

**LITTLE BLUE NATURAL RESOURCES DISTRICT**  
**Minutes** **August 9, 2011**

**OPENING OF MEETING – CHUCK RAINFORTH**

The directors of the Little Blue Natural Resources District met in regular session on Tuesday, August 9, 2011 at the Little Blue Natural Resources District Office, Davenport, Nebraska. Vice-Chairman Rainforth called the meeting to order at 7:55 p.m.

Rainforth led the group in the Pledge of Allegiance.

Rainforth noted that a copy of the Nebraska Open Meeting Act was posted and available for any one who may want to review the document

Roll call was held.

**DIRECTORS PRESENT**

**Board members present:**

Michael Allen, Warren Brakhahn, James Cunningham, Ross Fisher, Edward Fleharty, Jeremy Groves, Lyle Heinrichs, Joe Hergott, Marlin Kimle, Sacha Lemke, Charles Rainforth, John Rieckman, Steve Shaw and Randy Uhrmacher. Gene Thomas arrived at 8:05

**Directors absent:**

Tim Pohlmann and Rich Kahman.

**OTHERS PRESENT**

Mike Onnen, Daryl Andersen, Kevin Orvis, Marlene Faimon, Marie Herbek, Amy Wenske, Ron Williams, Gregg Wiedel, Rex Biegert, Andy Raun; Ken Burgert representing the NRCS.

**ANNOUNCEMENT OF OFFICIAL DISTRICT NOTICE PUBLICATIONS**

Legal notice of the regular meeting was provided to the *FAIRBURY JOURNAL NEWS* and the *HASTINGS TRIBUNE*. The agenda was mailed to all board members, radio, television and newspapers in the district and posted at the NRCS offices in the district and the Little Blue NRD office.

**ADOPTION OF BOARD MEETING AGENDA**

Onnen noted that the following change had properly been added to the posted board meeting agenda at least 24 hours prior to the commencement of the meeting: Add Item 12 d) Resolution of Limit of Allowable Budget Growth. **MOTION # 1 – Fleharty moved, seconded by Cunningham to approve the corrected agenda for the August 9, 2011 meeting as presented.** Carried by roll call vote – 14 yes votes.

**ADOPTION OF CONSENT AGENDA - ACCEPTANCE OF BOARD MEMBER ABSENCES AND MINUTES OF JULY 12, 2011 BOARD MEETING**

Onnen noted one correction to the minutes of July 12: Allowable 1% increase in restricted fund authority for the FY 2012 budget failed by roll call vote as 75% of the entire governing body must approve this measure. He also noted that Kahman had notified the office of his intended absence and was excused. **MOTION # 2 – Hergott moved, seconded by Brakhahn to accept the absence of Kahman and to approve the minutes of July 12, 2011.** Carried by roll call vote. Yes: Brakhahn, Cunningham, Fisher, Fleharty, Groves, Heinrichs, Hergott, Kimle, Lemke, Rieckman, Shaw, Uhrmacher and Rainforth. Abstain: Allen.

**TREASURER'S REPORT – Joe Hergott**

Copies of the Little Blue NRD Treasurer's Report were circulated. Hergott reviewed the report. **MOTION # 3 – Hergott moved, seconded by Cunningham to approve the report and payment of bills as presented with the exception of checks # 41423, 41424 and 41425 which will be acted on later in the meeting.** Carried by roll call vote – 15 yes votes.

Hergott reviewed the Little Blue Public Water Project Treasurer's Report.

**MOTION # 4 - Hergott moved, seconded by Heinrichs to approve the report and payment of bills as presented.** Carried by roll call vote – 15 yes votes.

Hergott reviewed the Little Blue Public Water Project - South Treasurer's Report. **MOTION # 5 - Hergott moved, seconded by Cunningham to approve the report and payment of bills as presented.** Carried by roll call vote – 15 yes votes.

