

**UPPER ELKHORN NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
July 26, 2021 -- 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; and, the open meetings law posting were noted at 7:01 P.M. by Chairman Michael Moser.

DIRECTORS PRESENT:

Kevin Blair	Chris Dierks	Cody Frank	Marv Fritz	Curtis Gotschall
Keith Heithoff	Jim Keller	Gene Kelly	Michael Moser	Aaron Rice
Roy Stewart	Art Tanderup	John Vogel	Chip Whitaker	

DIRECTORS ABSENT:

Gary Bartak

STAFF PRESENT:

Dennis Schueth - General Manager
Beth Walsh - Information & Education/Chemigation Coordinator
Joslynn Vanderslice - Water Resources Manager
Kelly Kloppenborg - Water Resources Technician
Wayne Frederick - Water Resources Technician
Aron Lewis - Forestry, Wildlife, Resource Conservationist
Brett Sholes – Agronomy Resource Technician

GUESTS PRESENT:

Leroy Behnk, - Elgin, NE

ADOPTION OF AGENDA:

⇒It was moved by Gene Kelly and seconded by John Vogel to adopt the agenda. **AYE:** Blair, Dierks, Frank, Fritz, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Tanderup, Vogel & Whitaker. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Bartak. **MOTION CARRIED.**

MINUTES:

The minutes of the June Meeting were reviewed by the Directors and a correction was noted in the opening remarks and attendance. ⇒It was moved by Jim Keller and seconded by Gene Kelly to approve the minutes of the June Meeting. **AYE:** Blair, Dierks, Frank, Fritz, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Tanderup, Vogel & Whitaker. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Bartak. **MOTION CARRIED.**

TREASURERS REPORT:

The June treasurers report was reviewed by the Directors. ⇒It was moved by Roy Stewart and seconded by Keith Heithoff to approve the June Treasurers Report. **AYE:** Blair, Dierks, Frank, Fritz, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Tanderup, Vogel & Whitaker. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Bartak. **MOTION CARRIED.**

PUBLIC FORUM-INPUT OR COMMENTS:

Dennis Schueth updated the Board regarding the Bitney's NSWCP contract which a portion of will need to be reimbursed to the Nebraska Department of Natural Resources. The Nebraska Soil & Water Conservation Program cost shares on conservation practices which must remain on the specified ground for a minimum of 10 years. If the conservation practice is removed before the 10 years expires, the landowner is required to pay back the pro-rated amount. The Bitney's have been notified.

AGENCY & STAFF REPORTS:

NARD Report: No Report. The next meeting will be in conjunction with the NARD Annual Conference.

DNR Report: No Report.

NRCS Report: Brandon Peterson's report was mailed out to the Directors.

RC&D Report:

North Central RC&D: No Report.

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 reported that they are planning to hold the NARD Annual Conference in Kearney September 27 & 28. A signup sheet was passed around; and, the Directors were asked to fill out whether or not they would like to attend. This will help staff begin to make arrangements for the conference.

Water Resources Report: Joslynn VanDerslice's report was mailed out in the Directors packets. Joslynn reported that a clean copy of the draft GWMP Rules and Regulations were sent out in the Director packets. These are the updates that will need to go to public hearing in August. An updated Phase II compliance list was included in the Directors folders which Joslynn reviewed. Water samples for the 2021 sampling period are also being collected by NRD staff.

Bazile Management Report: Whitney Gappa-BGMA Coordinator's; and, Jeremy Milander-BGMA Assistant Extension Educator reports were mailed out in the Directors packets. Joslynn reported that the field day is scheduled for September 9 and will be a full day event. The BGMA project has also received word that Congressman Adrian Smith is planning to visit the project in August.

UNL Extension: No Report.

