

**LOWER NIOBRARA NATURAL RESOURCES DISTRICT
BOARD MEETING MINUTES
JANUARY 7, 2019**

Oath of Office was administered.

Chairman Baumeister called the meeting to order at 1:02 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.

ELECTION OF OFFICERS

Nominations for Chairman were called for by Baumeister. Engelhaupt nominated Baumeister. Motion by Engelhaupt and second by Morrow that nominations cease and Baumeister be declared Chairman by unanimous ballot. Roll Call Vote, Aye: (Kaczor, Klawitter, Liewer, Morrow, Pavlik, Randa, Uhlir, Wendt, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing) Abstain: (Baumeister) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

Nominations for Vice Chairman were called for by Chairman Baumeister. Pavlik nominated Engelhaupt. Motion by Holtgrew and second by Liewer that nominations cease and Engelhaupt be declared Vice Chairman by unanimous ballot. Roll Call Vote, Aye: (Kaczor, Liewer, Morrow, Pavlik, Randa, Uhlir, Wendt, Baumeister, Connell, Hoffman, Holtgrew, Janzing) Abstain: (Engelhaupt, Klawitter) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

Chairman Baumeister called for nominations for Secretary. Engelhaupt nominated Liewer. Motion by Wendt and second by Klawitter that nominations cease and Liewer be declared Secretary by unanimous ballot. Roll Call Vote, Aye: (Kaczor, Klawitter, Morrow, Pavlik, Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing) Abstain: (Liewer) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

Nominations for Treasurer were called for by Chairman Baumeister. Liewer nominated Hoffman. Motion by Engelhaupt and second by Wendt that nominations cease, and Hoffman be declared Treasurer by unanimous ballot. Roll Call Vote, Aye: (Kaczor, Klawitter, Liewer, Morrow, Pavlik, Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Holtgrew, Janzing) Abstain: (Hoffman) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

Chairman Baumeister called for nominations for NARD Representative. Wendt nominated Pavlik. Pavlik declined nomination. Hoffman nominated Wendt. Motion by Engelhaupt and second by Klawitter that nominations cease, and Wendt be declared NARD Representative by unanimous ballot. Roll Call Vote, Aye: (Kaczor, Klawitter, Liewer, Morrow, Pavlik, Randa, Uhlir, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing) Abstain: (Wendt) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

Chairman Baumeister called for nominations for NARD Alternate. Pavlik nominated Connell. Connell declined nomination. Engelhaupt nominated Liewer. Motion by Pavlik and second by Klawitter that nominations cease and Liewer be declared NARD Alternate by unanimous ballot. Roll Call Vote, Aye: (Kaczor, Klawitter, Morrow, Pavlik, Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing) Nay: (Liewer) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

Nominations for Niobrara Council Representative were called for by Chairman Baumeister. Pavlik nominated Connell. Connell indicated he would accept if jointly with Higgins as the office is currently held. Motion by Pavlik and second by Wendt & Klawitter that nominations cease, and Connell & Higgins be jointly declared Niobrara Council Representatives. Roll Call Vote, Aye: (Kaczor, Klawitter, Liewer, Morrow, Pavlik, Randa, Uhlir, Wendt, Baumeister, Engelhaupt, Hoffman, Holtgrew, Janzing) Abstain: (Connell) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

Chairman Baumeister called for nominations for the Niobrara River Basin Alliance Representative. Liewer nominated Morrow. Motion by Engelhaupt and second by Holtgrew & Hoffman that nominations cease, and Morrow be declared the Niobrara River Basin Alliance Representative. Roll Call Vote, Aye: (Kaczor, Klawitter, Liewer, Pavlik, Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing) Abstain: (Morrow) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

Chairman Baumeister called for nominations for Northeast RC&D Representative. Wendt nominated Pavlik. Motion by Hoffman and second by Engelhaupt that nominations cease and Pavlik be declared the Northeast RC&D Representative by unanimous ballot. Roll Call Vote, Aye: (Kaczor, Klawitter, Liewer, Morrow, Pavlik, Randa, Uhler, Wendt, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

Chairman Baumeister called for nominations for North Central RC&D Representative. Engelhaupt nominated Connell. Connell indicated he would serve along with Engelhaupt. Motion by Engelhaupt and second by Hoffman that nominations cease and Connell & Engelhaupt be jointly declared the North Central RC&D Representatives by unanimous ballot. Roll Call Vote, Aye: (Kaczor, Klawitter, Liewer, Morrow, Pavlik, Randa, Uhler, Wendt, Baumeister, Hoffman, Holtgrew, Janzing) Abstain: (Engelhaupt) Nay: (Connell) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

Chairman Baumeister called for nominations for the Friends of the Missouri Representative. Manager will attend and present information to the Directors at the next meeting.

