

LITTLE BLUE NATURAL RESOURCES DISTRICT
Minutes **May 10, 2016**

OPENING OF MEETING – RANDY UHRMACHER

The directors of the Little Blue Natural Resources District met in regular session on Tuesday, May 10, 2016 at the Little Blue Natural Resources District Office, Davenport, Nebraska. Chairman Uhrmacher called the meeting to order at 7:35 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, James Cunningham, Tim Else, Ross Fisher, Edward Fleharty, Lyle Heinrichs, Joe Hergott, Mason Hoffman, Everett Kellogg, Marlin Kimle, Charles Rainforth, Lyle Schroer, Matt Spencer, Gene Thomas, Alan Wiedel and Randy Uhrmacher.

Directors Absent:

Kevin Kissinger.

OTHERS PRESENT

Mike Onnen, Kevin Orvis, Daryl Andersen, Dylan Long, Kent Thompson, Marie Herbek, Marlene Faimon; Shanda Spurgeon and Janet Valasek representing NRCS; numerous members of the Public.

PUBLICATION OF MEETING NOTICE

Legal notice of the regular meeting was provided to the *FAIRBURY JOURNAL NEWS* and the *HASTINGS TRIBUNE*. The agenda was provided 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

Onnen noted the following change had had properly been added to the posted board meeting Agenda at least 24 hours prior to the commencement of the meeting: Item 13f, Test Pump Minimum Standards Clarification. **MOTION # 1 – Heinrichs moved, seconded by Rainforth to approve the agenda for the May 10, 2016 Board of Director’s Meeting as amended.** Carried by roll call vote – 16 yes votes.

ACTION TO APPROVE CONSENT AGENDA ITEMS

Acceptance of Board Member Absences

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

Minutes of April 12, 2016 Board Meeting

There were no changes to the minutes.

MOTION # 2 – Heinrichs moved, seconded by Hoffman to approve the absence of Kissinger and the minutes of April 12, 2016 as circulated. Carried by roll call vote – 16 yes votes.

PUBLIC COMMENT

One comment was 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 Heinrichs 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 - North Treasurer's Report.

MOTION # 4 - Brakhahn moved, seconded by Hergott 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 – 16 yes votes.

AGENCY REPORTS

NRCS Report – Shanda Spurgeon

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

NRC Meeting Report – Joe Hergott

Hergott reported on the NRC meeting he attended in Kearney.

STAFF REPORTS – Mike Onnen

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

REQUEST BY RESIDENTS OF DESHLER TO ADDRESS NRD BOARD REGARDING FLOOD PROBLEMS

Deshler Mayor Naomi Grupe, along with other community members were present to request the District investigate ways of slowing the water before it enters the town and cause flooding as has happened twice in eleven months.

WATER RESOURCES COMMITTEE REPORT – Warren Brakhahn

A Water Resources Committee meeting was held May 3, 2016.

Transfer Request – Dave Berns, Webster County

A transfer request for Dave Berns, Webster County, did not pass in the Committee. Discussion was held. **MOTION # 6 – Hergott moved, seconded by Else to reconsider Dave Berns groundwater transfer request.** Failed by roll call vote. Yes: Else, Fisher, Fleharty, Hergott, Kimle, Rainforth, Wiedel and Uhrmacher. No: Brakhahn, Cunningham, Heinrichs, Hoffman, Kellogg, Schroer, Spencer and Thomas.

Groundwater Non-Compliance Report

A list was released of non-compliant operators. **MOTION # 7 – Brakhahn moved, seconded by Spencer to approve the proposed compliance procedures submitted by staff and to establish a hearing date on June 16, 2016 at 8 pm to receive testimony from those who are out of compliance.** Carried by roll call vote – 16 yes votes.

2016 Spring Water Level Report

Orvis presented a report on the spring water levels. The spring 2016 water level averaged -0.08' drop from spring 2015.

Action to Declare a Temporary Stay on Well Drilling

The Committee discussed the issue of individuals continuing to come to the Board with concerns about allowing wells to be drilled in the high risk areas. A motion to put the District in a temporary stay of 180 days failed in Committee. Discussion was held. **MOTION # 8 – Hergott moved, seconded by Cunningham to reconsider the temporary stay of 180 days.** Failed by roll call vote. Yes: Cunningham, Hergott, Kellogg, Schroer, Spencer and Thomas. No: Brakhahn, Else, Fisher, Heinrichs, Hoffman, Kimle, Rainforth, Wiedel and Uhrmacher. Absent: Fleharty.

Meter Maintenance Program

Information was presented on the proposed meter maintenance program. No action was required.

Test Pump Minimum Standards Clarification

The 300 gpm minimum well output rule was questioned by a member of the public who felt the clarity of the wording was misleading in the rules. Clarification on the wording was presented for approval. **MOTION # 9 – Brakhahn moved, seconded by Hoffman to declare the NRD Board's intent in an additional note in the rules as follows: "The pump test is required to verify that the aquifer has the capacity, and the well will support, a 300 gpm output through the entire 24 hour test period, regardless of the pump design or intended use."** Carried by roll call vote. Yes: Brakhahn, Cunningham, Else, Fisher, Fleharty, Heinrichs, Hergott, Hoffman, Kellogg, Kimle, Rainforth, Schroer, Spencer, Wiedel and Uhrmacher. Abstain: Thomas.

EXECUTIVE COMMITTEE REPORT

The Executive Committee met prior to the regular meeting.

