

**LOWER NIOBRARA NATURAL RESOURCES DISTRICT  
BOARD MEETING MINUTES  
JULY 6, 2021**

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

**APPROVAL OF JUNE 4, 2021 MEETING MINUTES**

Motion by Holtgrew and second by Liewer to approve the June 4, 2021 Meeting Minutes as circulated to the Board. Roll Call Vote, Aye: (Klawitter, Liewer, Morrow, Pavlik, Baumeister, Connell, Higgins, Hoffman, Holtgrew, Janzing, Kaczor) Abstain: (Engelhaupt, Marcellus, Naprstek, Randa) Absent: (Mahlendorf, Uhlir). MOTION CARRIED.

**WHITNEY GAPPA – BAZILE GWMA**

Whitney informed the Board she had contacted 30 producers discussing the BGWMA. She is working with the NRCS for soil training. She attended the GW Technician training and had a booth at the Haskell Ag Day. The annual Field Day will be held on September 9<sup>th</sup> with lunch being provided. She mentioned there is the possibility of more funding becoming available from EPA from watersheds in Nebraska that did not use all their funding.

**MANAGER'S REPORT**

A copy of the Manager's Report was mailed to the Directors prior to the meeting for their review. An agenda of the Basin Tour was included in the report. Information required under LR23 has been submitted to the Natural Resources Committee. Connell questioned if the Personnel Policy had been received. It has and Terry stated he gave a copy to employees to review. It was questioned if the Personnel Committee will be able to look at it prior to returning it to the Attorney. Connell also questioned the outcome of the Niobrara Basin Zoom meeting. USGS is in the process of finalizing the model. Pavlik questioned how pumping of the Verdigre Lagoon went. There were a few problems in the beginning, but the renter is pumping now. There is a minimum level it can be pumped to and the lagoons are lower already.

**WATER RESOURCES COORDINATOR REPORT**

Wade's report was mailed prior to the meeting for Directors to review. Checking has been done and there is no irrigation on Reg Greens property. Sue Lackey got the test hole information to Wade who in turn provided it to Downey Drilling and the estimates are under budget a little right now. Wade did a couple of flow checks and has been busy taking water samples being over 50% complete. He has spoken to 9 individuals regarding new irrigated acres and was told of another by a well driller. Two applications were received today and he will meet on another next week. Wade explained the short meeting with the GW Committee regarding the lift station. The state determined it was not a groundwater well as it was not constructed as such even though it may function like a well.

**PROGRAMS ASSISTANT REPORT**

Connie's report was also mailed to the Directors prior to the meeting. She attended Haskell Field Day. She mentioned many people do not know what the BGWMA is and they live in that area. From the FSA meeting she was informed of the number of acres burned and cattle lost. Boyd, Holt and Knox are in the D-3 determination for funding.

**ASSOCIATION REPORT**

Liewer reported he attended the meeting where business was as usual. Committee meetings are held prior to the Board Meeting and that is where the discussion is held and when things are presented to the Board the recommendation of the committee is approved. Changing of Sub-District boundaries within the NRD's was discussed due to the upcoming new census, which will be a major issue in some Districts. Biden's 30 x 30 Plan was discussed. He mentioned what the Papio NRD deals with is totally different from what the LNNRD deals with. He gave a brief overview of the Tour and suggested Directors attend the Fall Conference.

**AGENCY REPORTS**

NRCS—Jim Mathine mailed his report to the Directors. Jim was not present as he is on vacation.

Niobrara Council—Connell reported on the June 17<sup>th</sup> meeting. A copy was in the packets. There will not be a meeting in July. He reviewed the reports from the NPS, USFWS and NGPC.

NE RC&D—Uhlir was absent from the meeting.

NC RC&D—Connell reported the tires were all hauled away. He reported on the updates for grants for tire recycling, security shredding, household hazardous waste collection and the possibilities of recycling lick tubs.

Friends of the Missouri—A meeting and tour is set for July 12<sup>th</sup> at the Meridian Bridge.

Missouri Sedimentation Action Coalition—No information has been received.

#### **REGION 24 EMERGENCY MANAGEMENT HAZARDOUS MITIGATION PLAN RESOLUTION**

The current Plan is in effect for 5 years even though Region 24 has been dissolved. Discussion was held on what will be done when the next Plan is due. Motion by Randa and second by Kaczor to adopt the Regions 24 Emergency Management Hazardous Mitigation Plan Resolution as presented. Roll Call Vote, Aye: (Klawitter, Liewer, Morrow, Naprstek, Pavlik, Randa, Baumeister, Connell, Engelhaupt, Hoffman, Holtgrew, Janzing, Kaczor) Nay: (Higgins, Marcellus) Absent: (Mahlendorf, Uhlir). MOTION CARRIED.

