

**UPPER ELKHORN NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
March 28, 2016 -- 2:30 P.M.
O'Neill, Nebraska**

CALL TO ORDER, STATEMENT OF ADVERTISEMENT AND OPEN MEETING LAW NOTIFICATION:

The regular meeting of the Board of Directors was called to order at 2:40 P.M. by Chairman Gene Kelly. The meeting was advertised and a copy of the Open Meetings Act was posted for public review.

DIRECTORS PRESENT:

Mark Carpenter	Chris Dierks	Curtis Gotschall	Keith Heithoff	Ted Hughes
Jim Keller	Gene Kelly	John Meuret	Michael Moser	Aaron Rice
Roy Stewart	Chip Whitaker	Dale Wiles		

DIRECTORS ABSENT:

James Dvorak Gary Bartak

STAFF PRESENT:

Dennis Schueth, General Manager
Sarah Nevison, Water Resources Manager
Jake Morten, Forestry, Wildlife & Resource Conservationist
Beth Walsh, Information & Education Coordinator
Andrea Fisher, Administrative Secretary
Tanner Jenkins, Bazile Groundwater Management Project Coordinator

GUESTS PRESENT:

Brandon Peterson – NRCS – O'Neill
Amy Timmerman – UNL Cooperative Extension – Holt County

ADOPTION OF AGENDA:

⇒ It was moved by Jim Keller and seconded by Michael Moser to adopt the agenda. **AYE:** Carpenter, Dierks, Gotschall, Heithoff, Hughes, Keller, Kelly, Meuret, Moser, Rice, Stewart, Whitaker & Wiles. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Bartak & Dvorak. **MOTION CARRIED.**

MINUTES:

The minutes of the February Meeting were reviewed by the Directors. ⇒ It was moved by Chris Dierks and seconded by Dale Wiles to approve the minutes of the February Meeting. **AYE:** Carpenter, Dierks, Heithoff, Hughes, Kelly, Meuret, Rice, Stewart, Whitaker & Wiles. **NAY:** None. **ABSTAIN:** Gotschall, Keller & Moser. **ABSENT:** Bartak & Dvorak. **MOTION CARRIED.**

TREASURERS REPORT:

The February treasurers report was reviewed by the Directors. ⇒ It was moved by Chris Dierks and seconded by John Meuret to approve the February Treasurers Report. **AYE:** Carpenter, Dierks, Gotschall, Heithoff, Hughes, Keller, Kelly, Meuret, Moser, Rice, Stewart, Whitaker & Wiles. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Bartak & Dvorak. **MOTION CARRIED.**

PUBLIC FORUM – INPUT:

None

AGENCY & STAFF REPORTS:

NARD Report: Ted Hughes reported that he attended the quarterly NARD board meeting March 7. He reported that they elected officers and Jim Bendfeldt was re-elected President; Larry Reynolds, Vice President; and, Shane Rippen, Secretary/Treasurer. Foundations contributions were approved for the State Envirothon, ACE Camp and the Great Park Pursuit. Ted reported that NARD submitted a bid to host the 2020 National Envirothon and that bid was accepted by the NCF Envirothon Committee. As a result, the Association is looking into funding aspects of hosting the program. Ted reported that Dean Edson feels this would be a great opportunity to showcase Nebraska NRDs which would mean that the NRDs would be the main financial contributor. A breakdown of two options was reviewed by the board: one is based on the dues structure; and, the other equal shares. Discussion was held on the program and the possibility of soliciting corporate funding. ⇒ **It was moved by John Meuret and seconded by Aaron Rice to support hosting the 2020 National Envirothon based on the equal share proposal up to \$5,797 per year for 3 years.**

AYE: Gotschall, Heithoff, Hughes, Keller, Kelly, Rice & Whitaker. **NAY:** Carpenter, Dierks, Meuret, Moser, Stewart & Wiles. **ABSTAIN:** None. **ABSENT:** Bartak & Dvorak. **MOTION CARRIED.** Following the board meeting, a meeting of the Risk Pool was held. They elected officers and reviewed the financial reports. They are anticipating a surplus by the end of the fiscal year.

