



UPPER NIOBRARA WHITE NATURAL RESOURCES DISTRICT

Board of Directors' Meeting
January 23, 2014

In accordance with LB 325, Eighty-fourth Legislature, First Session (1975), the Upper Niobrara White Natural Resources District held a public meeting at 2:00 p.m. on Thursday January 23, 2014, at the Natural Resources District office, 430 East Second Street, Chadron, NE. An agenda for this meeting to be considered at such date, time and place was kept continually current and was available in the NRD office. Seven days prior to the meeting, the agenda was mailed to each member of the Board of Directors and other interested and affected persons. Notice of the meeting was given to the public by publishing a legal notice in the Chadron Record and Alliance Times Herald on Wednesday, January 15, 2014.

Open Meeting Law Act

Chairman Jim Lees pointed out the Open Meeting Law Act that is displayed on the wall.

Roll Call & Introduction of Guests

Chairman Lees called the meeting to order at 2:00 p.m. and roll call was taken with the following directors present:

Scott Berndt
John Burke
Larry Teahon
Curtis Roth
Rich Zochol
Kevin Oligmueller

Jim Lees
Dave Carlson
Tod Dorshorst
Steve Sandberg
Dave Kadlecek

Others present:

Pat O'Brien, NRD General Manger
Kody Schwager, NRD Resources Technician
Rachael Downs, NRD Office Manager
Jessyca Hovendick, NRD Resource Technician
Travis Nitsch, NRD Resources Coordinator
Janet Johnson, City of Chadron
Robin Foulk, NRCS
Joy Willoughby, Leo A Daly Company
Katy Kuhnel, RMBO/NGPC
Seth Peterson, Fire Specialist NFS

Lynn Webster, NRD Assistant Manager
Sheri Daniels, NRD Water Resources Manager
Milo Rust, City of Chadron
Dixie Lees
Mike Doherty, Fire Specialist NFS
Fred McCartney, NFS
Al Hottoy, Leo A Daly Company
Shelley Steffl, NGPC

Emergency Agenda Additions

None.

Oath of Office

Kevin Oligmueller was administered the Oath of Office and Pat notarized it.

Election of Officers

John Burke moved to elect Rich Zochol as Chairman, Dave Kadlecek seconded the motion. Roll call: (11) ayes, (0) nays.

Dave Kadlecek moved to elect Larry Teahon as Vice-Chairman; Tod Dorshorst seconded the motion. Roll call: (11) ayes, (0) nays.

Steve Sandberg moved to elect John Burke as Secretary/Treasurer; Curtis Roth seconded the motion. Roll call: (11) ayes, (0) nays.

John Burke moved to elect Curtis Roth as the NARD voting delegate and Tod Dorshorst as the alternate; Larry Teahon seconded the motion. Roll call: (11) ayes, (0) nays.

Larry Teahon moved to elect Dave Carlson as the Niobrara Basin voting delegate; Dave Kadlecek seconded the motion. Roll call: (11) ayes, (0) nays.

Dave Carlson moved to elect Tod Dorshorst as the Niobrara Basin alternate; Steve Sandberg seconded the motion. Roll call: (11) ayes, (0) nays.

NRCS Robin Foulk

Robin handed out and discussed her written report.

Nebraska Forest Service Fred McCartney and Michael Doherty

Michael Doherty introduced Seth Peterson. Seth explained his role as the fire specialist from Valentine.

Fred and Michael explained the contract with the single engine air tanker (SEAT) used for fire needs and how out-of-state fires would affect/benefit the state.

Fred would like to set up a tour of re-burn area as well as tour the SEAT facility.

City of Chadron Milo Rust, Al Hottoy (Leo A Daly Company) and Joy Willoughby (Leo A Daly Company)

Joy Willoughby gave a presentation on the City of Chadron's storm water plan. She provided information which explained the issues of the current storm water ponding at two sites in particular (1st and Pine as well as 1st and Main St.). Construction for Phase I is planned to begin in April. Construction will include replacing pipes, storm drains and roads. The total cost for Main St. and First St. improvements are \$6.30 million.

Al Hottoy explained half the funds for this Phase are coming from the Nebraska Department of Roads. He asked the board if they would consider contributing \$50,000 a year for a span of ten years.

Milo Rust closed the presentation with an explanation of how the contribution would help the City of Chadron.

The meeting was turned over to Chairman Zochol

**General Manager
Pat O'Brien**

Pat added the following to his written report:

- Pat introduced Katy Kuhnel of the Rocky Mountain Bird Observatory who will work in conjunction with the Nebraska Game and Parks. Her office will be downstairs at the NRD.
- Pat attended Ron Bishop's funeral on Monday January 20st. Ron was the long time Central Platte NRD Manager.

**Assistant Manager
Lynn Webster**

Lynn added the following to his written report:

- Lynn has been in contact with Department of Natural Resources about the work being done with modeling efforts concerning conjunctive use. The Department has reported they may be ready to run scenarios. Lynn and Pat will meet with the Department next Wednesday (1/29/14) in Lincoln.

**Water Resources Manager
Sheri Daniels**

Sheri added the following to her written report:

- No-till Conference mailings will be sent out next week.
- Registration fee for the no-till conference is \$90 before February 18th and there are funds available to give scholarships.

