

**UPPER ELKHORN NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
September 14, 2017 -- 7:00 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. The statement of advertisement in the Holt County Independent, Rock County Leader and Neligh News were noted; and, the open meetings law posting were all noted at 7:10 P.M. by Chairman Gene Kelly.

DIRECTORS PRESENT:

Gary Bartak	Mark Carpenter	Chris Dierks	Curtis Gotschall
Keith Heithoff (arr 7:15)	Jim Keller	Gene Kelly	Michael Moser
Aaron Rice	Roy Stewart	Chip Whitaker	Dale Wiles

DIRECTORS ABSENT:

Jake Dvorak John Meuret Ted Hughes

STAFF PRESENT:

Dennis Schueth, General Manager
Andrea Fisher, Administrative Secretary
Beth Walsh, Information & Education Coordinator
Wayne Frederick, Water Resources Technician
Sarah Nevison, Water Resources Manager
Jake Morten, Water Resources Technician

GUESTS PRESENT:

Brandon Peterson – NRCS O'Neill

AGENDA:

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

AUGUST BOARD MEETING MINUTES:

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

TREASURERS REPORT:

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

UENRD FY 17-18 BUDGET HEARING:

⇒ It was moved by Michael Moser and seconded by Roy Stewart to suspend the regular board meeting and precede to the FY 17-18 Budget Hearing. **AYE:** Bartak, Carpenter, Dierks, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Whitaker & Wiles. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Dvorak, Hughes & Meuret. **MOTION CARRIED.**

- **Open FY 17-18 Budget Hearing & Public Comment:** Gene Kelly, Chairman of the Upper Elkhorn NRD, officially opened the 2017-2018 Fiscal Year Budget Hearing at 7:15 P.M. The hearing was to remain open for a minimum of 20 minutes. The purpose of the hearing is to receive support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed budget and to consider amendments relative to the Upper Elkhorn NRD 2017-2018 proposed budget. No comments were made at this time. In order to expedite the remainder of the agenda, the Budget Hearing was suspended until at least 7:35 PM and then allow any other persons wishing to testify to do so at that time.

Chairman Gene Kelly reconvened the regular monthly board meeting at 7:18 PM.

PUBLIC FORUM-INPUT OR COMMENTS:

None

AGENCY & STAFF REPORTS:

NARD Report: The fall conference is scheduled for September 25-26 in Kearney. The UENRD will also be hosting the Basin meeting Tuesday morning at the conference.

DNR Report: No Report

NRCS Report: Brandon Peterson's report was handed out at the board meeting. Brandon reported that they have obligated 73 EQIP contracts for approximately \$1.8 million dollars. CSP application period is closed and they will be obligating 9 contracts for \$134,991. Brandon reviewed the CRP totals for Holt County with emergency grazing ending September 15.

Holt County Extension: No Report.

RC&D Reports:

North Central RC&D: Jim Keller reported that they will be holding a household hazardous waste collection in Bassett, September 15.

Loup Basin RC&D: No Report.

Northeast RC&D: No Report.

Information & Education Report: Beth Walsh's report was mailed out in the Director's packets. Beth reviewed the annual conference reservations with the Directors.

Water Resources Report: Sarah Nevison reported that she and Kelly Kloppenborg have been following up on acre expansions. They will be developing a form for landowners who need to submit Best Management Practices information they signed up for on their acre expansion criteria sheet. Sarah also presented UENRD information at the Irrigation Field Day in Antelope County August 30 and September 13 in Newport during their leadership meeting.

Bazile Management Report: This will be discussed during the Water Resources and Watershed Committee.