Chairman Baumeister called for nominations for the Missouri Sedimentation Action Coalition Representative. Manager will attend and present information to the Directors at the next meeting.

APPROVAL OF DECEMBER 3, 2018 MEETING MINUTES

Motion by Liewer and second by Pavlik to approve the minutes of the December 3, 2018 meeting as provided to the Directors. Roll Call Vote, Aye: (Kaczor, Klawitter, Pavlik, Wendt, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew) Abstain: (Janzing, Liewer, Morrow, Randa, Uhler) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

MANAGER'S REPORT

Manager Julesgard's report was mailed for Directors to review. He called attention to the Director Information sheet and the Committee sheet in the packets that need to be turned in before leaving today. He gave an update on the 0 readings for the WKRWS as well as the blending of water with well #3 due to the nitrate level in that well. It appears we are ready to connect the new well/line. Application for the Water Sustainability Funds was discussed. Manager Julesgard has been invited to serve on the NE State Technical Committee.

WATER RESOURCES COORDINATOR REPORT

Wade's report was mailed prior to the meeting. He mentioned he is answering questions on the Phase II Crop Report Form daily. Notices of the deadline for completing these reports has been put in the papers. Approximately 50% of the Flow Meter Reports have been received. 145 letters have been sent to cooperators in the Phase II areas. 40 letters were also sent to cooperators regarding Nitrogen Certification renewals. The informational meeting on the new Phase II Area will also serve as a re-certification class. The informational meeting will be held on January 16th at 1:30 PM in the Springview Activity Center. He informed the Directors of the Nebraska Cover Crop & Soil Health Conference to be held on February 14th at the UNL Research Center at Ithaca, NE.

PROGRAMS ASSISTANT

Connie's report was also mailed prior to the meeting. She reported on updating ownership changes. She has been helping Wade prepare for the Informational Meeting in Springview. The 8 remaining acre certifications were discussed.

ASSOCIATION REPORT

Wendt presented a written report to the Directors. She chose three of the articles received from the NARD and discussed those with the Directors.

AGENCY REPORTS

NRCS—Jim's report was mailed prior to the meeting. Jim mentioned FSA has been furloughed since the end of the first week of the Federal Government shut down. He explained NRCS is operating on excess funding, but at some point, these funds will run out. Offices are not allowed to be open when on furlough, so NRD clerical personnel in these offices will not be allowed to come to work. The Local EQIP Work Group will meet in the NRD Office on January 22nd from 10:00 – 12:00. Jim invited Directors to attend. His office currently is working on ranking the EQIP applications received to meet the February deadline. He mentioned the EQIP practices that were applied for.

Niobrara Council—Connell reported the meeting was held December 20th. Reports from the different agencies were given and the Governor's appointments had been made. The next meeting will be January 17th.

NE RC&D—Pavlik was unable to attend the meeting, but he reported Jocelyn Osborne has been hired to replace Jan Jorgensen after her retirement. Jocelyn has expertise in grant writing. Currently she is living in Sioux City and recently moved from Lincoln. She will be working from her home and paid mileage when traveling to the office once or twice a month. Funding for her salary comes from grants and projects. Pavlik indicated it will be interesting as there is a question of whether to even have an office open. Dixon County wants the office located there.

Friends of the Missouri—no meeting has been held.

UNL – RON YODER

Ron Yoder, Senior Association Vice Chancellor with UNL was present and explained UNL will be placing a staff person to work in the Bazile GWMA based out of the LENRD Office. UNL will be matching the three other NRDs contribution of \$20,000 each for three years. (The LNNRD chose not to participate in the contribution previously). Two candidates have been chosen to be interviewed. He indicated the success of this project rests on hiring the correct person. Pavlik mentioned an individual has already been hired. Ron explained Phil is to focus on cost sharing the conservation practices applied, while this individual will be bringing research that has proven to be successful when applied to land. He will work with cooperators to apply this in the Bazile GWMA, so neighbors can see the success. (Holtgrew left the meeting at 3:00 P.M.)

INSURANCE FOR 2019

Howard Tiefenthaler with the Butte State Agency was present and distributed the LNNRD and WKRWS insurance coverage information for 2019. He explained changes in coverage from the previous year and answered questions from Directors. (Holtgrew re-entered the meeting at 3:15 P.M.) Motion by Pavlik and second by Morrow to authorize purchase of insurance for 2019 from Butte State Agency subject to the endorsements/amendments. Roll Call Vote, Aye: (Kaczor, Klawitter, Liewer, Morrow, Pavlik, Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

MILEAGE RATE INCREASE

Beginning January 1st, the standard mileage rate issued by the IRS for 2019 is \$.58 per mile up from \$.545.

