



UPPER NIOBRARA WHITE NATURAL RESOURCES DISTRICT

**Board of Directors' Meeting
September 12, 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, September 12, 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, September 4, 2013.

Open Meeting Law Act

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

Roll Call & Introduction of Guests

Vice Chairman, Richard Zochol, called the meeting to order at 9:00 a.m. and roll call was taken with the following directors present:

Scott Berndt	9:07 a.m.	Curt Roth
John Burke		Steve Sandberg
Larry Teahon		Dave Carlson
Tod Dorshorst		Rich Zochol
Jim Irwin		Absent:
Dave Kadlecek		Jim Lees

Others present:

Pat O'Brien, NRD General Manger	Lynn Webster, NRD Assistant Manager
Kody Schwager, NRD Resources Technician	Sheri Daniels, NRD Water Resources Manager
Rachael Downs, NRD Office Manager	Jessyca Hovendick, NRD Summer Technician
Robin Foulk, NRCS DC	Bailey McKay, NRCS Intern
Dixie Lees	

Emergency Agenda Additions

Executive Session was after new or old business.

NRCS
Robin Foulk

Robin added the following to her written report:

- Bailey McKay is the new NRCS intern and she would be sitting in on meeting today. Bailey introduced herself and gave an overview of her Pathway internship at the NRCS in North Platte, NE. She is attending Chadron State College and working with the Chadron NRCS office.
- They have also hired Aaron Sanford as a contract Survey Aide with funding available for nine months and perhaps hire full-time after the contract expires.

Nebraska Forest Service
Fred McCartney

Fred commented that the Forest Service has been able to gain a significant amount of funding this year which has granted the opportunity to hire four mechanized contractors and two smaller manual labor contractors. Last spring Fred wrote a grant to receive \$390,000 from the U.S. Forest Service. The funds are planned to target Upper Bordeaux Creek area, specifically the roads. Fred is in the process of applying for more grants.

Fred gave an overview on a company he and Pat recently met with called Carbon Tech LLC. The company uses recycled material (like wood fibers) to create a construction type block replacement. Fred is interested in the company utilizing the piles of wood chips outside of town.

Fred encouraged everyone to keep thinking about field trips to re-burn sites as well as near Dave Kadlecsek's land which is being mechanically thinned.

Budget Committee

John Burke motioned to approve the budget as written and present at the public hearing; Tod Dorshorst seconded the motion; Roll call: (10) ayes, (0) nays and (1) absent – Jim Lees.

General Manager
Pat O'Brien

Pat added the following to his written report:

- Lynn and Pat attended the Mirage Flats Board meeting on August 13th. There, they requested a copy of the feasibility study. The Mirage Flats board will be organizing a stake holder meeting to lay out a complete feasibility plan and would like to schedule a meeting sometime in October to discuss projects.
- The Niobrara River Compact Meeting will be held October 8th in Torrington at 2:30 p.m. Pat and Lynn plan to attend if anyone else would be interested in going. Kadlecsek expressed interest in going.
- Dave Sands from the Nebraska Land Trust is coming on September 18th to meet (at UNWNRD) with Pat, Robin Foulk, NE Game and Parks and the Forest Service. Trying to gain/expand conservation easement for the area where they would not like to see development.

**Assistant Manager
Lynn Webster**

Lynn added the following to his written report:

- Lynn has contacted the majority of people who sat on the original Citizens' Advisory Committee (CAC). Everyone he has talked to is willing to participate again in the process of reviewing proposed updates to our Ground Water Management Area rules and regulations.
- The University of Nebraska at Lincoln is holding its annual Changes: Climate, Water and Life on the Great Plains Conference and Water Law Conference on October 15th and 16th if anyone is interested in going.
- Rich inquired about the next CAC meeting. Lynn recommends revising a few more items on the draft of rules and proceeding with water committee approving the draft forward to present to the board. Would like to have a deadline of the end of January/February to move forward with a notice for public hearing.
- Proposed water committee meeting on October 7th to review draft before board meeting on the 15th.

**Water Resources Manager
Sheri Daniels**

Sheri added the following to her written report:

- Currently looking at February 25th, 26th or 27th for the Annual Water Issues Meeting in Sheridan County.
- District Land Judging on October 3rd is short a group leader. Dave Carlson volunteered to be a group leader for the day.
- Rachael is going to Gering to accept the Governor's Wellness Award.

Budget Hearing

Rich Zochol opened the Budget Hearing at 9:31 a.m.

Pat provided an overview of the proposed budget.

No one from the public offered testimony.

Rich Zochol closed the Budget Hearing at 9:34 a.m.

**Resources Coordinator
Travis Nitsch**

Travis was not present; however he included a written report:

- Steve Sandburg inquired why the NRD is ordering trees from a different entity. Pat explained; it was due to a significant price increase from Colorado State University.

