

**LOWER NIOBRARA NATURAL RESOURCES DISTRICT
BOARD MEETING MINUTES
JULY 1, 2019**

Chairman Baumeister called the meeting to order at 7:00 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 JUNE 3, 2019 MEETING MINUTES

Motion by Engelhaupt and second by Liewer to approve the minutes of the June 3, 2019 meeting as provided to the Directors. Roll Call Vote, Aye: (Randa, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Pavlik) Abstain: (Marcellus, Naprstek) Absent: (Higgins, Morrow, Uhlir, Wendt). MOTION CARRIED.

MANAGER'S REPORT

Manager Julesgard's report was mailed for Directors to review. The Second Annual Niobrara Basin Director Tour is being planned for August 19th and 20th beginning with a lunch at the UENRD Office. After lunch there will be a tour of the Tomato Plant, the 281 Bridge, the Rural Water System and the Spencer Dam. From the Dam the group will head to Springview/Meadville to eat and then on to Valentine. The meeting will be the next day at Valentine. A copy of the questions raised by the State Auditors Office with responses was in the packets. A copy of the Great Plains National Park Proposed by Larry Wewel was passed to Directors. Information on UNL proposed Multi-Scale and Multi-Dimensional Visualization and Decision Support for Managing Groundwater Quality in Agriculturally Intensive Regions was passed to Directors along with a letter of support from the LENRD. Also passed was a copy of the Village of Verdigre's Section 205 Project Information Meeting and Site Visit prepared by the Corps of Engineers for a levy along the entire town. Manager Julesgard reported on the information received regarding the Hall of Fame nominees. Pavlik raised the question of the newspaper article in relation to the Spencer Dam. This was discussed. Liewer also mentioned the clean-up needed, which will be a large expense. It appears clean-up needs to be "safe for the public" but it is unknown what that means. The offer to purchase is only for the water rights.

WATER RESOURCES COORDINATOR REPORT

Wade's report was mailed prior to the meeting. Wade mentioned in the packets there is a sheet with the Dedicated Monitoring Well results and comparison to the spring of 2018 results. He drew attention to his written report where there is a chart showing the water level transducer log that shows the spike in the well located north of Stuart as a result of the flood. This shows how quickly the shallow water table can be affected. He also has been busy working on paperwork that DEQ is requesting for cleaning up replacement wells from years past. Wade mentioned to Directors the NDEQ (Nebraska Department of Environmental Quality) has been combined with the Energy Department into the NDEE (Nebraska Department of Environment and Energy).

PROGRAMS ASSISTANT

Connie's report was also mailed prior to the meeting. Connie reported she set up the new display at the Bazile Meeting in Osmond and the Ranch Expo. She passed a sheet showing the set-up display.

ASSOCIATION REPORT

Liewer attended the meeting and NARD Tour since Wendt was unable to attend. He reported at the I & E Committee meeting he met the new Public Relations Director Megan Grimes. Discussed at this meeting was updating the NRD Brochure and working on connecting NRDs and FFAs. He invited Megan to spend a day with Wade showing her the water issues in our area since the issues we deal with are different than other areas of the state. He also reported there will be a slight increase in the Risk Pool Insurance. He had available a copy of the information provided on NRD and Director Responsibilities which Directors were encouraged to indicate if they wanted a copy made. He indicated he felt the tour didn't show water management, which is a concern in our area.

AGENCY REPORTS

NRCS—Jim's report was mailed prior to the meeting. Jim gave an update on EQIP and additional funding received. Also, he reviewed the Cover Crop for Disaster Initiative Program. A recent change is haying and grazing both will be allowed September 1st after a 6-8-week growth period. The bulk of ECP signups have been for dam repair. Over 50 dams in Boyd County have been checked that need repair under this program.

Niobrara Council—Connell mentioned the Wild & Scenic River Stamps are available at the post office now. They are working on the 5-year cooperative agreement between the NPS and Council. Council Members will be floating

the river. The next meeting is August 15th.

NE RC&D—Pavlik reported the office has been moved to a room in the City Hall in Ponca costing only \$50.00/month compared to the \$650/month previously paid. No dates have been set for the Household Hazardous Waste Collections that will be held in Wayne and Niobrara. Crystal Powers is working with the Bazile GWMA. There will be a Water Symposium at Divots in Norfolk on October 9th and 10th.

North Central RC&D—Connell mentioned June 11th an electronics collection was held. Tire recycling has been discussed with a fee being charged to those wishing to dispose of tires. A composting operation in Valentine is being researched. Finding a way to recycle old library books is being considered.

Friends of the Missouri—Manager Julesgard reported there was a meeting in Niobrara where trying to improve access points for visitors in the area was discussed. Suggestions at the meeting were developing an area for canoes and kayaks to enter and exit the river. Ways to improve tourism for Niobrara and the surrounding areas was also discussed. The boat dock at Niobrara is underwater now and it was suggested to find something workable when there is a high-water table. Friends of the Missouri can assist with writing grants for some of these projects.

Randa asked who is responsible for checking the water quality for health risks (dead animals). Manager Julesgard suggested contacting Game and Parks.

MSAC-No meeting has been held.