- 1. NE Nebraska NARD Basin Tour-June 12-13, 2017:** Dennis Schueth passed out the map of the proposed route for the tour.
- 2. NARD FY 17-18 & 18-19 Budget:** A copy of the NARD proposed budget was mailed out in the Directors packets for review. ⇒ **It was moved by Chris Dierks and seconded by John Meuret to approve the February Treasurers Report.** **AYE:** Carpenter, Dierks, Gotschall, Hughes, Keller, Kelly, Meuret, Moser, Rice, Stewart, Whitaker & Wiles. **NAY:** None. **ABSTAIN:** Heithoff. **ABSENT:** Bartak & Dvorak. **MOTION CARRIED.**

DNR Report: No Report.

NRCS Report: Brandon Peterson's report was mailed out to the Directors. Brandon reported that they are currently working on obligating EQIP contracts; ranking CSP contracts; and, working on CRP applications for both the SAFE and Grasslands programs. Brandon also included the Cooperative Working Agreement between the NRCS and UENRD for the Directors review.

RC&D Report:

North Central RC&D: Jim Keller reported that they are working on recycling programs for the area.

Loup Basin RC&D: No Report.

Northeast RC&D: No Report.

Information & Education Report: Beth Walsh's report was mailed out in the Directors packets. Board of Director binder updates were placed in the directors folders.

Water Resources Report: Sarah Nevison's report was mailed out in the Directors packets. Sarah reported that she and Kelly Kloppenborg have been busy with Phase II compliance. There are still approximately 600 reports to be submitted. Sarah also reported that Wayne Frederick has approximately 25% of the static water level readings complete and approximately 50% of the flowmeters read. Nitrogen certification classes were held this past month with about 50% completing their nitrogen certification. Sarah also noted the NARD 5K run to be held April 1 in Lincoln; and, voting for the Nebraska state reptile.

Bazile Management Area: Tanner Jenkins' report was mailed out in the Directors packets. Tanner reported on his interview during the NARD Legislative Conference on the BGMA; the status of the 319 and NET grant and their funding opportunities; attending the NRD Water Tech Training and NRD Water Conference;

attending the UENRD Nitrogen Certification classes; and, the AEM meeting on March 15 in Creighton. The final summary report for the AEM flights was given by Jim Cannia, Aqua Geo Frameworks, to over 50 residents and producers in the area.

UENRD Tree Program Update: Jake Morten reported that the district has sold approximately 40,000 trees. This number is down from last year because there are not as many SAFE plantings this year. They are currently working on equipment and trailers for tree season; and, plan to begin flagging trees next week. Tentative tree pick-up will be the second week in April.

EXCUSED ABSENCES:

⇒ It was moved by John Meuret and seconded by Michael Moser to excuse the absence of Jake Dvorak and Gary Bartak. **AYE:** Carpenter, Dierks, Gotschall, Heithoff, Hughes, Keller, Kelly, Meuret, Moser, Rice, Stewart, Whitaker & Wiles. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Bartak & Dvorak. **MOTION CARRIED.**

HEARING OFFICER FOR GROUNDWATER RULES AND REGULATIONS PUBLIC HEARING:

⇒ It was moved by Ted Hughes and seconded by Mark Carpenter to appoint John Meuret Hearing Officer. **AYE:** Carpenter, Dierks, Gotschall, Heithoff, Hughes, Keller, Kelly, Moser, Rice, Stewart, Whitaker & Wiles. **NAY:** None. **ABSTAIN:** Meuret. **ABSENT:** Bartak & Dvorak. **MOTION CARRIED.**

3:30 PM PUBLIC HEARING ON AMENDMENTS TO UENRD GROUNDWATER MANAGEMENT PLAN RULES AND REGULATIONS:

⇒ It was moved by John Meuret and seconded by Mark Carpenter to suspend the UENRD board meeting. **AYE:** Carpenter, Dierks, Gotschall, Heithoff, Hughes, Keller, Kelly, Moser, Stewart, Whitaker & Wiles. **NAY:** None. **ABSTAIN:** Rice. **ABSENT:** Bartak & Dvorak. **MOTION CARRIED.** Public Hearing Officer John Meuret opened the Upper Elkhorn NRD Groundwater Management Plan Rules and Regulations Public Hearing at 3:32 P.M. John Meuret explained the purpose of the public hearing; reviewed the process which would be used for testifying during the hearing; and, entered exhibits into the public hearing record. Dennis Schueth, UENRD General Manager, made a slide presentation outlining the changes to the UENRD Groundwater Plan Rules and Regulations. Following the presentation, no testimony was given. The public hearing was suspended until Agenda Line Item #12 on regular monthly board meeting agenda. The regular board meeting was reconvened at 3:44 PM.