ADJUSTMENTS TO THE RULES AND REGULATIONS

A copy of the Groundwater Management Committee meeting minutes was available in the packets as was a copy of the proposed changes by the Committee. Manager Julesgard reviewed page by page changes to be made. Pavlik suggested the word actual be added to the change at the bottom of page 17. Additions to the Phase II Area and changes to the Rules and Regulations can both be handled at the February 21st Hearing. Motion by Holtgrew and second by Engelhaupt to accept the changes to the Rules and Regulations and to add the new Phase II Areas as recommended by the Committee. Roll Call Vote, Aye: (Kaczor, Klawitter, Liewer, Morrow, Randa, Uhlir, Wendt, Baumeister, Engelhaupt, Hoffman, Holtgrew, Janzing) Nay: (Connell, Pavlik) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

VARIANCE ADJUSTMENT FOR VERDIGRE WASTE WATER

A copy of the letter from the Village of Verdigre on behalf of the landowner was in the packets. The cooperator is requesting 12" during dry years rather than the 7" (*previously requested and approved*). Also requested was the application period be lengthened to be April 1 to November 15th to meet early planting or late fall harvest. The GW Management Committee discussed this at their meeting and recommended leaving the variance as originally approved until the system has been installed and used for a couple of years. The variance was for lagoon management, not for irrigation and the lagoon needs to maintain a minimum level to function properly. Motion by Uhlir and second by Holtgrew the Variance for Verdigre Waste Water remain at the 7" as originally granted for at least a couple of years. Roll Call Vote, Aye: (Kaczor, Liewer, Morrow, Pavlik, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing) Abstain: (Klawitter, Randa) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

NSWCP ACTIVITIES

A copy of the NSWCP Report was available. Motion by Pavlik and second by Liewer to approve the application for Kent Classen-pipeline, tanks, fence-\$5,000.00 and the application for Gary Hoffman-fence, pipeline, tank-\$3011.66 along with the cancellations for Black Farms, LLC & Vivian Frasch. Roll Call Vote, Aye: (Kaczor, Klawitter, Liewer, Morrow, Pavlik, Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

TREASURER'S REPORT

Vivian mentioned the need for authorizing 2 directors names on the Bank Signature Cards along with the Manager and Treasurer. (*A second signature is needed in the absence of the Treasurer from the meeting*). In the past years it has been Liewer and Morrow. Motion by Pavlik and second by Uhlir to authorize Hoffman, the Manager, Morrow and Liewer to sign checks for the NRD with two signatures being required on the checks as in the past. Roll Call Vote, Aye: (Kaczor, Klawitter, Liewer, Morrow, Pavlik, Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

Vivian read the Resolution required by some of the Banks handling the NRD & RWS Accounts. Motion by Klawitter and second by Uhlir to adopt the Bank Resolution as required by the respective Banks. Roll Call Vote, Aye: (Kaczor, Klawitter, Liewer, Morrow, Pavlik, Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

Morrow reviewed the expenditures. Connell questioned the check to the Lewis & Clark NRD for NRCS clerical. It was explained this is for our share of the NRCS clerical salary for the Bloomfield Office. Motion by Liewer and second by Engelhaupt to approve the Treasurer's Report as presented and pay the standard predetermined mileage for directors along with paying the mileage to the NARD Meeting for Wendt. Roll Call Vote, Aye: (Kaczor, Klawitter, Liewer, Morrow, Pavlik, Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing) Absent: (Higgins, Marcellus, Naprstek). MOTION CARRIED.

WEST KNOX RURAL WATER SYSTEM

Klawitter asked if P & E was not submitting the proper paperwork for payment. Manager Julesgard explained no, they have not submitted the proper pay request form. And yes, this is the same form P & E has always been required to submit for payment. Getting the proper forms and paperwork from P & E has always been a problem and taken a number of phone calls and emails from the Engineer and us.

OPEN COMMENTS

There were no open comments.

EXCUSE ABSENT DIRECTORS

Higgins is at his winter home. Naprstek is attending a family funeral out of state. Marcellus is on a warm vacation.

The meeting was declared adjourned at 4:15 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, Curt Morrow, Kent Pavlik, Kevin Randa, Jeff Uhlir, Diana Wendt

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

Visitors: Jim Mathine, Howard Tiefenthaler, Ron Yoder

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 January 7, 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.

Marvin Liewer, Secretary