

## PUBLIC NOTICE

The South Platte Natural Resources District will hold a regular public meeting on **Tuesday**, May 10, 2011 at the South Platte Natural Resources District, 551 Parkland Drive, Sidney, Nebraska, at **8:00 p.m.** An agenda of the matters to be considered at such date, time and place is kept continually current and is available for public inspection during normal business hours at the South Platte NRD Office, 551 Parkland Drive, Sidney. Any person with disabilities who needs help in participating in the meeting should contact the District office (308) 254-2377, before the meeting.

## FINAL AGENDA

1. Call to Order - Keith Rexroth, Chair
  - A. Nebraska Open Meetings Act
  - B. Legal Notice
  - C. Approval of Expenditures
    1. \*Possible June 2011 Committee Meeting Expenditures for Meals
2. Minutes
  - A. Minutes of the April 12, 2011 meeting of the Board of Directors
  - B. Minutes of the April 12, 2011 meeting of the District Operations Committee
  - C. Minutes of the April 11, 2011 meeting of the Natural Resources/Projects and Programs Committee
3. \*Treasurer's Report for April 2011 and Accounts Payable
4. Public Questions, Comments and/or Concerns
5. Director and Staff Reports
6. Agency Reports
  - A. USDA-Natural Resources Conservation Service (NRCS)
    1. NRCS Report - Kristin Miller, DC-NRCS
  - B. Nebraska Association of Resources Districts (NARD)
    1. NARD Board of Directors Meeting Report
  - C. Panhandle Resource Conservation and Development (PRC&D)
    1. PRC&D Report - Halligan
  - D. Nebraska Department of Natural Resources (NDNR)
    1. NDNR Report - Rexroth
7. \*Discussion and Action as Desired to Place District's 5<sup>th</sup>-Wheel Trailer on Rental Schedule - Rexroth
8. Report on Cabela's 319 NPS Bioretention System - Reisdorff
9. Report on Flood Mitigation and Recharge Demonstration Projects - Liebig/Glanz

10. Report on Western Nebraska Children's Ground Water Festival - Ogle

11. Committee Report

A. District Operations Committee

- i. \*Action on the Western Nebraska Envirothon Grant Interlocal Cooperation Agreement
- ii. \*Action to Renew Contract Between the South Platte NRD and High Plains Hydrology, LLC (Dick Luckey)
- iii. \*Discussion and Action to Proceed with Bidding Process to Purchase New Vehicle
- iv. Update on the Ground Water Quality Management Compliance Issues
- v. \*Discussion and Action to Establish and Adopt Rules for the District's Lots 1,2,3,5A,7 and 8, Block 2, Parkridge Addition, City of Sidney, Cheyenne County, Nebraska
- vi. Review District Surplus Property
- vii. \*Staff Salary Adjustments for FY 2012

12. Correspondence

13. Upcoming Dates

- A. June 8-9, 2011, Natural Resources Commission meeting in Sidney
- B. June 13-15, 2011, Upper Niobrara White/North Platte NRD Basin Tour
- C. June 13-17, 2011, Range Youth Camp, Halsey
- D. July 4, 2011, SPNRD Office Closed, Independence Day
- E. July 12, 2011, SPNRD Board of Directors Meeting
- F. July 21-22, 2011, Teachers' Conservation Education Workshop, SPNRD Conference Room
- G. 2011 County Fairs:

Cheyenne County:	July 24-31
Kimball-Banner:	August 9-15
Deuel County:	August 11-13
- H. September 13-15, 2011, Husker Harvest Days
- I. September 25-27, 2011, NARD 2011 Annual Conference, Younes Conference Center, Kearney
- J. October 15, 2011, Annual SPNRD/NRCS Conservation Awards Banquet

16. Adjourn

\*Denotes Possible Action Items

## MINUTES

The meeting of the South Platte Natural Resources District Board of Directors was held Tuesday, May 10, 2011, at the South Platte NRD Conference Room, 551 Parkland Drive, Sidney, NE at 8:00 p.m. The public notices were published in the Sidney, Chappell and Kimball newspapers. The agenda was compiled and each member of the Board of Directors and other interested and affected persons were notified of the meeting date within the deadline.

