

**LOWER NIOBRARA NATURAL RESOURCES DISTRICT
BOARD MEETING MINUTES
AUGUST 3, 2020**

Chairman Baumeister called the meeting to order at 7:00 P.M. in the Community Center located in Butte, Nebraska. An agenda of the minutes to be considered at such time, date, and place was kept continually current and was available for public inspection during normal business hours at the District Office in Butte. Chairman Baumeister called attention to the Open Meeting Law poster on the table and stated notices of the meeting were also published in newspapers of general circulation throughout the District.

APPROVAL OF JULY 6, 2020 MEETING MINUTES

Motion by Engelhaupt and second by Holtgrew to approve the July 6, 2020 meeting minutes as circulated to Directors. Roll Call Vote, Aye: (Morrow, Naprstek, Randa, Uhlir, Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Liewer) Absent: (Klawitter, Marcellus, Pavlik, Wendt). MOTION CARRIED.

MANAGER'S REPORT

Manager Julesgard's report was mailed for Directors to review. He asked if there were any specific questions on his report. Notice was received from the NARD regarding the League of Municipalities proposal for holding virtual meetings (there seems to be support), but probably nothing will be decided this year due to the number of days remaining in the Legislative Session and other issues they need to deal with. (Wendt entered at 7:05 P.M.) The Watershed and Flood Prevention Operations Program was explained. NRCS offers financial and technical assistance for this program. An article titled Lessons to be Learned from Spencer Dam and another titled Skeptical Farmer Message on Profitability were passed for Directors information. Minutes of the July Bazile GWMA, the Coordinator and Extension Educator June and July reports along with the Agenda for the August 4th meeting were in the Directors packets. Directors were informed this area will be entering into the Phase 4 Health Directive prior to our next meeting. Social Distancing is still required, which we could not maintain in our meeting room. Question was raised if Directors wished to continue meeting in the Community Center or back in the office meeting room. Comments made by Directors indicated they wished to meet in the Community Center. This will be discussed monthly.

WATER RESOURCES COORDINATOR REPORT

Wade's report was mailed prior to the meeting. He indicated his time has been spent collecting water samples. There have been a lot of questions on the new irrigated acres available, but no actual applications have been received. Wade mentioned he checked the issue by Kennedy Corner that was brought up last month. This area is in the Upper Elkhorn NRD. He gave an update on the NET Grant that current contracts have been signed and now work is being done on getting access to the drilling sections, which is set for September.

PROGRAMS ASSISTANT REPORT

Connie's report was also mailed prior to the meeting. Connie mentioned she had nothing to add to her written report. She indicated she has been participating in a lot of meetings.

ASSOCIATION REPORT

Liewer mentioned he had not received much from the NARD except the virtual meeting information reported on earlier. The NARD is planning to proceed with the Fall Conference in Kearney. We will need a voting delegate and alternate. Wendt indicated she plans to attend and would serve as the voting delegate. Uhlir indicated Klawitter mentioned he may attend. Klawitter will be contacted if he plans to attend and would be the alternate if so.

AGENCY REPORTS

NRCS—Jim Mathine mailed his report to the Directors. Jim mentioned 15 of the 60 dams needing repair under the Emergency Conservation Program have been repaired. He is unsure of how long this FSA program will be available. The Emergency Watershed Program funded by NRCS was explained. These projects need to be completed by October 2, 2020. His office has been working considerably with these Emergency Programs and their new software program for their practices.

Niobrara Council—Connell reported there was no meeting in July. Higgins mentioned the Sparks south road was getting oiled and there are a lot of canoers in that area.

NE RC&D—A copy of the minutes was in the Directors Packets.

NC RC&D—A copy of the minutes was in the Directors Packets. Connell reported rescheduling the electronics collection was discussed. An update was given on the Valentine tire recycling grant application. Zero Waste Swap videos are on hold. Discussion was held on some type of lick tub reuse or recycling. The next meeting is August 12th.

Friends of the Missouri—Manger Julesgard reported a meeting was held in Niobrara. The Dept of Roads, G & P and Scenic River personnel are in the process of developing an access point on the west side of the river by the Moorman Shoot.

Missouri Sedimentation Action Coalition—Manager Julesgard reported a packet of information has been received. They are working with the Corps on a Section 22 Sediment Study.

APPROVAL OF BUDGET FOR BUDGET HEARING SEPTEMBER 9, 2020

The Budget Committee met on July 29th and provided the recommendation that was in the packets. The tax asking has been reduced by \$24,594, which should result in a lower levy. Expenditures were reduced by \$130,780. The RWS Budget revenue increased. The projects to be funded by FEMA were not all completed. FEMA has now informed the RWS those projects not completed are ineligible because dirt is just not being thrown over the line. This is impossible to do in creek crossings. This is being appealed with help from NEMA. The RWS has 60 days from the later part of July to gather information to submit to FEMA and then FEMA has 90 days to review. A second round to appeal is also possible. RWS personnel are taking more pictures to assist in presenting the areas needing repair. Motion by Uhlir and second by Higgins to approve the Budget for the Budget Hearing as presented by the Budget Committee. Roll Call Vote, Aye: (Morrow, Naprstek, Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Liewer) Absent: (Klawitter, Marcellus, Pavlik). MOTION CARRIED.

