reported that there will be a Zoom meeting for the scoring committee on July 8th, and another July 23-24 to complete the scoring. He said the projects will be voted on by the committee on August 14th.

MANAGER'S REPORT

Water Strategies Update

Callan reported that Water Strategies has provided updates, included in the agenda.

Litigation Update

None.

New Hires

None.

Non-action Reports

Callan reported that there was a conflict-of-interest sheet at each Directors place, which needs filled out due to LB228e passage.

He also stated that with LB43, there would be some changes with the public speaking allowances during the meeting, allowing for the Board to limit time for discussion but not topics. Callan added that the NRD will also have to list all memberships with lobbying organizations on the website, so that will be updated soon.

R. Vlach motioned, seconded by Bauer, to enter Executive Session at 6:43 p.m. to discuss contracts. Motion carried by electronic vote, all present voting yes.

Eschliman motioned, seconded by Amsberry, to exit Executive Session at 7:17 p.m., with no action taken. Motion carried by electronic vote. Directors voting yes: Adams, Anderson, Bauer, DeBower, Eschliman, Kauk, Kruse, Lukasiewicz, Mohrman, Nitsch,

Petersen, Podolak, A. Vlach, R. Vlach. Directors voting no: None. Directors not present for vote: Amsberry, Knutson, Thoene. Directors absent: Bartak, Hadenfeldt, King, Smith.

ANNOUNCEMENTS/FUTURE MEETING TOPICS

None

ADJOURNMENT

With no further business before the Board, Chairman Thoene declared the meeting adjourned at 7:20 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 July 25, 2024, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

Larry Mohrman
Secretary