#### **APPROVAL OF WKRWS JUNE 24, 2021 ADVISORY COMMITTEE MEETING MINUTES**

A copy of the minutes was available in the Directors packets. Drilling of the test well beside well #2 will start on July 13<sup>th</sup>. Repair of the remaining projects was discussed. Rutjens Construction was contacted and there will be an increase of \$6,000 due to the increase in material costs. FEMA has allocated \$520,00 towards repair of these projects. Projects yet to be repaired this summer were mentioned. Naprstek questioned if the Well Head Protection would affect wells around that area and would like to see a copy of the Plan. He expressed concern that since we govern over the WKRWS we are accountable for their activities. Discussion was held on several items regarding the WKRWS. Motion by Liewer and second by Holtgrew to approve the June 24, 2021 WKRWS Advisory Committee Meeting Minutes as presented. Roll Call Vote, Aye: (Klawitter, Liewer, Marcellus, Morrow, Pavlik, Randa, Baumeister, Holtgrew, Janzing) Nay: (Connell, Engelhaupt, Higgins, Hoffman, Kaczor, Naprstek) Absent: (Mahlendorf, Uhlir). MOTION CARRIED.

#### **NSWCP ACTIVITIES**

A copy of the NSWCP Report was available on the reverse side of the agenda. Vivian explained the amount in excess approved would be covered with the new allocation to be received in July or by slippage from other applications. Several applications were unable to be funded at this time. Motion by Liewer and second by Marcellus to approve those applications listed for approval: Eric Ferguson-well, tank, solar pump-\$6,422.30; Larry Baumeister-brush management-\$2,135.60; Cody Allen-brush management-\$1,821.00; Neil Nemec-pipeline, tank-\$5,562.50; Dan Fuchtmann-brush management-\$2,326.48; Zane Young-brush management-\$7,000.00 and to approve the following applications upon receipt of the new allocation: Roger Loock-brush management-\$7000.00; Jolene Langan-pipeline-\$1,590.60; Mary Mellor-brush management-\$272.04; Harry Helenbolt-dam-\$7,000.00 and Rod Luth-brush management-\$5,440.83. Roll Call Vote, Aye: (Klawitter, Liewer, Marcellus, Morrow, Naprstek, Pavlik, Randa, Connell, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor) Abstain: (Baumeister) Absent: (Mahlendorf, Uhlir). MOTION CARRIED.

#### **APPROVAL OF TREASURER'S REPORT**

A copy of the Treasurer's Report was available in the packets. Vivian mentioned there are additions to the report under the Water Quality report KBRX-\$57.00 for chemigation ads. Under the NRD report Lewis & Clark NRD for NRCS clerical-\$9,468.71, Rock County Leader for a meeting notice-\$5.24, Butte Gazette for a meeting notice-\$5.00, NNTC for the phone bill-\$168.40. Motion by Randa and second by Engelhaupt to approve the Treasurer's Report as presented with the exemption of the Directors expense vouchers and approve the additions listed. Roll Call Vote, Aye: (Liewer, Marcellus, Morrow, Naprstek, Pavlik, Randa, Baumeister, Engelhaupt, Higgins, Hoffman, Holtgrew, Janzing, Kaczor) Nay: (Connell, Klawitter) Absent: (Mahlendorf, Uhlir). MOTION CARRIED. (Marcellus departed at 9:03 P.M.)

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

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

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

**COMMENT PERIOD**

Vivian mentioned the Budget Committee will need to meet later this month. Contact will be made with the committee after the information is received from Donita Pokorny.

Wade mentioned DNR is ready to sign a couple of surface water permits since the NRD has accepted new irrigated acres. One is for 147.6 acres in Knox County and the other is for 123 acres in Boyd County.

**EXCUSE ABSENT DIRECTORS**

Uhlir contacted the office and was not feeling well. Nothing was heard from Mahlendorf.

Chairman Pavlik declared the meeting adjourned at 9:15 P.M.

**MEETING ATTENDEES**

**Directors:** Larry Baumeister, Karl Connell, Jack Engelhaupt, Shaun Higgins, Linda Hoffman, Don Holtgrew, John Janzing, Brian Kaczor, Randy Klawitter, Marvin Liewer, Dwain Marcellus, Curt Morrow, Ray Naprstek, Kent Pavlik, Kevin Randa

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

**Visitors:** Whitney Gappa

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 6, 2021. 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