**AGENCY REPORTS**

**NRCS Report – Ken Burgert**

Burgert gave a brief report of the activities in the NRCS offices.

**STAFF REPORTS – Daryl Andersen**

The staff report was mailed to the Director's earlier. Andersen reviewed the report and answered questions.

**PUBLIC HEARING ON PROPOSED FY 2012 BUDGETS**

Rainforth opened the public hearing for the FY 2012 budget review at 8:00 p.m. and presented the publication of notice. Onnen gave a presentation on the FY 2012 Little Blue Public Water Project, Little Blue Public Water Project - South and the Little Blue NRD Budgets. Comments were received from Board members. Rainforth closed the public hearing at 8:18 p.m.

**ACTION ON DISTRICT BUDGETS**

**MOTION # 6 – Heinrichs moved, seconded by Cunningham to adopt the FY 2012 Budget of the Little Blue Public Water Project in the amount of \$136,400.** Carried by roll call vote – 15 yes votes.

**MOTION # 7 - Cunningham moved, seconded by Shaw to adopt the FY 2012 Budget of the Little Blue Public Water Project – South in the amount of \$132,100.** Carried by roll call vote – 15 yes votes.

**MOTION # 8 – Cunningham moved, seconded by Groves to approve the Little Blue NRD FY**

**2012 Operating Budget in the amount of \$2,943,102 with a tax requirement of \$1,510,495.**

Carried by roll call vote – 15 yes votes.

**Resolution of Limit of Allowable Budget Growth**

Onnen explained the error in the minutes of the July 12 meeting regarding the Resolution of Limit of Allowable Growth. **MOTION # 9 -- Fleharty moved, seconded by Brakhahn to allow the additional 1% increase in restricted fund authority for the FY 2012 budget.** Carried by roll call vote. Yes: Allen, Brakhahn, Cunningham, Fisher, Fleharty, Groves, Hergott, Kimle, Lemke, Rieckman, Shaw, Thomas, Uhrmacher and Rainforth. No: Heinrichs.

**PROJECTS COMMITTEE REPORT - Ed Fleharty**

The Projects and Planning Committee met prior to the regular Board meeting.

**Site 73 Landowner Mitigation Agreements and Easements**

Three easements for the construction of Dam Site 73 were presented for approval.

**MOTION # 10 – Fleharty moved, seconded by Hergott to approve the Perpetual Conservation Easement and Roadway Acquisition Contract between the Little Blue NRD and Don R. and Sheila M Crays First Trust on the Northeast Quarter of Section 6-T5N-R1E, and approve check # 41423 in the amount of \$5,198.50.** Carried by roll call vote – 15 yes votes.

**MOTION # 11 – Fleharty moved, seconded by Uhrmacher to approve the Perpetual Conservation Easement and Temporary Construction Easement Contract, including the purchase of roadway fill, between the Little Blue NRD and Kyle Svec on the Northwest Quarter of Section 5-T5N-R1E, and approve check # 41425 in the amount of \$22,299.75.** Carried by roll call vote – 15 yes votes.

**MOTION # 12 – Fleharty moved, seconded by Brakhahn to approve the Perpetual Conservation Easement between the Little Blue NRD and Barbara Nylene Hafer on the Southeast Quarter of Section 6-T5N-R1E, and approve check # 41424 in the amount of \$3,340.43.** Carried by roll call vote – 15 yes votes.

**Hebron Dam Hazard Class Assistance**

The Hebron Road Dam, a joint project between Thayer county and the Little Blue NRD, has been re-evaluated by DNR and is required to do a breach study to determine the impacts to properties downstream if the project fails. They are requesting the District provide assistance on this study. More information will be gathered and brought up for action at a later time.

**MARC Dam Hazard Classification Remedies**

No action was taken on this.

**WATER RESOURCES COMMITTEE REPORT – James Cunningham**

A Water Resources Committee meeting was held prior to the regular Board Meeting.

**Rules and Regulation for Water Management**

