

**UPPER ELKHORN NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
November 27, 2023 -- 3:00 P.M.
O'Neill, NE**

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 and the open meetings law posting were all noted at 3:05 P.M. by Chairman Keith Heithoff.

DIRECTORS PRESENT:

Gary Bartak	Matt Beckman	Kevin Blair	Chris Dierks	Marv Fritz
Curtis Gotschall	Keith Heithoff	Aaron Rice	Tony Sanderson	Roy Stewart
Art Tanderup	John Vogel	Trevor Gotschall (Arr. 3:10)		

DIRECTORS ABSENT:

Cody Frank Gene Kelly

STAFF PRESENT:

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

GUESTS PRESENT:

Sabrina Negus – Soil Conservationist, NRCS Office – Neligh
Donna Hanson – Antelope County Museum
Amy Timmerman – UNL Extension – O'Neill

AGENDA:

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

MINUTES:

The minutes of the October Meeting were reviewed by the Directors. ⇒ It was moved by Chris Dierks and seconded by Marv Fritz to approve the minutes of the October Meeting. **AYE:** Blair, Dierks, Fritz, C. Gotschall, Heithoff, Sanderson, Stewart, Tanderup & Vogel. **NAY:** None. **ABSTAIN:** Bartak, Beckman & Rice. **ABSENT:** Frank, T. Gotschall & Kelly. **MOTION CARRIED.**

TREASURERS REPORT:

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

Trevor Gotschall arrived at 3:10 PM

PUBLIC FORUM-INPUT:

Antelope County Historical Society – Donna Hanson: Donna Hanson from the Antelope County Historical Society in Neligh attended the board meeting to answer questions regarding their grant request for funding a water exhibit at the Antelope County Museum. The Historical Society is requesting \$1,235 to develop, implement and promote a water conservation exhibit for the Antelope County Museum. ⇒ **It was moved by Matt Beckman and seconded by Tony Sanderson to approve the grant request for \$1,235 from the Antelope County Historical Society. AYE: Bartak, Beckman, Blair, Dierks, Fritz, C. Gotschall, T. Gotschall, Heithoff, Rice, Sanderson, Stewart, Tanderup & Vogel. NAY: None. ABSTAIN: None. ABSENT: Frank & Kelly. MOTION CARRIED.** It was also suggested that the Antelope County Historical Society consider tailoring the exhibit more toward local water facts as opposed to some of the broader facts listed in their handout.

AGENCY & STAFF REPORTS:

NARD Report: Dennis Schueth reported that the NARD is proposing raising the contribution levels of the District and Employee for the retirement program by 1%. There hasn't been a change to the retirement contributions since 2006. Other entities are offering 14-15% retirement packages and if the recommendation would be approved it would take the NRD retirement benefit to 13.5%. This change is contingent on all of the NRDs approval to participate in the increase. ⇒ **It was moved by Aaron Rice and seconded by Trevor Gotschall to agree to the additional 1% increase in the NARD Retirement Benefits program. AYE: Beckman, Blair, Dierks, C. Gotschall, T. Gotschall, Sanderson, Tanderup & Vogel. NAY: Bartak, Fritz, Heithoff, Rice & Stewart. ABSTAIN: None. ABSENT: Frank & Kelly. MOTION CARRIED.**

DNR Report: Garry Anderson's report was handed out at the board meeting. Dennis Schueth reported that we are still working on the Districts Long Range Plan. A copy of the goals that will be included in the plan were reviewed by the Legislative Budget and Finance Committee.

NRCS Report: Brandon Peterson's report was mailed out to the Directors. Sabrina Negus, Soil Conservationist, in the Neligh Office attended the meeting. Sabrina reviewed Brandon's report on the EQIP, CRP and CSP programs. She also reported that Holt County has been selected to host the Area 5 range judging competition in 2024 and they are still operating on a continuing resolution until January 19, 2024. Congress has also extended the Farm Bill until September 30, 2024.

- **Source Water Protection Position – Wellhead Protection Area:** Dennis Schueth reported that NRCS would like to partner with the NRDs to fund Source Water Protection positions around the state. This is still in the discussion stage and it is not clear what the funding breakdown would be between the two agencies.
- **Antelope County NRD/NRCS Clerical Position:** Since the resignation of Caitlin Smith, Dennis has been in contact with an individual who had applied for the UENRD Secretarial position this past March to see if they would be interested in the Neligh NRCS office position. Dennis reported that they would be interested and he has been negotiating compensation with them. ⇒ **It was moved by Chris Dierks and seconded by John Vogel to authorize Dennis Schueth to offer the Neligh NRCS Secretary position to Denise Napier at an annual salary of \$36,000 with a start date of January 1, 2024. AYE: Bartak, Beckman, Blair, Dierks, Fritz, T. Gotschall, Heithoff, Rice, Sanderson, Stewart, Tanderup & Vogel. NAY: None. ABSTAIN: None. ABSENT: Frank, C. Gotschall & Kelly. MOTION CARRIED.**

RC&D Report:

North Central RC&D: Marv Fritz reported that Kim has not found a replacement and he has been acting Treasurer. They are still waiting on word for 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 passed around a sign-up sheet for those who would like to attend the 2024 Legislative Conference scheduled for January 22-24, 2024 at the Embassy Suites in Lincoln. Registration will be confirmed at the December meeting so it can be submitted before the deadline.

Water Resources Report: Joslynn VanDerslice's report was mailed out in the Director's packets. Joslynn reported that the Phase II letters have been sent out as well as the nitrate letters. The deadline for Phase II reports is December 31. Static water measurements have been completed and a summary will be available once all the data is compiled. Phase III soil sampling is ongoing with both Brett Sholes and the contractor taking samples once the fields are harvested.

