

LITTLE BLUE NATURAL RESOURCES DISTRICT
Minutes **January 11, 2022**

OPENING OF MEETING – Marlin Kimle

The Directors of the Little Blue Natural Resources District met in regular session on Tuesday, January 11, 2022 at the Little Blue Natural Resources District Office, Davenport, Nebraska. Chairman Kimle called the meeting to order at 7:00 p.m.

Kimle led the group in the Pledge of Allegiance.

Kimle 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:

Bill Glenn, Lyle Heinrichs, Joe Hergott, Jessi Hoeft, Mason Hoffman, Kevin Kissinger, Jay Meyer, Courtney Peeler, Lyle Schroer, Steve Shaw, Warren Taylor, Jesse VonSpreckelsen, Alan Wiedel and Marlin Kimle. Brent Hoops listened in via phone.

Board members absent:

Robert Trausch.

OTHERS PRESENT

Tyler Goeschel, Marie Herbek, Kevin Orvis, Erika Brinegar; Janet Valasek representing the NRCS, Don Blankenau, legal counsel, Numerous members of the public.

PUBLICATIONS OF BOARD MEETING NOTICE

Nelson announced the 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 sent 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 – Kissinger moved, seconded by Heinrichs to approve the agenda for the January 11, 2021 meeting as presented. Carried by roll call vote – 14 yes votes.

ACTION TO APPROVE CONSENT AGENDA ITEMS

Acceptance of Board Member Absences: Hoops and Trausch had notified the office of their intended absences.

Approval of Minutes of December 14th, 2021 Board Meeting: There were no changes to the minutes.

Approval of Certified Acres: There were no changes to certified acres to report.

MOTION # 2 – Shaw moved, seconded by Heinrichs to approve the absence of Hoops and Trausch and minutes of the December 14, 2021 meeting0, as circulated. Carried by roll call vote – 14 yes votes.

TREASURERS REPORTS – Jay Meyer

Copies of the Little Blue NRD Treasurer's Report were circulated. Meyer reviewed the report. **MOTION # 3 - Meyer moved, seconded by Hergott to approve the report as presented.** Carried by roll call vote – 14 yes votes.

Meyer reviewed the Little Blue Public Water North Project Treasurer's Report. **MOTION # 4 - Meyer moved, seconded by Hergott to approve the report as presented.** Carried by roll call vote – 14 yes votes.

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

Nelson reviewed the bonding policies. District policies require the District Treasurer be bonded for no less than \$50,000. The District currently retains a \$150,000 Public Official Bond for the Treasurer. The District also carries a Government Crime Policy in aggregate of \$200,000 which covers others authorized to handle district funds including the Assistant Treasurer, General Manager, Office Administrator, Administrative Assistant, all NRCS Secretaries and our Water Project Clerk. These bonds provide some protection to the district from fraudulent actions relating to the District finances by those covered.

Nelson then explained the general procedures followed for making investments for the Little Blue NRD as well as for the North and South Water Projects.

Nelson reported the District plans to continue to use Don Blankenau as legal counsel and Cline Williams as needed for personnel issues. The District has a five year contract with Schulz & Associates to conduct the annual audit of the District and Rural Water Projects.

NOMINATIONS REPORT AND ELECTION OF 2022 BOARD OFFICERS AND REPRESENTATIVES

The Nominations Committee – Brent Hoops, Kevin Kissinger and Jesse VonSpreckelsen met to select candidates for Board positions for the year 2022.

The Committee proposed the name of Alan Wiedel and Bill Glenn for the position of Board Chairman. Kimle asked for further nominations from the floor. Heinrichs nominated Jesse VonSpreckelsen. No additional nominations were received, nominations ceased, a ballot vote was taken. Wiedel – 6 votes, Glenn – 5 votes, VonSpreckelsen – 3 votes. Wiedel was declared Chairman.

The Committee proposed the name of Bill Glenn and Steve Shaw for the position of Vice-Chairman. Kimle asked for further nominations from the floor. Heinrichs nominated Jesse VonSpreckelsen. No additional nominations were received, nominations ceased, a ballot vote was taken. Glenn – 5 votes, Shaw – 4 votes, VonSpreckelsen – 5 votes. Due to a tie between Glenn and VonSpreckelsen, another vote was taken. Glenn – 8 votes, VonSpreckelsen – 6 votes. Glenn was declared Vice-Chairman.

The Committee proposed the name of Warren Taylor and Courtney Luebben for the position of Secretary. Luebben removed her name as a candidate. Kimle asked for further nominations from the floor. Hergott nominated Steve Shaw and Heinrichs nominated Jesse VonSpreckelsen. No additional nominations were received, nominations ceased, a ballot vote was taken. Taylor – 4 votes, Shaw – 5 votes, VonSpreckelsen – 5 votes. Due to a tie between Shaw and VonSpreckelsen another vote was taken. Shaw – 8 votes, VonSpreckelsen – 6 votes. Shaw was declared Secretary.

