

LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

May 22, 2014

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, on May 22, 2014. Chairman Kruse called the meeting to order at 5:02 p.m.

CALL TO ORDER

Directors in attendance

James C. Adams
Darwin B. Anderson, Secretary
James J. Eschliman
N. Richard Hadenfeldt
Thomas Knutson
Clifford P. Loseke
James C. Nelson
Dean J. Rasmussen
Kim C. Walden

Rollie D. Amsberry, Treasurer
Timothy E. Bartak
Virgil W. Gellermann
Randy Kauk
Gary A. Kruse, Chairman
Matt Lukasiewicz
Alan D. Petersen
Henry J. Thoene

Directors absent

Joseph L. Citta, Jr., Vice Chairman
Gerald P. Smith

Michael P. Gutzmer
Darwin R. Sieh

Staff in attendance

Leon "Butch" Koehlmoos, General Manager
Irene F. Kreifels, Financial Secretary
Jason W. Moudry, Water Programs Specialist
Larry D. Schultz, I&E Coordinator
Anne Freeman, Program Secretary
LeeAnn Smith, Water Programs Ass't.

Russell G. Callan, Assistant General Manager
Rita A. Goldfish, Administrative Assistant
Cheryl K. Hornickel, Programs Assistant
Tylr D. Naprstek, Water Modeling Coordinator
Dell Harris, Water Resources Specialist

Guests in attendance

Bryce Bauer, LDC, NRCS, Ord
Mark Koch, Sargent

Eugene Bredthauer, Ord

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 that *Excess Equipment Bids* and *Appointment of the General Manager to the Nebraska Water Conservation Cooperative* had been added to the Manager’s Report.

Loseke motioned, seconded by Rasmussen, to approve the verification of the meeting notice, adopt the modified 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 April 24, 2014, Board meeting minutes.

Lukasiewicz said that, on page 10, during the discussion of LB-1074 and AM-2360, he had met with the Executive Committee to discuss his concerns regarding “the articles of testimony,” not “the language of the legislation” as printed in the minutes.

Knutson said that he felt a retraction should be made on the word “all” in Public Comments. Koehlmoos said the issue could be discussed later in the meeting.

Loseke motioned, seconded by Kauk, to approve the correction to the minutes. Motion carried by roll call vote, all present voting yes.

TREASURER’S REPORT

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

Chairman Kruse said that the tree replant cost-share payment to Alan Petersen would be considered in a separate motion. Koehlmoos highlighted the buffer strip payments and also payments made to JEO Consulting Group for the Clear Creek-Pibel Lake Watershed Management Plan and to Olsson Associates for the Pibel Lake renovation. Koehlmoos said that there would be some remodeling work done to the shop restroom.

Eschliman motioned, seconded by Bartak, to approve the May, 2014, Treasurer's Reports and pay all bills, excluding the tree replant cost-share payment to Alan Petersen. Motion carried by roll call vote, all present voting yes.

Eschliman motioned, seconded by Adams, to approve the tree replant cost-share payment to Alan Petersen. Motion carried by roll call vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Eschliman, Gellermann, Hadenfeldt, Kauk, Knutson, Kruse, Loseke, Lukasiewicz, Rasmussen, Smith, Thoene, and Walden. Director abstaining: Petersen. Directors absent: Citta, Gutzmer, Smith, and Sieh.

PUBLIC COMMENTS

Mark Koch of Sargent spoke on behalf of Eugene Bredthauer. He handed out a proposal that listed benefits for rebuilding the Bredthauer Dam. He said he was disappointed that this item would not be on the May Programs/Projects Committee agenda. He said that the April minutes indicated that the NRD was not allowed on Bredthauer's land, but said NRD personnel have been on the land.

Koch said he would like to present the project in the proper way, according to NRD policy and with the proper elements, at the June meeting of the Programs/Projects Committee for their review and consideration.

FORESTER'S REPORT

District Forester Rich Woollen reported that tree planting is done and drip irrigation systems are now being installed. He said he would like to put together a presentation that takes the viewer through the Conservation Tree cycle -- from nursery to District planting.