EXCUSED ABSENCES:

Dennis Schueth handed out a letter of resignation he received from Jake Dvorak. ⇨ **It was moved by Michael Moser and seconded by Dale Wiles to accept Jake Dvorak's resignation. AYE: Bartak, Carpenter, Heithoff, Keller, Moser, Rice, Stewart & Wiles. NAY: Dierks, Gotschall, Kelly & Whitaker. ABSTAIN: None. ABSENT: Dvorak, Hughes & Meuret. MOTION CARRIED.**

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

COMMITTEE REPORTS:

Legislative, Finance and Planning:

- **Action on Current Bills and Cost Share Requests:** The Legislative, Finance and Planning Committee met prior to the Board meeting and reviewed all the bills, fuel receipts, credit card receipts, accounts receivable and bank statements. ⇒ It was moved by Roy Stewart and seconded by Dale Wiles to approve the current bills for payment. AYE: Bartak, Carpenter, Dierks, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Whitaker & Wiles. NAY: None. ABSTAIN: None. ABSENT: Dvorak, Hughes & Meuret. MOTION CARRIED. There were no new cost share applications. The Committee also reviewed the notes received from the LBNRD audit. Dennis Schueth reviewed some of the items in the report as well as some of the UENRD accountability procedures.

UENRD FY 17-18 BUDGET HEARING:

⇒ It was moved by Chris Dierks and seconded by Jim Keller to suspend the regular board meeting and to close the FY 17-18 Budget Hearing. AYE: Bartak, Carpenter, Dierks, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Whitaker & Wiles. NAY: None. ABSTAIN: None. ABSENT: Dvorak, Hughes & Meuret.

MOTION CARRIED.

- **Closing of FY 17-18 Budget Hearing and Action:** There being no further testimony regarding the 2017-2018 fiscal budget for the Upper Elkhorn NRD, the Budget Hearing was closed at 7:37 P.M. by Gene Kelly, Upper Elkhorn NRD Chairman; and, Gene reconvened the regular monthly board meeting at 7:38 PM. ⇒ It was moved by Keith Heithoff and seconded by Chris Dierks to adopt the published FY 17-18 UENRD Budget. AYE: Bartak, Carpenter, Dierks, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Whitaker & Wiles. NAY: None. ABSTAIN: None. ABSENT: Dvorak, Hughes & Meuret. MOTION CARRIED.

COMMITTEE REPORTS CONTINUED:

Water Quality and Watershed: The Committee met prior to the board meeting.

- **Groundwater Acre Certification/Transfer Issues:** None
- **NRD/NRCS-Shared Staff Member for Bazile Management Area:** The committee discussed the contract for the shared position. The UENRD portion would be approximately \$11,000 annually with the NRCS contributing \$45,000 and a vehicle annually. Contributions from the other 3 Bazile NRDs would also be in the contract. Phil Steinkamp, who has been selected for the position, would like to start October 3, 2017. ⇒ It was moved by Mark Carpenter and seconded by Jim Keller to enter into the agreement with NRCS for the Bazile Groundwater Management Coordinator. AYE: Bartak, Carpenter, Dierks, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Whitaker & Wiles. NAY: None. ABSTAIN: None. ABSENT: Dvorak, Hughes & Meuret. MOTION CARRIED.

UENRD FY 17-18 SPECIAL BUDGET HEARING:

⇒ It was moved by Gary Bartak and seconded by Curtis Gotschall to suspend the Board meeting at 7:45 PM for the special budget hearing to set the tax asking and mill-levy. AYE: Bartak, Carpenter, Dierks, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Whitaker & Wiles. NAY: None. ABSTAIN: None. ABSENT: Dvorak, Hughes & Meuret. MOTION CARRIED.

- **Open Special Hearing and Public Comment – Setting of FY 17-18 Tax Asking & Mill-Levy:** Gene Kelly, Chairman of the Upper Elkhorn NRD, officially opened the 2017-2018 Fiscal Year Special Hearing at 7:46 P.M. The hearing was to remain open for a minimum of 20 minutes. The purpose of the hearing is to receive support, opposition, criticism, suggestions or observations of taxpayers relating to setting the Tax

Asking & Mill-Levy different from FY 16-17. No comments were made at this time. In order to expedite the remainder of our agenda, the Budget Hearing was suspended until at least 8:05 PM and then allow any other persons wishing to testify to do so at that time.

