

**LITTLE BLUE NATURAL RESOURCES DISTRICT**  
**Minutes** **February 10, 2015**

**OPENING OF MEETING – CHARLES RAINFORTH**

The directors of the Little Blue Natural Resources District met in regular session on Tuesday, February 10, 2015 at the Little Blue Natural Resources District Office, Davenport, Nebraska. Chairman Rainforth called the meeting to order at 7:40 p.m.

Rainforth led the group in the Pledge of Allegiance.

Rainforth 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, James Cunningham, Edward Fleharty, Lyle Heinrichs, Joe Hergott, Neal Hoff, Everett Kellogg, Marlin Kimle, Kevin Kissinger, Sacha Lemke, Lyle Schroer, Matt Spencer, Gene Thomas, Randy Uhrmacher, Alan Wiedel and Charles Rainforth.

**Directors Absent:**

Ross Fisher.

**OTHERS PRESENT**

Mike Onnen, Daryl Andersen, Kevin Orvis, Kent Thomas, Marie Herbek, Amy , Marlene Faimon, Terry Madson, Aaron Cedar, Stu Luttich, Michele Fuhrer Hurt; Janet Valasek and Shanda Spurgeon representing NRCS.

The oath of office was administered to all newly elected Board members.

**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.

**ACTION TO ADOPT BOARD MEETING AGENDA**

**MOTION # 1 – Thomas moved, seconded by Kissinger to approve the agenda for the February 10, 2015 meeting as presented.** Carried by roll call vote – 16 yes votes.

**ACTION TO APPROVE CONSENT AGENDA ITEMS**

### **Acceptance of Board Member Absences**

Onnen noted Fisher had notified the office of his intended absence and was excused.

### **Minutes of January 13, 2015 Board Meeting**

There were no changes to the minutes.

**MOTION # 2 – Heinrichs moved, seconded by Brakhahn to approve the absence of Fisher and the minutes of January 13, 2015.** Carried by roll call vote – 16 yes votes.

### **ACTION TO APPROVE TREASURER'S REPORT – Neal Hoff**

Copies of the Little Blue NRD Treasurer's Report were circulated. Hoff reviewed the report. **MOTION # 3 – Hoff moved, seconded by Brakhahn to approve the report and payment of bills as presented.** Carried by roll call vote – 16 yes votes.

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

**MOTION # 4 - Hoff moved, seconded by Hergott to approve the report and payment of bills as presented.** Carried by roll call vote – 16 yes votes.

Hoff reviewed the Little Blue Public Water Project - South Treasurer's Report. **MOTION # 5 - Hoff moved, seconded by Thomas to approve the report and payment of bills as presented.** Carried by roll call vote – 16 yes votes.

### **AGENCY REPORTS**

#### **NRCS Report – Shanda Spurgeon**

Spurgeon gave a brief report on the happenings in the NRCS.

### **STAFF REPORTS – Kent Thompson**

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

### **PROJECTS COMMITTEE REPORT – Marlin Kimle**

A Projects Committee meeting was held February 6, 2015.

#### **Action on Wildlife Extension Agreement for Liberty Cove Rec Area**

A Wildlife Extension Agreement with the Nebraska Game and Parks Commission for Liberty Cove land was presented for approval. **MOTION # 6 – Kimle moved, seconded by Fleharty to approve the WILD Nebraska Wildlife Habitat Extension Agreement with the Nebraska Game and Parks Commission for the Liberty Cove Property as presented, with the haying option being the preferred management option.** Carried by roll call vote – 16 yes votes.

#### **Action on Wildlife Extension Agreement for Bruning Dam Public Use Area**

A Wildlife Extension Agreement with the Nebraska Game and Parks Commission for Bruning Dam land was presented for approval. **MOTION # 7 – Kimle moved, seconded by Fleharty to recommend approval of the WILD Nebraska Wildlife Habitat Extension Agreement with the Nebraska Game and Parks Commission for the Bruning Dam Property as presented, with the haying option being the preferred management option.** Carried by roll call vote – 16 yes votes.

**Action on Seiler Wildlife Farms, Inc. Buffer Strip Application**

One Buffer Strip Application was submitted for approval. **MOTION # 8 – Fleharty moved, seconded by Kimle to approve the buffer strip application for Seiler Wildlife Farms, Inc. on 2.3 acres located in the E ½ NW ¼ Section 31-T8N-R11W, Adams County for a 10 year contract with an annual payment of \$287.96.** Carried by roll call vote – 16 yes votes.

**Action on Joint Hazard Mitigation Planning Interlocal Agreement**

A Hazard Mitigation Plan Inter-local Agreement was presented for approval. **MOTION # 9 – Kimle moved, seconded by Fleharty to approve the Interlocal Cooperative Agreement between the local sponsors of the Hazard Mitigation Plan, and commit to a contribution not to exceed \$3,400 of cash and in-kind services.** Carried by roll call vote. Yes: Brakhahn, Cunningham, Fleharty, Heinrichs, Hergott, Hoff, Kellogg, Kimle, Kissinger, Schroer, Spencer, Thomas, Uhrmacher, Wiedel and Rainforth. Absent: Lemke.

**Action on Interlocal Agreement for Management of Crystal Lake Park**

The Agreement with Ayr over management and operation of Crystal Lake expired at the end of 2014. **MOTION # 10 - Kimle moved, seconded by Thomas to approve the Interlocal Cooperative Agreement between the District and Village of Ayr regarding the management of Crystal Lake Park.** Carried by roll call vote – 16 yes votes.

