

LITTLE BLUE NATURAL RESOURCES DISTRICT
Minutes **February 13, 2024**

CALL MEETING TO ORDER – Alan Wiedel

The Directors of the Little Blue Natural Resources District met in regular session on Tuesday, February 13, 2024 at the Little Blue Natural Resources District Office, Davenport, Nebraska. Chairman Wiedel called the meeting to order at 7:00 p.m.

Wiedel led the group in the Pledge of Allegiance.

ROLL CALL OF DIRECTORS

Directors Present: Glen Bonifas, Glen Bredthauer, Bill Glenn, Jessi Hoefl, Mason Hoffman, Alan Kenning, Courtney Luebben, Jay Meyer, Russ Ochsner, Aaron Paus, Lyle Schroer, Steve Shaw, Warren Taylor, Jesse VonSpreckelsen and Alan Wiedel.

Directors Absent: Brent Hoops and Kyle Knight.

Others Present: Scott Nelson, Tyler Goeschel, Marie Herbek, Kevin Orvis, Alicia Epps; Janet Valasek, NRCS; Don Blankenau, legal counsel; numerous members of the public.

Wiedel noted that a copy of the Nebraska Open Meetings Act was posted and available for anyone who may want to review the document.

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 – Schroer moved, seconded by Hoefl to approve the agenda for the February 13, 2024 meeting as presented. Carried by roll call vote – 15 yes votes.

ACTION TO APPROVE CONSENT AGENDA ITEMS

Acceptance of Board Member Absences: Hoops and Knight notified the office of their intended absence.

Approval of Minutes of January 16th, 2024 Board Meeting: There were no changes to the minutes.

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

MOTION # 2 – VonSpreckelsen moved, seconded by Luebben to approve the absence of Hoops and Knight and the minutes of the January 16, 2024 meeting, as circulated. Carried by roll call vote – 15 yes votes.

TREASURERS REPORTS – Bill Glenn

Copies of the Little Blue NRD Treasurer's Report were circulated. Glenn reviewed the report.

MOTION # 3 – Glenn moved, seconded by Kenning to approve the director per diem and expense for Bonifas, Bredthauer, Glenn, Hoeft, Hoffman and Hoops. Carried by roll call vote. Yes: Kenning, Luebben, Meyer, Ochsner, Paus, Schroer, Shaw, Taylor, VonSpreckelsen and Wiedel. Abstain: Bonifas, Bredthauer, Glenn, Hoeft and Hoffman.

MOTION # 4 – Glenn moved, seconded by Hoffman to approve the director per diem and expense for Kenning, Knight, Luebben, Meyer, Ochsner and Paus. Carried by roll call vote. Yes: Bonifas, Bredthauer, Glenn, Hoeft, Hoffman, Schroer, Shaw, Taylor, VonSpreckelsen and Wiedel. Abstain: Kenning, Luebben, Meyer, Ochsner and Paus.

MOTION # 5 – Glenn moved, seconded by Hoeft to approve the director per diem and expense for Schroer, Shaw, Taylor, VonSpreckelsen and Wiedel. Carried by roll call vote. Yes: Bonifas, Bredthauer, Glenn, Hoeft, Hoffman, Kenning, Luebben, Meyer, Ochsner and Paus. Abstain: Schroer, Shaw, Taylor, VonSpreckelsen and Wiedel.

MOTION # 6 - Glenn moved, seconded by Kenning to approve the remaining report as presented. Carried by roll call vote – 15 yes votes.

Glenn reviewed the Little Blue Public Water Project - North Treasurer's Report. **MOTION # 7 - Glenn moved, seconded by Ochsner to approve the report as presented.** Carried by roll call vote – 15 yes votes.

Glenn reviewed the Little Blue Public Water Project - South Treasurer's Report. **MOTION # 8 - Glenn moved, seconded by Kenning to approve the report as presented.** Carried by roll call vote – 15 yes votes.

AGENCY REPORTS

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

NARD Report – Mason Hoffman: Hoffman reported on the Legislative Conference held January 23 – 24 in Lincoln.

ACTION TO APPROVE NOMINATIONS FOR STANDING COMMITTEES

The list of proposed standing committee members was presented for approval. Wiedel asked for any requested changes, there were none. **MOTION # 9 – VonSpreckelsen moved, seconded by Ochsner to approve the proposed standing committees for 2024.** Carried by roll call vote – 15 yes votes.

