

North Platte Natural Resources District Board of Directors Meeting

August 12, 2021

The regular meeting of the North Platte Natural Resources District (NRD) Board of Directors was called to order in person at 3:00 p.m. MST, August 12, 2021, by Roger Eirich, at the North Platte NRD Offices. Notice of the meeting was given to the public by publishing a legal notice in the August 5, 2021, Scottsbluff *Star-Herald*. Eirich informed meeting attendees that this meeting would be conducted in accordance with the Open Meetings Act, a copy of which is posted on the NPNRD website for public inspection (Agenda Item #2).

Board members present Kent Andreas, Gary Darnall, Dave Deines, Roger Eirich, Pete Lapaseotes, Chuck Henkel, Ryan Reuter, and Dan Weinreis. Board members absent: Mark Westphal. Others present in person: John Berge, Danielle Schafer, Scott Schaneman, Lydia Hendrickson, Craig Uhrig, and Amanda Shepperd of NPNRD staff; Thad Kuntz, Adaptive Resources, Inc.; Sarah Gray NRCS; Lex Larsen JG Elliot; Steve Smith and Megan Dockery Simmons Olsen Law Firm.

Chairman Eirich called for a motion to excuse Westphal from the meeting. Motion made by Lapaseotes, seconded by Henkel, to excuse board members Westphal from the meeting.
Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Lapaseotes, Henkel, Reuter, Weinreis

Nay: none

Abstain: none

Absent: Westphal

The following items of informational material were made available to the Directors electronically prior the Board Meeting:

1. Agenda

2. Minutes, North Platte Natural Resources District, Board of Directors Meeting, May 13, 2021.
3. Treasurer's Report
4. Manager's Report
5. Office Lease Agreement Effective as of August 1, 202, between the North Platte Natural Resources District ("Landlord") and The Board of Regents of the University of Nebraska and Agency of the State of Nebraska, and Governing Body of the University of Nebraska-Lincoln on behalf of the Nebraska Forest Serve ("Tenant").
6. Annual Water Expo Brochure for August 2021
7. Summary of the 2021 Nebraska Water Center Conference: The Shape of Water in Western Nebraska by the Panhandle Research & Extension Center, Scottsbluff Nebraska.
8. Agenda for the Water Tour on August 17th thru 18th, 2021.
9. Memo from John Berge, General Manager to the NPNRD Board of Directors, dated August 12, 2021, regarding the Master Planning Process.
10. Letter from League Association of Risk Management dated July 1, 2021, regarding a Renewal Coverage Proposal for the 2021-2022 Pool Year.

3. Approval of Minutes of Previous Meeting

The Board reviewed the minutes of the July 8, 2021, regular Board meeting. Reuter asked that a correction to the minutes be made regarding the vote on adjournment. The correction needing to be made was an error in the rollcall vote. The correction should show Reuter was absent and Westphal voted Aye in favor of adjournment.

Motion made by Andreas, seconded by Reuter, to approve the minutes of the July 8, 2021, regular Board meeting with the correction. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Lapaseotes, Henkel, Reuter, Weinreis

Nay: none

Abstain: none

Absent: Westphal

4. Treasurer's Report and Accounts Payable

Reuter reviewed the Treasurer's report with the Board. Motion made by Darnall, seconded by Henkel, to accept the Treasurer's report and pay the bills as listed.

Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Lapaseotes, Henkel, Reuter, Weinreis

Nay: none

Abstain: none

Absent: Westphal

5. Comments from the Public

Sarah Gray reported to the Board that an opportunity exists for those impacted by the recent wildfires in this District could be eligible for cost share to help re-seed pastures where fire breaks were plowed as well as qualify for fencing. Gray mentioned other programs geared toward deferment of grazing due to wildfire, or emergency haying or grazing of CRP. Gray finished her report by adding the final signup date for the grassland CRP signup will be August 20th.

6. Manager's Report

General Manager John Berge indicated that the written report was sent to the board and was available on the NPNRD website. He highlighted the following items:

Administrative:

COVID Operations – As you know the Delta Variant of COVID-19 has caused infections nationwide to spike up to 115,000 per day as of this writing. This is up from about 20,000 per day on July 4. This is a much more infectious form of COVID. Happily, our staff is nearly 70% vaccinated and we are avoiding any new COVID related restrictions at this time here at the NRD. We are encouraging additional vaccinations and obviously, we are encouraging people to take personal precautions against infection, though that may not be enough. Our hospitalizations have doubled in the last week, and our positivity rate is hovering around 20%, so we will continue to monitor the situation to determine whether more aggressive actions are warranted.

Budget Passage Timeframe – As you may recall, the Board recently took action to refer the Fiscal Year 2021-2022 budget for hearing at the September Board Meeting. This is the last step in adoption of the budget. We anticipate receiving our valuation numbers from each of our counties next week so that we may do the final calculations on the property tax asking/levy.

November 11 Board Meeting – Though it has never happened before in the eight years that I have been here, the November Board Meeting falls on a federal holiday – Veteran’s Day. According to counsel, we can and should continue this meeting to the next week.

Projects and Programs:

Forest Service Lease – After conferring with our counsel, I have signed a lease with the Nebraska Forest Service for them to continue as our tenant in our building.

Tree Program Potential – I will be working with Todd in the coming weeks to refine our “urban” forestry program that we discussed with the Board a couple of years ago. This would provide for cost-share for dead and dying tree removal and replacement.

