

# MINUTES

## LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

October 26, 2017

Ord, Nebraska

The October 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 October 26, 2017. Chairman Citta called the meeting to order at 5:00 p.m.

### CALL TO ORDER

#### Directors in attendance

James C. Adams  
Darwin B. Anderson  
Robert L. Bauer  
Joseph L. Citta, Jr., Chairman  
Virgil W. Gellermann  
Gary A. Kruse  
James C. Nelson  
Chad J. Podolak  
Dean G. Thede

Rollie D. Amsberry, Treasurer  
Timothy E. Bartak  
Beth Boesch  
Jim Eschliman, Vice Chairman  
N. Richard Hadenfeldt  
Matt R. Lukasiewicz  
Alan D. Petersen  
Gerald Smith  
Henry J. Thoene, Secretary

#### Director absent

Randy Kauk

#### Staff in attendance

Leon "Butch" Koehlmoos, General Manager  
Irene F. Kreifels, Administrative Assistant  
Larry D. Schultz, I&E Coordinator  
Richard L. Woollen, District Forester

Russell G. Callan, Assistant General Manager  
Kim A. Lyions, Financial Secretary  
Ann Freeman, Water Programs Secretary  
Jason Moudry, Water Programs Specialist

#### Guests in attendance

Mark Sintek, RC, NRCS, Ord  
Rick D. Vlach, Scotia  
Brad Staab, Ord  
Andrew Devine, Albion Trail Project

Larry Mohrman, Columbus  
Don Berggren, St. Paul  
Jeff Mullinix, Columbus  
Rex Mahoney, Albion Trail Project

## NOTICE OF OPEN MEETING LAW POSTING

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

## VERIFICATION OF MEETING NOTICE AND ADOPTION OF AGENDA

Chairman Citta asked for verification of the meeting notice. General Manager Leon “Butch” Koehlmoos verified that the meeting notices were properly published in all newspapers and that 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 there were no modifications to the agenda.

## EXCUSED ABSENCES AND ROLL CALL

Koehlmoos reported that Randy Kauk had contacted Headquarters and asked to be excused from the Board meeting, and Bartak had called to say he would be late.

Roll Call – Directors present: Adams, Anderson, Bauer, Boesch, Citta, Eschliman, Gellermann, Hadenfeldt, Kruse, Lukasiewicz, Nelson, Petersen, Podolak, Smith, Thede, and Thoene. Directors absent: Amsberry, Bartak, and Kauk.

**Kruse motioned, seconded by Anderson, to excuse Kauk from the meeting. Motion carried by roll call vote, all present voting yes.**

## MINUTES

Chairman Citta asked for corrections and/or additions to the September 28, 2017, Board meeting minutes. None were heard.

**Boesch motioned, seconded by Smith, to approve the September 28, 2017, Board meeting minutes. Motion carried by roll call vote, all present voting yes.**

Amsberry arrived at 5:10 p.m.

## TREASURER’S REPORT

Chairman Citta directed the Board’s attention to the Treasurer’s Report as published in the regular and supplemental agendas.

Koehlmoos highlighted expenditures for a new drone purchase, lawsuits in progress, professional services for project costs, Upper Loup temperature study on South Loup River, Section 14 Monroe seeding project, and vault toilet at Pibel Lake.

**Eschliman motioned, seconded by Gellermann, to approve the October, 2017, Treasurer’s Report and pay all bills. Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bauer, Boesch, Citta, Eschliman, Gellermann, Hadenfeldt,**

**Kruse, Lukasiewicz, Nelson, Petersen, Podolak, Smith, Thede, and Thoene. Directors absent: Bartak and Kauk.**

### PUBLIC COMMENTS

There were no public comments.

### SUBDISTRICTS 4 & 7 CANDIDATE INTERVIEWS

Citta announced that candidate interviews would be moved to later in the agenda, after all candidates wishing to address the Board had arrived.

### FORESTER'S REPORT

District Forester Rich Woollen reported that conservation tree sales would begin November 1, 2017. He said October 27<sup>th</sup> would be the last day for initial orders. He said there has been a lot of interest expressed.

Woollen reported that 17 ponderosa pine stocktype trials were planted across the state last spring, and evaluations of the four different types of ponderosa nursery stock had begun. He said he would be working with UNL statisticians to further evaluate the trials.

Woollen said the "Nebraska 150<sup>th</sup> Celebration Tree Planting Project" is underway. He is working with other NRDs in the Niobrara Valley and Pine Ridge to plant trees in burn footprints of the 2006 and 2012 fires. He said handplanting crew bids are being taken to help plant trees on these sites. He informed the Board that ponderosa pine is a native species and one that suffered the most losses in the fires. He reported that interest in the tree planting project is mostly from recreationalists and hunters.

