

LITTLE BLUE NATURAL RESOURCES DISTRICT
Minutes **June 9, 2015**

OPENING OF MEETING – CHARLES RAINFORTH

The directors of the Little Blue Natural Resources District met in regular session on Tuesday, June 9, 2015 at the Little Blue Natural Resources District Office, Davenport, Nebraska. Chairman Rainforth called the meeting to order at 7:30 p.m.

Rainforth led the group in the Pledge of Allegiance.

Rainforth noted that a copy of the Nebraska Open Meetings Act was posted and available for anyone who may want to review the document

Roll call was held.

DIRECTORS PRESENT

Board members present:

Warren Brakhahn, James Cunningham, Ross Fisher, Edward Fleharty, Lyle Heinrichs, Joe Hergott, Neal Hoff, Everett Kellogg, Kevin Kissinger, Lyle Schroer, Gene Thomas, Randy Uhrmacher, Alan Wiedel and Charles Rainforth.

Directors Absent:

Marlin Kimle and Matt Spencer

OTHERS PRESENT

Mike Onnen, Daryl Andersen, Kevin Orvis, Kent Thompson, Marie Herbek, Marlene Faimon; Janet Valasek and Robert Boettcher 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.

ACTION TO ADOPT BOARD MEETING AGENDA

MOTION # 1 – Heinrichs moved, seconded by Brakhahn to approve the agenda for the June 9, 2015 meeting as presented. Carried by roll call vote – 14 yes votes.

ACTION TO APPROVE CONSENT AGENDA ITEMS

Acceptance of Board Member Absences

Onnen noted Kimle and Spencer had notified the office of their intended absence.

Minutes of May 12, 2015 Board Meeting

There were no changes to the minutes.

MOTION # 2 – Hoff moved, seconded by Heinrichs to approve the absence of Kimle and Spencer and the minutes of May 12, 2015. Carried by roll call vote – 14 yes votes.

BOARD DEVELOPMENT – AIRBORNE ELECTROMAGNETIC GEOLOGIC SURVEYS, JARAD ABRAHAM, SENIOR RESEARCH GEOPHYSICIST, XRI

Jerad Abraham, Senior Research Geophysicist with XRI, provided a presentation on aerial geologic mapping that is conducted by helicopter.

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 – 14 yes votes.

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

MOTION # 4 - Hoff moved, seconded by Heinrichs to approve the report and payment of bills as presented. Carried by roll call vote – 14 yes votes.

Hoff reviewed the Little Blue Public Water Project - South Treasurer's Report. **MOTION # 5 - Hoff moved, seconded by Hergott to approve the report and payment of bills as presented.** Carried by roll call vote – 14 yes votes.

ACTION TO APPOINT NEW BOARD MEMBER TO FILL SUB-DISTRICT # 6 POSITION VACANCY

A vacancy in sub-district 6 exists due to the resignation of Sacha Lemke. The position was advertised and two letters of interest were received to fill the vacancy. Onnen explained the procedure for filling the position and the requirement that the board must first place the names of desired candidates in nomination. Both candidates were present and introduced themselves and made a few comments about their interest in becoming a member of the Little Blue NRD Board of Directors. **MOTION # 6 – Hoff moved, seconded by Brakhahn to nominate Tim Else and Gary Kubicek to fill the vacancy in sub-district # 6.** Carried by roll call vote – 14 yes votes.

Voting followed. Else received 10 votes, Kubicek received 4 votes. Else was declared the winner to fill the vacancy in Sub-district # 6. **MOTION # 7 – Thomas moved, seconded by Heinrichs to appoint Tim Else to fill the Sub-district # 6 vacancy.** Carried by roll call vote – 14 yes votes.

Else promptly took the oath of office.

AGENCY REPORTS

NRCS Report – Robert Boettcher, Clay Center Office

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

NRC Report – Joe Hergott

No report was given

STAFF REPORTS – Kevin Orvis

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

WATER RESOURCES COMMITTEE REPORT – Randy Uhrmacher

A Water Resources Committee meeting was held June 4.

Action on Groundwater Transfer Permit – Diamond Seven Corp.

One transfer permit was presented for approval. **MOTION # 8 – Uhrmacher moved, seconded by Hinrichs to approve the irrigation transfer permit of Diamond Seven Corporation from the SE ¼ Section 13-T5N-R6W to the W ½ of Section 18-T5N-R5W, in Clay County, provided that a pivot or more efficient irrigation system is used.** Carried by roll call vote – 15 yes votes.