Cover Cropping – we are looking forward to seeing how the federal budget debate progresses as it relates to cover cropping for carbon capture. We are excited to see if there are ways that we could leverage those federal resources to add to our proposed cost-share for cover cropping for nutrient management. This potential federal/local partnership could be an excellent option for our landowners in our District.

Recreation Potential – Todd and I are committed to again looking into some recreation area opportunities for the NRD to pursue to expand our portfolio and outreach to all communities across the District.

Seed Drill – Todd and I are looking into the economic feasibility of purchasing a seed drill for the District beyond the Pheasants Forever Seed Drill for our grass planting activities year to year.

“Grand Plan” Status – DNR Director Tom Riley will be meeting with each of the Platte Basin NRDs and CNPPID and NPPD to visit about the status of the “Grand Plan”. This will culminate in a group meeting this fall to determine if this plan remains a viable potential for fully appropriated designations in the Basin.

Basin Wide Drought Plan – Planning is underway for the Platte Basin Coalition to apply for a “Water Smart” grant to complete a basin-wide drought plan as required in our Integrated Management Plan. The PBC is working with HDR to complete this application.

Conservation Easement Analysis – As a Board member of the Conservation Roundtable, I will be working with several of my colleagues on a study through the University Public Policy Center to determine the true cost and value of conservation easements in Nebraska.

Robust Review – Thad and I will attend a meeting in Lincoln on August 31 to discuss the revised scope of work for the robust review analysis. This will follow a meeting of the POAC Technical Committee to finalize recommendations on August 16.

Joint Water Board – Scott and I met with the Henry-Lyman-Morrill Joint Water Board (JWB) to discuss the opportunity to set aside some acres that they own for well head protection and for accretions back to the stream. We shared with them a draft lease, lease rates and the parameters for such a project.

Enterprise Leases/Schaneman Recharge Site – We received word this week that the Department of Natural Resources would be working on drafting an order for our permits for the Schaneman Recharge Site, and we will be working on two renewals and one new lease for this project – it is finally coming to fruition.

Outreach:

3rd Semi-Annual Water Expo – The Water Expo will take place this Saturday at the NRD from 10-2 p.m. This is one of our most successful outreach events, and we are interested to see how turnout is affected from our cancellation last year.

Sunday Night Event with University Officials – The NRD will host about 60 people for food and refreshments on Sunday night in our picnic area to welcome them to the area for the Nebraska Water Center Conference the next day. This event is from 6-8 p.m., and you are welcome to attend. Beer and pop are provided by Thad.

NWC “Shape of Water in Western Nebraska” Conference – The Nebraska Water Center will host over 100 attendees at their annual conference on Monday, August 16. The NPNRD will be prominent in the agenda with both a welcome and a presentation.

Water Tour – The SB-Gering United Chamber of Commerce Water Tour will be held on August 17-18. As you have seen, we are heading east this year and are expecting perhaps as many as 75 attendees.

LEAD Tour – NPNRD will be participating in the Nebraska LEAD Tour on August 23.

Fall Conference – Staff are planning on attending the NARD Fall Conference at the end of September. If you are interested in attending, please let me know.

7. Discussion of Master Planning Process and Next Steps

Berge provided the Board background and next steps into the master planning efforts that have occurred with staff to date. Now that information from the Staff has been gleaned, it now becomes the time for the Board to provide their thoughts and recommendations related to the plan. Both Staff and Board recommendations would then be incorporated together to form the new Master Plan. The hope would be if after harvest, possibly before the November Board meeting, the Board members could get together for a half-day session to provide their comments and recommendations for the plan.

8. District Operations Committee Report

Chuck Henkel, Chairman of the District Operations Committee provided the report to the full Board. Henkel reported on the only item of business on the agenda, which was to provide recommendation to the full Board on the erosion complaint filed by Wyatt and Kimi Kramer

against Shirley Hardt and Glen Summers. The recommendation from the Committee to the Board was to dismiss the complaint based on the evidence provided through the inspection and the legal opinion drafted by Steve Smith. The Board will consider the complaint during the September Board of Directors meeting.

9. Consideration of Resolution 21-05 - LARM Renewal Resolution

Berge reported that LARM has chosen to no longer cover NRD's that have responsibility over flood control structures. Berge mentioned that the premiums with LARM have been extremely competitive and would be difficult to find a company that could even match the kind of premiums this District pays with LARM. The agent is working on a proposal with underwriters to reconsider dropping coverage with this NRD due to most of the flood control structures are already insured with a different carrier paid through the Gering Valley Flood Control Committee. Questions raised by the Board regarding the cancellation of coverage were: "Why is the NRD responsible for downstream flooding, and If we show that maintenance has occurred on these structures can coverage be extended"? Berge replied that the NRD is responsible for those structures and the three dams we have responsibility for that are not part of the Gering Valley Flood Control Project is what is holding up the coverage through LARM.

Motion made by Henkel, seconded by Weinreis, to accept the resolution of renewal of coverage for the 2021-22 pool year. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Lapaseotes, Henkel, Reuter, Weinreis

Nay: none

Abstain: none

Absent: Westphal

12. Adjourn

There being no further business, the Chairman called for a motion to adjourn. Motion made by Reuter, seconded by Weinreis, to adjourn at 3:43 p.m., MST. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Lapascotes, Henkel, Reuter, Weinreis

Nay: none

Abstain: none

Absent: Westphal