EXCUSED ABSENCES:

⇒ It was moved by Chris Dierks and seconded by Jim Keller to approve the absence of Gary Bartak. **AYE:** Blair, Dierks, Frank, Fritz, Gotschall, Keller, Kelly, Moser, Rice, Stewart, Tanderup, Vogel & Whitaker. **NAY:** Heithoff. **ABSTAIN:** None. **ABSENT:** Bartak. **MOTION CARRIED.**

COALITION/TASK FORCE UPDATE:

Niobrara River Basin Coalition: Dennis Schueth reported that the documentation for the transfer of water rights for the Spencer Dam area is currently being reviewed by NPPD.

Lower Platte River Basin Water Management Plan Coalition: The Technical Committee will be meeting August 18 to discuss the second increments.

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

Nebraska Groundwater Management Coalition: No Report.

COMMITTEE REPORTS & RECOMMENDATIONS:

Legislative, Finance and Planning Committee:

- **Action on Current Bills and Cost share Requests:** The committee met prior to the board meeting and reviewed the current bills, accounts receivable and bank statements. ⇒ **It was moved by Roy Stewart and seconded by John Vogel to approve the current bills for payment. AYE: Blair, Dierks, Frank, Fritz, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Tanderup, Vogel & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Bartak. MOTION CARRIED.** Questions were discussed regarding our portion of the NRCS clerk in Wheeler County billing; and, the Districts current insurance coverage, premiums and deductibles.

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

- **Groundwater Acre Expansion-Transfer Applications Request or Issues:** None
- **Groundwater Management Plan-Rules and Regulations Modifications & Review-Issue Public Meeting Notice:** ⇒ **It was moved by Aaron Rice and seconded by Cody Frank to move forward with the updated GWMP Rules and Regulations and hold the Public Hearing August 23, 2021. AYE: Blair, Dierks, Frank, Fritz, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Tanderup, Vogel & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Bartak. MOTION CARRIED.**
- **Discussion on Expansion of Acres for the 2021-2022 Growing Season:** ⇒ **It was moved by Aaron Rice and seconded by Marv Fritz to hold an Expansion of Groundwater Irrigated Acres sign-up during the month of October 2021 for up to 1000 new acres. AYE: Blair, Dierks, Frank, Fritz, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Tanderup, Vogel & Whitaker. NAY: None. ABSTAIN: Stewart. ABSENT: Bartak. MOTION CARRIED.** Aaron Rice reported that the committee discussed focusing on the smaller pie's to finish off circles; and, may review the ranking criteria for this purpose.

Personnel, Equipment, Promotion & Education Committee: The Committee met prior to the board meeting to review salary information; and, budgeting considerations for expenditures associated with the FY 21-22 fiscal budget regarding equipment.

- **Update/Direction on Equipment and Personnel Expenses for FY 21-22:** ⇒ **It was moved by Chris Dierks and seconded by Jim Keller to go into executive session at 7:31 PM to discuss job performances of the Upper Elkhorn NRD Staff and to protect the public interests and reputation of those from any undue harm and the impact it may have on the FY 21-22 salaries and excuse all staff except for the General Manager from the executive session. AYE: Blair, Dierks, Frank, Fritz, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Tanderup, Vogel & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Bartak. MOTION CARRIED.** Chairman Michael Moser reconvened the regular board meeting at 7:51 PM. ⇒ **It was moved by Chris Dierks and seconded by Chip Whitaker to approve the salary recommendations of the Committee for the FY 21-22. AYE: Blair, Dierks, Frank, Fritz, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart, Tanderup, Vogel & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Bartak. 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.

AUGUST BOARD MEETING:

The next regular meeting date for the UENRD would be August 23, 2021 at 7:00 PM.

⇒ It was moved by Gene Kelly and seconded by Curtis Gotschall to adjourn at 7:53 PM. **AYE:** Blair, Dierks, Frank, Fritz, Gotschall, Keller, Kelly, Moser, Rice, Stewart, Tanderup, Vogel & Whitaker. **NAY:** Heithoff. **ABSTAIN:** None. **ABSENT:** Bartak. **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 July 26, 2021 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.

Gene Kelly, Secretary