Action on Groundwater Variance Request for Meter Installation

A request was received for a variance to install a meter on a well used for filling sprayers. **MOTION # 9 – Uhrmacher moved, seconded by Hoff to approve Rex Biegerts' request for a meter variance for the 2" submersible well in the SE ¼ Section 8-T5N-R3W, Fillmore County used for filling spray tanks, but require an annual report of estimated water pumped from the well.** Carried by roll call vote. Yes: Brakhahn, Fisher, Hergott, Hoff, Kissinger, Else, Thomas, Uhrmacher, Wiedel and Rainforth. No: Cunningham, Fleharty, Heinrichs, Kellogg and Schroer.

Action on Groundwater Variance Request for High Capacity Well Drilling

A variance request for high capacity well drilling in the LBNRD stay area was received from Bruce Livingston. The motion to deny the request was sent from the Committee to the Board, however, the request was withdrawn by Livingston before the Board meeting and no action was required.

Action on Aerial Hydrogeologic Investigations in Wellhead Protection Areas and Aquifer Fringe

The Water Resources Committee will discuss this further before action will be taken.

Discussion and Possible Action on Voluntary Integrated Water Management Plan

A presentation by DNR was given at the May board meeting on the process of starting a Voluntary Integrated Water Management Plan. **MOTION # 10 – Uhrmacher moved, seconded by Brakhahn that the Little Blue NRD Board notify the Nebraska Department of Natural Resources and the Tri-Basin NRD of its' intent to initiate a Voluntary Integrated Management Plan in accordance with State Statute 46-715(b) for the Little Blue River Basin.** Carried by roll call vote. Yes: Brakhahn, Cunningham, Fisher, Fleharty, Hergott, Hoff, Kellogg, Else, Schroer, Thomas, Wiedel and Rainforth. No: Heinrichs, Kissinger and Uhrmacher.

Action on Violations of Groundwater Management Plan Reporting

The District has several operators that have been notified multiple times about their failure to provide required operator reports. **MOTION # 11 – Uhrmacher moved, seconded by Schroer to make one final attempt by certified mail notice to violators, to collect the required 2014 farm operator reports, and schedule and conduct a hearing prior to the July 9, 2015 Board Meeting in which non-responding violators will given the opportunity to address the board and explain why they have not complied with the reporting requirement.** Carried by roll call vote – 15 yes votes.

Other Business

Heinrichs discussed the Upper Big Blue sent permission letters for their staff to verify meters. At this time the LBNRD plans to have the producers read their own meters and report the water usage.

EDUCATION AND RESEARCH COMMITTEE REPORT – Warren Brakhahn

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

Possible Action on Revisions to Scholarship Policy

The Committee reviewed the High School and College scholarship policy and only minor changes were suggested. No action was taken.

LITTLE BLUE PUBLIC WATER PROJECT MEETING REPORT AND ACTIONS

– Kevin Orvis

Orvis discussed the recent Rural Water Projects Board meeting held June 2nd in Fairbury. The Emergency Plan for Demand Reduction was reviewed by the Water Projects Board and suggested changes were made. **MOTION # 12 – Fleharty moved, seconded by Thomas to Adopt the Emergency Action Plan for the Projects and change the Deposit Fees from \$100 to \$150, but pull the stated fee amount out of the Rules and Regulations for ease in adjusting as needed, and to conduct a public hearing to receive testimony on these changes to the Rules.** Carried by roll call vote – 15 yes votes.

Orvis also gave a report on the recent flood damage to the Projects and the cost for temporary repair and the possible actions required for permanent repair.

EXECUTIVE COMMITTEE REPORT – Chuck Rainforth & Mike Onnen

An Executive Committee meeting was held June 4.

Executive Session for Personnel Discussion

MOTION # 13 – Hoff moved, seconded by Uhrmacher to go into Executive Session for the purpose of discussion of personnel. Carried by roll call vote – 15 yes votes.

Executive Session called for the purpose of discussing personnel convened at 9:20.

MOTION # 14 – Fleharty moved, seconded by Brakhahn to come out of Executive Session at 9:30 and declare that no actions of the Board, official or unofficial, were taken during the closed session.

Carried by roll call vote – 15 yes votes.

Schedule for FY-2016 Budget Development

Discussion was held on setting the budget schedule. **MOTION # 15 – Brakhahn moved, seconded by Cunningham to adopt the proposed budget schedule.** Carried by roll call vote – 15 yes votes.

Action to Adopt Budget Amount for FY 2016 Staff Salaries

Motion # 16 – Fleharty moved, seconded by Brakhahn to place \$15,000 in the FY 2016 budget for salary adjustments. Carried by roll call vote – 15 yes votes.

Action to Set Manager's FY 2016 Salary

MOTION # 17 - Fleharty moved, seconded by Cunningham that the Manager's salary be raised to \$85,500. Carried by roll call vote – 17 yes votes.

Other Business

Discussion was held on the recent increase of the insurance rates for the District. Onnen will gather additional information and report back

