CALL TO ORDER, STATEMENT OF ADVERTISEMENT AND OPEN MEETING LAW NOTIFICATION:
The regular meeting of the Board of Directors was called to order. The statement of advertisement in the Holt County Independent, Rock County Leader and Neligh News were noted; and, the open meetings law posting were all noted at 7:01 P.M. by Chairman Michael Moser.

DIRECTORS PRESENT:
Gary Bartak     Kevin Blair     Mark Carpenter    Chris Dierks     Marv Fritz
Curtis Gotschall  Keith Heithoff  Ted Hughes     Jim Keller (arr. 7:16 PM)
Gene Kelly     Michael Moser     Aaron Rice     Roy Stewart     Chip Whitaker

DIRECTORS ABSENT:
John Vogel

STAFF PRESENT:
Dennis Schueth, General Manager
Beth Walsh, Information & Education Coordinator
Andrea Fisher, Administrative Secretary
Joslynn Vanderslice, Water Resources Manager
Kelly Kloppenborg, Water Resources Technician

GUESTS PRESENT:
Brandon Peterson – NRCS, O’Neill
Jeremy Milander – UNL Extension Educator – Bazile Groundwater Management Area

ADOPTION OF AGENDA:
⇒ It was moved by Gene and seconded by Chris Dierks to adopt the agenda. AYE: Bartak, Blair, Carpenter, Dierks, Fritz, Gotschall, Heithoff, Hughes, Kelly, Moser, Rice, Stewart & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Keller & Vogel. MOTION CARRIED.

MINUTES:
The minutes of the June Meeting were reviewed by the Directors and a correction was noted. ⇒ It was moved by Curtis Gotschall and seconded by Chris Dierks to approve the minutes of the June Meeting. AYE: Bartak, Blair, Carpenter, Dierks, Fritz, Gotschall, Heithoff, Hughes, Kelly, Moser, Rice, Stewart & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Keller & Vogel. MOTION CARRIED.

TREASURERS REPORT:
The June treasurers report was reviewed by the Directors. ⇒ It was moved by Roy Stewart and seconded by Chris Dierks to approve the June Treasurers Report. AYE: Bartak, Blair, Carpenter, Dierks, Fritz, Gotschall, Heithoff, Hughes, Kelly, Moser, Rice, Stewart & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Keller & Vogel. MOTION CARRIED.

PUBLIC FORUM-INPUT OR COMMENTS:
None
AGENCY & STAFF REPORTS:

**NARD Report:** The next meeting will be held in conjunction with the fall conference September 23 & 24, 2019. As of now, the fall conference is still going to be held at the Younes Conference Center in Kearney. They plan to have the facilities cleaned up following the flooding earlier in July.

Jim Keller arrived at 7:16 PM

**DNR Report:** Garry Anderson is planning to attend the next board meeting. Dennis Schueth noted that the UENRD NSWCP allocation has remained relatively stable over the last few years and he doesn’t expect any changes.

**NRCS Report:** Brandon Peterson’s report was mailed out to the Directors. Brandon reported that they have been busy writing and submitting EQIP contracts for obligation. There are currently 11 contracts in the Bazile area with 3 awaiting funding. He also reported that Holt County leads the state with 16 CSP contracts. They have also been looking at sites submitted in Antelope and Holt counties for the Emergency Watershed Protection program; and, reviewing 47 Emergency Conservation Program applications from FSA.

**RC&D Report:**
- **North Central RC&D:** No Report.
- **Loup Basin RC&D:** No Report.
- **Northeast RC&D:** No Report.

**Information & Education Report:** Beth Walsh’s report was mailed out in the Directors packets. Beth reminded the Directors of the NARD Annual Conference scheduled for September 23 & 24 in Kearney. Beth will send out an e-mail with the conference information which the Directors can respond to if they are planning to attend.

**Water Resources Report:** Joslynn Vanderslice’s report was mailed out in the Directors packets. Joslynn reported that we have received quite a bit of response to the Chemigation Letter sent out to landowners with wells not reporting any Chemigation activity. There has been both negative and positive responses. She also reported that summer interns have been out collecting water samples and have approximately 200. Joslynn has also sent out reminder letters to cooperators who need to submit water samples for their nitrogen certification. The new Agronomy Resource Technician, Brett Sholes, will be starting August 1 and the water department will be focusing more on the Phase III areas and the fall soil sampling. Joslynn also noted that the Nebraska Department of Environmental Quality and the Nebraska Energy Office has merged and will now be the Department of Environment and Energy (DEE).