### NRCS REPORT

Mark Sintek, Resource Conservationist in Ord, reported that NRCS staff had been working on planned grazing systems, converting pivots from high to low pressure. Staff is working on CRP re-enrollments with fancy seed mixes.

Sintek reported that Game and Parks/Pheasants Forever wildlife biologists are using Roundup to kill brome. He said the best time to spray is after a hard freeze, then 3-4 days of at least 60 degrees, when brome goes dormant and draws the chemical into the roots.

Sintek encouraged Directors to view the new video by Gabe Brown.

Sintek said that Bryce Bauer had been utilizing cover crops the last few years on his farm ground near Ainsworth and reported that Bauer's cover cropped dryland soybean fields yielded five more bushels per acre than the irrigated fields where cover crops had not been utilized.

## INFORMATION AND EDUCATION REPORT

### Hazard Mitigation Plan

Information & Education Coordinator Larry Schultz reported that he, Koehlmoos, and Phil Luebbert of JEO met with the North Loup River Public Power and Irrigation Board on October 16<sup>th</sup> to answer any questions they had on the Hazard Mitigation Plan. He said that following the question-and-answer session, the North Loup River Public Power and Irrigation Board approved the resolution, adopting the plan.

### LLNRD Groundwater Media Campaign

Schultz reported that he accompanied videographers from Red Thread as they shot scenes for the video campaign. He said two actors were employed to portray a grandfather and granddaughter. He said water was featured in each scene and locations included Jim and Marilyn Nelson's residence near Cairo, Dell Harris's alfalfa field near Taylor, and Auble Pond in Ord. Schultz said there was no word as to when the video would be ready for viewing.

### Statewide I&E Staff Quarterly Meeting

Schultz reported that the state I&E staff meeting was hosted by the Lower Niobrara NRD in Niobrara on October 16<sup>th</sup> and 17<sup>th</sup>. He said the group discussed organization and committees for the 2020 National Envirothon, which will involve competing teams from the U.S., Canada, and possibly some international teams. He said details that needed to be taken care of range from transportation to daily newsletters to media.

Schultz said the group was planning an NRD Day during the next session of the Nebraska Legislature to better inform Senators of NRD functions.

Schultz said he helped with the North Central Land Judging Contest in the Orchard area and there were about 250 competitors. He said the state contest was held in the Lower Elkhorn NRD.

### NWRA/NSIA Convention and GMDA Conference

Schultz reported that the Nebraska Water Resources Association and Nebraska State Irrigation Association Joint Convention will be held November 19-21, 2017, in Kearney. Lukasiewicz said the conference agenda was online and persons could register online, as well. Schultz said there wasn't a lot of information about the Groundwater Management Districts Association Conference, but it would be held in Baton Rouge, Louisiana, in January, 2018, with an exact location and date to be announced later.

Bartak arrived at 5:25 p.m.

## SUBDISTRICTS 4 & 7 CANDIDATE INTERVIEWS

Citta announced that five of the six subdistrict candidates were present to introduce themselves and discuss their qualifications with the Board. He said one Subdistrict 7 candidate was unable to attend.

### Subdistrict 4 Interviews

Don Berggren, who lives west of Wolbach, introduced himself to the Board and informed them that he was a lifelong farmer dealing with corn, alfalfa, cattle, and some custom work. He expressed concern that the state didn't have many natural resources and stressed that he feels that water and soil conservation was important to the state. Berggren said he had utilized services from the NRD in the past, including pipeline, cross-fencing, and cedar tree removal.

Brad Staab from Ord introduced himself to the Board and informed them that he was a multi-generational farmer in Valley county, dealing with mostly cattle and corn. He expressed that he was interested in helping to continue our natural resource conservation and wanted to keep the control as local as possible. When asked by Boesch about changes he thought needed to take place, Staab replied that he "thinks the Board is on the right track, just needs to keep going the direction we're going and keep battling her through." Staab reported that he had previously served on the Board for about ten to twelve years, but missed the deadline for reelection due to health issues.

Rick Vlach, Scotia, introduced himself to the Board and informed them that he was a lifelong resident of the District with a different background perspective. He said he had been involved in soil and water conservation by way of his earth-moving business for his entire life, and had started installing drainage tile about ten years ago. He said he was interested in serving on the Board because he had personally experienced some of the challenges one faces throughout the District. Vlach said he had also sat in on water table management meeting on a national level to see what was going on in different parts of the country.

### Subdistrict 7 Interviews

Larry Mohrman of Columbus introduced himself to the Board and informed them that he had been a farmer for 40 years. He said he had served on many school and coop boards and had dealt with reorganizations and consolidations. He had also participated in converting gravity pivots. Mohrman stated he wanted to be able to help represent his area and he knew it would take time and commitment, which he was willing to put forth. Mohrman also said he had been on boards that have had to make tough decisions for the good of the community.