### Board Members Present

Keith Rexroth, Chair

Bill Halligan

Tom Biggs, Vice-Chair (8:01 p.m.)

Larry Rutt (8:01 p.m.)

Paul Hutchison, Secretary (8:03 p.m.)

Tim Maas

### Board Members Absent

Jim Johnson (excused)

### Others Present

Kristin Miller, D.C., NRCS/USDA

### NRD Staff Present

Rod L. Horn, General Manager

Galen Wittrock, Assistant Manager

Kyle Liebig, Water Resources Manager

Don Ogle, Information & Ed Coord.

Linda L. Suhr, Administrative Manager

Travis Glanz, Water Res. Technician

Ryan Reisdorff, Water Res. Programs Coord.

Chris Kaiser, Natural Resources Coord.

### Information Material

The following information was provided prior to the meeting or provided during the meeting:

1. Tentative Agenda and Final Agenda - Board of Directors meeting Tuesday, May 10, 2011 at 8:00 p.m.
2. April 12, 2011 Minutes of the SPNRD Board of Directors meeting
3. April 12, 2011 Minutes of the District Operations Committee meeting
4. April 11, 2011 Minutes of the SPNRD Natural Resources/Projects and Programs Committee meeting
5. April 2011 Treasurer's Report and May 10, 2011 Accounts Payable
6. April 28, 2011 Memo from Linda Suhr re: May Board of Directors Meeting
7. Staff Reports: Linda Suhr, Administrative Manager/Bookkeeper; and Jodi Livingstone, District Secretary
8. Panhandle RC&D Agenda, May 12, 2011; Board meeting minutes, April 21, 2011; and a series of emails between Joyce Mick of the Panhandle RC&D and Rod Horn regarding Memorandums of Understanding (MOU) that may have existed between the Panhandle RC&D and the SPNRD
9. Thank you from David Ford, City of Kimball Water Superintendent, re: Ryan Reisdorff and the SPNRD's help with the; City of Kimball's Well Head Protection Plan
10. 2011 Western Nebraska Children's Groundwater Festival Final Report

11. Two bids - one bid from Eakes of North Platte in the amount of \$9,120.74 and a second bid from Miller Office Products of Sidney in the amount of \$5,975.00 regarding purchase of 44 chairs, 2 stacking chair carts and 23 tables
  12. May 2011 NRCS Monthly Report to the SPNRD
  13. Hearing documents: Hearing Agenda with script for SPNRD board, Hearing Statement and the Draft Order
  14. Correspondence: "Asserting a Challenge Pursuant to the Ground Water Management and Protection Act: Where do We Stand?" by Jason Brinkley, The Nebraska Lawyer, May 2011; Information regarding the June NARD Board of Directors meeting and the Upper Niobrara-White/North Platte NRD Basin Tour; April 27, 2011 articles of Interest from Alyssa Smola, NARD; and "LB 962 proving that talk is fruitless, solutions elusive" by Tim Anderson, The Kearney Hub, April 9, 2011
  15. Per Diem and Expense Form
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1. Call to Order

Chair Rexroth called the meeting to order at 8:00 p.m. MDT. Jim Johnson was absent and excused. No members of the public were present.

D. Nebraska Open Meetings Act

Chair Rexroth stated for the record that a copy of the Nebraska Open Meetings Law is posted in the meeting room.

E. Legal Notices

Chair Rexroth stated for the record that the affidavits of publication are included with these minutes.

F. Approval of Expenditures

2. \*Possible June 2011 Committee Meeting Expenditures for Meals

Halligan moved and Rutt seconded the motion to approve the June 2011 committee expenses for meals as discussed. A roll call vote was taken.