Chairman Gene Kelly reconvened the regular monthly board meeting at 7:48 PM.

Water Quality and Watershed Committee Continued:

- **October, 2017 GW Irrigation Acre Expansion - Ranking Criteria Sheet:** Sarah Nevison, Water Resources Manager, presented information regarding 4 components of the criteria ranking sheet for clarification; and, an addition to the criteria ranking sheet submitted by a UENRD director.
 - Number 2 on the ranking sheet: Sarah presented the updated Nitrogen map that will be used for the October sign-up.
 - Number 10 on the ranking sheet refers to the stream drainage data as determined by the USDA-NRCS Web Soil Survey Program. It was proposed to change the point values from a -1 and -3 to -5 and -10 based on the number of drainages through the acres being developed. Discussion was held regarding the determination process of the stream drainages. ⇒ **It was moved by Jim Keller and seconded by Keith Heithoff to change the points on the criteria ranking sheet for the stream drainage question from -1 and -3 to -5 and -10. AYE: Carpenter, Dierks, Heithoff, Keller, Kelly & Whitaker. NAY: Bartak, Gotschall, Moser, Rice, Stewart & Wiles. ABSTAIN: None. ABSENT: Dvorak, Hughes & Meuret. MOTION RESULTED IN A TIE. ⇒ It was moved by Chris Dierks to and seconded by Aaron Rice to reconsider the previous vote.** Discussion was held regarding the definition of a stream and its drainage; and, that no two are the same.

UENRD FY 17-18 SPECIAL BUDGET HEARING:

- **Closing of Special Budget Hearing:** Gene Kelly, Chairman of the UENRD, noted that the specified time for the Special Budget Hearing had expired. ⇒ **It was moved by Curtis Gotschall and seconded by Dale Wiles to suspend the Board meeting at 8:06 PM for the closing of the special budget hearing. AYE: Bartak, Carpenter, Dierks, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Whitaker & Wiles. NAY: None. ABSTAIN: None. ABSENT: Dvorak, Hughes & Meuret. MOTION CARRIED.** There being no further testimony regarding setting the 2017-2018 Tax Asking & Mill-levy different than FY 2016-2017 for the Upper Elkhorn NRD, the Special Hearing was closed at 8:07 P.M. by Gene Kelly, Chairman of the Upper Elkhorn NRD.

Chairman Gene Kelly reconvened the regular monthly board meeting at 8:07 PM.

Water Quality and Watershed Committee Continued:

- Continuation of Number 10 on the ranking sheet referring to the stream drainage data as determined by the USDA-NRCS Web Soil Survey Program. ⇒ **It was moved by Curtis Gotschall and seconded by Roy Stewart to amend the previous motion to change the points from -1 and -3 to -10 and -20. AYE: Dierks, Gotschall, Heithoff, Rice, Stewart & Whitaker. NAY: Bartak, Carpenter, Keller, Kelly, Moser & Wiles. ABSTAIN: None. ABSENT: Dvorak, Hughes & Meuret. AMENDMENT ENDED IN A TIE. Vote to reconsider the original motion and vote to change the points on the criteria ranking sheet for the stream drainage question from -1 and -3 to -5 and -10. : AYE: Dierks, Gotschall, Heithoff, Keller, Kelly, Rice, Stewart & Whitaker. NAY: Bartak, Carpenter, Moser & Wiles. ABSTAIN: None. ABSENT: Dvorak, Hughes & Meuret. MOTION CARRIED.** Number 10 on the criteria ranking sheet will be scored using -5 and -10 points.
- Sarah reviewed the new Niobrara Basin map which will be used for the ranking criteria sheet; and, explained how it was developed.

