

**Minutes of the Lower Niobrara Natural Resources
Board of Directors Meeting
May 5, 2025**

The meeting of the Lower Niobrara Natural Resources District was called to order by Vice-Chairman Pritchett at 7:00 P.M. at the Butte Community Center. Vice- Chairman J.J. Pritchett called attention to the Open Meeting Law and statement of advertisement throughout our district.

Director's Present:

| | | | |
|------------------|--------------|---------------|-----------------|
| Dwain Marcellus | Curt Morrow | J.J Pritchett | Kevin Randa |
| Larry Baumeister | Karl Connell | Deb Hansen | Shaun Higgins |
| Linda Hoffman | Chuck Zegers | Brian Kaczor | Jack Engelhaupt |
| Brenda Wendt | | | |

Directors Absent: Ray Naprstek, Don Holtgrew, Randy Klawitter, Shane Lechtenberg.

Staff Present: Wade Ellwanger Britanie Brewster Connie McCarthy Gary Richardson Brandon Fischer

Guests Present: Adam Nolan, NRCS.

Approval of Agenda:

Motion was made by Engelhaupt and seconded by Zegers to approve May 5, 2025, agenda, **Aye:** Marcellus, Morrow, Pritchett, Randa, Baumeister, Connell, Hansen, Higgins, Hoffman, Zegers, Kaczor, Engelhaupt, Wendt. **Nay:** None. **Abstain:** None. **Absent:** Naprstek, Holtgrew, Klawitter, Lechtenberg.

MOTION CARRIED

Approval of April 5, 2025, Minutes:

Motion was made to approve April 5, 2025, minutes by Hansen seconded by Baumeister. Marcellus, Morrow, Prichett, Randa, Baumeister, Connell, Hansen, Higgins, Hoffman, Zegers, Kaczor, Engelhaupt, Wendt. **Nay:** None. **Abstain:** None. **Absent:** Naprstek, Holtgrew, Klawitter, Lechtenberg.

MOTION CARRIED

Klawitter Arrived at 7:17pm

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 introduced Brandon Fischer as our Natural Resource Technician. Brandon started April 14th and has done a great job so far. Ellwanger stated that LB 317 passed through the Legislature merging DNR and DEE. Ellwanger reported none of the proposed JEO inter projects were accepted. He gave an update on Rudloff's Erosion and Sediment loss, it was in excess of our regulations Ellwanger stated the Groundwater Committee, Personnel Committee and Budget Committee will be meeting in May.

Programs Assistant Report: McCarthy's report was mailed to directors prior to the Board meeting and a copy is attached to the official minutes. McCarthy reported she has been busy with trees. She attended train the trainer with Upper Elkhorn on Producer Connect. She has been busy with I&E she attended Life on the Farm in Bloomfield presenting to 233 kids. McCarthy submitted Matt Keating and Marvin Liewer for the NARD Annual Awards.

Water Resources Report: Richardson's report was mailed to directors prior to the Board meeting and a copy is attached to the official minutes. Richardson stated they had mailed the intent to cease and desist letters out in April. We have had several who are still out of compliance. Discussion was held on the importance of maintaining our rules and regulations.

Phase II Compliance, Cease-and-Desist:

A motion was made to issue Cease and Desist to any landowner who had not submitted Phase II reports by Marcellus seconded by Klawitter. **Aye:** Marcellus, Morrow, Pritchett, Randa, Baumeister, Connell, Hansen, Higgins, Hoffman, Zegers, Kaczor, Klawitter, Engelhaupt, Wendt. **Nay:** None. **Abstain:** None. **Absent:** Naprstek, Holtgrew, Lechtenberg. **MOTION CARRIED**

NARD Association Report: Hansen stated the NARD Basin Tour will be in the Niobrara Basin June 9th and 10th. She encouraged others to join it will be based out of Valentine and go through the LNNRD. She attended the State Envirothon where 14 teams from across the state competed for a chance to compete at the National Envirothon in Canada.

West Knox Rural Water Report: Ebel's report included in the director's meeting packet, and a copy is attached to the official minutes. Ellwanger reported that the West Knox Advisory Board met on April 29th at 7:00pm. The Advisory Board Minutes were included in the meeting packet and a copy attached to the official minutes.

Recognize Receipt of Advisory Board Minutes and Approve Action Items.

A motion was made to recognize and approved action items for West Knox Rural Water by Hansen seconded by Klawitter. **Aye:** Marcellus, Morrow, Pritchett, Randa, Baumeister, Connell, Hansen, Higgins, Hoffman, Zegers, Kaczor, Klawitter, Engelhaupt, Wendt. **Nay:** None. **Abstain:** None. **Absent:** Naprstek, Holtgrew, Lechtenberg. **MOTION CARRIED**

BGMA Coordinator Report: Included in the directors' meeting packet.

