

CENTRAL PLATTE NRD
Board Meeting Minutes
July 27, 2017

CALL TO ORDER: Chairman Jim Bendfeldt called the meeting to order at 2:00 p.m. He reported that the NRD abides by the Open Meetings Act in conducting business and said that a copy of the Open Meetings Act was displayed on the south wall of the conference room, that the Board reserves the right to change the order of an item on the agenda, and some items on the agenda are subject to closed session.

ATTENDANCE: Board members present were:

LeRoy Arends	Dwayne Margritz	Marvion Reichert
Jim Bendfeldt	Charles Maser	Mick Reynolds
Alicia Haussler	Jerry Milner	Jay Richeson
Chris Henry	Barry Obermiller	Bob Schanou
Brian Keiser	Keith Ostermeier	Ed Stoltenberg
Ed Kyes	Doug Reeves	Deborah VanMatre

Excused Absences – Steve Sheen, Keith Stafford and Jerry Wiese.

Staff present: Lyndon Vogt – General Manager, Duane Woodward – District Hydrologist, Mark Czaplewski – District Biologist, Dianne Miller – Administrative Director, Jesse Mintken – Assistant Manager, Brandi Flyn – Hydrologist, Marcia Lee – Information Education Specialist, Kelly Cole – Programs Coordinator, Luke Zakrzewski – GIS Image Analyst, Dan Clement – Water Resource Specialist, Angie Warner – GIS Programs Coordinator, Shane Max – Resource Conservationist, Tricia Dudley – Resource Conservationist

Others present – Cathy Allen – Attorney, Grand Island; Janelle Taubenheim – NRCS Resource Conservationist, Lexington; Jason Scholz – NRCS Intern, Lexington; Dean Krull – UNL Extension, Grand Island; Randy Zach – NPPD Columbus.

MEETING NOTICES: Chairman Jim Bendfeldt reported that the notices of the meeting had been published in the Grand Island Independent and the news release was provided to other media outlets in the District.

MEETING MINUTES: Alicia Haussler made the motion to approve the June 22nd board meeting minutes. Bob Schanou seconded the motion. All board members present, voting by roll call vote, were in favor except Chris Henry, Brian Keiser, Doug Reeves, Marvion Reichert and Bob Schanou who all abstained. Motion carried.

ANNOUNCEMENTS & OTHER BUSINESS FOR FUTURE MEETINGS: Chairman Bendfeldt asked if there were any announcements or suggestions for future

meetings. There were none.

PUBLIC FORUM: Chairman Bendfeldt asked if anyone wanted to address the board on any item not included on the agenda. No one requested time to speak.

USDA NATURAL RESOURCES CONSERVATION SERVICE REPORT: Janelle Taubenheim, NRCS Resource Conservationist, Dawson County, reported on activities in that county and also introduced NRCS intern Jason Scholz

EXCUSED ABSENCES: Chairman Bendfeldt reported that Steve Sheen, Keith Stafford and Jerry Wiese had requested to be excused from the board meeting.

Bob Schanou made the motion to approve the absences as requested. Deborah VanMatre seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

FISCAL YEAR 2017/2018 BUDGET: Chairman Bendfeldt resumed the public hearing at 2:15 p.m.

Budget Committee Report – He asked Barry Obermiller to report on the Budget Committee's recommended amendments. Barry said the committee is recommending the following: Eliminate Delinquent Tax Allowance of \$75,000.00 due to last year's legislative change, add \$50,000.00 to Professional Services for a consulting contract with Duane Woodward, add \$500.00 to County Treasurers' Commission. The changes would result in an additional reduction of \$24,500.00 from what was originally advertised.

Chairman Bendfeldt again asked if there was any testimony. There was none.

Barry Obermiller made the motion to approve the budget as amended. Jay Richeson seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

Keith Ostermeier asked how salary increases were determined. He said part of the background for his question was from serving on the school board and going through the extensive negotiations, comparability studies, etc. General Manager Vogt said the percentage for the line item increase is presented to the Budget Committee. The percentage is based on such things as cost of living increases, comparisons to other NRDs and state salaries, etc. The committee reviews the request and then presents that percentage or an amended percentage to the full board as part of the budget recommendations. General Manager Vogt said somewhere in the range of 2 to 4 percent has been pretty standard throughout time.

