



UPPER NIOBRARA WHITE NATURAL RESOURCES DISTRICT

**Board of Directors' Meeting
November 8, 2012**

In accordance with LB 325, Eighty-fourth Legislature, First Session (1975), the Upper Niobrara White Natural Resources District held a public meeting at 1:30 p.m. on Thursday, November 8, 2012, 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, October 31, 2012.

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 1:30 p.m. and roll call was taken with the following directors present:

Dale Anderson	Steve Sandberg
Dale Berndt	Larry Teahon
John Burke, 1:39 p.m.	Absent:
Dave Kadlecek	Tod Dorshorst
Jim Lees	Jim Irwin
Curt Roth	Rich Zochol

Others present:

Lyndon Vogt, NRD General Manager	Lynn Webster, NRD Assistant Manager
Sheri Daniels, NRD Water Resources Manager	Travis Nitsch, NRD Resources Coordinator
Katie Harris, NRD Administrative Assistant	Haley Anders, NRD Resources Technician
Robin Foulk, NRCS DC	Doak Nickerson, NFS
Shar Sapp, NDEQ	Scott Berndt
John Thomas, Box Butte Extension Educator	

Emergency Agenda Additions

Hearing none, Chairman Lees continued with the meeting.

NRCS Robin Foulk

Robin handed out and discussed her written report. Robin gave her annual review on the Civil Rights and Equal Opportunity topics with the NRD. Robin recently went on another tour of the fire area. The local Food and Agricultural Committee took the tour to learn more about local wildfire rehabilitation efforts on public lands. Robin will be talking to Lyndon and the Local Working Group to see if they want to offer a separate initiative for the fire area.

Regular Board of Directors' Meeting
November 8, 2012

**Nebraska Forest Service
Doak Nickerson**

Doak discussed the Today's Forest Workshop that was on November 3. The workshop was based on Best Management Practices. They distributed a variety of tree seeds at the workshop. Doak is working on many different ways to get the seeds planted including flying seeds on, dropping them as you ride horseback and mixing up tree seeds in deer and cattle feed. Doak is hoping that people plant a variety of species. Doak would like to see trees such as Douglas Fir, Larch, Southwestern White Pine, Aspen and Birch planted.

**General Manager's Report
Lyndon Vogt**

Lyndon added the following to his written report:

- The managers' meeting was November 7 at Chadron State Park.
- Dave Kadlecik is up for re-election for his position on the DNR Commission. The election will be January 9 in Valentine.
- As of January 1, we will have an open position on the board for subdistrict 5. Lyndon will research what we need to do to properly advertise, interview and appoint a new director for that opening.
- Mike Linder, NDEQ, told the managers that with the current administration being reelected, the EPA will most likely become more aggressive. Air quality and feed lots are both areas of concern for the EPA and tighter regulations should be expected.
- Jed Wagner no longer works for NARD. He resigned as of October 31 to start his own concierge service in the Lincoln and Omaha areas. NARD is looking at possibly changing the duties of this position and having it be a liaison position with NDNR.
- The NARD self funded insurance program continues to make necessary changes due to new laws through ObamaCare. The next major change is the addition of the bellybutton tax. The bellybutton tax is a tax on every individual in the plan and it is charged to cover people without insurance.
- Dean Edson has been working with the Environmental Quality Council to draft legislation concerning chemigation permit fees.
- This year in eastern Nebraska a number of domestic wells went dry do to irrigation. There is talk of a bill being introduced to address how to avoid domestic wells going dry by turning off irrigation wells.
- Lyndon and Lynn attended a Niobrara Compact meeting in Torrington, WY, on October 17. There have been a few stock and domestic wells put in but no irrigation wells in the last year in Wyoming.
- Please let Katie know by December 3 if you will be attending the December board meeting and what your meal choice will be. We will have our audit review and programs review at that meeting.

