

**UPPER ELKHORN NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING  
September 18, 2023 -- 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 were all noted at 7:00 P.M. by Chairman Keith Heithoff.

**DIRECTORS PRESENT:**

Gary Bartak	Kevin Blair	Chris Dierks	Marv Fritz	Curtis Gotschall
Trevor Gotschall	Keith Heithoff	Gene Kelly	Aaron Rice	Roy Stewart
Art Tanderup				

**DIRECTORS ABSENT:**

Matt Beckman	Cody Frank	Tony Sanderson	John Vogel
--------------	------------	----------------	------------

**STAFF PRESENT:**

Dennis Schueth - General Manager  
Jeff Langan - Administrative Secretary  
Joslynn VanDerslice - Water Resources Manager  
Kelly Kloppenborg - Water Resources Technician  
Beth Walsh - Information & Education/Chemigation Coordinator

**GUESTS PRESENT:**

Brandon Peterson, NRCS – O'Neill

**AGENDA:**

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

**AUGUST 22, 2023 BUDGET WORKSHOP MINUTES:**

The minutes of the August 22, 2023 Budget Workshop were reviewed by the Directors. ⇒ It was moved by Curtis Gotschall and seconded by Gene Kelly to approve the minutes of the August 22, 2023 budget workshop meeting. **AYE:** Bartak, Blair, Fritz, C. Gotschall, T. Gotschall, Kelly, Rice, Stewart & Tanderup. **NAY:** None. **ABSTAIN:** Dierks & Heithoff. **ABSENT:** Beckman, Frank, Sanderson & Vogel. **MOTION CARRIED.**

**AUGUST BOARD MEETING MINUTES:**

⇒ It was moved by Curtis Gotschall and seconded by Chris Dierks to approve the minutes of the August Board Meeting with the correction. **AYE:** Bartak, Blair, Dierks, Fritz, C. Gotschall, T. Gotschall, Kelly, Rice, Stewart & Tanderup. **NAY:** None. **ABSTAIN:** Heithoff. **ABSENT:** Beckman, Frank, Sanderson & Vogel. **MOTION CARRIED.**

**TREASURERS REPORT:**

⇒ It was moved by Gene Kelly and seconded by Roy Stewart to approve the August Treasurers Report. **AYE:** Bartak, Blair, Dierks, Fritz, C. Gotschall, T. Gotschall, Heithoff, Kelly, Rice, Stewart & Tanderup. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Beckman, Frank, Sanderson & Vogel. **MOTION CARRIED.**

## **PUBLIC FORUM-INPUT OR COMMENTS:**

None

## **AGENCY & STAFF REPORTS:**

**NARD Report:** Gene Kelly reported that he participated in a legislative Zoom meeting prior to the NARD Annual Conference scheduled for September 25-26 in Kearney. Gene Kelly noted that there have not been any resolutions submitted. Resolutions can still be submitted at the conference with a 75% vote of the body to accept. A copy of the resolution being considered by Farm Bureau was distributed to the Directors regarding taxing authority and the distribution of taxes.

**Voting Delegates for NARD Conference:** ➡ **It was moved by Chris Dierks and seconded by Curtis Gotschall to appoint Gene Kelly as the Delegate and Art Tanderup as the Alternate. AYE: Bartak, Blair, Dierks, Fritz, C. Gotschall, T. Gotschall, Heithoff, Rice & Stewart. NAY: None. ABSTAIN: Kelly & Tanderup. ABSENT: Beckman, Frank, Sanderson & Vogel. MOTION CARRIED.**

**NeDNR Report:** No Report.

**NRCS Report:** Brandon Peterson's report was mailed out to the Directors. Brandon reviewed the EQIP, CSP and CRP programs. This included dollars allocated and the amount of acres receiving conservation practices. He also reported that compliance reviews have been completed for this year and the deadline for applying for the EQIP and CSP has been set for November 17. There will also be a range judging competition in Boyd County on September 19.

## **RC&D Reports:**

**North Central RC&D:** Marv Fritz reported that they are holding paper shredding events and working on the tire amnesty grant.

**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 Directors attending the NARD Annual Conference in Kearney to make sure there were not any changes and provided their hotel confirmation numbers. The Wonderful World of Water program will be held September 20 at Gilman Park in Pierce.

