

**NORTH PLATTE NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING**

February 9, 2023
3:00 P.M.

1. Call Meeting to Order

This meeting was called to order at 3:00 p.m. by Roger Eirich. Notice of the meeting was given to the public by publishing a legal notice on February 2, 2023, in the Scottsbluff Star Herald.

2. Inform Public of Open Meetings Act

Eirich informed the meeting attendees that this meeting would be conducted in accordance with the Open Meetings Act, which is posted by the door for public inspection.

Attendance

Board Members Present: Kent Andreas, Ryan Reuter, Chuck Henkel, Lane Darnall (Arrived Late), Danny Weinreis, Roger Eirich

Board Members Absent: Dave Deines, Pete Lapascotes, Mark Westphal

Others Present:

North Platte NRD Staff: Danielle Madden, Travis Preston, Scott Schaneman, Kyle Ann Hopkins, Ken Ridgeway, Jody Fiscus, Keelie Williamson, Ethan Woehrle, Craig Uhrig, Dave Christian, Amanda Shepperd, Lydia Hendrickson

Adaptive Resources, Inc. (ARI): Thad Kuntz

Simmons Olsen Law Firm: Megan Dockery, Steve Smith

Public: Craig Sitzman, Carolyn Hudson

Documentation Provided

The following documents were made available at the meeting for the Board of Directors and public review:

1. Meeting Notice
2. Agenda
3. Minutes of the January 12, 2023, Board of Directors meeting
4. Treasurer's Report
5. Manager's Report
6. NARD Legislative Update
7. NARD Bill Summary
8. Minutes of the December 8, 2022, Board of Directors Meeting

3. Consideration of Absences

Eirich called for a motion to excuse absences.

A motion was made by Henkel, seconded by Weinreis, to excuse absences. Motion Passed

Aye: Eirich, Henkel, Reuter, Weinreis

Nay: Andreas

Abstain: None

Absent: Darnall, Deines, Lapaseotes, Westphal

4. Approval of Minutes of Previous Meeting

The Board reviewed the minutes of the January 12, 2023, regular monthly meeting.

A motion was made by Andreas, seconded by Reuter, to approve the minutes of the January 12, 2023, regular monthly meeting. Motion passed.

Aye: Andreas, Darnall, Eirich, Henkel, Reuter, Weinreis

Nay: None

Abstain: None

Absent: Deines, Lapaseotes, Westphal

5. Treasurer's Report and Accounts Payable

Reuter reviewed the monthly expenses from the Treasurer's Report with the Board. A correction to the treasurer's report needs to be made. Sorenson, Hahn, Browning & Judy P.C. is listed as two payments of \$292.50 for a total of \$585.00. This is a double bill and only one payment of \$292.50 should be listed on the treasurer's report.

A motion was made by Weinreis, seconded by Henkel, to accept the Treasurer's Report with the removal of a double payment of \$585.00 to Sorenson, Hahn, Browning & Judy P.C. and make the correct payment of \$292.50 to Sorenson, Hahn, Browning & Judy P.C. and pay all other bills as listed. Motion passed.

Aye: Andreas, Darnall, Eirich, Henkel, Reuter, Weinreis

Nay: None

Abstain: None

Absent: Deines, Lapaseotes, Westphal

6. Comments from the Public

No comments from the public

7. Manager's Report

Scott Schaneman presented the managers report.

The NARD Legislative Conference was held in Lincoln at the Embassy Suites Hotel on January 23rd thru January 25th. Craig Uhrig, Kyle Ann Hopkins, Ryan Reuter and myself attended the conference and had the opportunity to discuss upcoming legislation, meet with State Senators, as well as attend several good workshop sessions. This conference is always a good way to get to discuss legislation with not only our representatives but with our fellow NRD colleagues around the State.

This past weekend, several staff members spent some time visiting with District residents at the KNEB Farm and Ranch Expo. Visiting with our constituents on cost share, trees, soil and water programs and something new this year, a focus emphasis on water quality. Staff handed out fliers

outlining cost share opportunities for reverse osmosis through NDEE and we worked hand in hand with the Scottsbluff FFA Chapter who tested domestic water for the area residents who brought in a sample. The Staff visited with many folks interested in natural resources and what the NPNRD is doing to protect them.

I had an opportunity to visit with both Senator Erdman and Senator Hardin at the legislative conference. We had a brief but very good conversation regarding natural resource issues facing the State as well as our District. I did invite both Senators to come in to the office and visit or come to a Board meeting when their schedule allows.

While at legislative conference, Craig, Kyle Ann, and myself met with Dan Snow who is the UNL Laboratory Director for the Water Sciences Center. Dan has worked closely with most NRD's developing nutrient management plans in their Districts. We went through the presentation that was given to the Board last month and had a discussion on the necessary steps that may need to be taken to implement new sub-management areas. Kyle Ann will be sending Dan more data from the District and Dan will work up a cost proposal to present to us pertaining to the services he can provide with vadose zone sampling, age dating of ground water, isotope sampling, as well as other testing that may be necessary in helping us develop a good working nutrient management plan.

