

**LOWER NIOBRARA NATURAL RESOURCES DISTRICT  
BOARD MEETING MINUTES  
SEPTEMBER 7, 2021**

Chairman Pavlik called the meeting to order at 7:01 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 AUGUST 2, 2021 MEETING MINUTES**

Motion by Randa and second by Baumeister to approve the August 2, 2021 Meeting Minutes as circulated to the Board. Roll Call Vote, Aye: (Mahlendorf, Morrow, Naprstek, Pavlik, Randa, Uhlir, Baumeister, Connell, Higgins, Hoffman, Janzing, Klawitter, Liewer) Abstain: (Kaczor) Absent: (Engelhaupt, Holtgrew, Marcellus). MOTION CARRIED.

**MANAGER'S REPORT**

A copy of the Manager's Report was mailed to the Directors prior to the meeting for their review. The final Spencer Dam transfer information was passed and those wishing a copy were to indicate so on the copy. The Manager's Meeting was held last week where considerable discussion revolved around Confined Animal Feeding Operations and nitrates. The University and UNMC are examining health issues because of ag chemicals and nitrates in public drinking water. They have discovered there is no area in the state that has not been influenced by this issue. Directors discussed this issue considerably also. A copy of the Forester's Report was in the packets.

Chairman Pavlik explained he and the Manager discussed an advertised Personnel Committee Meeting, which will be held on September 16<sup>th</sup> at 6:00 P.M. to review the proposed Personnel Policy which was given to all Directors this evening. Notice will be advertised in the normal papers and over KBRX radio. This will allow all Directors to have input into the policy.

**WATER RESOURCES COORDINATOR REPORT**

Wade's report was mailed prior to the meeting for Directors to review. Wade reported there were 20 applications for new irrigated acres received for 1446.86 acres and 16 new wells. He will work on ranking them this month and either the 29<sup>th</sup> or 30<sup>th</sup> a Committee Meeting will need to be held. He gave an update on the lift station issue. He also explained he has been working with Verdigre regarding their request to pump an additional 2.2" over the variance request the District granted. He informed the Village the NRD is not going to Manage for them. They would like to get down to a benchmark and be able to go from there. Motion by Uhlir and second by Mahlendorf to allow the Village of Verdigre a one-time variance to pump up to 10 million gallons until the ground freezes or January 1, whichever comes first. Roll Call Vote, Aye: (Mahlendorf, Naprstek, Randa, Uhlir, Baumeister, Hoffman, Janzing, Kaczor, Klawitter, Liewer) Nay: (Connell, Higgins, Morrow, Pavlik) Absent: (Engelhaupt, Holtgrew, Marcellus). MOTION CARRIED.

**PROGRAMS ASSISTANT REPORT**

Connie's report was also mailed to the Directors prior to the meeting. She reported most of her time has been spent preparing for the Bazile GWMA Field Day on September 9<sup>th</sup>. She will be a presenter at the Wonderful World of Water on the Bazile GWMA.

**ASSOCIATION REPORT**

Liewer reported he plans to attend the Board Meeting and Conference at the end of the month. A copy of Tri-Basin's Resolution on the 30 x 30 Plan was in the packets and he wanted direction regarding the Board's wishes for voting on this Resolution. After a show of hands, he will cast 3 votes for and 2 against.

**AGENCY REPORTS**

NRCS—Jim Mathine was unable to be at the meeting this evening.

Niobrara Council—Connell reported the Budget Committee will meet next week. He gave an update from the NPS, Fish & Wildlife Service and the G & P's. He mentioned the prescribed burn proposal at the Nature Conservancy and Smith Falls along with the Brown County Baker Trust fuels reduction project.

NE RC&D—Uhlir reported the meeting was cancelled.

NC RC&D—Connell reported 296.97 tons of tires were collected. They are working on a Household Hazardous Waste Grant and Security Shredding along Hwy 20 and 12 on September 23<sup>rd</sup> and 30<sup>th</sup>. He mentioned their Lick Tub Challenge.