**Water Resources Report:** Joslynn VanDerslice's report was mailed out in the Director's packets. Joslynn reported that there was a red-line copy of the UENRD Chemigation Rules and Regulations for review. The Chemigation Rules and Regs need to be updated due to the changes made at the state level. The Committee has also made recommendations regarding the Chemigation fees to promote the renewal of Chemigation sites annually and help offset the Chemigation program costs. If any of the Directors have any comments regarding the rules and regulations they should contact a Committee member or the staff. We would like to have the vote to go to public hearing on the changes in October so the new rules will be in effect for the Chemigation mailing in January. The Phase III randomization has been completed and fields are being scouted. Staff is also finishing up water sampling and preparing for static water level measurements.

**Bazile Management Report:** Lisa Lauver's report was included in the Directors packet. The Farmers Appreciation Dinner was held September 5 with 66 people attending.

**UNL Extension:** No Report.

### **EXCUSED ABSENCES:**

⇒ It was moved by Aaron Rice and seconded by Gene Kelly to excuse Matt Beckman, Cody Frank, Tony Sanderson and John Vogel. **AYE:** Bartak, Blair, Dierks, Fritz, C. Gotschall, T. Gotschall, Heithoff, Kelly, Rice, Stewart & Tanderup. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Beckman, Frank, Sanderson & Vogel.

### **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 Marv Fritz and seconded by Roy Stewart to approve the current bills for payment. **AYE:** Bartak, Blair, Dierks, Fritz, C. Gotschall, T. Gotschall, Heithoff, Kelly, Rice, Stewart & Tanderup. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Beckman, Frank, Sanderson & Vogel. **MOTION CARRIED.** There were no cost share applications. Dennis Schueth reviewed the clerical issues that were found in the budget following the budget workshop. The UENRD will send out another public notice to the public addressing the changes; however, the clerical error does not change the mill-levy or tax asking for FY 23-24 budget. Marv Fritz presented the resolution to set the tax asking and mill levy for the FY 23-24 budget. ⇒ It was moved by Gene Kelly and seconded by Chris Dierks to adopt the resolution for setting the tax request and mill-levy for the FY 2023-2024 UENRD Budget. **AYE:** Bartak, Blair, Dierks, Fritz, C. Gotschall, T. Gotschall, Heithoff, Kelly, Rice, Stewart & Tanderup. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Beckman, Frank, Sanderson & Vogel. **MOTION CARRIED.** This motion was determined to be null and void.

**Water Quality and Watershed:** The Committee met prior to the board meeting. Aaron Rice reported that they are working on the UENRD Chemigation Rules and Regulations. They also reviewed the updated criteria ranking sheet question #5 which was changed at last months board meeting for clarification.

- **Chemigation Rules and Regulations-Public Hearing:** Joslynn VanDerslice covered this item in her report.
- **Acre Certification and GW Acre Transfers – Applications:** No Report
- **Groundwater Management Rules and Regulations:** No Report

### **COALITION/TASK FORCE UPDATE:**

- **Niobrara River Basin Alliance:** The Alliance will be meeting to discuss the Subordination issues in the Niobrara River Basin.
- **Lower Platte River Basin Water Management Plan Coalition:** No Report.
- **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 Schueth provided the board with a handout of the Mesonet draft regarding establishing weather stations across Nebraska for continued data to aid in modeling. Dennis addressed a question by Chris Dierks at the previous board meeting regarding the tree program. Dennis explained that the average tree belt is now approximately 284 trees which has decreased over the years. The Districts big tree years occurred in conjunction with federal programs which required tree plantings. Dennis also noted that the passing of the FY 2023-2024 Budget was not specifically listed on the agenda so the District will need to hold a special meeting to formally adopt the budget. A tentative date for that meeting will be September 27, 2023 at 1:30 PM. Dennis will keep the board up-to-date on this issue.

**OCTOBER BOARD MEETING:** The next regular meeting of the Upper Elkhorn NRD Board of Directors will be held October 23, 2023 at the NRD office in O'Neill.

⇒ It was moved by Trevor Gotschall and seconded by Marv Fritz to adjourn at 7:40 PM. **AYE:** Bartak, Blair, Dierks, Fritz, C. Gotschall, T. Gotschall, Heithoff, Kelly, Rice, Stewart & Tanderup. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Beckman, Frank, Sanderson & Vogel. **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 18, 2023 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/Treasurer