

LITTLE BLUE NATURAL RESOURCES DISTRICT

Minutes

October 10, 2017

OPENING OF MEETING – RANDY UHRMACHER

The directors of the Little Blue Natural Resources District met in regular session on Tuesday, October 10, 2017 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, Marlin Kimle, Kevin Kissinger, Jay Meyer, Charles Rainforth, Lyle Schroer, Steve Shaw, Matt Spencer, Gene Thomas, Jesse VonSpreckelsen, Alan Wiedel and Randy Uhrmacher.

Members Absent:

Everett Kellogg.

OTHERS PRESENT

Mike Onnen, Donnie Engelhardt, Kevin Orvis, Dylan Long, Marie Herbek, Marlene Faimon; Dave Bedlan 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

MOTION # 1 – Heinrichs moved, seconded by Schroer to approve the agenda for the October 10, 2017 meeting as presented. Carried by roll call vote – 16 yes votes.

CONSENT AGENDA ITEMS

Everett Kellogg was absent.

Minutes of September 12, 2017 Board Meeting

There were no changes to the minutes.

MOTION # 2 – Heinrichs moved, seconded by Schroer to approve the minutes of September 12, 2017 as circulated. Carried by roll call vote – 16 yes votes.

PUBLIC COMMENT

One comment was received from Kerwin Elting with thoughts on allocations.

BOARD DEVELOPMENT – CODE OF ETHICS FOR BOARDS OF DIRECTORS

Uhrmacher reviewed the Code of Ethics for Boards of Directors.

ACTION TO APPROVE TREASURER'S REPORT – Warren Brakhahn

Onnen received a note from the Accountability and Disclosure Commission regarding the use of public funds for reimbursement to public officials for their per diem and expenses. The Commission stated the public officials should not approve their own per diem and expenses. A new motion will be now be used when these payments are made which will keep each public official from approving their own payment.

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 financial report and payment of bills for the period of September 13, 2017 through October 10, 2017, except that each director who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his personal per diem and/or expense reimbursement.

Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hergott, Hoffman, Kimle, Kissinger, Meyer, Rainforth, Schroer, Shaw, Spencer, Thomas, Wiedel and Uhrmacher. Absent: VonSpreckelsen.

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. Yes: Brakhahn, Fleharty, Heinrichs, Hergott, Hoffman, Kimle, Kissinger, Meyer, Rainforth, Schroer, Shaw, Spencer, Thomas, Wiedel and Uhrmacher. Absent: VonSpreckelsen.

Brakhahn reviewed the Little Blue Public Water Project - South Treasurer's Report. **MOTION # 5 - Brakhahn moved, seconded by Rainforth to approve the report and payment of bills as presented.**

Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hergott, Hoffman, Kimle, Kissinger, Meyer, Rainforth, Schroer, Shaw, Spencer, Thomas, Wiedel and Uhrmacher. Absent: VonSpreckelsen.

AGENCY REPORTS

NRCS Report – Dave Bedlan

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

NARD Conference & Meeting Report – Lyle Heinrichs

Heinrichs reported on the NARD Conference held in Kearney on September 25 and 26.

STAFF REPORTS – Dylan Long

The staff report was provided to the Director's earlier. Long reviewed the report and answered questions. Onnen also reviewed the joint Executive Committee meeting with the Tri-Basin NRD on September 14.

DISCUSSION OF BOARD POLICIES RELATED TO STATE AUDITOR REPORT

Onnen reviewed the State Auditor's report per a request from a Director and discussion was held.

PROJECTS AND PLANNING COMMITTEE REPORT – Marlin Kimle

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

Action on Product and Services Prices for 2018

The updated price list for the products and services provided by the NRD was presented for approval.

MOTION # 6 – Kimle moved, seconded by Rainforth to approve the Product and Services Price List for 2018 as presented. Carried by roll call vote – 16 yes votes.

Action on Bids for Dams

No bids were presented for approval.

