

**Minutes of the Lower Niobrara Natural Resources  
Board of Directors Meeting  
December 2, 2024**

The meeting of the Lower Niobrara Natural Resources District was called to order by Vice Chairman Lechtenberg at 2:00 P.M. at the Butte Community Center. Vice Chairman Shane Lechtenberg called attention to the Open Meeting Law and statement of advertisement throughout our district.

**Directors Present:**

J.J. Pritchett	Kevin Randa	Larry Baumeister	Karl Connell
Deb Hansen	Shaun Higgins	Linda Hoffman	Don Holtgrew
Chuck Zegers	Brian Kaczor	Shane Lechtenberg	Curt Morrow
Ray Naprstek			

**Directors Absent:** Randy Klawitter, Steve Mahlendorf, Dwain Marcellus, Jack Engelhaupt

**Staff Present:** Wade Ellwanger      Britanie Brewster      Gary Richardson

**Guests Present:** Adam Nolan, Kendra Reiser, Howard Tiefenthaler, Donita Pokorny

**Approval of Agenda:**

Motion was made by Hansen and seconded by Higgins to approve the December 2, 2024 agenda, **Aye:** Pritchett, Randa, Baumeister, Connell, Hansen, Higgins, Hoffman, Holtgrew, Zegers, Kaczor, Lechtenberg, Morrow, Naprstek. **Nay:** None. **Abstain:** None. **Absent:** Klawitter, Mahlendorf, Marcellus, Engelhaupt.

**MOTION CARRIED**

**Approval of the November 4, 2024 Minutes :**

Motion was made to approve the November 4, 2024 minutes by Randa seconded by Baumeister. **Aye:** Pritchett, Randa, Baumeister, Connell, Hansen, Higgins, Hoffman, Holtgrew, Zegers, Kaczor, Lechtenberg, Morrow, Naprstek. **Nay:** None. **Abstain:** Naprstek. **Absent:** Klawitter, Mahlendorf, Marcellus, Engelhaupt.. **MOTION CARRIED**

**Presentations:**

**Approval of Insurance Renewal Butte State Agency:**

A motion was made to approve the renewal of the EMC Insurance for 2025 by Holtgrew seconded by Morrow. **Aye:** Pritchett, Randa, Baumeister, Hansen, Higgins, Hoffman, Holtgrew, Zegers, Kaczor, Lechtenberg, Morrow, Naprstek. **Nay:** Connell. **Abstain:** None. **Absent:** Klawitter, Mahlendorf, Marcellus, Engelhaupt. **MOTION CARRIED**

**Approval of FY 2023-2024 Audit Dana F. Cole O'Neill:**

A motion was made to approve the FY 2023-2024 Audit by Dana F. Cole O'Neill by Hansen seconded by Pritchett. **Aye:** Pritchett, Randa, Baumeister, Connell, Hansen, Higgins, Hoffman, Holtgrew, Zegers, Kaczor, Lechtenberg, Morrow, Naprstek. **Nay:** None. **Abstain:** None. **Absent:** Klawitter, Mahlendorf, Marcellus, Engelhaupt. **MOTION CARRIED**

## **Staff and Agency Reports:**

**Manager's Report :** Ellwanger's report was mailed to the directors prior to the Board meeting and a copy attached to the official minutes. Ellwanger reported there will be a Directors Caucus on January 14, 2025 at the Middle Niobrara NRD in Valentine, NE. Ellwanger was quoted in the Nebraska Examiner on November 18, 2024. Ellwanger was on the KBRX morning show on November 27, 2024 discussing current cost-share programs at the LNNRD. Ellwanger stated mailers have gone out to all LNNRD residence informing them of current cost-share programs

**Programs Assistant Report:** McCarthy's report was mailed to the directors prior to the Board meeting and a copy attached to the official minutes.

**Water Resources Report:** Richardson's report included in the director meeting packet, and a copy is attached to the official minutes. Richardson reported that all Phase II requests have been mailed.

