

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

Chairman Baumeister called the meeting to order at 7:10 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 SEPTEMBER 9, 2019 MEETING MINUTES

Motion by Liewer and second by Engelhaupt to approve the minutes of the September 7, 2019 meeting as provided to the Directors. Roll Call Vote, Aye: (Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Kaczor, Klawitter, Liewer, Morrow, Pavlik, Randa, Uhlir, Wendt) Abstain: (Naprstek) Absent: (Holtgrew, Janzing, Marcellus). MOTION CARRIED.

APPROVE 2018-2019 AUDIT

A copy of the audit was available in the packets. Donita Pokorny representing Dana F Cole & Co LLP who performed the audit reviewed the audit extensively and answered Directors questions. Motion by Higgins and second by Klawitter to approve the 2018-2019 Audit as presented. Roll Call Vote, Aye: (Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Kaczor, Klawitter, Liewer, Morrow, Naprstek, Pavlik, Randa, Uhlir, Wendt) Absent: (Holtgrew, Janzing, Marcellus). MOTION CARRIED.

MANAGER'S REPORT

Manager Julesgard's report was mailed for Directors to review. Minutes of the Bazile GWMA Meeting were passed to Directors. The Cover Crop Demonstration held near Creighton was well attended. A copy of information on the GMDA Winter Conference in Ft. Lauderdale, Florida was also in the packets. Manager Julesgard has been asked to give an overview of the Midwest flooding. Motion by Wendt and second by Morrow to authorize Manager Julesgard to attend the GMDA Conference in Fort Lauderdale Florida on January 12-15, 2020. Roll Call Vote, Aye: (Baumeister, Engelhaupt, Higgins, Kaczor, Klawitter, Liewer, Morrow, Naprstek, Randa, Uhlir, Wendt) Nay: (Connell, Pavlik) Abstain: (Hoffman) Absent: (Holtgrew, Janzing, Marcellus). MOTION CARRIED.

WATER RESOURCES COORDINATOR REPORT

Wade's report was mailed prior to the meeting. Wade mentioned the Groundwater Committee met prior to the meeting (this will be discussed later in the meeting). He agreed the Bazile Cover Crop Field Day was very impressive. He attended the NARD Conference and highlighted the session on *Adding HEMP to the Crop Rotation* which provided good information and was well attended. He is working on a presentation to give at the Water Conference this week. He passed around a map showing the high concentrations of nitrates in the United States and the health impacts. DEE is lowering the recommended level on beaches for blue/green algae, several areas may not be open to swimming next summer.

PROGRAMS ASSISTANT

Connie's report was also mailed prior to the meeting. Connie reported on the I & E training she attended in Wahoo last month. She assisted with the Wonderful World of Water. Attended the NARD Conference, where recipients of the Soil Conservation and Community Awards were from the LNNRD. Recognized at the Conference for Years of were Manager Julesgard-20, Bernard Jorgensen-35 and Ray Naprstek-20. Connie is preparing news articles on these recipients for the papers. She has been setting up the Land Judging Contest which will be held Wednesday and 8th Grade Conservation Day has been set up for later this month.

ASSOCIATION REPORT

Wendt indicated she would report on the I & E Committee activities. Megan Grimes is the new Public Relations Director for the NARD. Hall of Fame Inductees were announced at Husker Harvest Days. She explained the new Take'em Hunting Program and the After-School Program. The NARD Foundation supports the NE Ag Youth Institute and donated \$1,000 to the LEAD Program. She was impressed with how well the 2020 Envirothon is being organized. The NARD Auditor Report and the Risk Pool Association Report were reviewed. She explained the NARD session she attended on *Killers on Our Rivers*. Also held during the Conference was the Niobrara/Loup Basin Meetings. Both resolutions submitted passed.

AGENCY REPORTS

NRCS—Jim Mathine's report was mailed. Jim was not in attendance, but Kim Rust the secretary provided to the NRCS Office in Spencer was in attendance. Kim gave an overview of the duties she performs for the NRCS on behalf of the NRD.