Change of Date for June Board Meeting

Because the NARD Basin Tour is scheduled for June 13-14 in the Little Blue and Upper Big Blue NRD's it was requested the June meeting be rescheduled. **MOTION # 10 – Rainforth moved, seconded by Brakhahn to move the June Board of Director's meeting to June 16th to accommodate participation in the NARD Basin Tour.** Carried by roll call vote – 16 yes votes.

Changes to Policy for Hiring Consultants

Proposed changes to the Policy for Hiring Consultants were presented for approval. **MOTION # 11 – Wiedel moved, seconded by Rainforth to adopt the Policy # 34 for Hiring Consultants for Professional Services as presented.** Carried by roll call vote – 16 yes votes.

PROJECTS AND PLANNING COMMITTEE REPORT – Marlin Kimle

A Projects and Planning Committee meeting was held prior to the regular meeting.

Action on Hebron Road Dam Interlocal Agreement

The Interlocal Agreement with the City of Hebron and Thayer County for repairs on the Hebron Road Dam was presented for approval. **MOTION # 12 – Kimle moved, seconded by Heinrichs to approve the Interlocal Agreement with Thayer County and the City of Hebron for repairs of the Hebron Road Dam.** Carried by roll call vote – 16 yes votes.

Action to Approve Hazard Mitigation Resolution

The Little Blue/Lower Big Blue NRD Hazard Mitigation Plan Update has now been approved by FEMA and all participants are asked to sign a resolution of support. **MOTION # 13 – Kimle moved, seconded by Brakhahn to approve a resolution of support for the Little Blue/Lower Big Blue NRD Hazard Mitigation Plan Update as presented.** Carried by roll call vote – 16 yes votes.

Action on Hayland Lease for Prairie Lake Property

Bids were received for the lease of the prairie hay at Prairie Lake for a 5-year term. **MOTION # 14 – Hergott moved, seconded by Heinrichs to reject all bids and have the staff contract for the harvest of prairie hay at the Prairie Lake Property.** Carried by roll call vote – 16 yes votes.

Discussion and Possible Action on Camping Rules for Recreation Areas

A request was made the District establish a rule which would allow the reservation of certain camper pads at Lone Star Recreation Area. No action was taken.

Action to Approve Engineering Firm for Recharge Project Development

Two projects that may have some excellent recharge possibilities would be eligible for Water Sustainability funding have been identified. **MOTION # 15 – Kimle moved, seconded by Rainforth to contract with EA Engineering, Science and Technology for development of conceptual groundwater recharge projects for submission for the Water Sustainability Fund.** Carried by roll call vote – 16 yes votes.

Discussion of Deshler Flood and Landowner Request for Assistance

A request was received from a landowner downstream of Deshler for assistance with engineering to build a dike around their home. No action was taken.

Discussion of Pasture Lands Regarding Cost-Share for Dams Program

No action was taken.

PUBLIC HEARING ON LITTLE BLUE NRD EROSION AND SEDIMENT CONTROL PROGRAM

Uhrmacher opened the public hearing for the Little Blue NRD Erosion and Sediment Control Program at 9:17 p.m. and presented the publication of notice. Onnen gave an overview of the program and changes. One question was received from a member of the Board and one from a member of the public. Uhrmacher closed the public hearing at 9:25 p.m.

PUBLIC HEARING ON LITTLE BLUE NRD PARKS REGULATIONS AMENDMENTS

Uhrmacher opened the public hearing for the Little Blue NRD Parks Regulations Amendments at 9:25 p.m. and presented the publication of notice. Onnen gave an overview of the proposed amendments. Uhrmacher closed the public hearing at 9:27 p.m.

ACTION TO APPROVE THE DISTRICT'S EROSION AND SEDIMENT CONTROL PROGRAM

MOTION # 16 – Brakhahn moved, seconded by Rainforth to approve the Little Blue NRD's Erosion and Sediment Control Program as presented and offer it to the Director of Natural Resources for approval. Carried by roll call vote – 16 yes votes.

ACTION TO APPROVE THE DISTRICT'S PARK REGULATIONS

MOTION # 17 – Heinrichs moved, seconded by Spencer to approve the changes to the Little Blue NRD's Park Regulations as proposed with an effective date of June 10, 2016. Carried by roll call vote – 16 yes votes.

ACTION TO APPROVE AMENDMENT TO AGREEMENT FOR IMP ENGINEERING SERVICES

The contract with JEO Consulting Group anticipated a stakeholder group of approximately 20 people. The Boards opted to open the group up to anyone who wanted to participate and now the group has grown to 40 people. **MOTION # 18 – Fleharty moved, seconded by Rainforth to approve Amendment # 1 to the Agreement for Consulting Services with JEO to cover additional expenses associated with stakeholder engagement.** Carried by roll call vote. Yes: Cunningham, Else, Fisher, Fleharty, Hergott, Kellogg, Kimle, Rainforth, Spencer and Uhrmacher. No: Brakhahn, Heinrichs, Hoffman, Schroer, Thomas and Wiedel.

ACTION TO SUPPORT NARD ANNUAL BUDGET

The 2017 NARD budget was presented for discussion. **MOTION # 19 – Brakhahn moved, seconded by Heinrichs to support the approval of the FY 2017-2018 NARD Budget as proposed.** Carried by roll call vote – 16 yes votes.

LEGISLATIVE FINAL ACTIVITY REPORT – Mike Onnen

Onnen gave the final Legislative report for this session.

OTHER BUSINESS

Discussion was held on further addressing the decline of groundwater within the District and how to address this in the future.

ADJOURNMENT

Uhrmacher adjourned the meeting at 9:45 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 May 10, 2016, 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.
