

LITTLE BLUE NATURAL RESOURCES DISTRICT
Minutes **May 8, 2018**

OPENING OF MEETING – RANDY UHRMACHER

The directors of the Little Blue Natural Resources District met in regular session on Tuesday, April 10, 2018 at the Little Blue Natural Resources District Office, Davenport, Nebraska. Chairman Uhrmacher called the meeting to order at 7:30 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, Lyle Schroer, Steve Shaw, Matt Spencer, Gene Thomas, Alan Wiedel and Randy Uhrmacher. Charles Rainforth arrived at 7:57.

Board Members Absent:

Jesse VonSpreckelsen

OTHERS PRESENT

Mike Onnen, Donnie Engelhardt, Kevin Orvis, Marie Herbek, Dylan Long; Dave Bedlan 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 an addition to the agenda, Item # 14g, Action on Mitchell Husa Buffer Strip Application. The change had properly been added to the posted board meeting agenda at least 24 hours prior to the commencement of the meeting. **MOTION # 1 – Fleharty moved, seconded by Thomas to approve the agenda for the May 8, 2018 meeting as presented.** Carried by roll call vote – 15 yes votes.

CONSENT AGENDA ITEMS

Acceptance of Board Member Absences

VonSpreckelsen had notified the office of his intended absence and Rainforth notified the office he would be late.

Minutes of April 10, 2018 Board Meeting

There were no changes to the minutes.

MOTION # 2 – Fleharty moved, seconded by Heinrichs to approve the minutes of April 10, 2018 as circulated. Carried by roll call vote – 15 yes votes.

PUBLIC COMMENT

Rex Biegert spoke on the possible use of the weighted average in the monitoring well system.

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 Check #47498 for separate action. Carried by roll call vote – 15 yes votes.

MOTION # 4 - Brakhahn moved, seconded by Fleharty to approve the Little Blue Public Water Project North treasurer's report and payment of bills as presented. Carried by roll call vote – 15 yes votes.

Brakhahn reviewed the Little Blue Public Water Project - South Treasurer's Report. **MOTION # 5 - Brakhahn moved, seconded by Fleharty to approve the Little Blue Public Water Project South treasurer's report and payment of bills as presented.** Carried by roll call vote – 15 yes votes.

AGENCY REPORTS

NRCS Report – Dave Bedlan, Jefferson County

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

8:00 PM – PUBLIC HEARING ON PLATTE RIVER BASIN STAY IN COMPLIANCE WITH 46-707(2)

Uhrmacher opened the public hearing on the Platte River Basin Stay at 8:02 p.m. and presented the publication of notice. Onnen reviewed information on the proposed stay. One written letter of testimony from DNR was read. There was no testimony received from the public, questions from several board members were received. The hearing was closed at 8:09 p.m.

ACTION REGARDING PLATTE RIVER BASIN STAY

Motion # 6 – Hergott moved, seconded by Schroer to impose a permanent stay on the construction of high-capacity water wells and expansion of irrigated acres in the area designated by the Nebraska Department of Natural Resources as lands subject to the Platte River Recovery Implementation Program, until such time that the IMP and associated controls can be completed and put in place. Carried by roll call vote – 16 yes votes.

STAFF REPORTS – Mike Onnen

The staff report was mailed to the Director's earlier. Onnen reviewed the report and answered questions. Kevin Orvis was recognized for 25 years of service.

GROUNDWATER MATTERS

Spring 2018 Groundwater Level Report

Orvis reviewed the spring static water levels.

Request for Verification on Application of a Groundwater Rule

Staff requested clarification on the groundwater rule regarding test pumping a new well being installed on a tract of ground currently being irrigated by a neighboring well. The board confirmed their intent of the rule.

PROJECTS COMMITTEE REPORT – Marlin Kimle

The Projects Committee met prior to the regular board meeting.

Action on Contract with Village of Ayr for Construction at Crystal Lake

A contract with the Village of Ayr for improvements to Crystal Lake was presented for approval.