**Resources Technician
Haley Anders**

Haley was absent from the meeting and provided a written report.

**Resources Technician
Jessyca Hovendick**

Jessyca added the following to her written report:

- She will be attending the NARD annual legislative conference in Lincoln.

**Tree Program
Travis Nitsch**

Travis added the following to his written report:

- The NRD has 50,000 trees sold to date with 95% of them being machine plants.
- Currently the NRD has sold roughly 308,000 linear feet of fabric. There may be a need to order more fabric.
- There have been advertisements posted to encourage tree orders and tree order forms will be included in the newsletter.
- Pat added that the Upper Niobrara White had 10% of Halsey tree orders out of the 23 districts.

**Resources Technician
Kody Schwager**

Kody had nothing to add to his written report.

Approval of Consent Agenda

John Burke moved to approve the Consent Agenda; Dave Kadlecek seconded the motion. Roll call: (11) ayes, (0) nays.

Agency Reports

Nebraska Association of Resources District Curtis Roth

Director Roth reported the following:

- Pat went over the bill outline for the NARD legislative conference.
 - LB 762 – requiring surface water and ground water allocation within an integrated management plan are equal. A letter of opposition on behalf of the NRD citing the difficulty in implementing the requirement.
 - LB 772 – increasing funds for wildfires. A letter of support was submitted for this bill.
 - LB 940 – create the water sustainability fund. Pat noted the district should support the bill.
 - LB 105 – eliminate the inter-related water review board and replace it with 11 members.
 - LB 1053 – state aid will be replenished for counties, municipalities and natural resources district.
 - LB 1074 – change in ground management protection act.
 - LB 1084 – changes provisions of board vacancies. Pat recommends the district oppose this.
 - LB 1111 – each NRD with an IMP to define and determine district wide and basin wide sustainability is by January 2015. It was suggested the district oppose this bill.
- Other Bills will be discussed by the delegates attending the Legislative Conference
- The board reviewed who was going to the NARD Legislative Conference.
- Curt discussed the NARD Washington D.C. Conference, March 22-26, 2014.
- Currently, there is a request from the NARD for each NRD to contribute \$1,000 for a new building on the Nebraska State Fair Grounds.

Tod Dorshorst moved to approve the one-time \$1,000 donation to NARD for the exhibit building; Steve Sandberg seconded the motion. Roll call: (11) ayes, (0) nays.

Nebraska Department of Natural Resources Dave Kadlecek

Director Kadlecek reported on the following:

- Dave will be attending the Natural Resources Commission committee meetings in Lincoln on January 28-29.
- Dave would like to invite the Natural Resources Commission to Chadron for the summer meeting and will be requesting assistant with tours and other events.

Water Committee Report Tod Dorshorst

Director Dorshorst reported on the following:

- A revised copy of the water committee rules and regulations were e-mailed to directors.
- There will be two informational meetings of the new rules and regulations on February 11. One session will be held at the Hemingford Legion at 10:00 a.m. and at the Rushville Legion at 2:00 p.m. The public hearing will be March 3rd at Country Kitchen in Chadron at 2:30 p.m. or immediately following an information session. The record will be held open until March 10th for any additional comments.
- There was a request for a transfer for Paul and Brenda Schnell. The Water Committee recommended approval.

Tod Dorshorst moved to approve the Schnell transfer; John Burke seconded the motion. Roll call: (11) ayes, (0) nays.

- Sheri distributed an information flyer to make sure correct and consistent information about changes are known by staff, board members and the general public.

Operating/Personnel/Policy

The committee completed the annual review of the personnel and operating policies and discussed the changes.

Dave Kadlecek moved to approve the revisions for personnel and operating policies; Dave Carlson seconded the motion. (11) ayes, (0) nays.

The Niobrara Basin Alliance partners suggested a contribution of \$2,000 for funding public notices and reimbursement of legal fees.

Curtis Roth moved to approve the Niobrara Basin Alliance \$2,000 contribution; Scott Berndt seconded the motion. (11) ayes, (0) nays.

There will be Niobrara Basin Alliance meeting at 5:00 pm, 1/27/14 to elect officers. It has been suggested whomever is elected as secretary treasurer will handle the accounts.

Pat announced Rachael's resignation and acknowledged her contribution to the district.

Old or New Business

NRD staff will meet with representative from Mirage Flats Irrigation District, NE Game and Parks Commission-Fisheries Division and NRCS staff to discuss the Irrigation District's project to relocate the diversion location.

Excused Absences

None

Public Comment

No public comment.

Executive Session

Curtis Roth moved to going into executive session at 3:50 p.m. to discuss District legal matters; Tod Dorshorst seconded the motion. (11) ayes, (0) nays.

Steve Sandberg moved to exit executive session at 4:10 p.m.; Dave Kadlecek seconded the motion. (11) ayes, (0) nays.

Adjournment

There being no further business, the meeting was adjourned at 4:15 p.m.


Richard Zochol, Chairman of the Board


Patrick O'Brien, General Manager

Date Signed 2/13/14
Regular Board of Directors' Meeting
January 23, 2014