Niobrara Council—A copy of the minutes was in the packets. Connell did not attend the meeting but reviewed the highlights from the minutes in the packets. Higgins explained he had been contacted by the Council regarding the potential development of a Great Plains National Park which would encompass 175,000 acres that is proposed by Larry Wewel. The Council provided Tom with copies of letters of opposition and he would like to see this board draft an opposition letter also. Discussion was held and it was determined at this time possibly a letter could be written only to the Niobrara Council.

NE RC&D—Pavlik indicated he was unable to attend and a copy of the August minutes was in the packets.

North Central RC&D—A copy of the minutes was in the packets. Connell mentioned the tire, electronic and glass recycling that is being investigated and the By-Laws are being reviewed.

Friends of the Missouri—No meeting has been held.

Missouri Sedimentation Action Coalition – No meeting has been held.

EQUIPMENT COMMITTEE—PURCHASE OF PICKUP

Naprstek reported the Committee met prior to the meeting to review the bids received for a 2020 Pickup. The 2014 F-150 will be traded. The Committee recommended purchasing the 2020 Dodge 4 x 4 Short Box from Krotter's for \$17,157 with trade. Motion by Naprstek and second by Uhlir to purchase the 2020 Dodge from Krotter's as recommended by the Committee. Roll Call Vote, Aye: (Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Kaczor, Klawitter, Liewer, Morrow, Naprstek, Pavlik, Randa, Uhlir, Wendt) Absent: (Holtgrew, Janzing, Marcellus). MOTION CARRIED.

GROUNDWATER MANAGEMENT COMMITTEE – ACTION ON NEW IRRIGATED ACRE APPLICATIONS RECEIVED

Pavlik reported the committee met prior to the meeting to review the two applications received. The Frickel application for 18 acres scored 16, the Tunender application for 14 acres scored 26. According to the Rules & Regulations a score of 20 points or higher is needed for consideration. Motion by Pavlik and second by Uhlir to approve the Tunender application and deny the Frickel application based on the ranking process. Roll Call Vote, Aye: (Engelhaupt, Higgins, Hoffman, Kaczor, Klawitter, Liewer, Morrow, Pavlik, Randa, Uhlir, Wendt) Abstain: (Baumeister, Connell, Naprstek) Absent: (Holtgrew, Janzing, Marcellus). MOTION CARRIED.

APPROVAL OF WEST KNOX RWS ADVISORY COMMITTEE MEETING MINUTES

A copy of both the October 1st and September 12th meeting minutes were in the packets. A rate study was discussed with the decision to make the increase for one year with another study being conducted at that time. The increase was due to repairs needed caused by the flood. Assistance is being applied for through the State Revolving Funds. Engineering contract for a chlorination system was approved. An application is being made to FEMA for a generator to be placed at well #4 that will automatically come on during power outages. Two benefit units for an area are available and the decision was made the individual considering two possible hookups will need to pay the minimum fee to reserve the second benefit unit otherwise he cannot be guaranteed this unit will be available later.

The Special Meeting was needed in order to approve bids received for the two different line repairs that need to be completed before winter.

Motion by Pavlik and second by Kaczor to approve the WKRWS October 1, 2019 Advisory Committee Meeting Minutes and the September 12, 2019 Special Meeting Minutes as presented. Roll Call Vote, Aye: (Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Kaczor, Klawitter, Liewer, Morrow, Naprstek, Pavlik, Randa, Uhlir, Wendt) Absent: (Holtgrew, Janzing, Marcellus). MOTION CARRIED.

APPROVE 2020 SCHEDULE OF PRICES

Trees and planting charges will remain the same. The drill charges have been removed since the drills were sold. Site prep and mulch installation will need to be discussed later with the committee. Motion by Liewer and second by Higgins to approve the Price Schedule for 2020 as presented. Roll Call Vote, Aye: (Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Kaczor, Klawitter, Liewer, Morrow, Naprstek, Pavlik, Randa, Uhlir, Wendt) Absent: (Holtgrew, Janzing, Marcellus). MOTION CARRIED.