Aye: Halligan, Maas, Rexroth, Biggs, Rutt

Nay: None

Absent: Johnson, Hutchison (8:03 p.m.)

Motion Carried.

3. Minutes

D. Minutes of the April 12, 2011 Board of Directors Meeting

These minutes were approved as presented.

E. Minutes of the April 12, 2011 District Operations Committee Meeting

These minutes were approved as presented.

F. Minutes of the April 11, 2011 Natural Resources/Projects and Programs Committee Meeting

These minutes were approved as presented.

4. \*Treasurer's Report for April 2011 and Accounts Payable

Horn reviewed the account balances as follows:

<u>Account Description</u>	<u>April 1, 2011</u>	<u>April 30, 2011</u>
SPNRD Checking/Repurchase	\$ 405,499.79	\$ 139,458.06
SPNRD Building/Property	\$ 13,000.98	\$ 18,002.45
SPNRD Vehicle/Equipment	\$ 58,289.70	\$ 73,296.68
SPNRD Investments Security First CDs	\$ 101,532.41	\$ 101,532.41
Citizens' Monitoring Committee	\$ 24,906.51	\$ 24,907.41
Citizens' Monitoring CDs	\$ 77,143.34	\$ 77,143.34
SPRCC Combined (includes CDs)	\$ 144,968.09	\$ 143,007.77

Horn reviewed various items listed in the accounts payable. The total amount of accounts payable is \$76,492.51. He urged the board to ask questions or come at any time to the office and review receipts and/or invoices. Numerous payments for flow meter maintenance cost-share were included in the report as well as payments for the WILD Nebraska Program. Halligan moved and Maas seconded the motion to approve the Treasurer's Report and pay the accounts payable in the amount of \$76,492.51. A roll call vote was taken.

Aye: Maas, Hutchison, Rexroth, Biggs, Rutt, Halligan

Nay: None

Absent: Johnson

Motion Carried.

5. Public Questions, Comments and/or Concerns

None.

6. Director and Staff Reports

Wittrock, Glanz, Kaiser, Liebig, Reisdorff, Ogle and Horn gave oral reports. Suhr and Livingstone prepared written reports. Suhr added that the Oliver Reservoir Emergency Action Plan (EAP) is nearly complete. Recent communication with NDNR, led her to believe the necessary map that NDNR is preparing for the EAP could be complete as early as June 1, 2011.

- Wittrock's main focus since the April board meeting was the Conservation Tree Program. Along with coordinating tree orders, he flagged sites, bundled trees, performed NSWCP inspections and worked with the Community Forestry Program. He and Horn are working with a landowner near the Bittersweet Wildlife Management Area to pursue a possible easement. He also pointed out that the \$3,500 quarterly reimbursement that the SPNRD provides to Nebraska Game and Parks Commission for their administration of Oliver Reservoir is included in the accounts payable.
- Glanz assisted with the Conservation Tree Program, with the Western Irrigation re-use pits project, worked on the flow meter maintenance inspections and reimbursements that are listed in accounts payable as well as performing tree and chemigation inspections. He along with other SPNRD staff assisted with the Western Nebraska Children's Groundwater Festival
- Kaiser assisted with the Conservation Tree Program, performed surface water sampling (weekly now through September), pumped monitoring wells, took recorder well levels and

worked with the NeRAIN cooperators. Water level information was provided to USGS and UNL

