

**LITTLE BLUE NATURAL RESOURCES DISTRICT**  
**Minutes** **February 14, 2017**

**OPENING OF MEETING – RANDY UHRMACHER**

The directors of the Little Blue Natural Resources District met in regular session on Tuesday, February 14, 2017 at the Little Blue Natural Resources District Office, Davenport, Nebraska. Chairman Uhrmacher called the meeting to order at 7:40 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, Steven Shaw, Matt Spencer, Gene Thomas, Jesse Von Spreckelsen, and Randy Uhrmacher.

**Board members absent:**

Alan Wiedel

**OTHERS PRESENT**

Mike Onnen, Kevin Orvis, Daryl Andersen, Marie Herbek, numerous members of the public; Peggy Shaw McGee representing NRCS.

**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**

**MOTION # 1 – Heinrichs moved, seconded by Spencer to approve the agenda for the February 14, 2017 meeting as presented.** Carried by roll call vote – 16 yes votes.

**CONSENT AGENDA ITEMS**

**Acceptance of Board Member Absences**

Onnen noted Wiedel had notified the office of his intended absence.

**Minutes of January 10, 2017 Board Meeting**

There were no changes to the minutes.

**MOTION # 2 – Heinrichs moved, seconded by Hoffman to approve the absence of Wiedel and the minutes of January 10, 2017 as circulated.** Carried by roll call vote – 16 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 and noted check # 46403 would be held until later action in the meeting. **MOTION # 3 – Brakhahn moved, seconded by Heinrichs to approve the report and payment of bills as presented except check #46403 which would be held for action to be taken later.** Carried by roll call vote – 16 yes votes.

Brakhahn reviewed the Little Blue Public Water Project – North Treasurer's Report. **MOTION # 4 - Brakhahn moved, seconded by Rainforth to approve the report and payment of bills as presented.** Carried by roll call vote – 16 yes votes.

Brakhahn reviewed the Little Blue Public Water Project - South Treasurer's Report. **MOTION # 5 - Brakhahn moved, seconded by Heinrichs to approve the report and payment of bills as presented.** Carried by roll call vote – 17 yes votes.

**AGENCY REPORTS**

**NRCS Report – Peggy Shaw McGee**

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

**NARD Conference Report – Lyle Heinrichs**

Heinrichs reported on the NARD Conference which was held January 24 and 25 in Lincoln.

**STAFF REPORTS – Mike Onnen**

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

**WATER RESOURCES COMMITTEE REPORT – Warren Brakhahn**

The Water Resource Committee met January 19 and February 7.

**Action on Transfer Request for John Hoffman**

John Hoffman has drilled a replacement well and put up a pivot to water his 80 acre tract and wants to cooperate with Winifred Crane in the adjoining 80 acre tract, to water both 80s. Both tracts are currently gravity irrigated. **MOTION # 6 – Brakhahn moved, seconded by Thomas to approve the groundwater transfer request of John Hoffman from the S½ SE¼ 09-06N-10W to the N½ SE¼ 09-06N-10W, Adams County.** Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hergott, Kellogg, Kimle, Kissinger, Mayer, Rainforth, Schroer, Shaw, Spencer, Thomas, VonSpreckelsen and Uhrmacher. Abstain: Hoffman.

**Action on Transfer Request for Paul Krueger**

Paul Krueger's pivot irrigates the northeast pivot corner of the SE¼; Kevin Karr has a pivot in the NE¼. Krueger desires to provide water for a small pivot to water the adjoining outside pivot corners of the two tracts. **MOTION # 7 – Brakhahn moved, seconded by Shaw to approve the groundwater transfer request of Paul Krueger from the SE¼ 02-04N-12W to the NE¼ 02-04N-12W, Webster County.** Carried by roll call vote – 16 yes votes.

**Action on Transfer Request for Jerry Genereux**

Jerry Genereux wants to use an existing well which irrigates the NW¼ to develop the SW¼. The well registration lists the well's capacity at 750 gpm. The pivot is shortened so the dam on the property will not have to be removed. **MOTION # 8, Brakhahn moved, seconded by Heinrichs to approve the groundwater transfer request of Jerry Genereux from the NW¼ 30-4N-12W to the SW¼ 30-4N-12W, Webster County.** Carried by roll call vote – 16 yes votes.

**Action on Temporary Domestic Well Logger Installation at Higel's Farmstead**

A data logger was placed in the Higel well southwest of Alexandria last summer to determine water level change **MOTION # 9 – Brakhahn moved, seconded by Kissinger to recommend removal of the logger from the Higel well.** Carried by roll call vote. Yes: Brakhahn, Heinrichs, Hoffman, Kellogg, Kimle, Kissinger, Meyer, Rainforth, Shaw, Thomas, VonSpreckelsen and Uhrmacher. No: Fleharty, Hergott, Schroer and Spencer.

**Action on Certified Acre Deadline Extension**

The current deadline for certification of irrigated acres is April 1, 2017. Due to delays in the BeeHive database and entry into the database this cannot be accomplished. **MOTION # 10 – Brakhahn moved, seconded by VonSpreckelsen to recommend backing up the date for completion of the certification of irrigated acres to March 15, 2018.**

Discussion was held. **MOTION # 11 – Shaw moved, seconded by Heinrichs to amend the previous motion to change the date for completion of certification of acres to January 1, 2019.** Carried by roll call vote. Yes: Fleharty, Hergott, Hoffman, Kellogg, Kimle, Kissinger, Meyer, Rainforth, Shaw, Spencer, Thomas, VonSpreckelsen and Uhrmacher. No: Brakhahn and Schroer. Absent: Heinrichs.