**Resources Technician
Haley Anders**

Haley had nothing to add to her written report.

**Resources Technician
Kody Schwager**

Kody had nothing to add to his written report.

John Burke motioned to not become members of the Panhandle RC&D; Larry Teahon seconded the motion; Roll call: (10) ayes, (0) nays and (1) absent – Jim Lees.

Tax Hearing

Rich Zochol opened the tax hearing at 9:40 a.m.

Pat provided an overview of the tax request that was published in the Chadron Record and Alliance Times on September 4, 2013.

No one from the public offered testimony.

Rich Zochol closed the tax hearing at 9:42 a.m.

John Burke moved to approve the tax levy at the current amount of .02176; Larry Teahon seconded the motion; Roll call: (10) ayes, (0) nays and (1) absent – Jim Lees.

Larry Teahon moved to approve an additional 1% levy authority on restricted funds; Dave Kadlecek seconded the motion. Roll call: (10) ayes, (0) nays and (1) absent – Jim Lees.

Dave Kadlecek moved to approve the 2013-2014 budget as presented; John Burke seconded the motion. Roll call: (10) ayes, (0) nays and (1) absent – Jim Lees.

Approval of Consent Agenda

Tod Dorshorst moved to approve the Consent Agenda; Dave Carlson seconded the motion. Roll call: (10) ayes, (0) nays and (1) absent – Jim Lees.

Agency Reports

Nebraska Association of Resources District Curtis Roth

Director Roth reported the following:

- Confirmed participants going to the Annual NRD conference in Kearney, NE. Dave Kadlecek, Curtis Roth, Scott Berndt, Tod Dorshorst, Dave Carlson, Pat O'Brien, Lynn Webster, Sheri Daniels, Haley Anders and Rachael Downs will all be attending the conference.
- Discussed NARD 2013 resolutions.
 - NARD Resolution 2013-1 on the Trail Policy and State Highway ROW's agreed to support.
 - NARD Resolution 2013-2 on the Sediment Control Act agreed to support.
 - NARD Resolution 2013-3 of Encouraging the Use of Renewable Energy Sources agreed to not support as written.
 - NARD Resolution 2013-4 (still in draft form) on Certified Irrigated Acre Requirements agreed to support.
- At Husker Harvest Days NARD announced the creation of 'Hall of Fame' and its first inductees: Ron Bishop (Central Platte NRD), Dick Mercer (Central Platte NRD) and former State Senator Maurice Kremer.

Nebraska Department of Natural Resources
Dave Kadlecek

Director Kadlecek reported the following:

- Pat attended the LB 517 meeting in Omaha and Sheri attended the LB 517 meeting in Grand Island as alternates for Dave.
- Dave is planning on attending the rest of the LB 517 meetings.
- Would like to see progress on the LR 314 study to look at re-prioritizing projects across the state. Would like to know what the statewide priorities, objectives and potential goals are for the projects. Funding seems to be the biggest issue slowing any future progressions.
- The next LB 517 meeting is in Alliance on October 11th and 12th.
- Pat added there will be a 517 panel of representatives at the NRD Fall Conference.
- A discussion was held on finding an alternate from one of the three basin NRD boards. Pat and Dave will contact other districts.

Water Committee Report
Tod Dorshorst

Tod reported on the following:

- Jared Roffers applied for a transfer in May of 2012. They had issues receiving the pivot therefore, the one year permit expired. They have reapplied for the same transfer. Ron Roffers ensured Lynn they would be able to complete the transfer within the year time frame.

Tod Dorshorst moved to approve the Roffers' Transfer request; Scott Berndt seconded the motion. Roll call: (10) ayes, (0) nays and (1) absent – Jim Lees.

Executive Session

Curtis Roth moved to open an Executive Session at 10:27 a.m.; Dave Kadlecek seconded the motion. Roll call: (10) ayes, (0) nays and (1) absent – Jim Lees.

Rich Zochol moved to close the Executive Session at 10:44 a.m.; Curtis Roth seconded the motion; Roll call: (10) ayes, (0) nays and (1) absent – Jim Lees.

Old or New Business

John Burke moved to accept Jim Irwin's resignation effective as of September 13, 2013; Tod Dorshorst seconded the motion; Roll call: (10) ayes, (0) nays and (1) absent – Jim Lees.

Vice Chairman Zochol authorized Pat to contact the Secretary of State regarding the vacancy and proceed per operating policies.

Excused Absences

Rich Zochol moved to excuse Jim Lees; Scott Berndt seconded the motion. Roll call: (10) ayes, (0) nays and (1) absent – Jim Lees.

Public Comment

No public comment.

Adjournment

There being no further business, the meeting was adjourned at 11:30 a.m.

Jim Lees, Chairman of the Board

Patrick O'Brien, General Manager

Date Signed_____