

**LITTLE BLUE NATURAL RESOURCES DISTRICT**  
**Minutes** **May 14, 2024**

**CALL MEETING TO ORDER – Alan Wiedel**

The Directors of the Little Blue Natural Resources District met in regular session on Tuesday, May 14, 2024 at the Little Blue Natural Resources District Office, Davenport, Nebraska. Chairman Wiedel called the meeting to order at 7:05 p.m.

Wiedel led the group in the Pledge of Allegiance.

**ROLL CALL OF DIRECTORS**

Directors Present: Bill Glenn, Jessi Hoefl, Brent Hoops, Alan Kenning, Kyle Knight, Courtney Luebben, Jay Meyer, Russ Ochsner, Aaron Paus, Lyle Schroer, Steve Shaw, Warren Taylor, Jesse VonSpreckelsen, and Alan Wiedel.

Directors Absent: Glen Bonifas, Glen Bredthauer, and Mason Hoffman.

Others Present: Scott Nelson, Tyler Goeschel, Marie Herbek, Kevin Orvis, Jessica Hedges, Alicia Epps, Kathy Boysen; Don Blankenau, legal counsel; Janet Valasek, NRCS; 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**

Wiedel 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 – Ochsner moved, seconded by Kenning to approve the agenda for the May 14, 2024 meeting as presented.** Carried by roll call vote – 14 yes votes.

**ACTION TO APPROVE CONSENT AGENDA ITEMS**

Acceptance of Board Member Absences: Bonifas, Bredthauer and Hoffman notified the office of their intended absence.

Approval of Minutes of April 9th, 2024 Board Meeting: There were no changes to the minutes.

Approval of Certified Acres: A list of certified acre changes was presented, discussion was held.

**MOTION # 2 – Taylor moved, seconded by Luebben to approve the absence of Bonifas, Bredthauer and Hoffman, the minutes of the April 9, 2024 meeting as presented and the list of certified acres.**

Carried by roll call vote. Glenn, Hoefl, Hoops, Kenning, Knight, Luebben, Meyer, Ochsner, Paus, Schroer, Taylor, VonSpreckelsen and Wiedel. Abstain: Shaw.

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

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

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

**MOTION # 6 - Glenn moved, seconded by Shaw to approve the remaining Little Blue NRD Treasurer's Report as presented.** Carried by roll call vote – 14 yes votes.

Glenn reviewed the Little Blue Public Water Project - North Treasurer's Report. **MOTION # 7 - Glenn moved, seconded by Ochsner to approve the Little Blue Public Water Project North Treasurer's Report as presented.** Carried by roll call vote – 14 yes votes.

Glenn reviewed the Little Blue Public Water Project - South Treasurer's Report. **MOTION # 8 - Glenn moved, seconded by Paus to approve the Little Blue Public Water Project South Treasurer's report as presented.** Carried by roll call vote – 14 yes votes.

## **AGENCY REPORTS**

**NRCS Report – Janet Valasek:** Valasek gave a brief report on happenings at the NRCS and thanked the LBNRD for providing the NRCS offices with support staff.

**NARD Report – Mason Hoffman:** Hoffman was not present.

**NRC Report – Lyle Schroer:** Schroer will provide a report next month.

## **OPEN PUBLIC COMMENT**

Kevin Kissinger commented it would be helpful if recordings of the monthly board meetings be made available to the public and had questions about adding certified acres and how proposed rule changes will affect that.

## **EXECUTIVE COMMITTEE**

The Executive Committee met prior to the regular meeting.

**Legal Update on Complaint Filed Against Little Blue Public Water Project:** Wiedel noted this update will be provided in Executive Session. **MOTION # 8 – Shaw moved, seconded by Schroer to go into Executive Session at 7:30 p.m. for the purpose of discussing legal matters.** Carried by roll call vote – 14 yes votes.

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

**MOTION # 9 – Luebben moved, seconded by Ochsner to come out of Executive Session at 7:36 p.m.**

Carried by roll call vote. Yes: Glenn, Hoeft, Hoops, Kenning, Knight, Luebben, Meyer, Ochsner, Paus, Schroer, Shaw, Taylor and Wiedel. Absent: VonSpreckelsen.

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

FY 2025 Benefits & Salaries Discussion: Wiedel noted information on this will be provided at the June meeting.

Review Interim Loan & Bonding Requirements for Little Blue Public Water Project: Interim financing will be required for the Rural Water Project until the USDA loan is available. Bradley Slaughter from Northland, A First National of Nebraska Company provided information on this to the committee.

Discussion/Action to Secure Interim Loan Financing for Little Blue Public Water Project: Staff was instructed to gather some options and present their findings at the June meeting.