COMMITTEE REPORTS:

Legislative, Finance and Planning:

- 1. Action on Current bills and Cost Share Requests:** The Committee met and reviewed the current bills, cost share, accounts receivable and bank statements. ⇒ It was moved by Roy Stewart and seconded by Michael Moser to approve the current bills for payment. **AYE:** Carpenter, Dierks, Gotschall, Heithoff, Hughes, Keller, Kelly, Meuret, Moser, Rice, Stewart, Whitaker & Wiles. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Bartak & Dvorak. **MOTION CARRIED.** Roy Stewart noted that the accounts receivable and bank statements were in order. He also reported that there were some cost share applications pending funding: one for a tree renovation and new planting; and, some for Planned Grazing. Based on the UENRD cost share priority list, they recommend cost share for the new trees and the planned grazing systems based on the date they were received pending the available funding.
- 2. Discussion on monthly Board and Committee starting times:** Michael Moser suggested reviewing the starting time of the UENRD Board meetings and committee meetings. The early winter start time of 2:30 can be challenging for those who work set daytime hours; and, the 7:00 PM start time during the other months can make for a late night especially for some Directors who are traveling the greatest distances. Discussion was held on different meeting times and issues that could evolve with those times and what

may be occurring at certain times of the year (i.e. planting and harvest). ⇒ **It was moved by Michael Moser and seconded by John Meuret to hold the UENRD Board meetings at 4:00 PM year round. AYE: Heithoff, Hughes, Kelly, Meuret, Moser & Wiles. NAY: Carpenter, Dierks, Gotschall, Keller, Rice, Stewart & Whitaker. ABSTAIN: None. ABSENT: Bartak & Dvorak. MOTION FAILED.**

Water Resources & Watershed: John Meuret reported that the Committee met prior to the board meeting and discussed the GWMP Rules and Regulations Public Hearing; Phase II reporting issues with the Beehive program; and, the potential of scheduling a joint meeting between the UENRD and LENRD regarding water issues.

- 1. Groundwater Acre Certification/Transfer Issues:** None
- 2. Conjunctive Management Analysis Tool (CMAT) Participation:** Dennis Schueth reviewed the handout for the Conjunctive Management Analysis Tool submitted by Olsson Associates and FYRA Engineering. CMAT is a water management tool to provide answers to modeling queries. Some of which might be streamflow, recharge, basin appropriations and determine target flows. This tool was reviewed by the Managers committee and received mixed levels of interest. ⇒ **It was moved by Dale Wiles and seconded by Jim Keller not to participate in the CMAT project. AYE: Carpenter, Dierks, Gotschall, Heithoff, Hughes, Keller, Kelly, Meuret, Moser, Rice, Stewart, Whitaker & Wiles. NAY: None. ABSTAIN: None. ABSENT: Bartak & Dvorak. MOTION CARRIED.**
- 3. Blue-Green Algae; EPA Standard 20PPB considering 4 PPB:** Dennis Schueth reported on the possibility of EPA lowering the Blue-Green Algae standard to 4 PPB. This could be detrimental to the Willow Creek Lake near Pierce due to their previous issues with the blue-green algae. It could close the lake down earlier than in previous years. This change does not seem to concern NDEQ. EPA accepted public comments on the change until March 20.
- 4. DERA (Diesel Emission Reduction Act):** Dennis Schueth reported on the DERA program which was briefly discussed at the Managers Meeting. NDEQ would like to expand the DERA program to include all diesel engines; however, there are not a lot of funds for the program and would probably be available for 2018.
- 5. Engaging Youth on Water Quality Issues Project-Holt County Extension Amy Timmerman:** Amy Timmerman-Holt County UNL Extension Educator, described a project that she is working on to educate youth regarding our water issues in the North Central Region. The project is scheduled to begin in May of 2017 and run through April 2020. Amy requested a letter of support for the project from the UENRD and one was submitted by Dennis Schueth. ⇒ **It was moved by John Meuret and seconded by Chris Dierks to approve the letter of support for Engaging Youth on Water Quality Issues in the North Central Region. AYE: Carpenter, Dierks, Gotschall, Heithoff, Hughes, Kelly, Meuret, Moser, Rice, Whitaker & Wiles. NAY: None. ABSTAIN: Keller & Stewart. ABSENT: Bartak & Dvorak. MOTION CARRIED.**

Personnel, Equipment, Promotion & Education Committee: The Committee met prior to the board meeting and appointed Curtis Gotschall Chair.