WEST KNOX RWS

A copy of the June 3, 2019 Advisory Committee Minutes was mailed to Directors. Attorney Blankenau contacted the office indicating he had been contacted by P & E's Attorney who indicated he had a heart to heart talk with his clients. The check issued to P & E for the retainage, which they have been holding has been deposited. This issue should now be resolved. Discussion was held on replaced creek crossings and what is done with the old lines that were replaced. Manager Julesgard responded to the question raised regarding the nitrate levels in all the wells.

Motion by Pavlik and second by Holtgrew to approve the WKRWS June 3, 2019 Advisory Committee Meeting Minutes as distributed. Roll Call Vote, Aye: (Randa, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Marcellus, Naprstek, Pavlik) Absent: (Higgins, Morrow, Uhler, Wendt). MOTION CARRIED.

RECONSIDERATION OF JUNE 3, 2019 MOTION PERTAINING TO IRRIGATED ACRES

The motion from the June 3, 2019 meeting follows in italics:

Motion by Holtgrew to accept the committee recommendations as stated, seconded by Hoffman. Kaczor requested the motion be amended to read the acres be filled outside the realm of Board Members first and if any acres remain than directors can apply for those acres, seconded by Klawitter. Roll Call on the Amendment: Aye: (Pavlik, Randa, Uhler, Connell, Holtgrew, Janzing, Kaczor, Morrow) Nay: (Baumeister, Engelhaupt, Higgins, Hoffman, Liewer) Abstain: (Klawitter, Wendt) Absent: (Marcellus, Naprstek). MOTION CARRIED.

Roll Call on Motion as Amended: Aye: (Randa, Uhler, Wendt, Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Liewer, Morrow) Nay: (Klawitter, Pavlik) Absent: (Marcellus, Naprstek). MOTION CARRIED. (copy of committee minutes attached to official minutes).

Motion by Marcellus and second by Engelhaupt to rescind the amended motion made last month (June 3, 2019) and replace it with the original recommendation from the Committee. (Committee Minutes attached) Directors mentioned this would be setting a precedence and directors would not be eligible for any type of cost share programs available. Concern was expressed over cooperators not being made aware of the acceptance period. Notice of the enrollment period will be put in newspapers, on the website and over KBRX. Roll Call Vote, Aye: (Randa, Baumeister, Engelhaupt, Hoffman, Holtgrew, Janzing, Liewer, Marcellus, Naprstek) Abstain: (Connell, Kaczor, Klawitter) Nay: (Pavlik) Absent: (Higgins, Morrow, Uhler, Wendt). MOTION CARRIED.

Setting of a fee for the acceptance of applications for the new irrigated acres was discussed. Manager Julesgard reported the fee charged in the past when acre applications were accepted. Motion by Holtgrew and second by

Marcellus to follow the previous fee: for applications under 60 acres the fee will be \$500.00 per application and the fee for 61 acres and over will be \$1,000.00 per application. Roll Call Vote, Aye: (Randa, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Marcellus, Naprstek, Pavlik) Absent: (Higgins, Morrow, Uhler, Wendt). MOTION CARRIED.

NSWCP ACTIVITIES

A copy of the NSWCP Report was available. Vivian explained the K&W application would exceed the \$7000.00/per cooperater per year rule if approved. NRCS had been contacted and indicated the cooperater would be better off to wait until they would be eligible for the entire amount of the application under the new allocation when it is received. Jim Mathine brought an extension for D & R Farms that also needs approval. Motion by Pavlik and second by Marcellus to approve the extension for D & R Farms and defer approval of the application for K & W Farms Grade Stabilization for \$6,444.46 until the new allocation is received. Roll Call Vote, Aye: (Randa, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Marcellus, Naprstek, Pavlik) Absent: (Higgins, Morrow, Uhler, Wendt). MOTION CARRIED.

TREASURER'S REPORT

Hoffman reported she reviewed the expenditures and everything was in order. Motion by Holtgrew and second by Naprstek to approve the Treasurer's Report as presented and pay the standard pre-determined mileage for directors and also pay the mileage for Higgins to attend the Niobrara Council Meeting. Connell questioned the Pinnacle Bank check listed under auto & truck. It was explained rather than writing 3 different checks the check was listed under the item having the greater amount of that check. When entered into the books the amounts are separated into the different items. Roll Call Vote, Aye: (Randa, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Marcellus, Naprstek, Pavlik) Absent: (Higgins, Morrow, Uhler, Wendt). MOTION CARRIED. (A copy of the Treasurer's Report is attached to the Official Copy of the Minutes).

COMMENT PERIOD

A budget committee meeting needs to be set early enough before the August 5th board meeting to allow time to mail the tentative budget for review. The Budget Committee Meeting was set for July 22, 2019 at 7:00 P.M.

EXCUSE ABSENT DIRECTORS

Higgins is at the Mayo Clinic. Wendt contacted the office this morning indicating Wayne has an appointment in Omaha tomorrow and depending on the time of his appointment they may have to leave today. Morrow contacted the office and it is strawberry customer picking season. *Uhler contacted the office on Tuesday and apologized for not making the meeting - he thought it was Tuesday rather than Monday.*

Manager Julesgard urged the Directors to attend the Director Basin Meeting on the 19th & 20th and indicated they need to let the office know who will be attending.

The meeting was declared adjourned at 8:50 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, Ray Naprstek, Kent Pavlik, Kevin Randa

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

Visitors: Jim Mathine, Roger Frickel

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 July 1, 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