

LITTLE BLUE NATURAL RESOURCES DISTRICT
Minutes **April 10, 2018**

OPENING OF MEETING – RANDY UHRMACHER

The directors of the Little Blue Natural Resources District met in regular session on Tuesday, April 10, 2018 at the Little Blue Natural Resources District Office, Davenport, Nebraska. Chairman Uhrmacher called the meeting to order at 8:11 p.m.

Uhrmacher led the group in the Pledge of Allegiance.

Uhrmacher noted that a copy of the Nebraska Open Meeting Act was posted and available for any one who may want to review the document

Roll call was held.

DIRECTORS PRESENT

Board members present:

Warren Brakhahn, Edward Fleharty, Lyle Heinrichs, Joe Hergott, Mason Hoffman, Everett Kellogg, Marlin Kimle, Kevin Kissinger, Jay Meyer, Charles Rainforth, Lyle Schroer, Steve Shaw, Matt Spencer, Gene Thomas, Jesse VonSpreckelsen, Alan Wiedel and Randy Uhrmacher

OTHERS PRESENT

Mike Onnen, Donnie Engelhardt, Kevin Orvis, Marie Herbek, Janet Valasek and Peggy Shaw McBee representing NRCS; numerous members of the public.

ANNOUNCEMENT OF OFFICIAL DISTRICT PUBLICATIONS FOR NOTICES

Legal notice of the regular meeting was provided to the *FAIRBURY JOURNAL NEWS* and the *HASTINGS TRIBUNE*. The agenda was mailed to all board members, radio, television and newspapers in the district and posted at the NRCS offices in the district and the Little Blue NRD office.

ADOPTION OF BOARD MEETING AGENDA

Onnen noted an addition of June Board Meeting to Item # 20, Other Business. The change had properly been added to the posted board meeting agenda at least 24 hours prior to the commencement of the meeting. **MOTION # 1 – Rainforth moved, seconded by Heinrichs to approve the agenda for the April 10, 2018 meeting as presented.** Carried by roll call vote – 17 yes votes.

CONSENT AGENDA ITEMS

Acceptance of Board Member Absences

No members were absent.

Minutes of March 13, 2018 Board Meeting

There were no changes to the minutes.

MOTION # 2 – Kissinger moved, seconded by Rainforth to approve the minutes of March 13, 2018 as circulated. Carried by roll call vote – 17 yes votes.

PUBLIC COMMENT

No comments were received.

ACTION TO APPROVE TREASURER'S REPORT – Warren Brakhahn

Copies of the Little Blue NRD Treasurer's Report were circulated. Brakhahn reviewed the report.

MOTION # 3 – Brakhahn moved, seconded by Rainforth to approve the per diem and expenses reimbursement checks for Directors Brakhahn, Fleharty, Heinrichs, Hergott, Hoffman and Kellogg.

Carried by roll call vote. Yes: Kimle, Kissinger, Meyer, Rainforth, Schroer, Shaw, Spencer, Thomas, VonSpreckelsen, Wiedel and Uhrmacher. Abstain: Brakhahn, Fleharty, Heinrichs, Hergott, Hoffman and Kellogg.

MOTION # 4 – Brakhahn moved, seconded by Heinrichs to approve director per diem and expenses reimbursement checks for Directors Kimle, Kissinger, Meyer, Rainforth, Schroer and Shaw.

Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hergott, Hoffman, Kellogg, Spencer, Thomas, VonSpreckelsen, Wiedel and Uhrmacher. Abstain: Kimle, Kissinger, Meyer, Rainforth, Schroer and Shaw.

MOTION # 5 – Brakhahn moved, seconded by Hoffman to approve director per diem and expenses reimbursement checks for Directors Spencer, Thomas, Uhrmacher, VonSpreckelsen and Wiedel.

Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hergott, Hoffman, Kellogg, Kimle, Kissinger, Meyer, Rainforth, Schroer and Shaw. Abstain: Spencer, Thomas, VonSpreckelsen, Wiedel and Uhrmacher.

MOTION # 6 – Brakhahn moved, seconded by Kissinger to approve the Little Blue NRD treasurer's report and payment of bills, and hold Check 47427 for separate action. Carried by roll call vote – 17 yes votes.

MOTION # 7 – Brakhahn moved, seconded by Schroer to approve check # 47427. Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hergott, Hoffman, Kellogg, Kissinger, Meyer, Rainforth, Schroer, Shaw, Spencer, VonSpreckelsen, Wiedel and Uhrmacher. Absent: Kimle. Abstain: Thomas.

Brakhahn reviewed the Little Blue Public Water Project Treasurer's Report.

