

**UPPER ELKHORN NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
January 16, 2024 -- 2:30 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 all noted at 2:30 P.M. by Vice Chairman Aaron Rice.

DIRECTORS PRESENT:

Gary Bartak	Kevin Blair	Chris Dierks	Cody Frank	Marv Fritz
Curtis Gotschall	Trevor Gotschall	Gene Kelly	Aaron Rice	Tony Sanderson
Roy Stewart	Art Tanderup	John Vogel		

DIRECTORS ABSENT:

Matt Beckman

STAFF PRESENT:

Dennis Schueth, General Manager	Joslynn VanDerslice, Water Resources Manager
Beth Walsh, Information & Education Coordinator	Kelly Kloppenborg, Water Resources Technician
Wayne Frederick, Water Resources Technician	Jeff Langan, Administrative Secretary

GUESTS PRESENT:

Brandon Peterson – NRCS – O'Neill
Cameron Smith - Bassett, NE (did not sign in)

ADOPTION OF AGENDA:

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

MINUTES:

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

ELECTION OF UENRD BOARD OFFICERS & REPRESENTATIVES:

Chairman: Gene Kelly nominated Aaron Rice and Roy Stewart nominated Chris Dierks. Curtis Gotschall moved nominations cease and a vote be cast. Ballots were handed out and the vote was taken. Aaron Rice received 6 votes and Chris Dierks received 7 votes. Chris Dierks was elected Board Chairman and took over the meeting.

Remaining UENRD Board Officers and Representatives: ⇒ It was moved by Tony Sanderson and seconded by Curtis Gotschall to retain the remaining 2023 UENRD officers and representatives for 2024. **AYE:** Bartak, Blair, Frank, Fritz, C. Gotschall, T. Gotschall, Kelly, Rice, Sanderson, Stewart, Tanderup & Vogel. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Beckman. **MOTION CARRIED.** It was noted by Chairman Dierks that he would only be voting in the event of a tie vote of the Board.

2024 Upper Elkhorn NRD Board Officers and Representatives:

Chairman: Chris Dierks

Vice Chairman: Aaron Rice

Secretary/Treasurer: Gene Kelly

NARD Rep: Gene Kelly

Northeast RC&D Rep: Cody Frank

North Central RC&D Rep: Marv Fritz

Loup Basin RC&D Rep: Chris Dierks

Alternate: Marv Fritz

Alternate: Chris Dierks

Alternate: Kevin Blair

Alternate: Curtis Gotschall

Alternate: Gary Bartak

TREASURERS REPORT:

The December treasurers report was reviewed by the Directors. ⇒ **It was moved by Roy Stewart and seconded by Tony Sanderson to approve the December Treasurers Report. AYE: Bartak, Blair, Frank, Fritz, C. Gotschall, T. Gotschall, Kelly, Rice, Sanderson, Stewart, Tanderup & Vogel. NAY: None. ABSTAIN: None. ABSENT: Beckman. MOTION CARRIED.**

PUBLIC FORUM-INPUT OR COMMENTS:

Roy Stewart introduced Cameron Smith as a possible replacement for his position representing Sub-district 1. Mr. Smith was encouraged to file for the general election.

AGENCY & STAFF REPORTS:

NARD Report: The NARD Legislative Conference is scheduled for January 23 & 24 at the Embassy Suites in Lincoln. Dennis has been sending out the legislative updates for the Directors review. Gene Kelly addressed LB 1080 regarding the wastewater grant. Dennis handed out the proposed legislation to date for the Directors to review. The delegate of UENRD Directors attending the NARD Legislative Conference will have the opportunity to gather more information before taking any action during the conference. It was noted that there is a lot of attention being brought to nitrogen issues in the state. There will be a scheduled dinner with the Senators from the LENRD, UENRD, LCNRD and LNNRD following the NARD Senator Reception at the Embassy Suites.

DNR Report: No Report

NRCS Report: Brandon Peterson's report was mailed out to the Directors. Brandon stated that they have received the cost list for the EQIP program so they are able to work on ranking applications. They are currently ranking CSP applications from their initial allocation for funds. Holt County has been chosen to host the Area 5 Range Judging contest. NRCS is still operating on a continuing resolution and Congress has extended the Farm Bill until September.

Update Source Water Protection Position-Wellhead Protection Area: Dennis Schueth updated the Board regarding a new proposed position for a Source Water Protection employee. This person would be hired to promote practices that would aid in reducing nitrogen use in wellhead protection areas. NRCS is looking for matching funds for these positions. Matching funds could be in dollars and/or equipment. The LENRD, LCNRD and LNNRD have shown interest in funding this position in their areas. Lisa Lauver is already providing this type of service in the Bazile Groundwater Management Area so the new position would be working with other communities outside of this area. The Board would like more information and possible costs for the position.

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 the Directors attending conference can find their hotel information and Senator Dinner invitations in their folders. Also, in the Director's folders were photos submitted by the Antelope County Historical Society depicting the water display the UENRD helped to fund with grant monies. There have been two incumbents that have filed for the 2024 general election.