Other Business: There was no other business.

**PROJECTS AND PLANNING COMMITTEE**

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

FY 2025 Budget Discussion: Staff requested an additional \$20,000 be added to the FY 2025 budget for Water Quality practices. **MOTION # 10 – Luebben moved, seconded by VonSpreckelsen to increase Water Quality cost share to \$60,000 for FY 2025.** Carried by roll call vote. Yes: Glenn, Hoeft, Hoops, Kenning, Knight, Luebben, Meyer, Ochsner, Paus, Schroer, Taylor, VonSpreckelsen and Wiedel. Abstain: Shaw.

Other Business: There was no other business.

**WATER RESOURCES COMMITTEE**

The Water Resources Committee met May 9, 2024.

2024 Spring Level Measurements Update: Orvis provided results of the spring water level measurements. The overall water level measurements in Geologic Area 1 were 1.5 inches below the trigger level as defined in the District's Groundwater Rules and Regulations. Geologic Area 2 is 6 inches above the trigger level.

Discussion/Action to Consider Issuing an Immediate Stay on the Drilling of New High-Capacity Irrigation Wells and the Expansion of Irrigated Acres in Hydrogeologic Area 1: Hoops referred to the Little Blue NRD's Groundwater Rules and Regulations on meeting trigger levels for a stay on drilling new high-capacity irrigation wells and the expansion of irrigated acres. Discussion was held. **MOTION # 11 – Hoops moved, seconded by Schroer to issue a Stay on the drilling of new high-capacity irrigation wells and the expansion of irrigated acres in Hydrogeologic Area 1 of the Little Blue NRD.** Carried by roll call vote. Yes: Glenn, Hoeft, Hoops, Kenning, Luebben, Meyer, Ochsner, Paus, Schroer, Shaw, Taylor, VonSpreckelsen and Wiedel. Abstain: Knight.

Discussion/Action on Groundwater Management Area Rules Updates: A few proposed updates to the Groundwater Rules and Regulations were discussed. Goeschel provided information on the proposed changes. **MOTION # 12 – Hoops moved, seconded by Ochsner to approve proposed changes to the Little Blue NRD Groundwater Rules and Regulations.** Carried by roll call vote. Yes: Glenn, Hoeft, Hoops, Kenning, Knight, Meyer, Ochsner, Paus, Schroer, Shaw, Taylor, VonSpreckelsen and Wiedel. Absent Luebben.

Discussion/Action to Set a Date & Time for Holding a Public Hearing Regarding NRD Rule Changes: **MOTION # 13 – Hoops moved, seconded by Ochsner to set the date to hold a public hearing on proposed changes to the district Groundwater Rules and Regulations on June 11<sup>th</sup> prior to the regular board meeting.** Carried by roll call vote – 14 yes votes.

Discussion/Action on a Variance Request from Drew Onnen to add 8.66 Acres in Sub-Area 8: A Variance Request from Drew Onnen was presented for approval. **MOTION # 14 – Hoops moved, seconded by Shaw to approve the Drew Onnen Variance Request to add 8.66 irrigated acres in Sub-Area 8.** Carried by roll call vote – 14 yes votes.

Discussion/Action on Sandy Creek LLC Groundwater Transfer Request: A Transfer Request was presented for approval. **MOTION # 15 – Hoops moved, seconded by Shaw to approve the Transfer Request for Sandy Creek LLC to transfer water from the SW¼ 29-4N-1E to the NE¼ 32-4N-1E.** Carried by roll call vote. Yes: Glenn, Hoeft, Hoops, Kenning, Knight, Luebben, Meyer, Ochsner, Paus, Shaw, Taylor, VonSpreckelsen and Wiedel. No: Schroer.

Discussion/Action on Tallgrass Energy Groundwater Transfer Request: Tallgrass Energy called to inquire about obtaining water to pressure test a pipeline passing through the LBNRD. Further information will be provided in the future.

Discussion/Action to Send Cease-and-Desist Letters to Water Quality Sub-Area Non-Reporters: A list of producers who are in non-compliance in submitting their Water Quality Sub-Area reports were presented. **MOTION # 16 - Hoops moved, seconded by Ochsner to authorize legal counsel to send a Notice of Intent of a Cease-and Desist Order for non-compliance of annual Water Quality Sub-Area Reports.** Carried by roll call vote – 14 yes votes.

Other Business: There was no other business.

## **OTHER BUSINESS**

Hedges mentioned she will be sending the NRD shirts order form out later in the week.

## **ADJOURNMENT**

Wiedel adjourned the meeting at 8:32 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 14, 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.

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