- Number 18 on the criteria ranking sheet deals with best management practices. Sarah and Kelly will be developing a reporting form for landowners who sign-up for these practices and need to submit an annual report.
- A question regarding sodbusting/crop history was developed by request of an UENRD director to add to the ranking sheet. This question would assign negative points to a piece of ground being sodbusted. ⇒ **It was moved by Mark Carpenter and seconded by Chip Whitaker to include the question on the criteria ranking sheet with a score of -10 for sodbusting, otherwise the question would be worth no points; and, keep the minimum score at 140 points. AYE: Bartak, Carpenter, Dierks, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Whitaker & Wiles. NAY: None. ABSTAIN: None. ABSENT: Dvorak, Hughes & Meuret. MOTION CARRIED.**

UENRD FY 17-18 SPECIAL BUDGET HEARING Continued:

- **Setting of FY 17-18 Tax Asking & Mill Levy:** ⇒ **It was moved by Roy Stewart and seconded by Michael Moser to adopt the resolution motion to set the mill-levy at 0.015330 per \$100 of valuation and tax asking of \$760,105.60. AYE: Bartak, Carpenter, Dierks, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Whitaker & Wiles. NAY: None. ABSTAIN: None. ABSENT: Dvorak, Hughes & Meuret. MOTION CARRIED.**

COALITION/TASK FORCE UPDATE:

Lower Platte River Basin Water Management Plan Coalition: Dennis Schueth reported that the interlocal agreement is being reviewed. He also noted that the board needs to appoint a director and staff member as the second delegate to the Coalition. ⇒ **It was moved by Gene Kelly and seconded by Keith Heithoff to appoint Curtis Gotschall as a delegate for the Lower Platte River Basin Water Management Plan Coalition. AYE: Bartak, Carpenter, Dierks, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Whitaker & Wiles. NAY: None. ABSTAIN: Gotschall. ABSENT: Dvorak, Hughes & Meuret. MOTION CARRIED.** ⇒ **It was moved by Curtis Gotschall and seconded by Michael Moser to appoint Sarah Nevison as the second UENRD staff member for the Lower Platte River Basin Water management Plan Coalition. AYE: Bartak, Carpenter, Dierks, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Whitaker & Wiles. NAY: None. ABSTAIN: None. ABSENT: Dvorak, Hughes & Meuret. MOTION CARRIED.**

Niobrara River Basin Alliance: Dennis Schueth reported that the staff alternate voting position for the Alliance needs to be updated. ⇒ **It was moved by Michael Moser and seconded by Curtis Gotschall to appoint Sarah Nevison as the UENRD staff alternate voting member for the NRBA. AYE: Bartak, Carpenter, Dierks, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Whitaker & Wiles. NAY: None. ABSTAIN: None. ABSENT: Dvorak, Hughes & Meuret. MOTION CARRIED.**

Nebraska Habitat Conservation Coalition (Piping Plover): No Report.

Nebraska Ground Water Management Coalition: No Report.

ADMINISTRATIVE REPORT:

Dennis Schueth's report was mailed out to the directors prior to the board meeting in their packets. A copy is included with the official copy of the minutes in the office. Dennis reported that it was nice to have the Directors attend last month's Community Conversation event "Whose Water Is It Anyway". There was good information that can be share in conversation with the general public. He also noted that we will begin holding public meetings this fall and winter regarding our groundwater management plan triggering mechanisms. Dennis handed out a couple of articles regarding soil and water for the board to review.

OCTOBER BOARD MEETING: The next regular meeting of the Upper Elkhorn NRD Board of Directors will be held October 23, 2017 at the NRD office in O'Neill.

⇒ It was moved by Michael Moser and seconded by Chip Whitaker to adjourn at 9:15 PM. AYE: Bartak, Carpenter, Dierks, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Whitaker & Wiles. NAY: None. ABSTAIN: None. ABSENT: Dvorak, Hughes & Meuret. 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 September 14, 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