

**UPPER ELKHORN NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
December 18, 2017 – 2:30 P.M.
O’Neill Community Center
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 and the open meetings law posting were all noted at 2:38 P.M. by Chairman Gene Kelly.

DIRECTORS PRESENT:

| | | | | |
|-------------|----------------|--------------|------------------|----------------|
| Gary Bartak | Mark Carpenter | Chris Dierks | Curtis Gotschall | Keith Heithoff |
| Ted Hughes | Jim Keller | Gene Kelly | John Meuret | Michael Moser |
| Roy Stewart | Chip Whitaker | | | |

DIRECTORS ABSENT:

Aaron Rice Dale Wiles

STAFF PRESENT:

Dennis Schueth, General Manager
Sarah Nevison, Water Resources Manager
Kelly Kloppenborg, Water Resources Technician
Wayne Frederick, Water Resources Technician
Beth Walsh, Information & Education Coordinator
Andrea Fisher, Administrative Secretary
Jacob Morten, Forestry Wildlife and Resource Conservationist

GUESTS PRESENT:

Brandon Peterson, NRCS – O’Neill
Brian Frey – Tilden
Dean Smith – Brunswick
Mike Murphy – Middle Niobrara NRD
Marty Graff – Middle Niobrara NRD

ADOPTION OF AGENDA:

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

MINUTES:

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

TREASURERS REPORT:

The November treasurers report was reviewed by the Directors. ⇒ It was moved by Curtis Gotschall and seconded by John Meuret to approve the November Treasurers Report. **AYE:** Bartak, Carpenter, Dierks,

Gotschall, Keller, Kelly, Heithoff, Hughes, Meuret, Moser, Stewart & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Rice & Wiles. MOTION CARRIED.

PUBLIC FORUM, INPUTS OR COMMENTS:

None

AGENCY & STAFF REPORTS:

NARD Report: The Legislative Conference will be held January 23 & 24, 2018 at the Embassy Suites in Lincoln.

- **Voting Delegates:** Dennis Schueth reported that the UENRD will need to submit their voting delegates for the NARD Legislative Conference. ⇒ **It was moved by Mark Carpenter and seconded by Michael Moser to appoint Ted Hughes Voting Delegate and Gene Kelly Alternate. AYE: Bartak, Carpenter, Dierks, Gotschall, Keller, Heithoff, Meuret, Moser, Stewart & Whitaker. NAY: None. ABSTAIN: Kelly & Hughes. ABSENT: Rice & Wiles. MOTION CARRIED.**

DNR Report: Dennis Schueth reviewed the Water Sustainability Fund applications which have been funded by the Natural Resources Commission.

NRCS Report: Brandon Peterson's report was mailed out to the Directors. Brandon reported that they are starting the ranking process for EQIP contracts; finishing up obligating funds for CSP; tree plans for producers; and, waiting to see if there will be any more acres released for CRP. He also reported that they are operating on a continuing resolution until December 22 and hoping to have a new budget passed. Dennis Schueth and Brandon Peterson updated the Board regarding the NACD grant funding program. The deadline was November 27, 2017 and there were nine applications from Nebraska with five of the applications being approved for funding.

Holt County Extension: No Report.

RC&D Reports:

North Central RC&D: Jim Keller reported that the RC&D is working with different recycling programs and have developed a recycling directory.

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. Beth reviewed the list of Directors signed up for the NARD Legislative Conference. The last day to cancel a registration will be January 12, 2018.

Water Resources Report: Sarah Nevison's report was mailed out in the Directors packets. There are a couple of issues with the on-line Phase II reporting since the website update. Staff is working with Beehive to get the links fixed. Sarah reviewed the three informational meetings held to review Rule 27 prior to the public hearing. Fall static water levels have been completed and data is being entered into the computer for analysis. The report should be ready for review in January.

Bazile Management Area Report: Sarah Nevison reported that an Open House is being planned for February 7, 2018 in Osmond from 11:00 AM to 2:00 PM. Invitations will be focused in the Bazile Groundwater Management Area but Directors are invited to attend.

EXCUSED ABSENCES:

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

COMMITTEE REPORTS:

Legislative, Finance and Planning:

- 1. Action on Current bills and Cost Share Requests:** The Committee met prior to the Board meeting and reviewed the bills, accounts receivable and cost share applications. A question was raised regarding the participation in the O'Neill Chamber of Commerce; other chambers; and, whether or not we should participate. ⇒It was moved by Gary Bartak and seconded by Michael Moser not to renew the membership in the O'Neill Chamber of Commerce. AYE: Bartak, Carpenter, Dierks, Moser, Stewart & Whitaker. NAY: Gotschall, Keller, Kelly, Heithoff, Hughes & Meuret. ABSTAIN: None. ABSENT: Rice & Wiles. TIE VOTE – No Change. ⇒It was moved by Roy Stewart and seconded by Curtis Gotschall to approve the current bills for payment. AYE: Bartak, Carpenter, Dierks, Gotschall, Keller, Kelly, Heithoff, Hughes, Meuret, Moser, Stewart & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Rice & Wiles. MOTION CARRIED. Roy Stewart noted that the accounts receivable and bank statements look good. The Committee also reviewed cost share applications. ⇒It was moved by Roy Stewart and seconded by Jim Keller to approve 2 cost share applications for payment upon completion of the contract. AYE: Bartak, Carpenter, Dierks, Keller, Kelly, Heithoff, Hughes, Meuret, Moser, Stewart & Whitaker. NAY: None. ABSTAIN: Gotschall. ABSENT: Rice & Wiles. MOTION CARRIED. The monthly board meeting start time was discussed. Anyone with suggestions should contact the office or committee and this item will be discussed next month.

Water Resources & Watershed Committee: The Committee met prior to the board meeting.

- 1. Groundwater Acre Certification/Acre Transfers Items and Update:** The Committee reviewed the Groundwater Irrigated Acre Transfer applications. ⇒It was moved by Mark Carpenter and seconded by Jim Keller to approve the December Transfer of Groundwater Irrigated Acre requests pending completion of the paperwork. AYE: Bartak, Carpenter, Dierks, Gotschall, Keller, Kelly, Heithoff, Hughes, Meuret, Moser & Stewart. NAY: Whitaker. ABSTAIN: None. ABSENT: Rice & Wiles. MOTION CARRIED.
- 2. October 2017 GW Irrigation Acre Expansion Approval-Clarification:** Brian Frey attended the meeting to discuss his situation regarding his 2017 Expansion acres, his current Groundwater Irrigated Acre Transfer Application and how he would like to water the area. After the discussion, the Board noted that Mr. Frey will need to comply with his 2017 Expansion of Irrigated Acres application.
- 3. Mid-Month, Full Board Meeting-2018 Water Issues:** Dennis Schueth discussed holding a mid-month water issues meeting for the full board to discuss the IMP, Phase III, Phase II analysis, etc. It was decided to plan a meeting the week of February 5, 2018 and begin at 2:00 PM.
- 4. UENRD Rule 27-Static Water Triggering and info meetings. Public hearing-December 18, 1:30 -2:30 PM O'Neill Community Center-Hearing Officer:** Dennis Schueth reviewed the informational meetings and public hearing with regard to the changes to the GWMP Rules and Regulations Static Water Triggering Mechanisms.

UENRD RULE 27-STATIC WATER TRIGGERING-ACTION:

⇒It was moved by Mark Carpenter and seconded by Ted Hughes to approve Rule 27 of the Upper Elkhorn NRD GWMP Rules and Regulations. AYE: Carpenter, Dierks, Gotschall, Keller, Kelly, Heithoff, Hughes, Meuret, Moser, Stewart & Whitaker. NAY: None. ABSTAIN: Bartak. ABSENT: Rice & Wiles. MOTION CARRIED.

⇒ It was moved by John Meuret and seconded by Mark Carpenter to publicize the Order for Rule 27 of the UENRD GWMP Rules and Regulations effective February 1, 2018. AYE: Bartak, Carpenter, Dierks, Gotschall, Keller, Kelly, Heithoff, Hughes, Meuret, Moser, Stewart & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Rice & Wiles. MOTION CARRIED.

COALITIONS UPDATE:

Lower Platte River Basin Water Management Plan Coalition: The Lower Platte River Basin Water Management Plan agreement was approved by the UENRD last month; and, should be approved by all the members by the end of December.

Niobrara River Basin Alliance: Dennis Schueth reviewed the purpose of the Alliance with the audience and how we are managing locally for future uses.

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

Nebraska Ground Water Management Coalition: No Report.

ADMINISTRATIVE REPORT:

Dennis Schueth's report was mailed out in the Director's packets. A copy is included with the official copy of the minutes in the office. Dennis commented that the work on Rule 27 was a long process and it is nice to be able to move forward. The next task will be Phase III requirements. Dennis also passed out information regarding the retirement of Dr. Charles Shapiro. There will be an open house January 5, 2018 in Concord.

JANUARY BOARD MEETING:

Due to the NARD Legislative Conference and Martin Luther King Jr. day, the January board meeting date will be changed to January 16, 2018 at 2:30 PM with committee meetings being held prior to the board meeting.

ADJOURNMENT:

⇒ It was moved by John Meuret and seconded by Michael Moser to adjourn at 4:11 PM. AYE: Bartak, Carpenter, Dierks, Gotschall, Keller, Kelly, Heithoff, Hughes, Meuret, Moser, Stewart & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Rice & Wiles. 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 December 18, 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