Friends of the Missouri—There will be a video conference on September 14<sup>th</sup> at 2:00 P.M.

Missouri Sedimentation Action Coalition—Information was given in the Manager's Report. A copy of the Sediment Plan was passed to Directors. A study needs to be done on the Niobrara after the flood.

#### **ADOPTION OF THE 2021-2022 BUDGET**

The Budget Hearing was held at 2:00 P.M. with the Manager, Assistant Manager and Linda Hoffman in attendance. No comments were made and the Hearing was held open until 3:30 P.M. At that time the Hearing to Set the Property Tax Request was opened with only the Manager and Assistant Manger in attendance. It was held open until 5:30. Approximately \$30,000 less dollars will be collected due to the reduction in valuations. Tax asking will be \$406,596.56. Motion by Liewer and second by Randa to approve the 2021-2022 Budget as advertised. Roll Call Vote, Aye: (Mahlendorf, Morrow, Naprstek, Pavlik, Randa, Uhlir, Baumeister, Connell, Higgins, Hoffman, Janzing, Kaczor, Klawitter, Liewer) Absent: (Engelhaupt, Holtgrew, Marcellus). MOTION CARRIED.

Motion by Mahlendorf and second by Baumeister to adopt the Resolution Setting the Property Tax Request at \$406,596.56. Roll Call Vote, Aye: (Mahlendorf, Morrow, Naprstek, Pavlik, Randa, Uhlir, Baumeister, Connell, Higgins, Hoffman, Janzing, Kaczor, Klawitter, Liewer) Absent: (Engelhaupt, Holtgrew, Marcellus). MOTION CARRIED.

#### **APPROVAL OF WKRWS ADVISORY COMMITTEE AUGUST 13, 2021 SPECIAL MEETING MINUTES**

A copy of the minutes was available in the packets. They voted to grout the upper screen and perforate the casing below the screen with grout and add LEMCO seal to the scope of the work. Motion by Hoffman and second by Kaczor to approve the WKRWS August 13, 2021 Special Meeting Minutes as presented. Roll Call Vote, Aye: (Mahlendorf, Morrow, Naprstek, Pavlik, Randa, Baumeister, Connell, Higgins, Hoffman, Janzing, Kaczor, Klawitter, Liewer) Absent During Vote: (Uhir) Absent: (Engelhaupt, Holtgrew, Marcellus). MOTION CARRIED.

#### **SPENCER COMMUNITY ECONOMIC DEVELOPMENT REQUEST**

A copy of the request was mailed to the Directors. They are applying for a grant for a county wide collection of Household Hazardous Waste and requested \$500.00 from the NRD. Motion by Naprstek and second by Morrow to contribute \$1,000.00 towards the Spencer Community Development Household Hazardous Waste collection project. Roll Call Vote, Aye: (Mahlendorf, Morrow, Naprstek, Pavlik, Randa, Uhlir, Baumeister, Connell, Higgins, Hoffman, Janzing, Kaczor, Klawitter, Liewer) Absent: (Engelhaupt, Holtgrew, Marcellus). MOTION CARRIED.

#### **NSWCP ACTIVITIES**

A copy of the NSWCP Report was available on the reverse side of the agenda. Vivian reviewed the applications and amount available for allocation. Motion by Uhlir and second by Liewer to approve the applications for Lee Kleeb-\$6,968.00 for brush management and Duane Schrader-\$6,218.60 for a well, tank, pumping plant. Roll Call Vote, Aye: (Mahlendorf, Morrow, Naprstek, Pavlik, Randa, Uhlir, Baumeister, Connell, Higgins, Hoffman, Janzing, Kaczor, Klawitter, Liewer) Absent: (Engelhaupt, Holtgrew, Marcellus). 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 NRD report: NNTC-\$165.01 for the phone bill; Atkinson Graphic-\$4.71, Crofton Journal-\$5.40 and Holt County Independent-\$5.10 for meeting notices; the Rock County Leader-\$71.25 for the Budget Hearing and to the Water Quality Report add \$26.21 to Butte Implement for tire repair. Motion by Liewer and second by Mahlendorf to approve the Treasurer's Report as presented with the additions mentioned. Roll Call Vote, Aye: (Mahlendorf, Morrow, Naprstek, Pavlik, Randa, Uhlir, Baumeister, Connell, Higgins, Hoffman, Janzing, Kaczor, Klawitter, Liewer) Absent: (Engelhaupt, Holtgrew, Marcellus). MOTION CARRIED.