- 1. UENRD Server:** The committee reviewed a quote for updating the UENRD server. Prior to Kate Tillotson resigning, she noted that the server was filling up with new information/data being stored by the NRD. Kate worked with Connecting Point to remove any unwanted or duplicate information but an upgrade was recommended. ⇒ **It was moved by Curtis Gotschall and seconded by John Meuret to approve the upgrade to the UENRD server. AYE: Carpenter, Dierks, Gotschall, Heithoff, Hughes, Keller, Kelly, Meuret, Moser, Rice, Stewart, Whitaker & Wiles. NAY: None. ABSTAIN: None. ABSENT: Bartak & Dvorak. MOTION CARRIED.**
- 2. UENRD Website Update:** The Committee reviewed the information collected from the other NRDs and the upgrades to their websites. Requests will be sent out for bids/quotes to update the UENRD website.

COALITION/TASK FORCE UPDATE:

Lower Platte River Basin Water Management Plan Coalition: Dennis Schueth reported that there has not been any correspondence regarding the draft integrated groundwater management plan.

Niobrara River Basin Alliance: Dennis Schueth reported that the group met with Jeff Fassett, DNR during March to discuss the status of the Niobrara River Basin. It was concluded that before any designations can be made DNR needs to establish their Rules and Regulations. The Alliance has received the information from the DNR regarding their determination of flows.

Nebraska Habitat Conservation Coalition (Piping Plover): Dennis Schueth reported that there is a meeting scheduled for April.

Nebraska Ground Water Management Coalition: No Report.

CLOSING OF PUBLIC HEARING ON AMENDMENTS TO GROUNDWATER MANAGEMENT PLAN RULES AND REGULATIONS: ⇒ It was moved by Ted Hughes and seconded by Jim Keller to close the Public Hearing at 4:37 PM, Monday March 27, 2017. **AYE:** Carpenter, Dierks, Gotschall, Heithoff, Hughes, Keller, Kelly, Meuret, Moser, Rice, Stewart, Whitaker & Wiles. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Bartak & Dvorak. **MOTION CARRIED.**

ACTION ON PUBLIC HEARING ON AMENDMENTS TO GROUNDWATER MANAGEMENT PLAN RULES AND REGULATIONS: ⇒ It was moved by Ted Hughes and seconded by Jim Keller to adopt the proposed changes to the UENRD Groundwater Management Rules and Regulations to implement the UENRD Groundwater Management Plan; accept grammatical recommendations made by NDNR; and, to adopt an Order and properly advertise the order. **AYE:** Carpenter, Dierks, Gotschall, Heithoff, Hughes, Keller, Kelly, Meuret, Moser, Rice, Stewart, Whitaker & Wiles. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Bartak & Dvorak. **MOTION CARRIED.**

ADMINISTRATIVE REPORT:

Dennis Schueth's report was mailed out in the Director's packets and a copy is kept on file at the NRD office.

APRIL BOARD MEETING:

The next board meeting is scheduled for April 24, 2017 at 7:00 PM.

⇒ It was moved by John Meuret and seconded by Curtis Gotschall to adjourn at 4:42 PM. **AYE:** Carpenter, Dierks, Gotschall, Heithoff, Hughes, Keller, Kelly, Meuret, Moser, Rice, Stewart, Whitaker & Wiles. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Bartak & Dvorak. **MOTION CARRIED.**

I, the undersigned Secretary of the Upper Elkhorn Natural Resources District hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Board of Directors on March 27, 2017 that all of the subjects included in the foregoing proceedings were contained in the agenda for at least twenty-four hours prior to said meeting, the minutes of the Chairman and the Board were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body, that all news media requesting notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Dale Wiles, Secretary/Treasurer