Jeff Mullinix, Columbus, introduced himself to the Board and informed them that he grew up on a farm and has been involved in various organizations including Ducks Unlimited, Pheasants Forever, and National Wild Turkey Federation. He said he is a machinist by trade, is involved in sales, had overseen many large projects, and recently purchased a manufacturing company that builds waterfowl pop-up blinds. Mullinix expressed that he wanted to give back to the community and state. He said he knows there are precious resources that need to be preserved.

Citta stated that the final candidate from Subdistrict 7, Jon Dockhorn, was unable to attend the Board meeting. Citta said that although he had intended to call the vote tonight to fill the vacancies, he felt the final applicant should be given another opportunity to address the Board. Citta said he would like the vote to be held at the November meeting by secret ballot.

**Adams motioned, seconded by Smith, to table the item and make the two appointments for the Director vacancies in Subdistricts 4 & 7 at the November Board meeting. Motion carried by roll call vote, all present voting yes.**

#### Banking Resolution

Koehlmoos directed the Board's attention to the resolution in the Supplemental Agenda to add Kim Lyons and Irene Kreifels to the list of authorized inquirers at all banks used by the Lower Loup NRD and to remove Rita Goldfish since she is officially retired.

**Eschliman motioned, seconded by Anderson, to add Kimberly A. Lyons and Irene F. Kreifels to the list of authorized inquirers for the Lower Loup Natural Resources District and to remove Rita A. Goldfish from the list of authorized inquirers for the Lower Loup Natural Resources District. Motion carried by roll call vote, all present voting yes.**

### LONG-RANGE IMPLEMENTATION PLAN

Russ Callan, Assistant General Manager, said copies of the draft of the Long-Range Implementation Plan had been emailed to Directors and said the plan was discussed at the Water Resources Committee and Programs/Projects Committee meetings and a couple Board meetings.

Citta reminded the Directors that the Board will soon be having a working retreat to discuss priorities of the NRD and make adjustments, if necessary. Citta said the next Long-Range Implementation Plan could then be changed depending on the priorities established at the retreat.

**Smith motioned, seconded by Boesch, to approve the Long-Range Implementation Plan as presented. Motion carried by roll call vote, all present voting yes.**

Koehlmoos said the Plan would be sent to the Department of Natural Resources.

### ASSISTANT GENERAL MANAGER'S REPORT

Callan stated his report is comprised of information in the Water Resources Committee report.

### WATER RESOURCES COMMITTEE

#### Long-Range Implementation Plan Review

Smith stated Long-Range Implementation Plan was discussed earlier in the meeting.

### Upper Loup Discussions – Lower Platte River Basin Plan

Callan reported that members of the Upper Loup NRD Board and staff were present at the Committee meeting to discuss the Lower Platte River Basin Plan. He reported that at the Committee meeting, the total allotment for the Loup Basin was identified as 8,774 acre-feet of water, with LLNRD's 5-year allotment being 5,385 acre-feet, which is 61.37%; and ULNRD's 5-year allotment is 3,389 acre-feet, which is 38.63%. Callan said the numbers represent the percent of development allowed in each basin in the next five years of that particular number of acre-feet. Callan reported that since the Committee meeting, numbers had been reevaluated and a more accurate split between the two districts would be LLNRD-68%/ULNRD-32%. It was reported that, based on the new numbers, an interlocal agreement would be drafted and reviewed and/or revised every five years.

**Smith motioned, seconded by Gellermann, to accept the revised LLNRD-68%/ULNRD-32% numbers presented and have an interlocal agreement drafted based on these numbers. Motion carried by roll call vote, all present voting yes.**

Koehlmoos said that HDR plans to be at the Lower Loup NRD Board meeting in November to explain the Lower Platte River Basin Plan. Koehlmoos said the Plan will be presented to all seven NRD boards for approval, then to the Lower Platte River Basin Coalition board for final approval.

### PROGRAMS/PROJECTS COMMITTEE

Kruse said the Committee recommended approval of financial assistance for two trail projects – one in Albion and one in St. Paul.

#### Albion Trail Contribution

Kruse reported that the Albion Trail is approximately two miles long and will go around the fairground and park. He said the Committee recommended a contribution of 10%, not to exceed \$35,000. Rex Mahoney, Albion Trail Project, said their community had raised \$140,000 in private funds by silent donation and project construction is scheduled to begin around March 1, 2018. Koehlmoos said the Albion group is not seeking grant monies.