**Action on Bathymetric Survey of Liberty Cove Recreation Area**

The District has been offered an opportunity to get bathymetric surveys completed for Liberty Cove. **MOTION # 11 – Kimle moved, seconded by Hergott to approve the quote of FYRA Engineering to add Liberty Cove to the list of lakes for bathymetric surveys in the amount not to exceed \$4,910, and sign the agreement with the Nebraska Department of Environmental Quality for the reimbursement of the costs of the surveys.** Carried by roll call vote – 16 yes votes.

**Action to Establish Daily Camping Fees for Recreation Areas**

New camping fees for the Districts’ recreation areas were proposed. **MOTION # 12 – Kimle moved, seconded by Cunningham to set the Daily Camping Fees for the Little Blue NRD Recreation Areas at \$15 / day effective April 1, 2015. These fees will apply for the following recreation areas: Buckley Creek Recreation Area, Liberty Cove Recreation Area, Lone Star Recreation Area.** Carried by roll call vote – 16 yes votes.

**Action on Engineering Services for Modification of Hebron Road Dam**

No action was taken on this.

**Action on Modification of District’s Cost-Share for Dams Program Policy**

Discussion was held on the current cost-share policy for dams. **MOTION # 13 – Kimle moved, seconded by Hergott to amend the District’s Cost-Share for Dams Program Policy by adjusting the cost-share rate paid on all new private dams to 80% and calculating the value of the land impacted by the physical structure of the dam and its permanent pool as part of the landowner’s contribution to the dam’s total cost.** Carried by roll call vote. Yes: Brakhahn, Cunningham, Fleharty, Hergott, Hoff, Kellogg, Kimle, Kissinger, Lemke, Schroer, Spencer, Uhrmacher, Wiedel and Rainforth. No: Heinrichs and Thomas.

**WATER RESOURCES COMMITTEE – Randy Uhrmacher**

A Water Resources Committee meeting was held prior to the regular board meeting.

### **Action on Variance Request of Jack Buchli – Well for Fish Ponds**

A variance request was presented for approval. **MOTION # 14 – Uhrmacher moved, seconded by Heinrichs to grant a variance to Jack Buchli on the installation of a flow meter on a well located in the NE ¼ Section 2-T3N-R1W, Thayer County used for fish production but require Buchli to provide an annual report of estimated water use from the well.** Carried by roll call vote – 16 yes votes.

### **Action on Groundwater Transfer Permit Request for Stanley Pavelka**

One Transfer permit was presented for approval. **MOTION # 15 – Uhrmacher moved, seconded by Heinrichs to approve the irrigation transfer permit of Stan Pavelka from well G-131182 in the NE ¼ Sec. 9-T4N-R11W, Webster County to the SE ¼ of the NW ¼, the NE ¼ of the SE ¼, and the NW ¼ of the SE ¼ all in Section 9; and transfer from wells G-127505 and G-127506 in the NE ¼ Sec. 9-T4N-R11W, Webster County to the NE ¼ of the NW ¼ of the same section.** Carried by roll call vote. Yes: Cunningham, Fleharty, Heinrichs, Hergott, Hoff, Kellogg, Kimle, Kissinger, Lemke, Schroer, Spencer, Thomas, Uhrmacher, Wiedel and Rainforth. No: Brakhahn.

### **2014 Crop Water Pumpage Report**

The 2014 pumpage report was presented by Orvis and he answered questions.

### **Action on Deadline for Installation of Flow Meters**

Due to a delay in the development of a database program it will be difficult to enforce installation of meters in the northeast quarter by December 31, 2014. **MOTION # 16 – Uhrmacher moved, seconded by Brakhahn that due to delays in the development of the GIS/computer database program for certifying irrigated acres, the deadline for certification of irrigated acres will be extended to December 31, 2015.** Carried by roll call vote – 16 yes votes.

### **Other Business**

Discussion was held on Non-Reporting Meters. **MOTION # 17 – Uhrmacher moved, seconded by Brakhahn to notify irrigators who have failed to report irrigation water pumpage by specific action of the board that they are required to report said water use to the District by March 10, 2015 or appear at a hearing before the Board on that date to explain why the report was not submitted. If they fail to report or fail to appear at the March 10, 2015 meeting the board will issue a cease and desist order upon the violator of the board's actions.**

After discussion Uhrmacher withdrew the motion with concurrence of the second. Staff was advised to contact the irrigators personally and request they report to the District.

## **EXECUTIVE COMMITTEE REPORT**

An Executive Committee meeting was held prior to the regular board meeting.

### **Action on Insurance Values of Covered Property (Tabled at Previous Mtg.)**

Discussion was held at the January, 2015 meeting regarding whether the District's insured property values were correct and current as appraisals show some of our properties are under-covered. **MOTION # 18 – Fleharty moved, seconded by Thomas to update the Property Insurance Schedule to all current values effective March 1, 2015.** Carried by roll call vote. Yes: Fleharty, Heinrichs, Kellogg, Kimle, Kissinger, Lemke, Thomas, Uhrmacher and Rainforth. No: Brakhahn, Cunningham, Hergott, Hoff, Schroer, Spencer and Wiedel.