**Action on Non-Compliance with Rule Dates**

Orvis reported on producers that haven't installed a meter or sent in a report. **MOTION # 12 – Brakhahn moved, seconded by Schroer to issue a schedule of compliance to the non-compliant operator requiring him to install flow meters within 30 days to come into compliance with District rules.** Carried by roll call vote. Yes: Brakhahn, Fleharty, Hergott, Hoffman, Kellogg, Kimle, Meyer, Rainforth, Schroer, Spencer, Thomas, VonSpreckelsen and Uhrmacher. No: Heinrichs, Kissinger and Shaw.

**Summary of Recommended Rules and Regulations Changes**

Discussion was held on the draft chart of proposed changes to the LBNRD Rules and Regulations that was developed at the committee meeting on January 19.

**Other Business – Discuss Blue Basin Model Questions**

Onnen reported on the Blue Basin Model and asked for input from the Board he could take to a meeting to be held with the Upper Big Blue NRD.

## **PROJECTS COMMITTEE – Marlin Kimle**

The Projects and Planning Committee met prior to the regular board meeting.

### **Action on Water Sustainability Fund Project Contracts**

Two groundwater recharge pilot projects have been approved for funding through the Water Sustainability Fund. **MOTION # 13 – Kimle moved, seconded by Brakhahn to recommend approval of the two Water Sustainability Fund Agreements # 4146 and 4147 as presented.** Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hoffman, Kellogg, Kimle, Kissinger, Meyer, Rainforth, Schroer, Shaw, Spencer, Thomas, VonSpreckelsen and Uhrmacher. Absent: Hergott.

### **Action on Bids for Prairie Lake Development**

Bids were taken for development at Prairie Lake. **MOTION # 14 – Kimle moved, seconded by Rainforth to delay action on the bids until the March meeting to more fully assess the bids and alternatives.** Carried by roll call vote – 16 yes votes.

### **Action on Consultant for Groundwater Recharge Projects**

Three engineer firms were interviewed for the Watershed Plan projects. **MOTION # 15 – Kimle moved, seconded by Brakhahn to recommend the selection of the team of JEO and LakeTech for the next round of groundwater recharge projects developments.** Carried by roll call vote – 16 yes votes

### **Action on Buffer Strip Applications**

Six buffer strip applications were presented for approval. **MOTION # 16 – Kimle moved, seconded by Rainforth to approve the following buffer strip applications as presented: Lanny Katzberg of Adams County, 7.2 Acres for 10 years with an annual payment of \$1620.00, RADW LLC of Adams County, 6.1 Ares for 5 years with an annual payment of \$1395.00, Robert Spilker of Jefferson County, 6.6 Acres for 10 years with an annual payment of \$1485.00, Philbert Bonifas Rev. Trust of Adams County, 3.9 Acres for 10 years with an annual payment of \$877.50, Mel Buss Trust of Adams County, 6.1 Acres for 10 years with an annual payment of \$1208.62, Mel Buss Trust, of Adams County, 1.1 Acre for 10 years with an annual payment of \$247.50.** Carried by roll call vote – 16 yes votes.

### **Discussion of PureAg Products and Request for NRD Assistance**

No Action was taken on this.

## **EXECUTIVE COMMITTEE REPORT – Mike Onnen**

The Executive Committee met prior to the regular meeting.

### **Action Regarding District Legal Counsel**

Discussion on this will be delayed until the end of the meeting.

### **Action on Purchase of Office 365 for Staff Use**

Microsoft Office 365 lease was presented for approval. **MOTION # 17 – Fleharty moved, seconded by Kissinger to order 11 licenses for Microsoft Office 365 for office use and authorize payment of check # 46403.** Carried by approval – 16 yes votes.

**Action on Lease or Replacement of Copier**

The copier lease expires in April. **MOTION #18 – Kissinger moved, seconded by Fleharty to approve the lease of the MX-4070N from Eakes Office Solutions of Hastings as presented.** Carried by roll call vote. Yes: Fleharty, Heinrichs, Hergott, Hoffman, Kellogg, Kimle, Kissinger, Meyer, Rainforth, Schroer, Shaw, Spencer, Thomas, VonSpreckelsen and Uhrmacher. Absent: Brakhahn.

**Computer Server Lease Renewal**

The contract for the office server is up and an extension was presented for approval. **MOTION # 19 – VonSpreckelsen moved, seconded by Rainforth to approve the contract extension of the office computer server for two years at a price of \$956.80.** Carried by roll call vote – 16 yes votes.

**Staffing Matters**

Due to the resignation of Daryl Andersen it was requested to let the Executive Committee meet to discuss job responsibilities and staffing assignments. **MOTION # 20 - Rainforth moved, seconded by Hergott that the Executive Committee evaluate staffing needs, prepare a Job Description as needed and advertise to fill the vacancy.** Carried by roll call vote – 16 yes votes.

**LEGISLATIVE ACTIVITY REPORT – Mike Onnen**

Onnen reviewed bills of interest to the District.

**MOTION # 21 – Brakhahn moved, seconded by Hergott to go into Executive Session for the purpose of discussion regarding District legal counsel.** Carried by roll call vote – 16 yes votes.

Executive Session called for the purpose of discussion of District legal counsel convened at 9:30.

**MOTION # 22 – Hoffman moved, seconded by Brakhahn to come out of Executive Session at 9:47 and declare that no actions of the Board, official or unofficial, were taken during the closed session.**

Carried by roll call vote – 16 yes votes.

**ADJOURNMENT**

Uhrmacher adjourned the meeting at 9:48 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 February 14, 2017, 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.

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