- Liebig attended various meetings, including a GIS training in LaVista, worked on the Western Irrigation re-use pits project and ownership changes. He set up the new computers for Wittrock and Kaiser, worked with the industrial flow meter and municipal accounting programs and prepared the 2011 SPNRD inventory. He discussed the GIS transfer tool.
- Reisdorff has been busy with 319 grant work and the multi-jurisdictional hazard mitigation plan. He is working with a UNL landscape class to design bioretention sites on the Cabela's property near the interstate. The Cash for Grass program is underway with an application deadline of May 15, 2011. Kimball's wellhead protection area plan is in the hands of NDEQ for review and final approval. He met with Chappell and Dalton officials regarding their wellhead protection area plans. Evapotranspiration (ET) gauges were purchased and installed in 8 locations. He assisted with surface water sampling and did some work on the industrial flow meter program.
- Ogle prepared press and radio releases for the Cash for Grass Program (Section 319 grant funds). The Western Nebraska Children's Groundwater Festival was held on April 27, 2011. He set up a booth at the State Garden Club meeting in Kimball and made a presentation to the Chappell Rotary Club. He assisted with the State Envirothon in Scottsbluff, worked on ACE and Range Camp applications and is preparing for the SPNRD spring issue of the Pipeline. Omaha World Herald nominations were made for the NARD conference in September.
- Horn reported that he and Ron Cacek and Kent Miller met in Denver on April 19, 2011 with USGS WaterSmart Program representatives. This meeting was organized by Bob Swanson. He attended the Minnesota Ground Water Association Spring Conference, Toward Sustainable Water Use in Minnesota, Where we are, Where we are going, and How we are going to get there. Horn and James Cannia, US Geological Survey, discussed Airborne Electromagnetic Mapping for Defining Hydrogeologic Frameworks Used in Groundwater Management. He also had the privilege of attending the 2011 Sand County Foundation's Leopold Conservation Award ceremony that honored the Mathewson family from Potter. He worked on the amended and restated SPNRD rules and regulations and the SPNRD personnel policy revisions.

7. Agency Reports

E. USDA-Natural Resources Conservation Service (NRCS)

2. NRCS Report

Kristin Miller distributed the May 2011 report to the board, highlighting various areas.

F. Nebraska Association of Resources Districts (NARD)

2. NARD

Johnson was absent from the meeting so no report was given.

G. Panhandle Resource Conservation and Development (PRC&D)

2. PRC&D Report

Halligan discussed that the agenda for the May 12, 2011 meeting and the Minutes from the April 21, 2011 meeting were attached. Horn attached a series of emails

between him and the Panhandle RC&D regarding Memorandums of Understanding (MOU). The SPNRD partnered with the Panhandle RC&D in projects over the years.

H. Nebraska Department of Natural Resources (NDNR)

2. NDNR Report

Rexroth commented briefly concerning the Commission meeting in Sidney on June 8, 2011. He invited the directors and staff to the dinner that will be held at the shelter house during the evening of June 8.

8. \*Discussion and Action as Desired to Place District's 5<sup>th</sup>-Wheel Trailer on Rental Schedule  
Rexroth led discussion about including the District's 5<sup>th</sup>-wheel trailer on the rental schedule. Staff recommended not renting the trailer. Halligan moved and Rutt seconded the motion to not rent the District's 5<sup>th</sup>-wheel trailer. A roll call vote was taken.

Aye: Hutchison, Rexroth, Biggs, Rutt, Halligan, Maas

Nay: None

Absent: Johnson

Motion Carried.

9. Report on Cabela's 319 NPS Bioretention System

Reisdorff presented a visual representation of options being considered for the Section 319 grant bioretention system near Cabela's on Old Post Road.

10. Report on Flood Mitigation and Recharge Demonstration Projects

Liebig discussed the Western Irrigation re-use pit project. Discussion followed. It was discussed that it would be good to work with the landowners in the Western Irrigation District to increase the number of re-use pits in the future.

11. Report on Western Nebraska Children's Ground Water Festival

Ogle reported that about 155 students from Sidney, Potter-Dix, Leyton, Home School and Creek Valley attended the festival on Wednesday, April 27. He outlined the expenses, totaling \$1,398.76 and reimbursements that will be applied for through the Section 319 NPS grant totaling \$1,160.00. He estimated in-kind contributions totaled \$5,552.00.

12. Update on Ground Water Quality Management Compliance Issues

Kaiser reported that three cooperators are out of compliance at this time; two in Deuel County and one in Cheyenne County. Kaiser will monitor the compliance issues and follow SPNRD procedures.