Action to Authorize Bids for Vegetation Removal on Buckley and Prairie Lake

The cost for removal of invasive trees from Buckley Creek and Prairie Lake were included in the budget.

MOTION # 7 – Kimle moved, seconded by Wiedel to develop the bid documents and authorize the advertising for bids for vegetation removal at Buckley Creek and Prairie Lake Recreation Areas.

Carried by roll call vote – 16 yes votes.

Other Business

There was no other business.

WATER RESOURCES COMMITTEE REPORT – Warren Brakhahn

The Water Resources Committee met September 19.

Action on New Well Development Groundwater Rule

A review of the ranking procedure was discussed. **MOTION # 8 – Brakhahn moved, seconded by Hoffman to use the current well ranking process but include the high-risk areas, raise the minimum aquifer values to 100, raise the minimum 24-hour test pump to 400 gpm, and require the 24-hour test pump be completed between August 1st and September 30th.**

Discussion was held and a friendly amendment to this motion was made to motion # 8. The updated motion states: **to use the current well ranking process but include wells throughout the district, raise the minimum aquifer values to 100, raise the minimum 24-hour test pump to 400 gpm, and require the 24-hour test pump be completed between August 1st and September 30th.** Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hoffman, Kimle, Kissinger, Meyer, Rainforth, Schroer, Shaw, Spencer, Thomas and VonSpreckelsen. No: Hergott, Wiedel and Uhrmacher.

Action to Set Public Hearing Date for New Well Development Rule

MOTION # 9 – Brakhahn moved, seconded by Thomas to conduct a public hearing on November 14, 2017 at 7:00 PM to receive testimony regarding proposed changes in the rules for the well permitting, as outlined in the previous motion. Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hergott, Kimle, Kissinger, Meyer, Rainforth, Schroer, Shaw, Spencer, Thomas, Wiedel and Uhrmacher. No: Hoffman and VonSpreckelsen.

Report on Groundwater Rules Revisions

Onnen gave an update on the process of revising the District's Groundwater Rules and Regulations.

Other Business

There was no other business.

EXECUTIVE COMMITTEE REPORT

The Executive Committee met prior to the regular meeting.

Action on Shop Building Bids

Bids were received for an addition to the shop building. **MOTION # 10 – Heinrichs moved, seconded by VonSpreckelsen to accept the bid of Astro Buildings of Clay Center for the addition to the shop building, including: 6’ walk-in door, 2 floor drains, perma-column, for a total bid amount of \$60,442, and move funds from the Projects Sinking Fund to cover the additional cost above the budgeted amount.** Carried by roll call vote. Yes: Fleharty, Heinrichs, Hergott, Kimle, Meyer, Rainforth, Schroer, Spencer, VonSpreckelsen, Wiedel and Uhrmacher. No: Brakhahn, Hoffman, Kissinger, Shaw and Thomas.

Cyber Insurance Proposal

LARM now offers Cyber Insurance along with our regular insurance at no charge. We currently have a separate Cyber policy also. **MOTION # 11 – Fleharty moved, seconded by VonSpreckelsen to accept the cyber insurance offered by LARM and discontinue the current cyber insurance.** Carried by roll call vote. Yes: Brakhahn, Fleharty, Heinrichs, Hergott, Kimle, Kissinger, Meyer, Rainforth, Schroer, Shaw, Spencer, Thomas, VonSpreckelsen, Wiedel and Uhrmacher. Abstain: Hoffman.

Other Business

There was no other business

PUBLIC COMMENT

No comments were made.

OTHER BUSINESS

Wiedel encouraged the Board to pursue the avenue of a district-wide allocation. Hergott commented on the Rural Water Projects currently inability to take on additional hookups. Senator Halloran made comments to the Board regarding their intent to place water allocations on the district.

ADJOURNMENT

Uhrmacher adjourned the meeting at 10:30 P.M.

COUNTY OF THAYER)

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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 October 10, 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.
