

**LOWER NIOBRARA NATURAL RESOURCES DISTRICT  
BOARD MEETING MINUTES  
DECEMBER 2, 2019**

Chairman Baumeister called the meeting to order at 1:03 P.M. He called attention to the Open Meeting Law poster on the wall in the meeting room and stated notices of the meeting were published in newspapers of general circulation throughout the District.

**APPROVAL OF NOVEMBER 4 , 2019 MEETING MINUTES**

Motion by Engelhaupt and second by Uhlir to approve the minutes of the November 4, 2019 meeting as provided to the Directors. Roll Call Vote, Aye: (Engelhaupt, Hoffman, Kaczor, Klawitter, Liewer, Naprstek, Pavlik, Randa, Uhlir, Baumeister, Connell) Abstain: (Holtgrew, Janzing, Marcellus, Morrow, Wendt) Absent: (Higgins).  
MOTION CARRIED.

**MANAGER'S REPORT**

Manager Julesgard's report was mailed for Directors to review. Three senators toured the Spencer Dam and 281 Bridge on November 5<sup>th</sup>. Objective of the tour was to see if any legislation is needed for these types of situations and procedures were followed by the personnel. Director re-election information was in the packets. A copy of the proposed legislation changing bonding authority as a result of the Resolution submitted by LENRD at the Conference was passed to Directors. Manager Julesgard explained Darrell Deterding contacted the office regarding the county's solution of 2 - 48" culverts being installed to replace a bridge washed out due to the flood, which now causes flooding of his farmstead.

Manager Julesgard introduced Conner Baldwin who is the new Bazile GWMA Coordinator. Conner discussed practices that are being installed in the area. The Bazile GWMA has a tab on the Lewis & Clark NRD's website for more information. He mentioned the Demo Sites located in LCNRD, UENRD and LENRD. The Cover Crop Meeting in the Creighton area went well. He and his brother are in the process of starting a Cover Crop Group.

**WATER RESOURCES COORDINATOR REPORT**

Wade's report was mailed prior to the meeting. Wade reported he'd sent out 487 Phase II letters with approximately 150 new producers as a result of the additional Phase II acres added. He thanked the Board for allowing him to attend the Water Leaders Academy. Sue Lackey is very helpful in assisting with bid invitations for drilling the monitoring wells to be installed this coming spring. He has finished the static measurements for this fall.

**PROGRAMS ASSISTANT**

Connie's report was also mailed prior to the meeting. Connie reported her daughter is improving. She plans to attend the Land Judging meeting on January 2<sup>nd</sup>.

**ASSOCIATION REPORT**

Wendt was unable to attend the meeting last month as she was attending a Zoning Meeting. She attended the NARD meeting where Orville Gigstad mentioned how much power Conservation Districts need in California to clean up after the fires. The NARD Foundation is getting a facelift and a report was given on where Foundation funds were contributed. Wendt also mentioned the I & E activities including Environmental Education handouts given to schools. The Envirothon will be held April 29<sup>th</sup>. LPNNRD built a new educational building which will be used at that time. The questions for the Envirothon have been written and submitted. Nebraska will host the GMDA meeting this year. The Risk Pool Meeting was also held and explanation was given on the changed over rider. The After-School Program Conference was held. NARD calendars are ready to be ordered. Budget information on all the NRDs was mailed to Directors.

Voting Delegate and Alternate for the Legislative Conference was discussed. Engelhaupt will serve as the Voting Delegate and Klawitter will serve as the Alternate. Engelhaupt, Klawitter and Wendt plan to attend along with the 4-office staff.

**AGENCY REPORTS**

NRCS—Jim Mathine's report was mailed. Jim mentioned their work on farm ponds repair under ECP which is administered by FSA. His office will be attending computer training on the new Conservation Desktop program. He mentioned personnel changes for Lisa Sheldon and Laurie Steinhauser. There has not been a cut-off date established for EQIP so there won't be any tree plantings cost shared under EQIP this spring. NSWCP funds will need to be utilized.

Niobrara Council—Connell reported there was no meeting in November and the October minutes are in the Director's packet.

NE RC&D—Pavlik reported he is unsure if a meeting was held.

North Central RC&D—A copy of the November minutes was in the packets. Connell mentioned the Hwy 20 paper shredding event, with a Hwy 12 shredding event being planned for the spring. Tire and glass recycling grants were discussed. The Bylaws are being updated.