MOTION # 7 – Kimle moved, seconded by Hoffman to approve the inter-governmental agreement between the Little Blue NRD and Village of Ayr for the Crystal Lake Improvement Project as presented. Carried by roll call vote – 16 yes votes.

Action on Bids for Construction at Crystal Lake

Bids were let for the construction at Crystal Lake. **MOTION # 8 – Kimle moved, seconded by**

Hoffman to accept the bid of Pruss Excavating of Dodge, NE for the Crystal Lake Improvement Project in the amount of \$275,115.28 with a start date of May 29, 2018. Carried by roll call vote – 16 yes votes.

Action on Bids for Sand Creek Recharge Projects

Bids were accepted for the Groundwater Recharge Project Construction. **MOTION # 9 – Kimle moved, seconded by Brakhahn to reject the bid offered for construction of the Sand Creek Groundwater Recharge Projects, and re-advertise the project.** Carried by roll call vote – 16 yes votes.

Action on Payment of Prairie Lake Vegetation Control Bill

Additional tree removal was necessary and the contractor requested a portion of the extra expense be

reimbursed to him. **MOTION # 10 – Kimle moved, seconded by Kissinger to authorize the additional payment of Check # 47498 in the amount of \$4,500 to Plains Excavating LLC.** Carried by roll call vote – 16 yes votes.

Action on Bids for Epley Dam

Bids were let for the construction of a dam in Nuckolls County. **MOTION # 11 – Kimle moved,**

seconded by Fleharty to approve the low bid of Moellenberndt Construction LLC for construction of the Epley Dam not to exceed \$37,000. Carried by roll call vote – 16 yes votes.

Report on Liberty Cove Fire Status

Onnen reported the insurance company has agreed to pay the claims as submitted for damage due to the fire at Liberty Cove.

Action on Mitchell Husa Buffer Strip Application

One Buffer Strip application was presented for approval. **MOTION # 12 – Kimle moved, seconded by Fleharty to approve 10-year buffer strip contract of Mitchell Husa for 5.6 acres in Section 10-T1N-R1W, Thayer County with annual payments of \$1,005.69.** Carried by roll call vote – 16 yes votes.

Other Business

There was no other business.

ACTION ON ELECTRICAL BIDS AT NEW SHOP

Bids were accepted for electrical installation in the new shop. **MOTION # 13 – Fleharty moved, seconded by Spencer to approve the bid of Faimon Electric of Lawrence for the installation of electrical service and LED lights in the new shop building.** Carried by roll call vote – 16 yes votes.

DESCRIPTION AND POSSIBLE ACTION ON PUBLIC HEARING PROCEDURES

Onnen provided a presentation on the format that will be used for the public hearing schedule on May 29. Discussion was held. **MOTION # 14 – Fleharty moved, seconded by Hoffman to secure the services of General Recording Services for recording and transcribing the Groundwater Rules and Regulations Hearing on May 29, 2018.** Carried by roll call vote – 16 yes votes.

MOTION # 15 – Fleharty moved, seconded by Wiedel to use the proposed format for the May 29, 2018 public hearing of changes to the District’s Groundwater Rules and Regulations. Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hergott, Hoffman, Kellogg, Kimle, Meyer, Rainforth, Schroer, Shaw, Spencer, Thomas, Wiedel and Uhrmacher. No: Kissinger.

PUBLIC COMMENT

No public comment was received.

OTHER BUSINESS

There was no other business.

MOTION # 16 – Hoffman moved, seconded by Kissinger to go into Executive Session at 9:29 p.m. for the purpose of discussing personnel matters. Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hergott, Hoffman, Kellogg, Kimle, Kissinger, Meyer, Rainforth, Schroer, Shaw, Spencer, Thomas and Uhrmacher. Absent: Wiedel.

Executive Session called for the purpose of discussing personnel matters convened at 9:29 p.m.

MOTION # 17 – Brakhahn moved, seconded by Kissinger to come out of Executive Session at 10:03 p.m. 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 10:04 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 8, 2018, 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.
