

DRAFT

CENTRAL PLATTE NRD

Board Meeting Minutes

April 26, 2018

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	Jerry Milner	Jay Richeson
Jim Bendfeldt	Keith Ostermeier	Bob Schanou
Alicia Haussler	Doug Reeves	Steve Sheen
Ed Kyes	Marvion Reichert	Keith Stafford
Dwayne Margritz	Mick Reynolds	Deborah VanMatre
Charles Mazer		

Excused absences: Chris Henry, Brian Keiser, Barry Obermiller, Ed Stoltenberg and Jerry Wiese.

Staff present: Lyndon Vogt – General Manager, Jesse Mintken – Assistant Manager, Dianne Miller – Administrative Director, Mark Czaplewski – District Biologist, Dan Clement – Water Resources Specialist, Marcia Lee – Information Education Specialist, Kelly Cole – Programs Coordinator, Sandy Noecker – Data Compliance Officer, Luke Zakrzewski – GIS Image Analyst, David Carr – Range Management Specialist, Tricia Dudley – Resources Conservationist, Courtney Widup – Water Resources Technician.

Others present: Mike Pavel – NRCS Resources Conservationist, Kearney, Rich Walters – Kearney, Chelle Gillan – Teacher of Biology and Research, Central City High School, Shelby Bamesberger – Student, Central City High School, Breanna King – Student, Central City High School, Lori Potter – Kearney Hub.

MEETING NOTICES: Chairman 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: Marvion Reichert made the motion to approve the March board meeting minutes. Alicia Haussler seconded the motion. All board members present, voting by roll call vote, were in favor. 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.

GROUNDWATER QUALITY PRESENTATIONS: Central City High School Seniors Shelby Bamesberger and Breanna King presented their groundwater quality projects to the board. Ms. Bamesberger's project involved testing for contaminants in domestic wells and looking at ways to remove one of the contaminants in an eco-friendly way. She explained her focus was on copper removal. Ms. King's project involved studying algae blooms in the Warm Slough with testing areas at Grand Island off of Capital Avenue near Highway 30, an area near Chapman, and an area south of Central City.

PLATTE VALLEY WEED MANAGEMENT AREA UPDATE: Rich Walters reported on the status of phragmites and purple loosestrife removal and control in the Platte Valley Weed Management Area. He said 25,800 acres have been treated for phragmites along the Platte River in Central Platte NRD since 2009. He said it has been reduced by 86 percent and purple loosestrife by 70 percent but explained that continued maintenance is necessary, particularly to control the phragmites. Rich reviewed the federal, state, and local funding partners and explained landowner cooperation in the effort to control the invasive plants in the Platte Valley Weed Management Area and the West Central Weed Management Area involving 315 river miles of the Platte River in 16 counties in south-central Nebraska. Rich showed several before and after treatment slides and said most of the work is done during the months of May, June and September. He said a total of \$5.5 million has been spent since 2009 with 91 percent of the funds being used for herbicide and mechanical control and the remaining funds being used for monitoring, public outreach, legal and insurance costs and project coordination. Central Platte NRD has provided \$418,118.00 to the project in cooperation with 12 other federal, state and local funding partners. He said about \$3 million of the \$5.5 was from the Platte River Recovery Program. He also explained that there is no longer a paid coordinator, it is all done by in-kind by the various agencies. He also said Central Platte NRD was instrumental in getting the program started and particularly complimented Milt Moravek for his efforts. Rich said this year Central Platte NRD budgeted \$25,000.00 and said it is hoped that the partners will be able to increase future contributions.

USDA NATURAL RESOURCES CONSERVATION SERVICE REPORT: Mike Pavel, NRCS Resources Conservationist, Buffalo County, reported on their activities over the past several months.

EXCUSED ABSENCES: Chairman Bendfeldt reported that Chris Henry, Brian Keiser, Barry Obermiller, Ed Stoltenberg and Jerry Wiese had requested to be excused from the board meeting.

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

VARIANCE/APPEALS – REPORTS & RECOMMENDATIONS: Jim Bendfeldt reported on the subcommittee’s meeting held earlier that day. He said they heard two variance requests.