NSWCP ACTIVITIES

A copy of the NSWCP Report was available. Vivian drew attention to the applications listed and the extension requested. Motion by Pavlik and second by Engelhaupt to approve the **Applications** for: Shaun Higgins-\$3,140.00-well, tank, solar Pump; Redbird Valley LLC-\$7,000.00-dam; Paul Corkle-\$5,000.00-well, tank, pumping plant; Karen Havranek-\$3,061.76-diversion and the **Extension** for Gary Hoffman. Roll Call Vote, Aye: (Baumeister, Connell, Engelhaupt, Hoffman, Kaczor, Klawitter, Liewer, Morrow, Naprstek, Pavlik, Randa, Uhlir, Wendt) Abstain: (Higgins) Absent: (Holtgrew, Janzing, Marcellus). MOTION CARRIED.

TREASURER'S REPORT (copy attached to the official copy of the minutes)

The expenditures were reviewed by Hoffman. Vivian mentioned two checks that need to be added: Randy Klawitter-\$50.00 for digging the holes for the Land Judging Contest and Dana F Cole & Co. LLP-\$4,840.00 for the audit. Pavlik asked for an explanation of the two different amounts to Dana F Cole & Co LLP. One is for the budget preparation the second is for the Audit performed. Motion by Higgins and second by Hoffman to approve the Treasurer's Report as presented with the above additions and to pay the standard predetermined mileage for Directors along with paying the mileage for Kent Pavlik to attend the RC&D Meeting in Wynot. Roll Call Vote, Aye: (Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Kaczor, Liewer, Morrow, Naprstek, Pavlik, Randa, Uhlir, Wendt) Abstain: (Klawitter) Absent: (Holtgrew, Janzing, Marcellus). MOTION CARRIED.

SPENCER HYDRO FACILITY

Motion by Higgins and second by Engelhaupt to go into executive session to discuss the possible litigation regarding purchase of the Spencer Hydro Facility at 8:58 P.M. Roll Call Vote, Aye: (Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Kaczor, Klawitter, Liewer, Morrow, Naprstek, Pavlik, Randa, Uhlir, Wendt) Absent: (Holtgrew, Janzing, Marcellus). MOTION CARRIED.

Motion by Uhlir and second by Higgins to come out of executive session at 9:23 P.M. Roll Call Vote, Aye: (Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Kaczor, Klawitter, Liewer, Morrow, Naprstek, Pavlik, Randa, Uhlir, Wendt) Absent: (Holtgrew, Janzing, Marcellus). MOTION CARRIED.

Motion by Higgins and second by Engelhaupt to authorize the LNNRD Representative Curt Morrow to approve the new Purchase Agreement prepared for the Spencer Hydro Facility. Roll Call Vote, Aye: (Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Kaczor, Klawitter, Liewer, Morrow, Naprstek, Pavlik, Randa, Uhlir, Wendt) Absent: (Holtgrew, Janzing, Marcellus). MOTION CARRIED.

Manager Julesgard mentioned he will be giving Congressman Smith a tour of the Spencer Dam Tuesday morning and on Wednesday he will again guide him in the Niobrara area.

COMMENT PERIOD

Years of Service were awarded to Manager Julesgard and Bernard Jorgensen at the NARD Conference. Ray Naprstek was also recognized for his 20 years of service to the LNNRD but was unable to attend. Manager Julesgard presented his certificate to him at this time.

EXCUSE ABSENT DIRECTORS

Holtgrew, Janzing and Marcellus contacted the office indicating they were combining beans and due to the upcoming weather forecast wished to continue with that.

The meeting was declared adjourned at 9:37 P.M. by Chairman Baumeister.

ATTENDANCE

Directors: Larry Baumeister, Karl Connell, Jack Engelhaupt, Tom Higgins, Linda Hoffman, Brian Kaczor, Randy Klawitter, Marvin Liewer, Curt Morrow, Ray Naprstek, Kent Pavlik, Kevin Randa, Jeff Uhlir, Diana Wendt
Staff: Terry Julesgard, Vivian Frasch, Wade Ellwanger, Connie McCarthy **Visitors:** Kim Rust, Donita Pokorny

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 October 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