EXECUTIVE COMMITTEE

The Executive Committee did not meet.

Other Business: There was no other business.

PROJECTS AND PLANNING COMMITTEE

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

Elect Committee Chairperson: Courtney Luebben was elected chairperson; Alan Kenning is vice-chairperson.

Discussion/Action on Easement with Leslie & Judy Elder: An unsigned easement with Leslie & Judy Elder was approved at the January meeting, the easement has since been amended. **MOTION # 10 – Kenning moved, seconded by Bredthauer to rescind the Right of Way Easement with Leslie B and Judy K Elder easement.** Carried by roll call vote – 15 yes votes.

MOTION # 11 – Kenning moved, seconded by Schroer to approve the amended Right of Way Easement with Leslie B and Judy K Elder and authorize its signature. Carried by roll call vote – 15 yes votes.

Discussion/Action on Heitmann Dam Bids: Bids were presented for the construction of the Heitmann Farms Inc. dam. **MOTION # 12 – Luebben moved, seconded by Schroer to approve the bid from Lottman Excavating for construction of the Heitmann Dam at 75% cost share not to exceed \$50,000.** Carried by roll call vote – 15 yes votes.

Motion to Enter Into Executive Session to Discuss Legal Matters: **MOTION # 13 – Luebben moved, seconded by Hoffman to go into Executive Session at 7:33 p.m. for the purpose of discussing legal matters and that Kevin Orvis and Don Blankenau remain in the closed session.** Carried by roll call vote – 15 yes votes.

Executive Session called for the purpose of discussing legal matters. Members of the public left the session.

MOTION # 14 - Hoffman moved, seconded by Ochsner to come out of Executive Session at 7:50 p.m. Carried by roll call vote – 15 yes votes.

Wiedel stated no legal action was taken during the closed session.

Other Business: There was no other business.

WATER RESOURCES COMMITTEE

The Water Resources Committee met February 6.

Elect Chairperson: Brent Hoops was elected chairperson; Warren Taylor was elected vice-chairperson.

Review Completed LRE Hydro-Geo Report & memo for Future Recommendations: The updated Hydro-Geologic Report was reviewed by Orvis.

Review 2023 Pumpage Report: Orvis reviewed the irrigation water use summary report for 2023. Average use for all acres in the district was 10.7 inches.

Action to Issue Cease & Desist Orders for Non Reporters of Water Usage: Two producers remain in non-compliance in submitting their pumpage reports to the district. **MOTION # 15 – Taylor moved, seconded by Hoffman to authorize legal counsel to send a Cease-and-Desist Order for non-compliance of annual pumpage reports.** Carried by roll call vote – 15 yes votes.

Discuss Plans to Seek Grant Funding for Future AEM Flight Data: Discussion was held on pursuing funding to have AEM flights conducted over the district to get additional data on the aquifer. The topic was tabled and will be discussed in the future.

Discussion/Action to Move Bruning Sub-Area to Level III: The Bruning Sub-Area water samples data shows the Bruning Sub-Area nitrate level now falls in the Level III category. **MOTION # 16 – Taylor moved, seconded by Hoffman to move the Bruning Sub-Area to Level III.** Carried by roll call vote – 15 yes votes.

Discussion/Action to Set a Date & Time for Holding a Public Hearing Regarding NRD Rule Changes & Sub-Area Changes: **MOTION # 17 – Taylor moved, Shaw seconded to hold a public hearing to hear testimony on proposed Groundwater Rule changes and for changes in the district’s Sub-Areas on March 12, 2024 at 6:30 p.m.** Carried by roll call vote – 15 yes votes.

Other Business: The committee discussed possible sub-area boundary modifications further discussion will be held at the March meeting. Discussion was also held on the use of nitrogen inhibitors, no action was taken. Glenn had questions on moving the sub-areas to Level III.

OTHER BUSINESS

Nelson informed everyone there will be a Directors Tour of the Rural Water Projects in March. He reported the final bill for the Blue Basin Modeling Project was received.

Herbek reminded those incumbents for the upcoming election the deadline to submit their Filing Form to the Secretary of State’s office no later than February 15th.

Wiedel acknowledged visitors from the Lower Big Blue NRD in the audience.

ADJOURNMENT

Wiedel adjourned the meeting at 8:22 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 February 13, 2024, 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.