



UPPER NIOBRARA WHITE NATURAL RESOURCES DISTRICT

**Board of Directors' Meeting
May 9, 2013**

In accordance with LB 325, Eighty-fourth Legislature, First Session (1975), the Upper Niobrara White Natural Resources District held a public meeting at 9:00 a.m. on Thursday, May 9, 2013, at the UNWNRD office in 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, May 1, 2013.

Open Meeting Law Act

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

Roll Call & Introduction of Guests

Chairman, Jim Lees, called the meeting to order at 9:05 a.m. and roll call was taken with the following directors present:

John Burke
Dave Carlson
Tod Dorshorst
Jim Irwin
Dave Kadlecek
Jim Lees

Curt Roth
Steve Sandberg
Larry Teahon
Rich Zochol
Absent:
Scott Berndt

Others present:

Lyndon Vogt, NRD General Manager
Sheri Daniels, NRD Water Resources Manager
Katie Harris, NRD Administrative Assistant
Kody Schwager, NRD Resources Technician
Robin Foulk, NRCS DC
Shar Sapp, NDEQ

Lynn Webster, NRD Assistant Manager
Haley Anders, NRD Resources Technician
Travis Nitsch, NRD Resources Coordinator
Doak Nickerson, NFS
Lindsey Phillips, NDEQ
Don Grein

Emergency Agenda Additions

Hearing none, Chairman Lees continued with the meeting.

NRCS Robin Foulk

Robin handed out and discussed her written report.

**Nebraska Forest Service
Doak Nickerson**

Doak thanked the Board for co-sponsoring the Fire Recovery Update meeting that was held at Chadron State College. They had an intensive agenda and it was well attended.

The Forest Service is working hard on the three fire footprints that were made by the 2012 fires. There are crews working to clean up the burned trees. Doak estimates that the current crew at the Wellnitz fire is cutting down 98% of the standing trees due to death by the fire last fall. They will be in Sheridan County for at least two months. It is much more cost effective to thin a green forest than a burned one.

**General Manager's Report
Lyndon Vogt**

Lyndon added the following to his written report:

- Lyndon gave a legislative update.
- There will be a no-till meeting at Curt Roth's on June 24 and at Watson Brothers on June 25. The meeting will be approximately from 9:00 a.m. until noon and a lunch will be provided.
- Upper Elkhorn NRD laid approximately 1,200 rolls of bad fabric, Middle Niobrara NRD laid about 800 rolls and we laid less than 200 rolls. Carl Buettner didn't pay the South Korean supplier the last \$70,000 that was owed to the supplier. The NRD's affected and their attorney, Don Blankenau, are sending the lawyer of Carl Buettner a letter requesting the \$70,000 be paid to the affected NRD's. At this point UNWNRD is still involved.
- The Mirage Flats Irrigation District is requesting financial assistance to conduct a feasibility study. This would be in the 2013-2014 budget. The study is expected to cost around \$10,000 and Mirage Flats will most likely do the study regardless if we help them or not, but any help would be greatly appreciated. The study is to determine if they can change diversion point from current location at Dunlap Diversion to just south of the Flats.
- Lyndon was the Panhandle representative for the Employee Benefits Committee. South Platte NRD's General Manager, Rod Horn, has replaced Lyndon on that committee.

**Assistant Manager
Lynn Webster**

Lynn added the following to his written report:

- Lynn and Haley handed out the final static water level charts.

**Water Resources Manager
Sheri Daniels**

Sheri added the following to her written report:

- Sheri passed around the plaque that was made by Engravers in memory of Charlie Snook. This afternoon we will be planting a hackberry tree and installing a stand with the plaque. Barb Snook and her son, Bob, will join us to dedicate the tree.
- Sheri passed around the binder that she received from the Water for Food Conference in Lincoln. She felt the conference was very educational and suggests anyone that can attend next year should go.
- Sheri passed around *Thank You* cards from students that attended the Conservation Festival.
- The going away Open House for Lyndon is on May 15 from 2-4 p.m.

