

**LOWER NIOBRARA NATURAL RESOURCES DISTRICT
BOARD MEETING MINUTES
DECEMBER 3, 2018**

Chairman Baumeister called the meeting to order at 1:09 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 5, 2018 MEETING MINUTES

Motion by Engelhaupt and second by Klawitter to approve the minutes of the November 5, 2018 meeting. Roll Call Vote, Aye: (Klawitter, Mahon, Marcellus, Pavlik, Wendt, Baumeister, Bell, Connell, Engelhaupt) Absent: (Higgins, Holtgrew, Janzing, Kaczor, Liewer, Morrow, Naprstek, Schultz) MOTION CARRIED.

MANAGER'S REPORT

Manager Julesgard's report was mailed for Directors to review. Questions were answered, and discussion was held regarding the sluicing, Corp of Engineers permits, flow of river, etc. on the Spencer Dam. (Kaczor entered at 1:17 P.M.) Manager Julesgard mentioned that according to the Personnel Policy Federal Holidays are observed so the Office will be closed Wednesday as a day of remembrance and the funeral of former President George HW Bush according to the Executive Order from President Trump closing all Federal Government Offices.

WATER RESOURCES COORDINATOR REPORT

Wade's report was mailed prior to the meeting. Wade reported he serves on the Committee and attended the meeting for setting up the Water Programs Conference to be held in March in Kearney. He also mentioned the Upper Big Blue NRD Workshop to be held on December 12th in York. He mentioned the Conservation & Survey Report regarding areas with increased irrigation show cooling air temperatures and the increase of Evapo Transmission-climate is affected. On the reverse side of his report the Troll Data collected from the transducers is shown. He also mentioned the data base program that will be explained when the Committee meets. Mahon mentioned the 6 cased monitoring wells that were installed recently in Verdel, but didn't know who initiated the installation of these wells. Wade will do some checking. Wade also stated the Phase II mailing list has been updated and landowners now receive the letter.

Manger Julesgard introduced Jeff Uhlir who was newly elected to fill the At-Large position.

PROGRAMS ASSISTANT

Connie's report was also mailed prior to the meeting. Connie mentioned to the Directors she serves on the Committee that develops the calendars that are in the packets. Pavlik questioned how the acres not certified will be handled. Probably a Cease and Desist Order will have to be issued if after visiting with those individuals their acres are not certified.

ASSOCIATION REPORT

Wendt provided a written report in the packets on the November 12th meeting held at Holdrege. It was asked who planned to attend the Legislative Conference for registrations and rooms and also who would serve as voting delegate and alternate. Wendt and Engelhaupt plan to attend. Wendt will serve as voting delegate and Engelhaupt will serve as alternate. If any absent Directors wish to attend the Conference, please notify the office ASAP. Newly elected Directors will be sent information as soon as it is received.

AGENCY REPORTS

NRCS—Jim Mathine's report was mailed to Directors. He indicated there has been no decision on the Farm Bill at this time. Marcellus stated he had heard hopes were to have something developed by the end of the year. Jim mentioned the Continuing Resolution they are operating under now ends December 7th, if nothing is decided or extended the Federal Government will shut down with stipulations like the 2013 shut down that went on for several days. With his report he also included information relating to nutrient value of corn stalks.

Niobrara Council—Connell stated there was no meeting held. The Governor is to make appointments on the Council at some point.

NE RC&D—Pavlik reported a possible replacement for Jan Jorgensen has been found and on the grant for household hazardous waste.

Friends of the Missouri—The meeting will be held on Wednesday, December 5th, but it was questioned who would attend as this is a Federal Holiday due to the funeral of George HW Bush.

SET A PHASE II HEARING DATE

Discussion was held on the weeks of the 11th or the 18th. Manager Julesgard informed the Directors the hearing process will be different from what was in the past. Information will be presented in 3 or 4 different sections of the building to explain where the area involved is at and why the declaration. The hearing portion will be held in a different section for anyone wishing to testify. There will be a table set up if they wish to do written testimony while those wishing to do oral testimony will present it on the recorder under the supervision of the attorney. Recorded testimony will then be presented to the Board later. Question was raised if there would be meetings prior to the hearing. This can be done. Wade mentioned the new Phase II area is adjacent to the already existing Phase II area, the only new area would be that around Springview. After discussion on the need to change the February Board Meeting due to the Manager being at the NACD Conference it was decided to hold the February Board Meeting on the 11th at the normal 1:00 P.M. time and the Phase II Hearing on the 21st at 1:30 P.M. at the Community Center here in Butte.