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: Connell Reported they met on April 17, 2025. The Next meeting will be June 19, 2025

NE RC&D Report: No Report

NC RC&D Report: Connell reported they met on April 9, 2025. They held the tire amnesty where they collected 200 tons of tires. The Ranch Expo will be June 18th and 19th 2025.

Friends of the Missouri: No Meeting held.

Missouri Sedimentation Action Coalition: No Meeting held, next meeting will be May 14, 2025 in Yankton.

Additional Items of Business:

Hearing Officer Agreement:

Ellwanger stated that a Public Hearing has been requested in front of the LNNRD Board. The Hearing will be held June 2, 2025, preceding the regular scheduled board meeting. To follow legal precedence, we will need to hire a Hearing officer. Don Blankenau has recommended James Gotschall as Hearing Officer. Gotschall is scheduled for June 2, 2025 from 5:00pm to 7:00pm at \$300.00 per hour plus any expenses.

Hearing Officer Fee Agreement:

A motion was made to accept the Hearing Officers Fee Agreement by Klawitter seconded by Higgins. **Aye:** Marcellus, Morrow, Pritchett, Randa, Baumeister, Connell, Hansen, Higgins, Hoffman, Zegers, Kaczor, Klawitter, Engelhaupt, Wendt. **Nay:** None. **Abstain:** None. **Absent:** Naprstek, Holtgrew, Lechtenberg. **MOTION CARRIED**

Committee Reports and Recommendations: No Report

Land Purchase:

A motion was made to authorize the General Manager to Negotiate Public Notice Land Purchase by Connell seconded by Zegers. **Aye:** Marcellus, Morrow, Pritchett, Randa, Baumeister, Connell, Hansen, Higgins, Hoffman, Zegers, Kaczor, Klawitter, Engelhaupt. **Nay:** None. **Abstain:** Wendt. **Absent:** Naprstek, Holtgrew, Lechtenberg. **MOTION CARRIED**

NSWCP Activities:

McCarthy reported that there were 1 cancellation and 1 extension. Discussion on what brush management and cedar tree removal as priority. Questions about what our NSWCP priorities were and how practices were weighed. A request was made to review priorities and practices during a future meeting.

Approval of NSWCP activities:

Motion was made to approve contract 2409 and 2423 through 2432 by Klawitter, second by Baumeister. **Aye:** Morrow, Pritchett, Randa, Baumeister, Hoffman, Kaczor, Klawitter, Engelhaupt, Wendt. **Nay:** Marcellus, Connell, Hansen, Higgins, Zegers. **Abstain:** None. **Absent:** Naprstek, Holtgrew, Lechtenberg. **MOTION CARRIED**

Community Forestry Assistance Program:

This program is designed to promote planned long-term tree planting, with community collaboration and LNNRD involvement. McCarthy presented two options for consideration. Plan A consisted of 75% cost share with a \$1,000.00 maximum to cover, trees, dripline, fabric or COCO mats purchased through the LNNRD for one project per community, per year. Plan B consisted of 65% cost share with a \$1,000.00 maximum to cover, trees, dripline, fabric or COCO mats purchased through the LNNRD for one project per community, per year.

A motion was made to adopt plan A for 75% cost share with a \$1,000 maximum by Higgins seconded by Hansen. **Aye:** Marcellus, Morrow, Pritchett, Randa, Baumeister, Connell, Hansen, Higgins, Hoffman, Zegers, Kaczor, Engelhaupt, Wendt. **Nay:** None. **Abstain:** Klawitter. **Absent:** Naprstek, Holtgrew, Lechtenberg. **MOTION CARRIED**

Treasurer Report:

Approval of Treasurer Report:

A motion was made by Randa seconded by Engelhaupt to approve the May 5, 2025, treasurer's report. **Aye:** Marcellus, Morrow, Pritchett, Randa, Baumeister, Hansen, Higgins, Hoffman, Zegers, Kaczor, Engelhaupt, Wendt. **Nay:** Connell, Klawitter. **Abstain:** None. **Absent:** Naprstek, Holtgrew, Lechtenberg. **MOTION CARRIED**

Comment Period:

Excused absent Directors: Naprstek, Holtgrew, Lechtenberg.

Vice-Chairman J.J. Pritchett declared the meeting adjourned at 8:50PM.

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 May 5, 2025, 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.

Larry Baumeister, Secretary