

**LOWER NIOBRARA NATURAL RESOURCES DISTRICT
BOARD MEETING MINUTES
NOVEMBER 2, 2020**

Chairman Baumeister called the meeting to order at 7:02 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 2019-2020 AUDIT – DONITA POKORNY-DANA F COLE & CO. LLP

Donita reviewed the Independent Audit Report and informed the Directors they issued a clean opinion. She also reviewed the Statement of Opinion followed by reviewing and explaining the audit page by page. She informed the Directors no material weaknesses were found and the deficiencies were the same as previous years. She then answered questions. Motion by Higgins and second by Engelhaupt to approve the 2019-2020 Audit as presented. Roll Call Vote, Aye: (Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Naprstek) Absent: (Marcellus, Morrow, Pavlik). MOTION CARRIED.

PERSONNEL MANAGER & ASSISTANT MANAGER

Motion by Engelhaupt and second by Higgins to go into executive session at 7:25 P.M. to discuss personnel with the Assistant Manager allowed to remain. Roll Call Vote, Aye: (Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Naprstek) Nay: (Randa) Absent: (Marcellus, Morrow, Pavlik). MOTION CARRIED.

Motion by Engelhaupt and second by Higgins & Holtgrew to come out of executive session at 8:17 P.M. Roll Call Vote, Aye: (Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Naprstek) Absent: (Marcellus, Morrow, Pavlik). MOTION CARRIED.

Motion by Naprstek and second by Klawitter to go into executive session at 8:20 P.M. to discuss personnel with the Manager allowed to remain. Roll Call Vote, Aye: (Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Naprstek) Nay: (Klawitter, Liewer, Randa) Absent: (Marcellus, Morrow, Pavlik). MOTION CARRIED.

Motion by Naprstek and second by Uhlir to come out of executive session at 8:40 P.M. Roll Call Vote, Aye: (Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Naprstek) Absent: (Marcellus, Morrow, Pavlik). MOTION CARRIED.

Higgins thanked everyone for their patience.

APPROVAL OF MEETING MINUTES

Motion by Klawitter and second by Holtgrew to approve the October 5, 2020 Meeting Minutes as circulated to the Board. Roll Call Vote, Aye: (Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Naprstek) Absent: (Marcellus, Morrow, Pavlik). MOTION CARRIED.

Motion by Klawitter and second by Uhlir to approve the October 19, 2020 Special Meeting Minutes as circulated to the Board. Roll Call Vote, Aye: (Uhlir, Wendt, Baumeister, Connell, Higgins, Hoffman, Holtgrew, Kaczor, Klawitter, Liewer) Abstain: (Engelhaupt, Janzing, Naprstek, Randa) Absent: (Marcellus, Morrow, Pavlik). MOTION CARRIED.

MANAGER'S REPORT

Manager Julesgard's report was mailed for Directors to review. Manager Julesgard reported the 4 NRDs involved with the Niobrara River Basin Alliance met with the Game and Parks. A copy of the Application to Transfer the Spencer Hydropower Manufacturing Appropriations for Power Production to Instream Basin Management Appropriations was in the Director's packets. The 2" wells at the RWS have been sealed and a report was given. Tests taken after the flushing show the nitrates are 10 ppm after they were sealed. A copy of the Healthy Soils Task Force Report was in the Director's packets. Charles Wortmann would like to present his results from the irrigation well survey of nutrient concentrations and water quality properties to the Directors next month via Zoom. A handout for the Bazile Informational Meetings was in the packets.

WATER RESOURCES COORDINATOR REPORT

Wade's report was mailed prior to the meeting. He informed the Directors he had completed the NET Quarterly Report. No bills have been received yet for the drillings. The NRD will pay and then be reimbursed through the NET Grant.

Wade called on Holtgrew Variance Committee Chairman who in turn directed explanation of the Variance Requests that were reviewed at the Committee Meeting prior to this meeting to Wade. Wade explained the requests from Shane Lechtenberg, Matt Keating, Ernest Hallock and Tony Emme. The Committee recommendation was to approve the requests for Lechtenberg, Keating and Hallock, but not the Emmy request. The Committee also discussed waiving the variance fee for Lechtenberg and Hallock as they were not approved for the additional irrigated acres but had paid the fee for that. All the ranking and needed work had already been done at that time so they felt no additional fee was needed. Motion by Uhlir and second by Holtgrew to approve the Variance Requests for Shane Lechtenberg, Ernest Hallock and Matt Keating and waive the variance fee for Lechtenberg & Hallock and to deny the request for Tony Emme as recommended by the Committee. Roll Call Vote, Aye: (Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Naprstek) Nay: (Liewer) Absent: (Marcellus, Morrow, Pavlik). MOTION CARRIED.

PROGRAMS ASSISTANT REPORT

Connie's report was mailed prior to the meeting. She mentioned for the Community Action Group Meetings the buildings are large enough to allow social distancing. SENRIC is in the process of choosing a company to handle the work needed. At the I & E Meeting it was suggested if anyone planned to attend to make notification so rooms can be reserved for the Washington DC Trip. Hollman Media has been working on the website and it may be put online Thursday. She attended the I & E Group meeting today in Grand Island where photos for the NARD calendar were chosen. 485 photos had been submitted and were narrowed down to 60.

ASSOCIATION REPORT

Liewer reported the next meeting is Monday in Norfolk. He does not plan to attend due to COVID. Wendt indicated she may consider if her schedule allows.

AGENCY REPORTS

NRCS—Jim Mathine mailed his report to the Directors. Jim mentioned they have been busy with field planning. He also reviewed the CSP & EQIP application periods. He explained projects being worked on and completed this fall.