Water Resources Report: Joslynn VanDerslice's report was mailed out in the Directors packets. Joslynn handed out a list of the UENRD nitrogen certification training dates for 2024. She also distributed the first Phase II noncompliant list. The list contained the landowners, legal descriptions and the most recent operators staff were able to compile. Nitrogen certification letters will be going out to those cooperators that need to renew their certification as well as the first noncompliant letter for Phase II. A flyer for the Bazile Groundwater Management Area Winter Meeting was also distributed. The annual Policy Issues meeting was discussed and the consensus of the board members was to hold the meeting on February 6, 2024 at 2:00 PM at the NRD office. Joslynn also reported that there will be a Producer Connect meeting held in conjunction with the NARD Legislative Conference. Last month the Nitrate Water Sampling data was handed out to the Board for their review. Joslynn reviewed the nitrate water sampling data and asked if there were any clarifications that needed to be made for the Directors.

Bazile Management Report: Lisa Lauver's report was distributed in the Directors folders. The Bazile Groundwater Management Area Winter meeting is scheduled for January 30 at the Orchard Gym.

UNL Extension: No Report.

EXCUSED ABSENCES:

⇒ It was moved by Curtis Gotschall and seconded by Tony Sanderson not to excuse the absence of Matt Beckman. **AYE:** Dierks, Fritz, C. Gotschall, T. Gotschall, Sanderson, Stewart & Tanderup. **NAY:** Bartak, Blair, Frank, Kelly, Rice & Vogel. **ABSTAIN:** None. **ABSENT:** Beckman. **TIE VOTE: 6 AYE 6 NAY.** Chairman Dierks voted Aye. **MOTION CARRIED.**

COMMITTEE REPORTS:

Legislative, Finance and Planning: The Committee met prior to the board meeting.

- 1. Action on Current bills and Cost Share Requests:** The Committee reviewed the current bills, bank statements and cost share. ⇒ It was moved by Roy Stewart and seconded by Trevor Gotschall to approve the current bills for payment. **AYE:** Bartak, Blair, Frank, Fritz, C. Gotschall, T. Gotschall, Kelly, Rice, Sanderson, Stewart, Tanderup & Vogel. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Beckman. **MOTION CARRIED.** Marv Fritz noted that two cost share applications have been completed and submitted for payment and two other applications will need to be re-submitted if they plan on pursuing the funding. There is one overdue bill that staff will pursue for payment.
- 2. Policy Issues Meeting:** The Policy Issues meeting has been scheduled for February 6 at 2:00 PM.

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

- 1. Certification and Groundwater Acre Transfers-Applications:** Aaron Rice reported that the WRWS Committee reviewed a request to add historically irrigated acres to a certified quarter. Documentation was provided for the SW 14-25-9 which indicated historical irrigation. ⇒ It was moved by Aaron Rice and seconded by Gene Kelly to approve the historically irrigated acres in the amount of 23.57 acres on the SW 14-25-9. **AYE:** Bartak, Blair, Frank, Fritz, C. Gotschall, T. Gotschall, Kelly, Rice, Sanderson, Stewart, Tanderup & Vogel. **NAY:** None. **ABSTAIN:** None. **ABSENT:** Beckman. **MOTION CARRIED.**
- 2. Groundwater Management Rules and Regulations:** The Committee has also been discussing closing down irrigated acre certification and other items for the policy issues meeting.

COALITIONS UPDATE:

- **Niobrara River Basin Alliance:** Dennis Schueth reviewed the Interlocal Cooperation Agreement to administer the subordination agreements for the NRBA. ⇒ **It was moved by Art Tanderup and seconded by Curtis Gotschall to approve signing the Interlocal Agreement to enter into and administer the subordination agreements. AYE: Bartak, Blair, Frank, Fritz, C. Gotschall, T. Gotschall, Kelly, Rice, Sanderson, Stewart, Tanderup & Vogel. NAY: None. ABSTAIN: None. ABSENT: Beckman. MOTION CARRIED.**
- **Lower Platte River Basin Water Management Plan Coalition:** No Report.
- **Nebraska Habitat Conservation Coalition (Piping Plover):** No Report.
- **Nebraska Ground Water Management Coalition:** Dennis Schueth reported that they will be meeting January 22, 2024 to discuss adding a new member.

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 reported that the Legislative, Budget and Finance Committee will need to review the Districts costshare program at their next meeting due to the current NSWCP funds available. Directors should contact the office if there is any information for the Policy Issues meeting they would like staff to put together for that meeting. The rotation of Board offices was brought up and will be discussed prior to the next board elections. Art Tanderup did some work regarding how other states/agencies handle tiling issues. This information was passed out the rest of the board.

FEBRUARY BOARD MEETING:

The next meeting of the UENRD Board will be February 26, 2024 at 2:30 PM at the Upper Elkhorn NRD office in O'Neill.

⇒ **It was moved by Roy Stewart and seconded by Gene Kelly to adjourn the meeting at 4:19 PM. AYE: Bartak, Blair, Frank, Fritz, C. Gotschall, T. Gotschall, Kelly, Rice, Sanderson, Stewart, Tanderup & Vogel. NAY: None. ABSTAIN: None. ABSENT: Beckman. MOTION CARRIED.**

I, the undersigned Secretary/Treasurer 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 January 18, 2024 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