**Resources Coordinator
Travis Nitsch**

Travis added the following to his written report:

- We have sold about 140,000 trees to date.
- Buskirk's were finally able to start planting and they hope to be done by the end of May.

**Resources Technician
Haley Anders**

Haley added the following to her written report:

- Haley is going to mail a hydrograph to anyone that has a monitoring well on their land.

**Resources Technician
Kody Schwager**

Kody added the following to his written report:

- Kody is scanning all of the certified acre files. He will then organize and file the landowners certified acre folders on our server.

Approval of Consent Agenda

John Burke moved to approve the Consent Agenda; Dave Carlson seconded the motion. Roll call: (10) ayes, (0) nays and (1) absent – Scott Berndt.

Agency Reports

**Nebraska Association of Resources District
Curtis Roth**

Director Roth reported the following:

- Please let Katie know if you are interested in going on the NARD tour in Valentine on June 10-11. Lynn will be attending this meeting.

**Nebraska Department of Natural Resources
Dave Kadlecek**

Director Kadlecek had nothing to report.

**Water Committee Report
Tod Dorshorst**

The Water Committee met prior to the board meeting.

- Terrell Transfer:
 - Vern Terrell proposes to transfer 6.7 acres to Eldon Terrell to allow complete pivot rotation. Vern proposes to transfer 7 acres to Seth Terrell to allow installation of a center pivot. Surface water will be transferred to Seth Terrell as well. Vern will dry and decertify the transferred acres.
 - Seth Terrell proposes modification of 2.86 acres along with receiving 7 acres from Vern to install a center pivot. The acres modified will be dried up and decertified.
 - Tod Dorshorst moved to approve the Vern/Eldon/Seth Terrell transfer and modification; John Burke seconded the motion. Roll call: (10) ayes, (0) nays and (1) absent – Scott Berndt.

- Dave Glenn Transfer: Dave Glenn is proposing to decertify and dry up gravity ground to install a larger center pivot. Dave purchased a tract of land and the 5.14 acres are in a different parcel. The transfer to that parcel will be recorded with Sheridan County. There will be no additional acres added. An offset is supplied for all new irrigated acres. Rich Zochol moved to approve Dave Glenn's transfer request; Steve Sandberg seconded the motion. Roll call: (10) ayes, (0) nays and (1) absent – Scott Berndt.

Old or New Business

John Burke moved to change the June board meeting to Wednesday, June 12, at 1:00 p.m. to avoid a conflict with the NACD meeting that will be in Chadron on the day of our regularly scheduled meeting; Rich Zochol seconded the motion. Roll call: (10) ayes, (0) nays and (1) absent – Scott Berndt.

Excused Absences

John Burke moved to excuse Scott Berndt; Dave Carlson seconded the motion. Roll call: (10) ayes, (0) nays and (1) absent – Scott Berndt.

Public Comment

No comments were made.

Executive Session

Dave Kadlecek moved to go into Executive Session at 10:39 a.m. to discuss personnel; Tod Dorshorst seconded the motion. Roll call: (10) ayes, (0) nays and (1) absent – Scott Berndt.

Dave Kadlecek moved to come out of Executive Session at 10:57 a.m.; Tod Dorshorst seconded the motion. Roll call: (10) ayes, (0) nays and (1) absent – Scott Berndt.

Operations/Personnel/Policy Committee

Curt Roth moved to offer Patrick O'Brien the General Manager position with an annual salary of \$75,000, reimbursement for reasonable moving expenses and a start date of July 8, 2013; John Burke seconded the motion. Roll call: (10) ayes, (0) nays and (1) absent – Scott Berndt.

Adjournment

There being no further business, the meeting was adjourned at 11:02 a.m.

Jim Lees, Chairman of the Board

Lynn Webster, Assistant Manager

Date Signed _____