Variance Request for Certified Irrigated Acres – Jim reported there was a request from John Strauss of Lexington. A corner arm was added to a pivot on the property in 2015 and no offsets have been made for the new irrigated acres. Mr. Strauss requested that his pivot corners be certified. Because certification of irrigated acres ended in 2014 the subcommittee is recommending that the variance request be denied.

Jim Bendfeldt made the motion to approve the Variance/Appeals Subcommittee’s recommendation to deny the request from John Strauss of Lexington to certify as irrigated his pivot corners. Jay Richeson seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

Review Request to Transfer Water from CPNRD to Lower Loup NRD – Jim reported that the second variance request was from Richard Hadenfeldt of Dannebrog. The request was to allow the transfer of certified irrigated acres from Central Platte NRD to land located in the Lower Loup NRD. The request fits criteria required for transfers between the two NRDs and the subcommittee is recommendation the request be approved.

Jim Bendfeldt made the motion to approve the Variance/Appeals Subcommittee’s recommendation to approve the request from Richard Hadenfeldt to transfer certified irrigated acres from Central Platte NRD to the Lower Loup NRD. Marvion Reichert seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

Report & Request Cease & Desist Orders for Two Violations – Jim said the Variance and Appeals Subcommittee also discussed a request for Cease and Desist orders on two landowners irrigating acres that are not certified as irrigated. Both landowners were non-responsive to multiple letters from the NRD in an attempt to resolve the irrigation issues. Letters were sent by standard and certified mail.

Jim Bendfeldt made the motion to approve the Variance/Appeals Subcommittee’s recommendation that certified letters be sent, providing landowners 10 days to be heard, and that if there is no response that Cease and Desist orders be issued. Jay Richeson seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

PROGRAMS COMMITTEE – REPORT & RECOMMENDATIONS: Committee chairman Keith Ostermeier reported on their meeting held earlier that day.

College Scholarships – Keith said the committee reviewed seven applications for the Ron Bishop/Central Platte NRD college scholarship program.

The applications, which were numbered and did not include names, were provided to the committee members. Five applicants are being recommended for approval for the \$1,000.00 scholarships. They are Madison Vahle of Grand Island, Chandler Flynn of Lexington, McKinley Harm of Gothenburg, Alex Stocker of Grand Island, and Kortni Burnett of Shelton. He said applicants must be college juniors or seniors majoring in a natural resources field to qualify.

Keith Ostermeier then made the motion to approve the five Ron Bishop/Central Platte NRD college scholarships as reported. Mick Reynolds seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried. Marvion Reichert was absent for the motion.

2018/2019 Fiscal Budget – Keith reported that the Programs Committee reviewed both the I&E and the cost share budget recommendations. He said they approved staff recommended changes to the rangeland conservation program to a burn preparation cost share program. He said the budget recommendations and proposed changes will be forwarded to the Budget Committee.

WATER QUALITY COMMITTEE: Groundwater Quality Management Program Crop Reporting Form Update – Ed Kyes reported that staff has made some changes to the report forms to make them more user friendly. The changes will save time in filling out the reports and should provide more accurate data for the producer and the NRD.

Groundwater Quality Forms Noncompliance Update on Cease & Desist Orders — Data Compliance Officer Sandy Noecker reviewed the fact that in November there were about 70 producers who were not in compliance with the nitrogen management program because they had not submitted their 2017 report forms and had been issued cease and desist orders. She reviewed the additional notices that had been sent which included letters by regular mail as well as by certified mail and also a letter that had been sent to them by attorney Don Blankenau. She said at this time there are four individuals who are not in compliance and we have not heard from any of them. They are Doug Engel of Columbus, Kristen Klein of Cairo, William Soll of Columbus and James Winchester of Gibbon. She said if these producers irrigate without getting into compliance they will be violating the NRDs rules and regulations and could be fined by a District Court up to \$5,000.00 each day that they irrigate and this would affect all of the land that they are farming.

WATER RESOURCES COMMITTEE: Committee chairman Jay Richeson said they reviewed their Fiscal 2018/2019 budget recommendations. He said they had very few changes and will forward their recommendations to the Budget Committee.

FUNDING REQUEST FOR TESTING AG PERFORMANCE SOLUTIONS PROGRAM (TAPS): General Manager Vogt reported on a request from Chuck Burr with UNL. The request of \$1,000.00 would be used for the TAPS Program (Testing Ag Performance Solutions Program) for the 2018 growing season.

