

LITTLE BLUE NATURAL RESOURCES DISTRICT
Minutes **May 9, 2023**

CALL MEETING TO ORDER – Alan Wiedel

The Directors of the Little Blue Natural Resources District met in regular session on Tuesday, May 9, 2023 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, Bill Glenn, Jessi Hoeft, Mason Hoffman, 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.

Director's Absent: Glen Bredthauer.

Others Present: Scott Nelson, Tyler Goeschel, Marie Herbek, Kevin Orvis, Alicia Epps, Todd Leininger; Don Blankenau, legal counsel; Janet Valasek, NRCS; Tim Horst and Ele Nugent, Ducks Unlimited; Mike Placke, JEO; 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

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 – Hoops moved, seconded by Luebben to approve the agenda for the May 9, 2023 meeting as presented. Carried by roll call vote – 16 yes votes.

ACTION TO APPROVE CONSENT AGENDA ITEMS

Acceptance of Board Member Absences: Bredthauer had notified the office of his intended absence.

Approval of Minutes of April 11th, 2023 Board Meeting: There were no changes to the minutes.

Approval of Certified Acres: There were no certified acre changes presented.

MOTION # 2 – Hoffman moved, seconded by VonSpreckelsen to approve minutes of the April 11, 2023 meeting, as circulated. Carried by roll call vote – 16 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 Luebben to approve the director per diem and expense for Bredthauer, Bonifas, Glenn, Hoeft, Hoffman and Hoops. Carried by roll call vote. Yes: Kenning, Knight, Luebben, Meyer, Ochsner, Paus, Schroer, Shaw, Taylor, VonSpreckelsen and Wiedel. Abstain: Bonifas, Glenn, Hoeft, Hoffman and Hoops.

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, Glenn, Hoeft, Hoffman, Hoops, Schroer, Shaw, Taylor, VonSpreckelsen and Wiedel. Abstain: Kenning, Knight, Luebben, Meyer, Ochsner and Paus.

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

MOTION # 6 – Glenn moved, seconded by Hoffman to approve the remaining report as presented. Carried by roll call vote – 16 yes votes.

Glenn reviewed the Little Blue Public Water North Project Treasurer's Report.

MOTION # 7 - Glenn moved, seconded by Schroer to approve the report as presented. Carried by roll call vote – 16 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 – 16 yes votes.

AGENCY REPORTS

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

NARD Report – Mason Hoffman: Hoffman gave a brief report on what is happening in the Nebraska Legislature.

STAFF SERVICE AWARD PRESENTATION

Kevin Orvis was recognized for 30 years of employment at the Little Blue NRD. Todd Leininger was introduced as the new district's Natural Resources Technician.

EXECUTIVE COMMITTEE

The Executive Committee met prior to the regular meeting.

Action to Adopt Groundwater Management and Park Regulation Rule Changes as Presented at the April 11th Public Hearing and Issue Board Order: A public hearing was held April 11, 2023 for several rule changes. **MOTION # 9 – Wiedel moved, seconded by Hoops to adopt the Groundwater Management and Park Regulation rule changes and authorize the chairman to sign the Board Order.** Carried by roll call vote – 16 yes votes.

Discussion/Review FY 2024 Budget & Salaries: **MOTION # 10 – Hoffman moved, seconded by Ochsner to enter into Executive Session at 7:28 p.m. for the purpose of discussing personnel.** Carried by roll call vote - 16 yes votes.

Executive Session called for the purpose of discussing personnel matters convened at 7:28 p.m.

MOTION # 11 – Shaw moved, seconded by Hoffman to come out of Executive Session at 7:35 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.

PROJECTS AND PLANNING COMMITTEE

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

Consider Small Dam Cost-Share Request Application: An application for the repair of a dam was presented for approval. **MOTION # 12 – Luebben moved, seconded by Hoeft to approve the Craig Buescher cost-share application for dams and to pay 75% of eligible costs not to exceed \$50,000 to be included in the FY 2025 budget.** Carried by roll vote. Yes: Bonifas, Glenn, Hoeft, Hoffman, Kenning, Knight, Luebben, Meyer, Paus, Schroer, Shaw, Taylor, VonSpreckelsen and Wiedel. No: Hoops and Ochsner.

Village of Juniata – Urban Conservation Cost-Share Request: The Village of Juniata submitted an Urban Conservation Assistance Program Cost-Share Request. **MOTION # 13 – Luebben moved, seconded by Taylor to deny the Village of Juniata Urban Conservation Assistance Program cost-share request.** Carried by roll call vote – 16 yes votes.

Ducks Unlimited Conservation Easement Request: Ducks Unlimited requested the district to hold a title for a non-development easement. **MOTION # 13 – Luebben moved, seconded by VonSpreckelsen to be the holding entity for the Wetlands America Trust, Inc. non-development easement.** Carried by roll call vote – 16 yes votes.

Motion to Approve Planning Agreement with NRCS for 32-Mile Creek WFPO Project: The planning agreement for the 32-Mile Creek WFPO Project was presented for approval. **MOTION # 14 – Luebben moved, seconded by VonSpreckelsen to approve the Planning Agreement with NRCS for the 32-Mile Creek WFPO Project.** Carried by roll call vote – 16 yes votes.

Motion to Select Consultant for 32-Mile Creek WFPO Project: Proposals from three consultants for the 32-Mile Creek WFPO Project were reviewed. **MOTION # 15 – Luebben moved, seconded by Shaw to select JEO Consulting Group as the consultant for the planning phase for the 32-Mile Creek WFPO Project.** Carried by roll call vote – 16 yes votes.

Other Business: Luebben noted a well for the City of Clay Center has gone down and they may seek funding in the future.

WATER RESOURCES COMMITTEE

The Water Resources Committee met May 4th.

Spring Water Levels Report: Orvis reviewed the spring water level report. Geologic Area 1 was down -1.43 feet, Geologic Area 2 was down -.58 feet. Discussion was held on the District's Groundwater Rules and Regulations and new well development 2014 through 2022.

Discussion/Review Groundwater Management Plan Rule and Regulations: Discussion was held on the Districts Water Quality Sub-Areas and their level designations. **MOTION # 16 – Hoffman moved, seconded by Schroer to move the Deshler-Byron-Ruskin, Fairbury, and Kenesaw-Prosser Sub-Areas to a Level III Sub-Area.** Carried by roll call vote. Yes: Bonifas, Hoeft, Hoffman, Hoops, Knight, Luebben, Meyer, Ochsner, Paus, Schroer, Taylor and VonSpreckelsen. No: Glenn, Kenning, Shaw and Wiedel.

MOTION # 17 – VonSpreckelsen moved, seconded by Hoffman to move the Bruning Sub-Area into Level III. Failed by roll call vote. Yes: Glenn, Hoeft, Hoffman, Kenning, Luebben, Meyer, Schroer and VonSpreckelsen. No: Bonifas, Hoops, Knight, Ochsner, Paus, Shaw, Taylor and Wiedel.

Consider Scheduling a Public Hearing to Receive Testimony for the Designation of Level III Sub-Areas: Discussion was held to consider scheduling a date to hold a hearing to hear testimony on Level III Sub-Area designations. Staff will consider dates and locations for the hearings and present their findings at a future meeting.

Other Business: Kerwin Elting request to address the board regarding the water quality discussions.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

Wiedel adjourned the meeting at 9:45 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 9, 2023, 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.