Niobrara Council—Connell reported the NPS gave an update. The G & P discussed the elk harvest and EHD in the deer population. Hazardous fuels reduction project in Rock County was approved. The Hazardous fuels reduction project in Cherry County is outside the boundary recognized by the Niobrara Council so no action was taken. The Cherry County CUP for Mercure Cattle Company project to expand an existing landing was approved. The portion of LB855 regarding the 7 Niobrara Council members no longer having to have legislative confirmation was signed by the Governor in August.

NE RC&D—No report.

NC RC&D—Connell reported recycling efforts were discussed. An electronics collection will be scheduled for this coming spring. A grant application for the tire collection in Valentine was submitted. Paper shredding in O'Neill has been suspended and this is the same company the RC&D uses when they conduct shredding events. It was suggested to inform the public of the household hazardous waste site in Grand Island.

Friends of the Missouri—Manager Julesgard reported there was a calendar request for meeting dates sent out, but nothing further has been received.

Missouri Sedimentation Action Coalition—No information has been received.

SCHEDULE OF PRICES FOR 2021

No changes were recommended from last years schedule. Motion by Holtgrew and second by Naprstek to approve the Schedule of Prices for 2021 as presented. Roll Call Vote, Aye: (Randa, Uhlir, Wendt, Baumeister, Connell,

Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Naprstek) Absent: (Marcellus, Morrow, Pavlik). MOTION CARRIED.

NE NEBRASKA RCPP APPLICAION

A meeting was held in Monowi with the G&P who explained they were looking for assistance with a Resource Conservation Partnership Program. They are writing an application for a grant for funds that would be available for range/pasture management practices. They are requesting a letter of support for this project. The NRD's contribution would be in-kind. A letter of support will be written.

PROFESSIONAL COMPUTER SOLUTIONS PROPOSAL

This item was tabled from last month for Directors to give consideration. This proposal would be for development of a program linking the different excel spreadsheets for certified acres, static water levels, phase II areas, chemigation and water sampling. Cost is \$70,800.00 with an annual maintenance fee of \$3,500.00 and an annual fee of \$9,600 for support. Motion by Randa and second by Holtgrew to approve the Professional Computer Solutions Proposal as presented. Roll Call Vote, Aye: (Randa, Uhlir, Wendt, Baumeister, Engelhaupt, Hoffman, Holtgrew, Janzing, Kaczor, Liewer, Naprstek) Nay: (Connell, Higgins, Klawitter) Absent: (Marcellus, Morrow, Pavlik). MOTION CARRIED.

NSWCP ACTIVITIES

A copy of the NSWCP Report was available on the reverse side of the agenda. Vivian reviewed the three cancellations and the request for additional funds listed. Motion by Uhlir and second by Liewer to approve the request for additional funds in the amount of \$917.60 from Shaun Higgins for a total application of \$2,777.60 and the cancellation for Shaun Higgins and the two cancellations for Jerome C Dopheide Trust. Roll Call Vote, Aye: (Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Naprstek) Abstain: (Higgins) Absent: (Marcellus, Morrow, Pavlik). MOTION CARRIED.

TREASURER'S REPORT

A copy of the Treasurer's Report was available in the packets. Hoffman reviewed the expenditures. Motion by Uhlir and second by Engelhaupt to approve the Treasurer's Report as presented excluding approval of Directors Expense Vouchers. Roll Call Vote, Aye: (Randa, Uhlir, Wendt, Baumeister, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer, Naprstek) Absent: (Marcellus, Morrow, Pavlik). MOTION CARRIED.

Motion by Randa and second by Klawitter to approve the expense voucher payments for Baumeister, Engelhaupt, Higgins, Hoffman and Holtgrew. Roll Call Vote, Aye: (Randa, Uhlir, Wendt, Janzing, Kaczor, Klawitter, Liewer, Naprstek) Abstain: (Baumeister, Engelhaupt, Higgins, Hoffman, Holtgrew) Nay: (Connell) Absent: (Marcellus, Morrow, Pavlik). MOTION CARRIED.

Motion by Wendt and second by Hoffman to approve the expense voucher payments for Janzing, Kaczor, Klawitter and Liewer. Roll Call Vote, Aye: (Randa, Uhlir, Wendt, Baumeister, Engelhaupt, Higgins, Hoffman, Holtgrew, Naprstek) Abstain: (Janzing, Kaczor, Klawitter, Liewer) Nay: (Connell) Absent: (Marcellus, Morrow, Pavlik). MOTION CARRIED.

Motion by Liewer and second by Holtgrew to approve the expense voucher payments for Naprstek, Pavlik, Randa, Uhlir & Wendt. Roll Call Vote, Aye: (Baumeister, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor, Klawitter, Liewer) Abstain: (Naprstek, Randa, Uhlir, Wendt) Nay: (Connell) Absent: (Marcellus, Morrow, Pavlik). MOTION CARRIED.

OPEN COMMENTS – Higgins questioned if the two individuals present wished to speak. Kaczor, their dad, indicated they needed to attend a public meeting for a school assignment.

EXCUSE ABSENT DIRECTORS

Marcellus must still stay away from crowds. Nothing was heard from Morrow. Pavlik contacted the office and is busy combining. A Governor's Executive Order was issued that due to being quarantined individuals may participate in a meeting via zoom.

Chairman Baumeister declared the meeting adjourned at 9:26 P.M.

MEETING ATTENDEES

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

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

Visitors: Jim Mathine, Donita Pokorny, Kaleb Kaczor, Zoe Kaczor

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 November 2, 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