The District will be accepting EPIC applications beginning on February 13th and ending the 24th. I know water department staff has had lots of inquiries regarding the program and we are anticipating good interest when signups begin.

The NSWCP application cutoff date has been set for February 17th. All applications received prior to that date will be ranked and scored the week of February 20th. The award letters will follow the week after.

On February 16th at 1:30 NRCS will be holding the annual working group meeting here at the NPNRD. This is a valuable opportunity to get both NRD and NRCS staff together to discuss our priorities relating to NRCS programs.

District roundtable meetings began Wednesday in Oshkosh. As of writing this report, we have had 14 people RSVP for this meeting. Next week Wednesday we will be hosting a roundtable in Bridgeport at the Community Center and February 22nd will be the final meeting here at the NRD office.

This year Seth Popp's pickup is up for replacement. Craig has been working with area dealerships on best price and availability. After spending quite some time on this search, he has determined that Reganis is going to be the best fit for us. As of today we do have a new Dodge Ram pickup on order and are looking at a late Spring delivery. It is our hope to get this purchase finalized in this fiscal year. We did budget \$50,000 this year and it looks like we are going to be well under that with a trade difference of a touch over \$26,000.

After reviewing our 1099's we realized an error that was made regarding which 1099 was sent to landowners that participated in our programs. We sent them a 1099NEC and should of sent them a 1099MISC. We are in the process of correcting this error now.

We have been having some issues with a couple of the larger companies we do business with regarding meeting their due dates for payment. We have been mailing their payments day after the Board meeting and due to circumstances out of our control those payments are arriving late to those companies. The Staff would like to pay those companies electronically rather than with a check that is delivered by USPS. The Board would continue to approve those expenditures before they are paid we would just be paying them electronically rather than by check. We will make this process official with Board action that will update our accounting processes and procedures in the near future.

Roger Eirich asked how the requirements of two signatures would change with electronic payments. Discussion indicated a desire to allow electronic payments and continue the requirement of two-person approval for payments. The change in procedure will be presented in policy changes.

8. Legislative Update

Scott Schaneman updated the board on legislation. Over 800 bills were introduced and 40+ bills are natural resources related. Scott Schaneman wanted to discuss two of the bills. LB40 is the Adopt the Riparian and Water Quality Practices Act. LB40 is sponsored by Senator Blood. Scott Schaneman explained his opposition to LB40 as being the responsibility of NRD's to ensure compliance with the criteria of the bill. The Nebraska Department of Agricultural would be responsible for a portion of enforcement but the NRD's would be responsible for other aspects such as mapping. It would require a great deal of time and additional funding. No source of additional funding for NRD's is outlined in the bill and therefore it would require additional funding to be built into NRD budgets. Additionally, Scott Schaneman feels there are already programs in place to accomplish what LB40 is trying to accomplish. Steve Smith believes the bill is unconstitutional. All drains as well as other tributaries would be included. Land cannot be taken without compensation and any unwilling landowner would have to be condemned.

The second bill Scott Schaneman discussed was LB281 "Require the Department of Economic Development to provide grants for youth outdoor education camp facilities". The NPNRD is currently wring testimony in support of LB281. This bill would provide money to help rebuild the education facilities in Halsey that were damaged by fire.

Steve Smith informed the board of Senator Erdman's bill LB394. Smith believe the bill will be objected to in the legislature. Smith also discussed LB591 introduced by Senator Hardin.

9. Chairman's Report on Committee Assignments and Appointed Representatives to NARD, NRC, and GVFC Permanent Maintenance Committee

Committees will remain the same outside of Lane Darnall taking Gary Darnall's place on Water Resources Committee and Pete Lapaseotes taking Gary Darnall's place on District Operations.

Water Resources: Kent Andreas-Chairman, Lane Darnall, Pete Lapaseotes, Dave Deines
District Operations: Chuck Henkel-Chairman, Pete Lapaseotes, Mark Westphal, Ryan Reuter
Budget & Personnel: Ryan Reuter-Chairman, Kent Andreas, Dan Weinreis, Mark Westphal
Executive Committee: Roger Eirich-Chairman, Kent Andreas-Vice Chairman, Pete Lapaseotes-Secretary, Ryan Reuter-Treasurer

Ryan Reuter remains the representative to the Nebraska Association of Resources Districts. Dave Deines remains the representative to the Gering Valley Flood Control Project and the Natural Resources Commission.