MOTION # 8 - Brakhahn moved, seconded by Heinrichs to approve the Little Blue Public Water Project North treasurer's report and payment of bills as presented.

Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hergott, Hoffman, Kellogg, Kissinger, Meyer, Rainforth, Schroer, Shaw, Spencer, Thomas, VonSpreckelsen, Wiedel and Uhrmacher. Absent: Kimle.

Brakhahn reviewed the Little Blue Public Water Project - South Treasurer's Report. **MOTION # 9 - Brakhahn moved, seconded by Rainforth to approve the Little Blue Public Water Project South treasurer's report and payment of bills as presented.**

Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hergott, Hoffman, Kellogg, Kissinger, Meyer, Rainforth, Schroer, Shaw, Spencer, Thomas, VonSpreckelsen, Wiedel and Uhrmacher. Absent: Kimle.

AGENCY REPORTS

NRCS Report – Peggy Shaw McBee, Thayer County

Shaw McBee gave a brief report on the happenings in the NRCS.

STAFF REPORTS – Donnie Engelhardt

The staff report was mailed to the Director's earlier. Engelhardt reviewed the report and answered questions.

WATER RESOURCES COMMITTEE REPORT – Warren Brakhahn

The Water Resources Committee met March 20 and prior to the regular board meeting.

Action to Approve the Sparling Irrigation Flow Meter

The addition of the Sparling flow meter to the list of District approved meters was presented for approval.

MOTION # 10 - Brakhahn moved, seconded by Hoffman to add the Sparling FM 314 Bolt on Saddle Propeller Meter to the list of meters available for use in the Little Blue NRD. Carried by roll call vote, 17 yes votes.

Discussion and Possible Action on Groundwater Rules and Regulations

A few changes to the proposed Groundwater Rules & Regulations were discussed. **MOTION # 11 - Brakhahn moved, seconded by Wiedel to approve the April 10, 2018 copy of the Rules and Regulations for Water Management in the Groundwater Management Area of the Little Blue NRD as presented and amended, and offer them for public hearing.** Carried by roll call vote – 17 yes votes.

Action to Deal with Violations of Groundwater Rules and Regulations

Discussion on producers who have not complied with the District's reporting and meter installation rules was held. **MOTION # 12 – Thomas moved, seconded by Schroer to issue cease and desist letters to “no report” cooperators stating there must be compliance by May 1, 2018. If no report is returned they will be asked to attend the May 8th board meeting giving reason why they have not complied, or face potential court action.** Carried by roll call vote – 17 yes votes.

MOTION # 13 – Brakhahn moved, seconded by Hergott for staff to complete a field inspection for meter installation on “no meter”. If none is installed, issue cease and desist letters to cooperators stating they must have a meter properly installed, or return a plan of compliance, by May 1, 2018. If no compliance plan is returned they will be asked to attend the May 8th board meeting giving reason why they have not complied, or face potential court action. Carried by roll call vote – 17 yes votes.

Discussion and Possible Action on Rules for Administration of Groundwater Management Act – (Irrigation Runoff Rules)

A separate set of rules that deal only with irrigation runoff were presented. **MOTION # 14 – Brakhahn moved, seconded by Hoffman to approve the draft Rules and Regulations for Administration of the Groundwater Management and Protection Act as presented, and offer them for public hearing.** Carried by roll call vote – 17 yes votes.

Action to Set Public Hearing Date

MOTION # 15 – Brakhahn moved, seconded by Schroer to set a public hearing on May 29, 2018 beginning at 7:00 PM for the Rules and Regulations for Water Management in the Groundwater Management Area of the Little Blue NRD, and the Rules and Regulations for Administration of the Groundwater Management and Protection Act. Carried by roll call vote – 17 yes votes.

Action to Set Public Hearing for New Depletions Area Stay

Statute requires a public hearing be held during the temporary 180 day stay to determine if the stay should be made permanent or if specific rules for the hydrologically connected area should be adopted.

Motion # 16 – Kissinger moved, seconded by Hoffman to conduct a public hearing on May 8, 2018 beginning at 8:00 PM for the purpose of complying with 46-707(2) regarding the Platte River Drainage area of Adams County. Carried by roll call vote – 17 yes votes.

Other Business

There was no other business.

EDUCATION AND INFORMATION COMMITTEE – Matt Spencer

The Education and Information Committee met prior to the regular board meeting.

