

**LITTLE BLUE NATURAL RESOURCES DISTRICT**  
**Minutes** **June 14, 2018**

**OPENING OF MEETING – RANDY UHRMACHER**

The directors of the Little Blue Natural Resources District met in regular session on Thursday, June 14, 2018 at the Little Blue Natural Resources District Office, Davenport, Nebraska. Chairman Uhrmacher called the meeting to order at 8:17 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, Kevin Kissinger, Jay Meyer, Charles Rainfoth, Lyle Schroer, Steve Shaw, Gene Thomas, Alan Wiedel and Randy Uhrmacher.

**Board Members Absent:**

Marlin Kimle, Matt Spencer and Jesse VonSpreckelsen

**OTHERS PRESENT**

Mike Onnen, Kevin Orvis, Elysabeth Kierl, Robert Boettcher and Janet Valasek 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 the Public Comment was moved to Item 15, due to the Executive Session. **MOTION # 1 – Hergott moved, seconded by Fleharty to approve the agenda for the June 14, 2018 meeting as presented.** Carried by roll call vote – 14 yes votes.

**CONSENT AGENDA ITEMS**

**Acceptance of Board Member Absences**

Kimle, Spencer and VonSpreckelsen had notified the office of their intended absence.

## **Minutes of May 8, 2018 Board Meeting**

There were no changes to the minutes.

**MOTION # 2 – Rainforth moved, seconded by Heinrichs to approve the minutes of May 8, 2018 as circulated.** Carried by roll call vote – 14 yes votes.

## **PUBLIC COMMENT**

Mike Schardt, Russ Ochsner and Kerwin Elting made comments.

## **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 Fleharty to approve the Little Blue NRD treasurer's report and payment of bills, and hold Checks #47535 and 47588 for separate action.** Carried by roll call vote – 14 yes votes.

**MOTION # 5 - Brakhahn moved, seconded by Hergott to approve check # 47588.** Carried by roll call vote. Yes: Brakhahn, Fleharty, Hergott, Hoffman, Kellogg, Kissinger, Meyer, Rainforth, Schroer, Shaw, Thomas, Wiedel and Uhrmacher. Abstain: Heinrichs.

**MOTION # 4 - Brakhahn moved, seconded by Hergott to approve the Little Blue Public Water Project North treasurer's report and payment of bills as presented.** Carried by roll call vote – 14 yes votes.

Brakhahn reviewed the Little Blue Public Water Project - South Treasurer's Report. **MOTION # 6 - 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 – 14 yes votes.

## **Action to Invest Certificates of Deposits at Cornerstone Bank**

**MOTION # 7 – Hergott moved, seconded by Wiedel to authorize Executive Committee to approve the re-writing of six Certificate of Deposits at Cornerstone Bank of Davenport for a 36-month term, provided clarification is received about penalties for early withdrawal.** Carried by roll call vote – 14 yes votes. Disclosure was provided and the Executive Committee gave approval.

## **AGENCY REPORTS**

### **NRCS Report – Robert Boettcher, Clay County**

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

### **NARD Meeting Report – Lyle Heinrichs**

Heinrichs reported on the NARD meeting held on June 11 and on the Basin Tour.

### **NRC Meeting Report – Lyle Schroer**

Schroer gave a report on the NRC meeting held May 17 in Kearney.

## **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 – Warren Brakhahn**

The Water Resources Committee met prior to the regular meeting.

### **Transfer Request for Jordon Harms**

One transfer request was presented for approval. **MOTION # 8 – Brakhahn moved, seconded by Schroer to approve the groundwater transfer request of H-4 Farms from the NW ¼ of Section 12-T6N-R9W, Adams County to the NE ¼ of the same section.** Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hergott, Hoffman, Kellogg, Meyer, Rainforth, Schroer, Shaw, Thomas, Wiedel and Uhrmacher. Abstain: Kissinger.

### **Variance Request to Move Irrigated Acres in Unit 8 (New Unit 2)**

A request was made to transfer irrigated acres from one well to another well in Unit 8. **MOTION # 9 – Brakhahn moved, seconded by Hoffman to approve the request of Double Eagle Farms for the relocation of 44.8 certified groundwater irrigated acres from the SW ¼ of Section 35-T2N-R1W to the SE ¼ of the same section.** Carried by roll call vote. Yes: Fleharty, Hergott, Hoffman, Kellogg, Kissinger, Meyer, Rainforth, Shaw, Thomas, Wiedel and Uhrmacher. No: Brakhahn, Heinrichs and Schroer.