**Boesch motioned, seconded by Petersen, to make a 10% contribution, not to exceed \$35,000, to the Albion Trail Project-Phase 1. Motion carried by roll call vote, all present voting yes.**

#### St. Paul Trail Contribution

Kruse reported that the proposed ten-foot-wide trail would be placed on the west side of St. Paul, connecting the St. Paul schools and Brookefield Park Nursing Home. He said the Committee recommended financial assistant of 10%, not to exceed \$31,250. Koehlmoos said the NRD contribution is subject to the Game and Parks grant being awarded. Koehlmoos said the trail would be located north and west of town. Lukasiewicz said that other boards had expressed concern about the trail being located on top of a berm that is already in place, and if that is the case, he felt the

project would not go through. Citta said if the project doesn't go through, there will be no obligation for contribution.

**Kruse motioned, seconded by Eschliman, to make a 10% contribution, not to exceed \$31,250, to the St. Paul Trail Project. Motion carried by roll call vote, all present voting yes.**

#### Pibel Lake Outlet Pipe

Koehlmoos reported that staff would like to put together an RFP for bids to fix the drainage pipe at the Pibel Lake outlet, including life expectancy. He said the following options were available -- 1) extend the pipe that runs under the road adjacent to the lake and coat the old part of the pipe running under the road; or 2) replace the entire tube running under the road. He said that \$300,000 had been budgeted for the replacement of the tube.

#### Broken Bow Levee

Callan said a representative from Broken Bow is hoping to be present at the November Board meeting to discuss the Broken Bow levee project. He said upgrades will probably be needed on the 1970s project to meet all the current Corps of Engineers rules and regulations. He said Broken Bow would be doing a study and would most likely request LLNRD financial participation. Callan said that Broken Bow had also asked the NRD to help sponsor a grant for source water protection and would probably revisit that subject, as well.

Koehlmoos directed the Board's attention to a thank-you letter received from the Village of Anselmo thanking the NRD for their participation in the purchase of playground equipment.

### MANAGER'S REPORT

#### Treasurer's Report Approval Policy

Koehlmoos reported there was possibly a need to adopt a policy regarding the approval of the Treasurer's report pertaining to members voting on claims that may cause personal gain. An attorney had been contacted for his recommendation and the upcoming Manager's meeting may provide more insight on the proper action to take. Board consensus was to discuss the matter further in November if more information was received by then.

#### Litigation

No updates were given.

#### New Hires

No new hires were reported.

Non-action Reports

No non-action reports.

NARD REPORTDirector's Report

Eschliman reported that the November meeting would be held in Beatrice.

NRC REPORTCommissioner's Report

Hadenfeldt reported that November 30<sup>th</sup> was the deadline for first review of approximately 25 projects for Water Sustainability Fund monies. He said he cannot vote or speak on any Water Sustainability Fund projects that the Lower Loup NRD may apply for.

RC&D REPORTSLoup Basin

Thoene reported that Loup Basin had received an \$11,000 grant for the Cedar River Stabilization Project and helping with the jetties at Lake Ericson. He reported there was footage of Taylor tornado on the drone they have, and they will be flying over the Loup River and Davis Creek camp site for more footage. He said there is talk of new technology that will warn aircraft when drones are flying.

PrairieLand

Gellermann reported that PrairieLand has funds yet and the RC&D is not dissolved. He said they need to carry on until all grant monies are used up, and the group must meet at least once a year.

NEGOTIATIONS WITH NEW GENERAL MANAGER

**Kruse motioned, seconded by Bauer, to go into Executive Session to discuss personnel issues regarding discussions with Russell Callan to set the salary of the new general manager. Motion carried by roll call vote, all present voting yes.**

The Board went into Executive Session at 6:24 p.m.

The Board came out of Executive Session at 6:44 p.m.

**Boesch motioned, seconded by Lukasiewicz, to set Russell Callan's salary at \$114,000 per year beginning January 1, 2018. Motion carried by roll call vote, all present voting yes.**

## ANNOUNCEMENTS/FUTURE MEETING TOPICS

Koehlmoos stated that the November meeting would be held on November 16<sup>th</sup>, the week before Thanksgiving. There was discussion about the date of the December meeting and Christmas travels. The Board will discuss it further at the November meeting, but felt that December 28<sup>th</sup> might be better than December 21<sup>st</sup>.

It was announced that Dell Harris was a new grandfather.

Larry Schultz announced a thank-you to Nelson's daughter Laurie for the pictures donated for the agenda.

Callan reported that the dock had been pushed in at Davis Creek and video will be shown at the next meeting.

## ADJOURNMENT

With no further business before the Board, Chairman Citta declared the meeting adjourned at 7:05 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 Thursday, November 16, 2017, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

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Henry J. Thoene  
Secretary