Bazile Groundwater Management Area Report: Lisa Lauver's report was mailed out in the Director packets. Joslynn VanDerslice reported that the first draft of the Bazile Groundwater Management plan has been submitted and returned with comments to review and update.

UNL Extension – Amy Timmerman: Amy reported that she will be the liaison for the Bazile project and potential grant opportunities. Amy will also be working on field plots in the Bazile and other areas not necessarily related to the Bazile area. She also noted that Pesticide certification fee has increased and training dates for both pesticide and Chemigation training will be set in the next couple of weeks. UNL has also hired a Livestock Educator for this area and she will be starting in June 2024.

EXCUSED ABSENCES:

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

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

COMMITTEE REPORTS:

Legislative, Budget and Finance Committee: The Legislative, Finance and Planning Committee met prior to the Board meeting and reviewed the current bills, accounts receivable and bank statements.

1. **Action on Current Bills and Cost share Requests:** ⇒It was moved by Roy Stewart and seconded by Curtis Gotschall to pay the current bills. **AYE:** Bartak, Beckman, Blair, Dierks, Fritz, C. Gotschall, T. Gotschall, Heithoff, Rice, Sanderson, Stewart, Tanderup & Vogel. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Frank & Kelly. **MOTION CARRIED.**
2. **Long Range Implementation Plan:** The Legislative, Budget and Finance committee received the goals for review which will be included in the Long Range Plan.

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

1. **Chemigation Rules and Regulations – Public Hearing Update:** Aaron Rice reported that the public hearing was conducted earlier with no one in attendance.
 - a. **Action on New Chemigation Rules and Regulations:** ⇒It was moved by Aaron Rice and seconded by Curtis Gotschall to adopt the proposed changes to the Upper Elkhorn NRD Chemigation Rules and Regulations and issue an Order adopting the same. **AYE:** Bartak, Beckman, Blair, Dierks, Fritz, C. Gotschall, T. Gotschall, Heithoff, Rice, Sanderson & Tanderup. **NAY:** Vogel. **ABSTAIN:** Stewart. **ABSENT:** Frank & Kelly. **MOTION CARRIED.**

2. **Action on October 2023 Acre Expansion Applications for 2024:** The Committee Reviewed the 2023 Groundwater Irrigated Acre Expansion applications prior to the board meeting. The focus of this year's Expansion was to finish off pies completing the center pivot irrigation distribution system. The UENRD received 4 applications. There were three applications to finish center pivots which were prioritized and one application extending the center pivot. ⇒ **It was moved by Aaron Rice and seconded by Curtis Gotschall to approve applications 23-1, 23-2 and 23-4 for pies completing pivots for the 2023 Expansion of Groundwater Irrigated Acres for the 2024 growing season. AYE: Bartak, Beckman, Blair, Dierks, Fritz, C. Gotschall, T. Gotschall, Heithoff, Rice, Sanderson, Stewart & Tanderup. NAY: Vogel. ABSTAIN: None. ABSENT: Frank & Kelly. MOTION CARRIED.**
3. **Certification and GW Acre Transfers-Applications:** None.
4. **Groundwater Management Rules and Regulations:** Aaron Rice reported that the Committee is discussing Rule 16, acre certification and Phase II designations as well as other aspects of the rules and regulations.

COALITIONS UPDATE:

Niobrara River Basin Alliance: Dennis Schueth reported that they are still working through the interlocal agreements and sub-ordination issues.

Lower Platte River Basin Water Management Plan Coalition: No Report.

Nebraska Habitat Conservation Coalition (Piping Plover): Dennis Schueth reported that the Lower Elkhorn NRD has been handling the financial responsibilities of the Coalition but since Mike Sousek resigned from the LENRD, they are having check signing issues for the group. They are in the process now of getting Brian Bruckner listed as the treasurer and able to sign checks.

Nebraska Ground Water Management Coalition: No Report

ADMINISTRATIVE REPORT:

Dennis Schueth's report was mailed out in the Director's packets prior to the board meeting. A copy is included with the official copy of the minutes in the office. Dennis reported that the Board will receive the MOU between the UENRD and NRCS for consideration in December. Dennis noted that he received a letter of resignation from the UENRD Board of Directors from Keith Heithoff. The Board will need to discuss the options for filling his position. Keith's position would be up for election next year.

NEXT BOARD MEETING -DECEMBER 18, 2023:

⇒ **It was moved by Curtis Gotschall and seconded by Art Tanderup to hold the next board meeting on December 18, 2023 at 2:30 PM. AYE: Bartak, Beckman, Blair, Dierks, Fritz, C. Gotschall, T. Gotschall, Heithoff, Rice, Sanderson, Stewart & Tanderup. NAY: Vogel. ABSTAIN: None. ABSENT: Frank & Kelly. MOTION CARRIED.**

The next regular meeting of the UENRD will be held December 18, 2023 at 2:30 PM.

⇒ **It was moved by Aaron Rice and seconded by Tony Sanderson to adjourn the board meeting at 4:32 PM. AYE: Bartak, Beckman, Blair, Dierks, Fritz, C. Gotschall, T. Gotschall, Heithoff, Rice, Sanderson, Stewart, Tanderup & Vogel. NAY: None. ABSTAIN: None. ABSENT: Frank & Kelly. MOTION CARRIED.**

There being no further business to come before the Board, the meeting was adjourned at 4:32 P.M.

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 November 27, 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