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In accordance with LB 325, Eighty-fourth Legislature, First Session (1975), the Upper Niobrara White Natural Resources District held a public meeting at 9 a.m. on Thursday, September 13, 2018, at the Upper Niobrara White NRD office, 430 East 2nd 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 on the UNWNRD website, The Chadron Record and Alliance Times Herald on September 5, 2018.

Open Meeting Law Act

Chairman Steve Sandberg pointed out the Open Meeting Law Act that was present in the meeting room.

Roll Call & Introduction of Guests

Chairman Sandberg called the meeting to order at 9:00 a.m. and roll call was taken with the following Directors present:

Scott Berndt	Kevin Oligmueller
Mike Strasburger	Dave Kadlecek
Tod Dorshorst	Dave Carlson
Nancy Fisher	Steve Sandberg
Rich Zochol	Al Rasmussen
John Burke	

Others Present:

Pat O'Brien, NRD General Manager	Lynn Webster, NRD Assistant Manager
Kylen Armstrong, NRD Conservation Prog. Coord.	Tricia Goes, NRD Conservation Prog. Assistant
Haley Anders, Water Resources Manager	Nevin Price, Natural Resources Coordinator
Robin Foulk, NRCS DC	Emily Heimann, NRCS Admin. Assistant
Doak Nickerson, Nebraska Forest Service	

Emergency Agenda Additions

None

**NRCS
Robin Foulk**

Robin introduced Emily Heimann as the new hire for the Chadron Field Office, as Administrative Assistant. Emily will graduate in December with a Bachelor's Degree in Range Management, at that time she will begin working full-time. Robin also discussed the two students who will be working as part of the Pathways Internship Program. Robin mentioned the approval South Dakota received for Emergency Conservation Program from the flooding that occurred in May of 2018. The land is physically located in

Nebraska (Northern Sioux County), even though the producers administer out of South Dakota. Nebraska will be applying for the same emergency funds as well.

Robin briefly explained the Farm Bill has not been completely negotiated between the House and Senate versions. Conservation Stewardship Program will be receiving the major changes, with not allowing renewals.

**Nebraska Forest Service
Doak Nickerson**

Doak explained the current year's produce increase. The amount of produce being made is credited to the amount of moisture that was received throughout the winter and spring seasons, which he described as a big jujuba. Doak mentioned to put in memoir the year's amount of produce. Doak also discussed the legislative hearing that was held on Eastern Red Cedar. Doak presented a letter that was sent to the Committee from a local producer, regarding the impact legislative matters could cause with Easter Red Cedar. Doak briefly discussed fire season; with our region's season peaking and the single seat air tanker being sent back to South Dakota.

Budget Hearing

John Burke moved to open the public hearing for the budget at 9:15 A.M., Tod Dorshorst seconded the motion.

Roll call: (11) ayes, (0) nays.

Pat discussed the budget and indicated that no comments have been received from the public.

**General Manager
Pat O'Brien**

Pat added the following to his written report:

- Pat mentioned Senator Steve Erdman will be attending the November board meeting.

**Assistant Manager
Lynn Webster**

Lynn added the following to his written report:

- Lynn discussed the completion of field work, with the Chemigation season ending and staff will soon transition to meter reding and fall static water levels.
- Lynn added discussion on the audit that was performed on the Department of Health and Human Services Well Drillers Fund. This examination was conducted due to certain deficiencies and other operational matters. Allocation of funds, asset tracking, uncollected fines and a potential conflict of interest between Program Manager, Tom Christopherson, and a contractor are part of the audit findings. The audit will be beneficial for improving operational and accounting efficiencies.

**Conservation Programs Coordinator
Kylene Armstrong**

Kylen added the following to her written report:

- Kylene discussed the release of the Fall Newsletter and mailing dates.
- Kylene reminded the board of expense report due by the end of the meeting.

**Resource Conservation Programs
Nevin Price**

Nevin added the following to his written report:

- Nevin discussed the No-Till Drill; the drill had 352.9 acres put on it in the month of August.
- Nevin mentioned the survival rates of tree windbreaks planted last year. Shrubs were 44.2%, hardwood trees were 91.23%, and the average of all windbreaks was between 60-80%.