Woollen mentioned Arbor Day observances he participated in in St. Paul, Ord, and with the Ord Girl Scouts.

Woollen said that a briefing sheet summarizing accomplishments to date for the *Nebraska Wildfire Control Act of 2013* (LB-634) was available. He said more community wildfire protection plans are in place. He said work is being done in the burned areas of the Niobrara Valley such as taking care of potential re-burn hazard and planting trees. Also, initial demonstration area projects were conducted and Woollen will be hosting a workshop to tour the burned area on July 9th in conjunction with the NFS staff meeting.

NRCS REPORT

Bryce Bauer, District Conservationist, reported that the 2015 EQIP Local Work Group met in Broken Bow. One of the main changes that will be implemented next year is a split of the range practices into 2 applications – brush management/burning and water development. Another change is the addition of the Pibel Lake Watershed as a priority area. He said compliance reviews have started. He reported that CSPs are being ranked and are due on the 28th. Bauer thought that about 70%, or approximately 100, of the CSP applications in the NRD would get funded the first part of June. He said 60 were in Burwell. He reported that the EQIP money was starting to come in now that the rules

have been written for the farm bill. Bauer said extra EQIP money was already floating around from other states who couldn't use their share, so he asked for \$1.5 million extra for use in the Lower Loup NRD, in addition to the original request of \$1.2 million.

INFORMATION AND EDUCATION REPORT

State Envirothon

Information & Education Coordinator Larry Schultz reported that a team from Concordia High School was the champion at the State Envirothon Contest. It was the second year in a row that Concordia was the top team. The contest was held at the Crane Trust Center near Alda. He said the team from Fullerton High School finished in 7th place. He said that, due to disorganization at the national level, the top three teams received cash prizes instead of a trip to the national contest.

Children's Groundwater Festival

Schultz said that many kids showed up for the Children's Groundwater Festival held at College Park in Grand Island. He lead a session called *Water Drop Relay* which teaches about the water cycle. He said students from St. Paul and St. Michaels took part in the session.

Schultz said that the deadline to register and apply for a scholarship to Range Camp is May 26th and the deadline is May 30th for ACE Camp. He said the Lower Loup NRD helps sponsor \$100 scholarships to these camps.

Schultz said that some of the LLNRD golf shirts were backordered, but will be distributed once the office receives them.

ASSISTANT MANAGER'S REPORT

Variance Committee

Marvin Dugan

Assistant General Manager Russell Callan reported that Marvin Dugan was wanting to transfer some irrigated acres into the Greeley Wellhead Protection Area. Callan said that Lower Loup NRD rules don't allow for transfer or for development of irrigated acres in wellhead protection areas.

Amsberry said Dugan does have acres within the wellhead protection area that can be moved around, but no new acres can be added.

Amsberry motioned, seconded by Adams, to deny the Marvin Dugan variance request to transfer irrigated acres into the Greeley Wellhead Protection Area. Motion carried by roll call vote, all present voting yes.

Water Resources Committee

2014 SWL Report

Callan showed the powerpoint presentation he gave to the Christopher Cove Homeowners Association in Columbus. It is a sand pit area and the residents are concerned about the declining water levels in the lake around their homes. He said that static water levels in the District have been on an upward trend, but in 2012/2013 there was a 2-foot decline across the District. Callan said there is a well near Christopher Cove that shows a severe decline in its water level. He said precipitation amounts have been down since 2010 in the Columbus/Duncan area.

Callan said there are many factors that could contribute to the lake's declining water levels. He said ADM has been in Columbus for a long time, and the effects of its pumping are already seen in the well levels and in the river flow. Drought, irrigation, evaporation, and low recharge also contribute to water levels.

Callan said that Lost Creek is flowing and that it used to flow down by Christopher Cove, but now goes out through the drain that goes to the canal. He said that was another effect that has taken water out of the area.

Callan said Ed Drozd is putting together some maps of the industries in the area and mapping some of the pumping effects.