**NARD Association Report:** Hansen stated the 2025 Legislative Conference will be in January. Encouraged all directors to attend.

**West Knox Rural Water Report:** Ebel's report was mailed to the directors prior to the Board meeting and a copy attached to the official minutes. Ellwanger reported that the West Knox Advisory Board will meet on December 5, 2024.

**BGMA Coordinator Report:** No Report

## **Agency Reports:**

**Natural Resources Conservation Service:** Adam Nolan's report was included in the meeting packet and a copy attached to the official minutes.

**Niobrara Council:** No meeting held. The next meeting will be December 19, 2024.

**NE RC&D Report:** Hansen reported that had a household waste collection program in Wayne. They had 160 vehicles, collected 7 tons of paint and many other materials.

**NC RC&D Report:** Connell reported they met on November 12, 2024. Kim Burge has retired, and Carla Stagemeyer has filled her role.

**Friends of the Missouri:** No Meeting held.

**Missouri Sedimentation Action Coalition:** No Meeting held

## **Committee Reports:**

**The Personnel Committee:** Meeting was held prior to the regular monthly meeting of the LNNRD. Discussed were current office activities, and the open Natural Resource Technician position.

## **Cease-and-Deist:**

**As stated by the District Court of Knox County:**

12. IT IS THEREFORE ORDERED:
  - a. Defendant will pay a civil penalty, under NEB. REV. STAT. §

46-745, in the amount of \$4,000.00, to the Plaintiff This civil penalty will be paid no later than thirty (30) days after the date set forth below. IT IS THEREFORE FURTHER ORDERED:

b. Defendant will pay the Plaintiff's expenses incurred in investigating Defendant's ongoing violations of the Rules and Regulations, in the amount of \$1,500.08 to the Plaintiff. The payment for District expenses will be paid no later than thirty (30) days after the date set forth below. IT IS THEREFORE FURTHER ORDERED:

c. Defendant will pay the Plaintiff's court costs of this action incurred in pursuing the above captioned action, which includes attorney fees, in the amount of \$1,179.14 to the Plaintiff. This payment for court costs of this action, including attorney fees, will be paid no later than thirty (30) days after the date set forth below. IT IS THEREFORE FURTHER ORDERED:

d. Defendant will remain in compliance with the District's Rules and Regulations. Future violation of the District's Rules and Regulations will result in further action by the District as is provided in both the Groundwater Management and Protection Act and the District's Rules and Regulations.

#### **Approval Evergreen Acres, Inc Settlement:**

A motion was made to accept the settlement as stated by the Knox County Court by Higgins seconded by Zegers. **Aye:** Pritchett, Randa, Baumeister, Connell, Hansen, Higgins, Hoffman, Holtgrew, Zegers, Kaczor, Lechtenberg, Morrow. **Nay:** None. **Abstain:** Naprstek. **Absent:** Klawitter, Mahlendorf, Marcellus, Engelhaupt. **MOTION CARRIED**

#### **NSWCP Activities:**

##### **Approval of NSWCP activities:**

No contracts for approval.

#### **Treasurer Report:**

##### **Approval of Treasurer Report:**

A motion was made by Baumeister seconded by Holtgrew to approve the December 2, 2024 treasurer's report. **Aye:** Pritchett, Randa, Baumeister, Hansen, Higgins, Hoffman, Holtgrew, Zegers, Kaczor, Lechtenberg, Morrow, Naprstek. **Nay:** Connell. **Abstain:** None. **Absent:** Klawitter, Mahlendorf, Marcellus, Engelhaupt. **MOTION CARRIED**

#### **Comment Period:**

**Excused absent Directors:** Klawitter, Mahlendorf, Marcellus, Engelhaupt.

Vice Chairman Shane Lechtenberg declared the meeting adjourned at 4:12PM.

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 December 2, 2024 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.

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Larry Baumeister, Secretary