Action on High School Scholarships

Scholarships are offered to qualified students that reside or originate from within the District each year. The student must be attending a two or four year-college majoring in a conservation, agriculture or environmental field and academically be in good standing. **MOTION # 17 – Spencer moved, seconded by Brakhahn to approve the following students as the recipients of the Little Blue NRD 2018 Secondary Education Scholarships: Halee Kohmetscher, Blue Hill; Garrett Schardt, Bruning/Davenport; Lydia Birky, Fillmore Central; Justin Vrooman, St. Cecilia; Nicki Kirchoff, Superior.** Carried by roll call vote – 17 yes votes.

Action on Other Awards

One applicant for the Urban Conservation Award was presented for approval. **MOTION # 18 – Spencer moved, seconded by Brakhahn to approve the Boy Scout Pack & Troop 99 of Lawrence for the 2018 Urban Conservation Award, and thank them for their services.** Carried by roll call vote – 17 yes votes.

Other Business

There was no other business.

STATUS REPORT ON LIBERTY COVE FIRE ACTIONS

Onnen gave an update on the issues related to the Liberty Cove fire.

ACTION ON BUFFER STRIP APPLICATION – SDD Farms LLC

One Buffer Strip application was submitted for approval. **MOTION # 19 – Spencer moved, seconded by Hoffman to approve the 10-year Buffer Strip Application of SDD Farms LLC for 4.5 acres in SE ¼ Section 10-T5N-R10W, Adams County with annual payments of \$1,012.50.** Carried by roll call vote – 17 yes votes.

ACTION ON CONTRACTS FOR CONSTRUCTION AT CRYSTAL LAKE – (DEQ & Game & Parks)

Two contracts for improvements to Crystal Lake Recreation Area were presented for approval. **MOTION # 20 – Rainforth moved, seconded by Kellogg to approve the inter-governmental agreement between the Nebraska DEQ and the Little Blue NRD for Crystal Lake Aquatic Habitat Project as presented.** Carried by roll call vote – 17 yes votes.

MOTION # 21 – Brakhahn moved, seconded by Hoffman to approve the interlocal agreement between the Nebraska Game and Parks Commission and Little Blue NRD for the Crystal Lake Improvement Project as presented. Carried by roll call vote – 17 yes votes.

ACTION TO APPROVE EASEMENTS FOR WSF GROUNDWATER RECHARGE PROJECTS

Easements for recharge projects were presented for approval. **MOTION # 22 – Brakhahn moved, seconded by Hoffman to approve the 50 year easement on the Wayne and Monica Mousel tract in South Half of the Northwest Quarter (S1/2 NW1/4), Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4), the East Half of the Southwest Quarter (E1/2 SW 1/4); and the West Half of the Southeast Quarter (W1/2 SE1/4) all in Section Eighteen (18), Township Six (6) North, Range Twelve (12) West of the 6th P.M., in Adams County, Nebraska for construction, observation and maintenance of the Sand Creek Groundwater Recharge Project, as presented.** Carried by roll call vote – 17 yes votes.

MOTION # 23 – Brakhahn moved, seconded by Rainforth to approve the 50-year easement on the Duval Farms LLC tract in Section Twenty-Nine (29), Township Six (6) North, Range Twelve (12) West of the 6th P.M., in Adams County, Nebraska; for construction, observation and maintenance of the Sand Creek Groundwater Recharge Project, as presented. Carried by roll call vote – 17 yes votes.

ACTION TO AUTHORIZE BID SOLICITATION FOR WSF GROUNDWATER RECHARGE PROJECTS

MOTION # 24 – Brakhahn moved, seconded by Schroer to authorize the solicitation of bids for the Sand Creek Groundwater Recharge Projects and provide results at next meeting for Board action. Carried by roll call vote – 17 yes votes.

LEGISLATIVE ACTIVITY REPORT – Mike Onnen

Onnen reported on Legislative activity pertinent to the NRD's.

PUBLIC COMMENT

There were no comments received.

OTHER BUSINESS

June Board Meeting

Due to the NARD annual tour scheduled at the same time as the District’s regularly scheduled board meeting Onnen suggested moving the meeting to June 14th. **MOTION # 25 – Brakhahn moved, seconded by Hergott to change the date of June Board meeting to Thursday, June 14th.** Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hergott, Hoffman, Kellogg, Kimle, Kissinger, Meyer, Rainforth, Schroer, Shaw, Spencer, Thomas, Wiedel and Uhrmacher. No: VonSpreckelsen.

ADJOURNMENT

Uhrmacher adjourned the meeting at 9:36 P.M.

COUNTY OF THAYER)
)
STATE OF NEBRASKA)

I, the undersigned, Secretary of the Little Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held on April 10, 2018, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that a copy of the Nebraska Open Meetings Act was posted and available to the public; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; and, that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.