**Assistant Manager
Lynn Webster**

Lynn added the following to his written report:

- We have read approximately 1,300 meters to date. We have roughly 500 meters left in the District to read.
- Lynn is working on a transfer. He should have the paperwork ready for the Board by January.
- We received a request from an attorney in Alliance to review a map of well depths in Box Butte County. Lynn verified that the information was correct. The case that the map was needed for was between a well driller and a landowner because the well driller left some equipment in the well and the well was never able to be used to capacity. The case ended up being settled out of court.
- Lyndon went to the Region 23 Emergency Management meeting on November 1 to review the region wide multi-jurisdictional Hazard Mitigation Plan (HMP). The HMP is required by FEMA to be updated and approved within a five year period and the current plan was approved in January 2010. Lyndon shared that the main update to the plan will be to add any specific projects that each entity would like to do.

**Water Resources Manager
Sheri Daniels**

Sheri added the following to her written report:

- Please let Sheri know if you have any suggestions for the annual Water Issues Meeting, the Panhandle No-Till Partnership annual winter conference or the upcoming newsletter.

**Resources Coordinator
Travis Nitsch**

Travis added the following to his written report:

- Travis traveled to Colorado State University to look at trees on November 7. Their potted stock looks good and we will be placing an initial order soon.

**Resources Technician
Haley Anders**

Haley added the following to her written report:

- Haley has been reading meters all month.

Approval of Consent Agenda

Steve Sandberg moved to approve the Consent Agenda; Dale Berndt seconded the motion. Roll call: (8) ayes, (0) nays and (3) absent – Tod Dorshorst, Jim Irwin and Rich Zochol.

Agency Reports

**Nebraska Association of Resources District
Curtis Roth**

The NARD Board will meet in McCook on November 12.

**Nebraska Department of Natural Resources
Dave Kadlec**

Director Kadlec reported the following:

- There was a teleconference last week to choose an auctioneer to sell some land near Wahoo. The money made on this sale will go into the special fund for easements.
- As soon as funding becomes available, the Pigeon Jones Dam will be built near Sioux City.
- The next Commission meeting will be November 28-29.

**Operations/Personnel/Policy Committee Report
Dave Kadlec**

We currently accept an assignment of payment on continuous CRP tree plantings that will receive 90% cost-share assistance. With a signed assignment of payment form, the landowner has to pay for 100% of the trees, 10% of the fabric and 100% of the tax on the trees and fabric up front. The remainder of the bill will be collected from FSA. Many CRP tree belts burned in the recent fires. Landowners with continuous CRP tree belts can replant the trees and receive 50% cost-share from FSA. John Burke moved to approve allowing landowners with a continuous CRP contract in the burn area to sign an assignment of payment form and pay 50% of the bill up front and leave the remainder of the bill for FSA to pay after planting is complete; Larry Teahon seconded the motion. Roll call: (8) ayes, (0) nays and (3) absent – Tod Dorshorst, Jim Irwin and Rich Zochol.

Lyndon has had a couple requests from NRCS employees to allow NSWCP cost-share assistance on pumping plants including solar and windmill pumps for livestock wells. This is currently not allowed through NSWCP. In order for cost-share to be available, it will take a change at the state level. If this board would like to see this cost-share available, we can work toward getting it approved with NDNR. Steve Sandberg moved to put NSWCP cost-share for pumping stations on the December agenda; Dale Anderson seconded the motion. Roll call: (8) ayes, (0) nays and (3) absent – Tod Dorshorst, Jim Irwin and Rich Zochol.

**Water Committee Report
Curt Roth**

The Water Committee did not meet.

Old or New Business

Hearing none, Chairman Lees continued with excused absences.

Excused Absences

John Burke moved to excuse Tod Dorshorst, Jim Irwin and Rich Zochol; Dave Kadlecek seconded the motion. Roll call: (8) ayes, (0) nays and (3) absent – Tod Dorshorst, Jim Irwin and Rich Zochol.

Public Comment

No comments were made.

Adjournment

There being no further business, the meeting was adjourned at 3:00 p.m.

Jim Lees, Chairman of the Board

Lyndon Vogt, General Manager

Date Signed_____