The program will host three farm management competitions including corn under sprinkler irrigation, corn with subsurface drip irrigation, and grain sorghum under sprinkler irrigation. The competitions will include UNL scientists, farmers, and state and local agency teams. General Manager Vogt said last year Central Platte NRD did not participate. He said last year the individual who had the top yield and top efficiency was Tim Schmeekle, a producer from Gothenburg and from our NRD.

Jay Richeson made the motion to approve the request from Chuck Burr with UNL for \$1,000.00 to help sponsor the Testing Ag Performance Solutions Program (TAPS) for the 2018 growing season. Steve Sheen seconded the motion. All board members present, voting by roll call vote, were in favor except Jim Bendfeldt and Marvion Reichert who voted no. Motion carried.

EASTERN PROJECTS – REPORT & RECOMMENDATIONS: Alicia Haussler reported for the committee who met earlier that day. She said they reviewed the recommendations for the coming fiscal year and will forward them to the Budget Committee.

NE ASSOCIATION OF RESOURCES DISTRICTS (NARD) REPORT: Jim Bendfeldt said he did not have anything to report this month.

NE NATURAL RESOURCES COMMISSION REPORT: Mick Reynolds said he did not have anything new to report.

COST SHARE PROGRAMS: Request for Transfer of Funds – Programs
Coordinator Kelly Cole said we have received more applications than funds are available in the Streambank Stabilization program and requested a transfer of \$1,000.00 from the Ultra Sonic Flow Meter program.

Marvion Reichert made the motion to approve the transfer of cost share funds as requested. Alicia Haussler seconded the motion. All board members present, voting by roll call vote, were in favor. Motion carried.

Applications – Kelly reported that we have received applications for cost share from the Streambank Stabilization, Grazing Deferment, and Well Decommissioning programs (see enclosed). She said the applicants are in compliance with the District's rules and regulations, funds are available, and she recommended they be approved.

Marvion Reichert made the motion to approve the cost share applications as reported. Bob Schanou seconded the motion. All board members present, voting by roll call vote, were in favor, except Jay Richeson who abstained. Motion carried.

COMMITTEE MEMBERSHIP: Chairman Bendfeldt said that as a result of a recent question concerning committee size and on advice from our legal counsel it will be necessary to limit the size of each standing committee to 10 directors or fewer to make

sure that no committee is made up of a quorum of the board. (If a committee has a quorum of directors in attendance then any action taken by the committee would be considered action taken by the full board).

The Programs Committee and Water Resources Committee will be affected by this. It was decided that the Water Resources Committee would be split into the Water Quantity Committee with Jay Richeson as chairman, and the Water Quality Committee with Ed Kyes as chairman. Keith Ostermeier is the chairman of the Programs Committee.

Chairman Bendfeldt asked the committee chairmen to re-work their membership to make sure that there are no more than 10 directors on each committee and to let the office know so the appropriate changes can be made to the membership lists.

FINANCIAL REPORT: Deborah VanMatre made the motion to approve the April financial report as presented. Alicia Haussler seconded the motion. All board members present, voting by roll call vote, were in favor, except Jim Bendfeldt who abstained. Motion carried.

NEXT BOARD MEETING: Scheduled for Thursday, May 24 at 2:00 p.m. Details to follow.

UPCOMING EVENTS: Upcoming events were briefly reviewed.

ADJOURN: Chairman Bendfeldt adjourned the board meeting at 3:40 p.m.

CENTRAL PLATTE NRD
Cost Share
April 26, 2018

STREAMBANK STABILIZATION COST SHARE PROGRAM	\$	1,000.00
Bob Loewenstein – Hall – Wood River	\$	1,000.00
GRAZING DEFERMENT COST SHARE PROGRAM	\$	4,507.50
Joseph Warta Trust – Dawson	\$	3,516.00
Gerken Farm Inc. – Dawson		991.50
WELL DECOMMISSIONING COST SHARE PROGRAM	\$	3,500.00
Jay Richeson – Dawson	\$	500.00
Crazy Acres LP – Dawson		750.00
Richard Hoffman – Hall		750.00
Leslie H Brown – Dawson		750.00
Diane K Cornelius – Hall		750.00
Total	\$	9,007.50