#### **COMMENT PERIOD**

Connell questioned Vivian's computer situation--there are issues with the desktop. Morrow gave information he was made aware of regarding a pipeline in his area that will move liquified carbon dioxide from the Atkinson Ethanol Plant to other areas. Estimated cost of this pipeline is 2.5 billion. There are ethanol plants in S.D., N.D, Iowa, Minnesota and Nebraska which would probably all be involved.

**EXCUSE ABSENT DIRECTORS**

Marcellus contacted the office and is currently in the hospital in Omaha with a low-grade infection. Holtgrew called and indicated he was changing a gearbox. Nothing was heard from Engelhaupt.

Chairman Pavlik declared the meeting adjourned at 9:27 P.M.

**MEETING ATTENDEES**

**Directors:** Larry Baumeister, Karl Connell, Shaun Higgins, Linda Hoffman, John Janzing, Brian Kaczor, Randy Klawitter, Marvin Liewer, Steve Mahlendorf, Curt Morrow, Ray Naprstek, Kent Pavlik, Kevin Randa, Jeff Uhlir

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

**Visitors:** none

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 September 7, 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

**LOWER NIOBRARA NATURAL RESOURCES DISTRICT  
BUDGET HEARING MINUTES  
SEPTEMBER 7, 2021**

Terry Julesgard, General Manager of the Lower Niobrara Natural Resources District served as the Hearing Officer. He declared the Budget Hearing open at 2:00 P.M. This is a hearing for public comment on the Budget of the Lower Niobrara NRD according to State Statute Sections 13-501 to 13-513. Attention was called to the Open Meeting Law Poster. Notices of the Budget Hearing were published in the August 26, 2021 editions of the Rock County Leader, Holt County Independent, Crofton Journal, Atkinson Graphic, Butte Gazette and in the September 1, 2021 editions of the Springview Herald and Verdigre Eagle. A copy of the Budget for the official record was available as were copies for the public.

Those wishing to testify were asked to please state and spell their name for the record. A recording of the comments will be made to submit to the Lower Niobrara Natural Resources District Board of Directors this evening during the regular scheduled meeting.

Comparison of the 2020-2021 and 2021-2022 Budgets were reviewed for those in attendance.

With no further comments, questions or testimony the Budget Hearing was declared closed at 3:30 P.M. by General Manager Terry Julesgard.

**ATTENDANCE**

**Directors:** Linda Hoffman

**Staff:** Terry Julesgard, Vivian Frasch

\*\*\*\*\*

**LOWER NIOBRARA NATURAL RESOURCES DISTRICT  
SPECIAL HEARING TO SET THE FINAL TAX REQUEST  
SEPTEMBER 7, 2021**

General Manager, Terry Julesgard opened the Special Hearing to the Set Final Tax Request at 3:30 P.M. He called attention to the Open Meeting Law poster and stated notices of the hearing were published in the August 26, 2021 editions of the Rock County Leader, Holt County Independent, Crofton Journal, Atkinson Graphic, Butte Gazette and the September 1, 2021 editions of the Springview Herald and Verdigre Eagle.

Those wishing to testify were asked to please state and spell their name for the record. A recording of the testimony will be made to submit to the Lower Niobrara Natural Resources District Board of Directors this evening during the regular scheduled meeting.

There being no testimony or comments the hearing was declared closed at 5:30 P.M.

**ATTENDANCE**

**Directors:** none

**Staff:** Terry Julesgard, Vivian Frasch