### **Sparling Flow Meter Consideration for Approval**

Adding the Sparling Blue Water Electromagnetic Flow meter to the list of District approved flow meters was presented for approval. **MOTION # 10 – Brakhahn moved, seconded by Rainforth to add the Sparling Electromagnetic Flow Meter to the list of approved flow meters for use in the Little Blue NRD.** Carried by roll vote – 14 yes votes.

### **Discussion of Hearing Testimony and Rule Edits**

A summary of testimony offered at the public hearing was circulated. There was general discussion about the key messages. Onnen noted that DNR, DEQ and legal counsel had offered edits. The Committee will review the edits.

### **Possible approval and Order for rules and Regulations for Enforcement of Groundwater Management Area**

No action was taken.

### **Possible Approval of Order for Rules and Regulations for Enforcement of the Groundwater Management and Protection Act – Runoff Rules**

No action was taken.

### **Other Business**

There was no other business.

## **ACTION ON REVISION TO COST-SHARE APPROVAL FOR K-7 DAM CONSTRUCTION**

Due to the contractor awarded the bid to construct the K-7 dam withdrawing their bid a request was presented to award the construction of the dam to the next lowest bid. **MOTION # 11 – Fleharty moved, seconded by Hoffman to rescind the motion of October 2017 regarding the K-7 Dam and authorize 80% cost-share based on the bid of \$43,190.75 from Kucera Construction.** Carried by roll call vote – 14 yes votes.

## **ACTION ON BIDS FOR SAND CREEK RECHARGE PROJECTS**

No action taken.

## **ACTION ON SHICKLEY DRAINAGE PROJECT**

The Village of Shickley made an application through the District's Urban Conservation Program to assist them in improving creek flow and reduce standing water. **MOTION # 12 – Shaw moved, seconded by Hoffman to approve the drainage improvement request of the Village of Shickley for 50% of the project cost, not to exceed \$9,200.** Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hergott, Hoffman, Kellogg, Meyer, Rainforth, Schroer, Shaw, Thomas, Wiedel and Uhrmacher. Absent: Kissinger.

## **PUBLIC COMMENT**

No public comment was received.

## **EXECUTIVE COMMITTEE REPORT**

### **Authorization for Out-of-State Travel**

Joe Hergott has requested to attend the Water and Natural Resources Tour June 26 – 29 sponsored by Central Nebraska Public Power and Irrigation District. The tour will be west of North Platte and into Wyoming. **MOTION # 13 – Fleharty moved, seconded by Brakhahn to approve out-of-state travel for Joe Hergott to attend the Water and Natural Resources Tour in accordance with Policy 21, and authorize payment of check # 47535.** Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hoffman, Kellogg, Kissinger, Meyer, Rainforth, Schroer, Shaw, Thomas, Wiedel and Uhrmacher. Abstain: Hergott.

## **EXECUTIVE SESSION**

**MOTION # 14 – Brakhahn moved, seconded by Thomas to go into Executive Session at 9:54 p.m. for the purpose of discussing personnel matters.** Carried by roll call vote – 14 yes votes.

**Executive Session called for the purpose of discussing personnel matters convened at 9:54 p m.**

**MOTION # 15 – Brakhahn moved, seconded by Schroer to come out of Executive Session at 11:04 p.m. and declare that no actions of the Board, official or unofficial, were taken during the closed session.** Carried by roll call vote – 14 yes votes.

**MOTION # 16 – Fleharty moved, seconded by Kissinger to fill the vacant Database Assistant position as a full-time position, and add a full-time Resources Technician position to assist with field activities in the water and operations departments.** Carried by roll call vote – 14 yes votes.

**MOTION # 17 – Hoffman moved, seconded by Rainforth to allocate \$20,000 in the FY 2019 Budget for staff cost-of-living and salaries adjustments with the Manager determining the distribution to employees.** Carried by roll call vote – 14 yes votes.

**MOTION # 18 – Brakhahn moved, seconded by Hergott to set the Manager's FY 2019 salary at \$95,000.** Carried by roll call vote – 14 yes votes.

## **OTHER BUSINESS**

There was no other business.