Because the public hearing had not been closed the motion was rescinded. Chairman Bendfeldt closed the public budget hearing at 2:22 p.m.

Proposed or Amended Budget Action -- Bob Schanou made the motion to approve the Fiscal Year 2017/2018 budget with amendments. Barry Obermiller seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

Special Hearing to Set Levy August Schedule – It was reported that a special hearing is required to set the levy at a different rate than the previous year’s rate. Valuations are not available from the county assessors until August 20th. It was requested that a motion be made to set the date and time for the special hearing to set the levy.

Jay Richeson made the motion that the public hearing to set the Fiscal Year 2017/2018 levy be scheduled for August 31st at 12:50 p.m. Alicia Haussler seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

VARIANCE/APPEALS – REPORT & RECOMMENDATIONS: Chairman Bendfeldt reported the Variance/Appeals Subcommittee met earlier that day and heard a request for a variance from Don Haller to transfer water from land in Hall County approximately four miles west into Buffalo County. The requested transfer would also involve water rights moving from the Platte Basin to the Loup Basin of influence. He reviewed the fact that our rules and regulations do not allow this type of transfer and said the Variance/Appeals Subcommittee is recommending that the request be denied.

Jim Bendfeldt then made the motion to approve the recommendation from the Variance/Appeals Subcommittee to deny the request from Don Haller to transfer irrigated acres in Hall County approximately four miles west into Buffalo County and into the Loup Basin of influence. Marvion Reichert seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

PROGRAMS COMMITTEE REPORT & RECOMMENDATIONS: Ed Kyes reported for the committee on their meeting earlier that day.

Scholarship Program – Ed said the committee discussed the possibility of making some changes to the program. He said they decided to continue their review and possible recommendations until their next meeting.

Conservation Awards – Ed said the bank that had sponsored the event for the past few years has withdrawn their support. The committee is working on recommendations on how future awards events should be handled.

Urban Development – Ed said funds were budgeted this year for an Urban Cost Share Program. The committee will work to develop recommendations for the new program.

WATER RESOURCES COMMITTEE – REPORT & RECOMMENDATIONS: Committee chairman Jay Richeson reported on their meeting held earlier that afternoon.

Groundwater Management Plan Rules & Regulations – Jay said the committee discussed the proposed changes to the Groundwater Management Plan rules and regulations. He said they did not have any additional recommendations from what was presented in the draft.

Following a brief discussion Jay Richeson made the motion to accept the proposed changes to the Groundwater Management Plan Rules and Regulations for purposes of holding the public hearing. Marvion Reichert seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

Public Hearing Date & Time – Jay Richeson made the motion that the public hearing on the proposed changes to the Groundwater Management Plan Rules and Regulations be scheduled for August 31 at 12:30 p.m. Marvion Reichert seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

Chemigation Violation – Cease & Desist Action – Jay also reported on chemigation violations by an owner/operator in Dawson County who has been caught on numerous occasions chemigating without the proper permits and required inspections. When he is caught he does come into compliance when he is notified.

This year he was again found in violation. He was properly notified and informed that he could request a hearing; however, he did not respond and has not come into compliance.

Jay Richeson said it is the recommendation of the Water Resources Committee, and he made the motion, to issue a Cease and Desist Order to Jim Aden in Dawson County that he, his agents and employees immediately cease and desist all chemigation on real property he owns or controls described in the order. Keith Ostermeier seconded the motion.

Marvion Reichert asked if the property listed on the order was all we know about. General Manager Vogt said we know that is not all of the land he farms but it is all we are aware of.

The motion was then voted on. All board members present, voting by roll call vote, were in favor. Motion carried.

NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS REPORT: Central Platte NRD's NARD Board representative and NARD Board Chairman Jim Bendfeldt said there was nothing new to report this month.