Callan said there was information regarding the other items that were discussed in the Water Resources Committee meeting in the minutes, and to please ask if there were any questions regarding *Surface Water Relinquishment Update, Voluntary Integrated Management Plan Progress, Monitoring/Observation Well, E.coli Lake Sampling, Area 28 Flowmeter Update, or Mag Meters.*

Area 28 Activities

Callan said that Mike Lorenz is putting together some of the final report numbers. Lorenz is also compiling information to be used in a nitrogen management booklet. The last booklet was published in 1998 and has been used for nitrogen certification. The booklet is being updated and a chapter added regarding nitrogen efficiencies. Callan said the book would be available both in print and online.

ELM Update

Callan reported that Naprstek received an extension on the grant money. He said an additional \$40,000 would come from grant money and \$30,000 from participating NRDs. Callan said 1½ years was added to get the model in a useable format and provide training.

PROGRAMS/PROJECTS COMMITTEE REPORT

Koehlmoos said the minutes of the Programs/Projects Committee meeting were in the agenda.

Lake Ericson Gate Controller Request

Jim Eschliman reported that Joe Wadas met with the Committee and provided three options for assistance for new controllers for the dam gates at the lake. Eschliman said the Committee felt that the Lake Association should make the decision on which option should be pursued, rather than the Committee.

Review of Draft RFP for Davis Creek Restroom Doors

Eschliman reported that Callan went over the draft RFP with the Committee, explaining that the bid had three components – 1) restroom doors; 2) restroom ceilings; and 3) a well-house for the new water well and pitless adaptor on the water system.

Koehlmoos said the restrooms were originally built to be open, but trash gets blown inside creating a maintenance problem. A contractor looked at the restrooms, and because the restrooms have non-standard openings, the estimate came back high. Because of the cost, RFPs would be sent out. Koehlmoos said that plans are to sheet the roof to the ceiling so there is a place for the bathroom fixtures, and also build a well-house to protect the wellhead and store cleaning/bathroom supplies.

Eschliman motioned, seconded by Rasmussen, to approve the RFP for the Davis Creek Recreation Area. Motion carried by roll call vote, all present voting yes.

Discussion on Oconee Bend Road Project

Eschliman said the Oconee Bend Road Project was discussed briefly.

City of Columbus Area Recreational Trails (CART) Request

Eschliman reported that the CART group met with the Committee for the first time and will come back in June. Koehlmoos told the Committee that \$16,000 was approved in June, 2013, for the Run-Around Trail and another \$15,180 approved for the Monastery Road/Powerhouse Trail in August. Koehlmoos said one of the trails proposed was estimated at over \$1million because of an opportunity by the Department of Roads. According to the CART group, they will only process applications for \$1 million or more. Koehlmoos said CART was trying to look at some expansion of a project so they could meet the criteria and be ready to go with a project if the money becomes available.

Koehlmoos said the CART group would meet with the Committee again in June, the Committee would make a recommendation to the Board, and then the CART group would be invited to meet with the Board to explain their plans.

Pibel Lake Improvement Cost Estimates

Eschliman said that Olsson Associates prepared a rough draft of estimated cost figures for the Pibel Lake improvements.

Naprstek called the Board's attention to the cost estimates for the renovation items and stressed that they were very rough figures. He said the pedestrian bridge would span 75 feet and be 10 feet wide, which meets walking trail requirements, and will connect the 2 jetties across the lake, allowing access to the east side. Koehlmoos said the bridge would be a future project. He said money has been received from the Environmental Trust and Naprstek said the NRD hopes to move dirt on the sediment catch of the upstream basin this fall/winter, depending on a 404 permit coming from the Corps of Engineers.

Naprstek said that \$300,000 is committed from the Trust for the spillway, repairs downstream, and the fishing pier. Naprstek said that he will look in to getting some 'fishing access funds' from the Game and Parks Commission. Some of the basin funds will also come from 319 grants.

Naprstek mentioned the Pibel Lake open house to be held May 29th. He said JEO will be present to showcase the work they've done on the project and will have a draft of the plan available.