**Water Resource Manager
Haley Anders**

Haley stated that chemigation inspections should be completed this afternoon.

Approval of Consent Agenda

Tod Dorshorst moved to approve the consent agenda, Scott Berndt seconded the motion.

Roll call: (11) ayes, (0) nays.

Agency Reports

**Nebraska Association of Resources Districts
Tod Dorshorst**

Director Dorshorst reported on the following:

- Pat reported there have not been any resolutions to be considered at this time, and if one comes in it will have to be presented at the Annual Meeting with a 2/3rd vote of approval to allow it to be heard.

Budget Hearing

John Burke moved to close the public hearing for the budget at 9:32 A.M., Dave Carlson seconded the motion.

Roll call: (11) ayes, (0) nays.

Tax Requesting Hearing

John Burke moved to open the public hearing for the final Tax Requesting at 9:33 A.M., Al Rasmussen seconded the motion.

Roll call: (11) ayes, (0) nays.

**Niobrara River Basin Alliance
Dave Carlson**

Director Carlson reported on the following:

- Director Carlson reported a meeting was held on August 22, 2018 in Valentine in conjunction with the director's retreat. At the meeting, there was discussion over a contractor to conduct a Phase I Environmental Assessment.
- Director Carlson directed questions, comments, concerns regarding the purchase agreement for the Spencer Hydro-Electric Generating Facility. Director Sandberg suggested an amendment be made with Game and Parks Commission managing all day-to-day operations.

Tax Requesting Hearing

*Tod Dorshorst moved to close the public hearing for the final Tax Requesting at 9:45 A.M., Dave Carlson seconded the motion.
Roll call: (11) ayes, (0) nays.*

Water Committee Report Rich Zochol

Director Zochol reported on the following:

- Pat reminded the Directors to try to attend the Public Information Meetings, within their sub-areas and the Public Hearing held in October.

Operating, Personnel, and Safety Policy Committee Dave Kadlecek

Director Kadlecek reported on the following:

- Pat presented the Tree Program Interlocal Agreement with NARD and Bessey Nursery and explained that the previous agreement expired this year. No changes to the interlocal are being proposed.
- Pat discussed the changes Buskirks would like to make to the next year's contract. Discussion was held and decision to table the topic until the October Board Meeting.

Dave Kadlecek moved to approve signing the Interlocal Agreement with NARD and Bessey Nursery, John Burke seconded the motion. Roll Call: (11) ayes, (0) nays.

Budget Committee Nancy Fisher

Director Fisher reported on the following:

The restricted funds allowed by the budget for 2018-2019 are \$34,847.89

Nancy Fisher moved approve the 1% Restricted Funds for 2018-2019, Allen Rasmussen seconded the motion. Roll Call: (11) ayes, (0) nays.

The 2018-2019 tax asking of \$633,573 will require a levy of \$0.016142.

Nancy Fisher moved to approve the 2018-2019 Tax Request, Tod Dorshorst seconded the motion. Roll Call: (11) ayes, (0) nays.

The proposed 2018-2019 budget includes an income of \$1,285,000 and expenses of \$1,506,000.

Nancy Fisher moved to approve the 2108-2019 Budget, John Burke seconded the motion. Roll Call: (11) ayes, (0) nays.

Public Comment

None

Executive Session

Tod Dorshorst moved to enter Executive Session to discuss real estate transactions at 10:15 A.M., Scott Berndt seconded the motion. Roll Call: (11) ayes, (0) nays.

Tod Dorshorst moved to exit Executive Session at 10:30 A.M., Dave Carlson seconded the motion. Roll Call: (11) ayes, (0) nays.

Dave Carlson moved to move ahead with the purchase of the Spencer Hydro-Electric Generating Facility, Tod Dorshorst seconded the motion. Roll Call: (11) ayes, (0) nays.

Adjournment

There being no further business, the meeting was adjourned at 10:32 a.m.



Steve Sandberg, Chairman of the Board



Patrick O'Brien, General Manager

Date Signed 10-11-18