10. Update on Release of Conservation Easements – Steve Smith

Steve Smith informed the board that documents were prepared to get conservation easements released. As a political subdivision the NPNRD does not need county permission to release conservation easements. Landowners will need to sign the decertification among other documents. Steve Smith spoke with Jesse Bradley and Jesse Bradley will speak to Jennifer Schellpeper to find out if we are entitled to reimbursement if the NRD decertifies the land currently under conservation easement. Steve should hear more by next Tuesday and before the next board meeting.

Scott informed the board that the state wants all of this done by the first of April for this past year's funding to be available.

11. Discussion and Consideration of Financial Responsibility of Re-Opening the Hazard Mitigation Plan to Include Jurisdictions that Failed to Respond

Scott Schaneman informed the board about Surface Water Irrigation Fund (SWIF) money. Irrigation districts are not required to be part of our Hazard Mitigation Plan to receive SWIF money. However, some districts are seeking grant money to cover the 10% of SWIF grants they are responsible for. For irrigation districts to be eligible for different types of funding from the Bureau of Reclamation they are required to be part of a hazard mitigation plan. JEO gave the NPNRD the price to make changes to the plan and it would be April 2023 before the plan could be reopened. It will cost \$3,750 to open the plan for the first participating district and \$1,900 per additional district. Changing the plan would take 3-4 months. Scott Schaneman is in favor of opening the plan to include those districts not currently in the plan. Scott Schaneman's concern is who will be responsible for the required fees to reopen the plan. Board discussion pointed out the concern of districts to cover the costs of reopening the plan on their own. Several board members were contacted by constituents voicing a desire to have the plan reopened.

Dave Christian read the names of the districts that did not participate in the initial Hazard Mitigation Plan: Beerline, Blue Creek, Browns Creek, Central, Chimney Rock, Courthouse Rock, Empire, Gering, Greenwood Creek, Nine Mile, Paysley, Sheep Creek, Shortline, Steamboat, Union, Winter's Creek

Roger Eirich asked how many districts have reached out. Dave Christian informed him that four have reached out.

Danny Weinreis asked if we plan to reach out to the districts that are not in the plan. Scott Schaneman confirmed the NPNRD plans to reach out to all the districts.

A motion was made by Henkel, seconded by Andreas, to move to open the Hazard Mitigation Plan and allow the North Platte Natural Resources District to contribute 50% of the costs incurred to open the plan and add the irrigation districts to the plan while also requiring a good faith effort on the part of the participating irrigation districts to reimburse the North Platte Natural Resources District for their portion. Motion Passed.

Aye: Andreas, Darnall, Henkel, Reuter, Weinreis

Nay: None

Abstain: Eirich

Absent: Deines, Lapaseotes, Westphal

12. NPNRD/Sitzman Nutrient Management Demonstration – Scott Schaneman & Craig Sitzman

Scott Schaneman and Craig Sitzman presented on the results of a two-year nitrogen study between Sitzman and the NPNRD conducted on the Sitzman farm. Craig Sitzman was able to reduce the amount of nitrogen present in the soil at the end of the growing season on all the fields used in the study. These results were achieved through the use of split fertilizer application, crop rotation, deep mining crops, and livestock operation practices. The amount of N used on the fields was not reduced compared to years prior to the study. Only the timing and type of application was changed.

13. Discussion and Consideration of Setting 2023 Lease Rates

Current lease rates are \$150/acre. The North Platte NRD is not currently searching for leases, but the rates should be set in case an opportunity arises. Scott Schaneman recommends leaving the lease rates the same. Danny Weinreis asked if we are getting everything we would like to have. Scott Schaneman let him know we are, and leases are being resigned.

A motion was made by Reuter, seconded by Darnall, to set lease rates of \$150/acre. Motion Passed.

Aye: Andreas, Darnall, Henkel, Reuter, Weinreis, Eirich

Nay: None

Abstain: None

Absent: Deines, Lapaseotes, Westphal

14. Consideration of Corrections to December 8, 2022 Minutes for Agenda Item 8 Blomenkamp Transfer

Scott informed the board that the correction to the minutes is required due to a lack of conditions in the previous minutes.

A motion was made by Andreas, seconded by Henkel, to approve the minutes of the December 8, 2022, Board meeting as corrected. The correction made to the motion for agenda item number 8f., Consideration of Blomenkamp Transfer, accurately reflects the motion that this Board made at that time to approve the Blomenkamp Transfer with conditions. Motion passed.

Aye: Andreas, Darnall, Henkel, Reuter, Weinreis, Eirich

Nay: None

Abstain: None

Absent: Deines, Lapaseotes, Westphal

15. Adjourn

There being no further business, Eirich called for a motion to adjourn.

A motion was made by Reuter, seconded by Henkel, to adjourn at 4:29p.m. Motion passed.

Aye: Andreas, Darnall, Henkel, Reuter, Weinreis, Eirich

Nay: None

Abstain: None

Absent: Deines, Lapaseotes, Westphal