NEBRASKA NATURAL RESOURCES COMMISSION REPORT: Mick Reynolds, Middle Platte Basin commission member, reported the Commission has been holding four public meetings for new member orientation and to discuss the rules they are proposing to change for the Water Sustainability Fund. On August 3rd they will meet with the Executive Committee and Rules Committee on whether there can be changes

due to the Governor's executive order that there are no new rules. He said their next Commission meeting is August 30th in Kearney.

COST SHARE PROGRAM: Applications – Programs Coordinator Kelly Cole reported on the applications for the following cost share programs: NE Soil & Water Conservation Program, Grassland Conservation, Center Pivot Incentive, and Cover Crop. She said the applicants are in compliance with the District's rules and regulations, funds are available, and recommended they be approved.

Marvion Reichert made the motion to approve the cost share applications as reported. Mick Reynolds seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

FINANCIAL REPORT: Marvion Reichert made the motion to approve the July financial report as presented. Alicia Haussler seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

EXECUTIVE SESSION: Chairman Bendfeldt asked for a motion for the board to go into executive session to discuss legal matters and hear a report from attorney Cathy Allen. General Manager Lyndon Vogt, Assistant Manager Jesse Mintken and Administrative Director Dianne Miller were requested to remain.

Barry Obermiller made the motion that the board go into Executive Session at 2:38 p.m. to discuss legal matters. Marvion Reichert seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

Marvion Reichert made the motion to come out of Executive Session at 3:12 p.m. Mick Reynolds seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

Action on Irrigation Violation – Following the executive session Marvion Reichert made the motion to proceed with legal action against Kelly Smith due to his continued violation of irrigating non-certified acres. Keith Ostermeier seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

OTHER BUSINESS: Next Board Meeting -- Scheduled for August 31st at 1:00 p.m. Special Public Hearing to set levy scheduled at 12:50 p.m. that day. Details to follow.

UPCOMING EVENTS: Chairman Bendfeldt briefly reviewed the upcoming events.

ADJOURN: Chairman Bendfeldt adjourned the board meeting at 3:16 p.m.

CENTRAL PLATTE NRD
Cost Share
July 27, 2017

NEBRASKA SOIL AND WATER CONSERVATION COST SHARE PROGRAM..		\$ 103,730.68
Jon Strong – Merrick – Underground pipeline to pivot	\$ 5,000.00	
JK Land LLC – Dawson – Planned Grazing	7,500.00	
Beck Lake LLC – Merrick – Pasture Planting	2,602.88	
David Hanna – Dawson – Brush Management	889.69	
KJ Hueftle Ltd. – Dawson – Brush Management	11,856.00	
Larsen Land & Livestock Inc. – Dawson – Planned Grazing	2,943.15	
James S Larsen Living Trust – Dawson – Planned Grazing	5,768.30	
David Rowe – Dawson – Brush Management	4,491.75	
Jason Schneider – Dawson – Planned Grazing	7,469.10	
John P Harnan – Dawson – Pasture Planting	28,368.35	
Triple K Properties Ltd. – Dawson – Brush Management	327.21	
Kenneth Boryca – Nance – Underground pipeline to pivot	5,000.00	
James Skala – Buffalo – Underground pipeline to pivot	5,000.00	
McFarland Family Farms LLC – Dawson – Pasture Planting	67.12	
Rick Alan Jones – Polk – Brush Management	8,947.13	
Kira Koch Larsen – Frontier – Planned Grazing	7,500.00	
GRASSLAND CONSERVATION COST SHARE PROGRAM		\$ 99,222.50
Rick Jones – Polk	\$ 50,575.00	
Larry Anderson – Polk	9,117.50	
Joseph Warta Trust – Dawson	31,430.00	
Alan Hueftle – Dawson	8,100.00	
CENTER PIVOT INCENTIVE COST SHARE PROGRAM.....		\$ 12,116.00
Kelvin Kleeb – Hall	\$ 7,500.00	
Kenneth Boryca – Nance	4,616.00	
COVER CROP COST SHARE PROGRAM		\$ 500.00
McFarland Family Farms LLC – Dawson	\$ 500.00	
Total		\$ 215,569.18