The Committee proposed the name of Jay Meyer for the position of Treasurer. Kimle asked for further nominations from the floor. Heinrichs nominated Jesse VonSpreckelsen. No additional nominations were received, nominations ceased, a ballot vote was taken. Meyer - 11 votes, VonSpreckelsen – 3 votes. Jay Meyer was declared Treasurer.

APPOINTMENT OF NARD REPRESENTATIVE

The Committee proposed the name of Mason Hoffman and Lyle Heinrichs for NARD Representative. Kimle asked for further nominations from the floor. No additional nominations were received, nominations ceased, a ballot vote was taken. Heinrichs – 2 votes, Hoffman – 12 votes. Hoffman was declared NARD Representative and Lyle Heinrichs as alternate.

AGENCY REPORTS

NRCS Report – Janet Valasek: Valasek gave a brief report on happenings at the NRCS.

NARD Report – Mason Hoffman: Hoffman reported he was receiving information on changes in conservation easements. Blankenau provided additional information on the proposed easement changes. Discussion was held the possible construction of a canal built off the South Platte River and construction of a lake built between Omaha and Lincoln.

EXECUTIVE COMMITTEE

The Executive Committee met prior to the regular meeting.

Action to Approve FY 2021 Audit: The 2021 Audit was presented at the December 14th meeting.

MOTION # 6 – Kimle moved, seconded by Wiedel to approve the FY 2021 audit as presented.

Motion carried by roll call vote – 14 yes votes.

Action of Employee Request for Leave of Absence Beyond 30 Days: A request for a leave of absence to extend beyond the 30 day leave of absence approved by the General Manager was received from an employee. **MOTION # 7 – Kimle moved, seconded by Shaw to approve a 30-calendar day leave of absence as requested by an employee, with the retention of health insurance at the employee's expense.** Motion carried by roll call vote – 14 yes votes.

Declaration of Board Member Vacancy in Sub-District 3: Due to the death of Jay Wilder a vacancy exists in Sub-District 3. Ads to fill the position at the February 8th meeting will be placed in the newspaper and on Facebook as well as contacting those who have shown an interest in the past. It will be noted in the ads the position will be an incumbent for the 2022 election and will need to certify by February 15, 2022 if they wish to run for the office.

Other Business: There was no other business.

PROJECTS AND PLANNING COMMITTEE

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

Discussion and Possible Action on Urban Conservation Cost-Share Program: Discussion was held on a moratorium on new applications for the Urban Conservation Cost-Share Program. **MOTION # 8 – VonSpreckelsen moved, seconded by Heinrichs to approve putting a moratorium in effect on accepting new applications for the Urban Conservation Cost-Share Program until April 1, 2022 and to begin updating the program’s policy.** Carried by roll call vote – 14 yes votes.

Discussion and Possible Action on Additional Electrical Hook-ups at Buckley Creek: Requests for additional electrical hook-ups at Buckley Creek Recreation Area have been received. Staff have been instructed to gather information and present it to the Committee at a later date.

Action on Twin Rivers Weed Management \$1,800 ARGO UTV Repair Request: Zachary Jones of Twin Valley Weed Management Area was present to request monetary assistance for the repair of the Argo UTV used for the maintenance of the Little Blue River. **MOTION # 9 – VonSpreckelsen moved, seconded by Hergott to approve the Twin Valley Weed Management Area’s request for \$1,800 to be used in repairing the Argo UTV.** Carried by roll call vote – 14 yes votes

On the Record Board Member Disclosure Statement Regarding LBVWS Project: Blankenau, on the behalf of William Glenn, made a public disclosure that the Little Blue NRD is considering entering into an agreement to purchase land from William Glenn of which he has a financial interest in. Glenn will not be engaged in any debate or discussion of acquisition of this property and will not vote or make any motions relative to this property.

Other Business: There was no other business.

WATER RESOURCES COMMITTEE

The Water Resources Committee met prior to the regular meeting.

Discussion and Possible Action for Non-Compliance of Annual Pumpage Reports: A list was created of producers who are in non-compliance in submitting their pumpage reports to the district. **MOTION # 10 – Shaw moved, seconded by Wiedel to authorize legal counsel to send a Notice of Intent of a Cease-and-Desist Order for non-compliance of annual pumpage reports.** Carried by roll call vote – 14 yes votes.

Other Business: An anonymous letter addressed to the Board of Directors was received regarding possible violations of fertilizer application. The district’s fertilizer regulations referred to in the letter were inaccurate. Staff followed up with the accused and found no violation. Until another letter is received with a name on it the issue will not be addressed.

PUBLIC COMMENT

David Endorf, Susan Thomas and Brian Thomas each made statements in opposition to Little Blue Valley Water System project.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

Kimle adjourned the meeting at 8:15 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 January 11, 2022, 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.