New regulations regarding Budget Hearings was explained. After discussion a motion by made by Higgins and second by Uhlir to set the Budget Hearing for 2:30 P.M. on September 9th at the NRD Office and close the Budget Hearing at 7:00 P.M. prior to the beginning of the September Board Meeting if there is no public present wishing to provide testimony in order to meeting the Budget Hearing requirements. Roll Call Vote, Aye: (Morrow, Naprstek, Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Liewer) Absent: (Klawitter, Marcellus, Pavlik). MOTION CARRIED.

APPROVAL OF WKRWS JULY 14, 2020 ADVISORY COMMITTEE MEETING MINUTES

A copy of the minutes was made available to the Directors. Blending of water from the wells to remain below the 10 ppm nitrate level was explained. The process for lowering the nitrate level in well #2 was explained. The Glaser property is for sale and investigation into possible purchase of a portion of this acreage is being conducted. Motion by Holtgrew and second by Liewer to approve the July 14, 2020 Advisory Committee Meeting Minutes as presented. Roll Call Vote, Aye: (Morrow, Naprstek, Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Liewer) Absent: (Klawitter, Marcellus, Pavlik). MOTION CARRIED.

NSWCP ACTIVITIES

A copy of the NSWCP Report was available on the reverse side of the agenda. A summary of the District Operations Committee recommendations was provided to the Directors. Motion by Kaczor and second by Uhlir to approve the Committee recommendation that all practices annual limits be set at \$7,000.00 and review this next year to see if adjustments need to be made. Roll Call Vote, Aye: (Morrow, Naprstek, Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Liewer) Absent: (Klawitter, Marcellus, Pavlik). MOTION CARRIED.

Vivian reviewed the new allocation received, the amount reserved for trees and the applications requesting funding. Motion by Higgins and second by Engelhaupt to approve the Applications for: Theresa Henderson-Weaver-\$7,000.00-well pipeline, tank and Steven Higgins-\$2,126.00-pipeline & tank. Roll Call Vote, Aye: (Morrow, Naprstek, Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Liewer) Absent: (Klawitter, Marcellus, Pavlik). MOTION CARRIED.

TREASURER'S REPORT

A copy of the Treasurer's Report was available in the packets. Vivian informed the Directors of the additions that need to be added to the Treasurer's Report. Naprstek stated he had reviewed the expenditures and made the motion to approve the Treasurer's Report as presented with the additions of: Rock County Leader-\$8.72; Holt County Independent-\$4.71; Springview Herald \$12.12 & Butte Gazette-\$11.00 all of these are for meeting notices along with a check in the amount of \$14,508.00 to the NARD for 2020-2021 dues, seconded by Higgins. Roll Call Vote, Aye: (Morrow, Naprstek, Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Liewer) Absent: (Klawitter, Marcellus, Pavlik). MOTION CARRIED. Copy attached to the official minutes.

SPENCER HYDRO FACILITY

Manager Julesgard reported the G & P is putting together information on flows from the Instream Flow Appropriation we currently hold for the flows below the Spencer Dam. These will be used as a base for the application. It appears everything else is ready for the application to be submitted.

OPEN COMMENTS

Manager Julesgard would like the Office Building & Equipment Committee to meet for a short meeting after this meeting is adjourned to review the bids received for repair of the hail damaged shop roof. Insurance funds are available to cover the hail damage.

EXCUSE ABSENT DIRECTORS

Marcellus contacted the office and stated he is doing very well, but must stay away from crowds. Klawitter contacted the office that he would not be able to make the meeting. Nothing was heard from Pavlik.

Chairman Baumeister declared the meeting adjourned at 8:27 P.M.

Due to Labor Day being on our normal Board meeting day the meeting will be held on September 9th at 7:00 P.M. or following the close of the Budget Hearing/Special Hearing to Set Final Tax Request at the Butte Community Center due to the social distancing requirements.

MEETING ATTENDEES

Directors: Larry Baumeister, Karl Connell, Jack Engelhaupt, Tom Higgins, Linda Hoffman, Don Holtgrew, John Janzing, Brian Kaczor, Marvin Liewer, Curt Morrow, Ray Naprstek, Kevin Randa, Jeff Uhlir, Diana Wendt

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

Visitors: Jim Mathine

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 August 3, 2020. 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.

Brian Kaczor, Secretary