Friends of the Missouri—Manager Julesgard reported the minutes were mailed. The group is looking for volunteers for the April Festival and the cleanup in May. Development of the North Alabama Bend Trail Site was discussed. The group is still looking at a solution to access the river at Niobrara.

Missouri Sedimentation Action Coalition – No meeting has been held.

#### **VARIANCE COMMITTEE REPORT**

The committee met prior to the meeting and discussed the request received from Tony Emme to pump water from a gravel pit to a pivot. The committee recommends following the process to see whether this would qualify under the guidelines established. The options and process will be explained to the cooperator.

#### **GROUNDWATER MANAGEMENT COMMITTEE**

An application for a helper well was submitted by Calvin Schultz which went through the process and is eligible to be approved for a helper well up to 145 gallons. He will be notified he may proceed with the well if he still desires. A flow meter will be required on this helper well. The other item discussed by the committee was a couple of requests for completing a circle around a farmstead have been received since the deadline. One was for new change in management of land and the other individual missed the deadline. Motion by Uhlir and second by Morrow to accept the committee recommendation extending the application period for adding new acres for completing circles around an old farmstead following the rules and regulations of the IMP up to the 500 acres or until June whichever is reached first. Roll Call Vote, Aye: (Engelhaupt, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Marcellus, Morrow, Naprstek, Pavlik, Randa, Uhlir, Wendt, Baumeister, Connell) Absent: (Higgins). MOTION CARRIED.

**NSWCP ACTIVITIES**—no activities

#### **TREASURER'S REPORT**

The expenditures were reviewed by Janzing & Hoffman. Vivian drew attention to the two sheets of the Treasurer's Report. One is the NRD & Water Quality Report and the second was checks written after the report was printed along with the WKRWS Treasurer's Report. Motion by Liewer and second by Holtgrew to approve the Treasurer's Report as presented with the additions listed and approve payment of the standard predetermined mileage for directors. Roll Call Vote, Aye: (Engelhaupt, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Marcellus, Morrow, Naprstek, Pavlik, Randa, Uhlir, Wendt, Baumeister, Connell) Absent: (Higgins). MOTION CARRIED. **(A copy of the Treasurer's Report is attached to the official copy of the minutes).**

#### **SPENCER HYDRO FACILITY**

Motion by Engelhaupt and second by Naprstek to go into executive session to discuss potential litigation regarding the Spencer Hydro Facility at 2:17 P.M. Roll Call Vote, Aye: (Engelhaupt, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Marcellus, Morrow, Naprstek, Pavlik, Randa, Uhlir, Wendt, Baumeister, Connell) Absent: (Higgins). MOTION CARRIED.

Motion by Holtgrew and second by Uhlir to come out of executive session at 2:43 P.M. Roll Call Vote, Aye: (Engelhaupt, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Marcellus, Morrow, Naprstek, Pavlik, Randa, Uhlir, Wendt, Baumeister, Connell) Absent: (Higgins). MOTION CARRIED.

#### **COMMENT PERIOD**

Pavlik informed the Board the gauge is being removed from the north branch of the Verdigre Creek and placed down on the mainstem of the Verdigre Creek.

**EXCUSE ABSENT DIRECTORS**

Higgins is at his winter home.

**CHRISTMAS EVE???**

After Board discussion the Chairman instructed the Employees that Christmas Eve along with New Years Eve be holidays for the office to be closed.

The meeting was declared adjourned at 3:10 P.M. by Chairman Baumeister.

**ATTENDANCE**

**Directors:** Larry Baumeister, Karl Connell, Jack Engelhaupt, Linda Hoffman, Don Holtgrew, John Janzing, Brian Kaczor, Randy Klawitter, Marvin Liewer, Dwain Marcellus, Curt Morrow, Ray Naprstek, Kent Pavlik, Kevin Randa, Jeff Uhlir, Diana Wendt

**Staff:** Terry Julesgard, Vivian Frasch, Wade Ellwanger, Connie McCarthy

**Visitors:** Jim Mathine, Conner Baldwin

I, the undersigned Secretary of the Lower Niobrara Natural Resources District hereby certify the foregoing is a true and correct copy of the proceedings had and done by the Board of Directors on December 2, 2019. That all subjects included in the foregoing proceedings were contained in the agenda for at least twenty-four hours prior to the meeting. The minutes of the Chairman and Board of Directors were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body. All news media requesting notification of the time and place of said meeting and the subjects to be discussed at said meeting were notified.

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Marvin Liewer, Secretary