13. \*Action on Sediment and Erosion Control Program Formal Complaint Number SP-01-11

Wittrock reported that the formal complaint was withdrawn, so no board action is necessary at this time.

14. \*Action on Bids/Proposals Received for the Purchase of Tables, Chairs and Stacking Chair Carts

Two bids were received by the bid deadline for 44 stacking chairs, 2 stacking chair carts and 23 tables of various sizes. Eakes Office Plus, North Platte, bid \$9,120.74. Miller Office Products, Sidney, bid \$5,975.00. Biggs moved and Halligan seconded the motion to approve the Miller Office Products bid in the amount of \$5,975.00. A roll call vote was taken.

Aye: Rexroth, Biggs, Rutt, Halligan, Maas, Hutchison  
Nay: None  
Absent: Johnson  
Motion Carried.

15. \* Consideration to Adopt Order on the Proposed Amended and Restated Districtwide Ground Water Management Area Rules and Regulations and to Repeal the following: 1) Lodgepole Creek Ground Water Management Subarea Rules and Regulations; 2) Cheyenne County Ground Water Management Subareas Rules and Regulations; and 3) Deuel County Ground Water Management Subareas Rules and Regulations

Horn noted that the NDNR reviewed proposed changes to the District's rules and regulations for the purpose of providing Department testimony at the hearing. He indicated one comment was to request the addition of a definition to clarify the meaning of irrigation efficiency. Additional suggestions offered were intended to clarify the language. Horn noted NDNR's comments were not to change the content of the rules, but rather to enhance the clarity of the rules and regulations. Following discussion, Halligan moved and Rutt seconded the motion to adopt the attached Order Amending and Restating the Districtwide Ground Water Management Area Rules and Regulations which also repeals the Lodgepole Creek Ground Water Management Subarea Rules and Regulations and the Ground Water Management Subareas Rules and Regulations for Cheyenne County and Deuel County. Furthermore, in adopting the Amended and Restated Districtwide Ground Water Management Area Rules and Regulations with modifications, the Board considered, among other criteria, whether it reasonably appears that such action will mitigate or eliminate the condition which lead to the designation of the management area or will improve the administration of the area. A roll call vote was taken.

Aye: Biggs, Rutt, Halligan, Maas, Hutchison, Rexroth  
Nay: None  
Absent: Johnson  
Motion Carried.

16. Correspondence

Horn urged the board to read the correspondence included in the handout information. He passed around an invitation from the Lower Elkhorn NRD regarding Maple Creek.

17. Upcoming Dates

- A. May 30, 2011, SPNRD Closed, Memorial Day
- B. June 5-8, 2011, ACE Camp, Halsey
- C. June 8-9, 2011, Natural Resources Commission meeting, Sidney
- D. June 13-15, 2011, Upper Niobrara White/North Platte NRD Basin Tour

- E. June 13-17, 2011, Range Youth Camp, Halsey
- F. June 14, 2011, SPNRD Board of Directors Meeting
- G. July 4, 2011, SPNRD Closed, Independence Day
- H. July 21-22, 2011 (tentative), Teachers' Conservation Education Workshop, SPNRD
- I. 2011 County Fairs:
  - Cheyenne County July 24-31
  - Kimball-Banner August 9-15
  - Deuel County August 11-13
- J. September 13-15, 2011, Husker Harvest Days
- K. September 25-27, 2011, NRD 2011 Annual Conference, Younes Conference Center, Kearney
- L. October 3-4, 2011, State Range Judging Contest, Sidney
- M. October 5, 2011, Nebraska Section - Society for Range Management (SRM) meeting, "Understanding Past Management and What It Means Today", Sidney
- N. October 6, 2011, SRM Field Tour, Sidney
- O. October 15, 2011, Annual SPNRD/NRCS Conservation Awards Banquet

18. Adjourn

With no further business the meeting adjourned at 10:05 p.m. MDT.

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Linda L. Suhr, Recording Secretary