UNL – RON YODER

Manager Julesgard stated he will attend the January meeting due to today's weather conditions.

NSWCP ACTIVITIES

A copy of the NSWCP Report was available. Due to the applicant for funding not possessing ownership of the land this application will be reviewed next month. Motion by Pavlik and second by Mahon to approve the NSWCP Extension for Karen Havranek. Roll Call Vote, Aye: (Kaczor, Klawitter, Mahon, Marcellus, Pavlik, Wendt, Baumeister, Bell, Connell, Engelhaupt) Absent: (Higgins, Holtgrew, Janzing, Liewer, Morrow, Naprstek, Schultz) MOTION CARRIED.

TREASURER'S REPORT

Wendt reviewed the expenditure receipts prior to the meeting and indicated she didn't see any problem. Mahon asked what the expense for Core & Main under the WKRWS was. Motion by Wendt and second by Pavlik to approve the Treasurer's Report as presented along with paying the standard predetermined mileage for directors. Roll Call Vote, Aye: (Kaczor, Klawitter, Mahon, Marcellus, Pavlik, Wendt, Baumeister, Bell, Connell, Engelhaupt) Absent: (Higgins, Holtgrew, Janzing, Liewer, Morrow, Naprstek, Schultz) MOTION CARRIED.

WEST KNOX RURAL WATER SYSTEM

Motion by Pavlik and second by Engelhaupt to go into executive session at 2:31 P.M. in order to discuss items pertaining to possible litigation and to allow the office staff and Jeff Uhler, who is a newly elected Director to remain during the session. Roll Call Vote, Aye: (Kaczor, Klawitter, Mahon, Marcellus, Pavlik, Wendt, Baumeister, Bell, Connell, Engelhaupt) Absent: (Higgins, Holtgrew, Janzing, Liewer, Morrow, Naprstek, Schultz) MOTION CARRIED.

Motion by Pavlik and second by Engelhaupt to come out of executive session at 3:02 P.M. Roll Call Vote, Aye: (Kaczor, Klawitter, Mahon, Marcellus, Pavlik, Wendt, Baumeister, Bell, Connell, Engelhaupt) Absent: (Higgins, Holtgrew, Janzing, Liewer, Morrow, Naprstek, Schultz) MOTION CARRIED.

A copy of the WKRWS November 27, 2018 Advisory Committee Meeting Minutes was in the packets for Directors to review. Motion by Pavlik and second by Marcellus to approve the November 27, 2018 WKRWS Advisory Committee Meeting Minutes as presented. Roll Call Vote, Aye: (Kaczor, Klawitter, Mahon, Marcellus, Pavlik, Wendt, Baumeister, Bell, Engelhaupt) Nay: (Connell) Absent: (Higgins, Holtgrew, Janzing, Liewer, Morrow, Naprstek, Schultz) MOTION CARRIED.

OPEN COMMENTS

Manager Julesgard informed the Directors a clock was purchased for Schultz in recognition of his 19 years of service on the Board and will be presented to him later. Wade mentioned NRD news is the Central Platte NRD has issued 94 Cease and Desist Orders for cooperators not completing their Crop Reporting Forms.

EXCUSE ABSENT DIRECTORS

Higgins is at his winter home. Those contacting the office were: Janzing-weather conditions, Naprstek-daughter health issues, Morrow-need to clear snow for loading cattle, Schultz-snowed in. No information was received from Holtgrew or Liewer.

Chairman Baumeister declared the meeting adjourned at 3:12 P.M.

ATTENDANCE

Directors: Larry Baumeister, Lana Bell, Karl Connell, Jack Engelhaupt, Brian Kaczor, Randy Klawitter, Brad Mahon, Dwain Marcellus, Kent Pavlik, Diana Wendt

Staff: Terry Julesgard, Vivian Frasc, Wade Ellwanger, Connie McCarthy

Visitors: Jim Mathine, Jeff Uhlir, Paul Allen,

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 3, 2018. 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.

Marvin Liewer, Secretary