Koehlmoos explained to the Board the situation regarding the Bredthauer Dam presentation. He had been contacted by Mr. Mark Koch regarding being put on the agenda to give a presentation to the Board. Koehlmoos tried to explain to Mr. Koch that it was not possible to put him on the agenda and that staff would need to see any presentation and/or proposal prior to meeting with the Programs/Projects Committee to determine if anything had changed from prior discussions. Mr. Koch did not like Mr. Koehlmoos's explanation.

Other

Due to conflicts, it was decided that the Water Resources Committee would meet at 10:00 a.m. on June 17th and the Programs/Projects Committee will meet at 1:00 p.m. on June 17th.

MANAGER'S REPORT

Excess Equipment Bids

Koehlmoos referred the Board to the sheet which showed the bids received for the excess equipment. Bid winners follow --

Dump Truck (\$6,135) – Jim Hansen, Burwell
 Pickup 728 (\$9,600) – Rob Ita, Ericson
 Pickup 1265 (\$11,200) – Rob Ita, Ericson
 Voyager Van (\$1,163) – Amy Bishop, Belgrade
 Skid Steer (\$4,000) – North Platte NRD, Scottsbluff
 4-Wheeler (\$1,300) – Upper Niobrara-White NRD, Chadron
 Water Tank (\$3,200) – Sargent Irrigation District, Sargent

Loseke motioned, seconded by Knutson, to accept the sealed bids received for NRD excess equipment. Motion carried by roll call vote, all present voting yes.

Appointment of General Manager to the Nebraska Water Conservation Cooperative

Koehlmoos said the Cooperative was a group that joined together to negotiate and counter the instream flow rights that the Game and Parks Commission put on the Platte. He said Dick Beran, former Lower Loup NRD General Manager, was a member of the group. Since his retirement, Lower Loup's voting delegate has not changed.

Koehlmoos said the group is wanting to disband and disburse the remaining assets of \$1,852.16. Instead of redistributing the funds to the 17 members, it was recommended by the remaining NWCC officers to 'gift' the funds to the Nebraska Habitat Conservation Coalition which has been working with piping plover critical habitat in Nebraska. Koehlmoos said the group needs votes to disband and would like the Board to consider him as the voting delegate for Lower Loup NRD.

Knutson motioned, seconded by Loseke, to appoint General Manager Leon Koehlmoos as the Lower Loup NRD's representative to the Nebraska Water Conservation Cooperative to provide the NRD a vote in the dissolution of the group and distribution of the remaining funds. Motion carried by roll call vote, all present voting yes.

New Hires

Koehlmoos said tree planters and summer help at Headquarters have been hired. He reported that 16 applications had been received for the mechanic/parks/maintenance position. He hopes to begin interviews soon.

NARD REPORT

Director's Report

Rasmussen reported that the NARD meeting and basin tour would be in North Platte June 8-10. Koehlmoos encouraged Directors to attend the tour. Koehlmoos mentioned that there will be a UNL tour in July.

NRC REPORT

Commissioner's Report

Hadenfeldt said the governor appointed 11 new members to the NRC, making 27 members. He said there will be 3 orientation meetings across the state, with 1 being held in Kearney on June 4th. He said the Commission meeting will be held June 19th in Chadron.

RC&D REPORTS

Loup Basin RC&D

Rasmussen told the Board that he represented Loup Basin RC&D at the FFA banquet. He said he was very impressed with the procedures conducted by the group and ag advisor. Rasmussen reported that the RC&D met at the Ord Fire Hall to hear an interesting presentation by Alan Koelling explaining his sunflower oil business. Rasmussen said there will be a tire collection in Elba.

PrairieLand RC&D

Gellermann said the RC&D had not met.

ANNOUNCEMENTS

After informal discussion regarding Mr. Ron Wolf's request to have Koehlmoos write a retraction for the use of the word "all" in his *In the Loup* article, Koehlmoos consented to write the retraction.

ADJOURNMENT

With no further business before the Board, Chairman Kruse declared the meeting adjourned at 6:52 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, June 26, 2014, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

Darwin B. Anderson
Secretary