**Bazile Management Report:** Phil Steinkamp’s report was included in the board packet mailing. There will be a science and ag family field day at the Haskell Lab near Concord, NE July 24. The Bazile group will have a presence at the field day. Dennis Schueth reported that DEE and UNL are considering the purchase of a highboy to promote cover crops in the Bazile Groundwater Management Area. After they are finished with the demonstration, they would like one of the Bazile NRDs to take over this piece of equipment. Dennis Schueth will keep the board apprised of any further information regarding taking over the highboy equipment. Jeremy Milander, UNL Extension Educator for the Bazile Groundwater Management Area attended the meeting and introduced himself and gave the board an overview of his activities. He continues to work on the demonstration sites for the Bazile area.

**UNL Extension:** No Report.
EXCUSED ABSENCES:
⇒ It was moved by Chris Dierks and seconded by Ted Hughes to approve the absence of John Vogel. AYE: Bartak, Blair, Carpenter, Dierks, Fritz, Gotschall, Heithoff, Hughes, Keller, Kelly, Moser, Rice, Stewart & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Vogel. MOTION CARRIED.

NIORARA RIVER BASIN BOARD OF DIRECTORS MEETING AUGUST 19-20, 2019:
Dennis Schueth reported that arrangements are being made for the Niobrara River Basin Board of Directors meeting and tour, August 19 & 20. Monday, August 19, will be the tour day with possible tour stops at the Niobrara bridge and rural water project north of O’Neill. Tuesday, August 20, will be the business session with different speakers addressing the group. Anyone interested in attending either day or both days, please contact the office.

COMMITTEE REPORTS & RECOMMENDATIONS:
Legislative, Finance and Planning Committee:
- Action on Current Bills and Cost share Requests: The committee met prior to the board meeting and reviewed the current bills, accounts receivable and bank statements. ⇒ It was moved by Roy Stewart and seconded by Jim Keller to approve the current bills for payment. AYE: Bartak, Blair, Carpenter, Dierks, Fritz, Gotschall, Heithoff, Hughes, Keller, Kelly, Moser, Rice, Stewart & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Vogel. MOTION CARRIED. There were no cost share applications to review and consider.
- Budget Workshop: The Budget Workshop meeting for the 2019-2020 fiscal year will be scheduled after we receive the budget information following the audit.

Water Resources & Watershed Committee: The Committee met prior to the board meeting.
- Groundwater Transfer Rules and Regulations/Criteria Update – Prepare for Public Hearing: Mark Carpenter reported that the committee has been working on the transfer criteria and updating the rules and regulations. Handouts of the draft transfer criteria sheet and updated rules and regulations were passed out to the board for review. Carpenter noted the changes proposed by the committee which the board will take action on during the August board meeting in order to hold the public hearing in September for implementation prior to the transfer sign-up beginning in November.
- Phase III Soil Sampling-Letting out Bid: Carpenter also reported that the committee is recommending contracting out for the first year of Phase III soil sampling due to time constraints getting the program started. ⇒ It was moved by Mark Carpenter and seconded by Curtis Gotschall to approve letting out for bids for the 2019 Phase III soil sampling of approximately 100 sites. AYE: Bartak, Blair, Carpenter, Dierks, Fritz, Gotschall, Heithoff, Hughes, Keller, Kelly, Moser, Rice, Stewart & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Vogel. MOTION CARRIED. Discussion was held regarding the selection of sites to be sampled. Carpenter noted that the make-up of areas sampled will consist of 10% Phase I areas; 40% of Violators in Phase II areas; and, 50% of Phase III areas. Carpenter also read a statement acknowledging why violators will be targeted in Phase II areas, “The District will focus its deep soil testing on tracts of land for which the owner/tenant has failed to submit Phase II reports as required by the District rules. The reason for testing those tracts is because the failure to submit reports has created important gaps in our knowledge base associated with contamination levels to groundwater underlying those tracts. We simply don’t know and can’t know what the possible adverse effects to water quality might be in those areas without this information. By focusing our testing efforts on those tracts, we hope to close those gaps and have a better understanding as to whether those owners are causing any risks to the groundwater quality either under those tracts or to the surrounding groundwater”.

Personnel, Equipment, Promotion & Education Committee: The Committee met on June 18 with staff for the FY 19-20 salary negotiations; and, budgeting considerations for expenditures associated with the FY 19-20 fiscal budget regarding equipment and Phase III implementation.
• Vehicles/Buildings/Trailers/Soil Probes/ATV: Dennis Schueth discussed upcoming expenses with the committee regarding the hiring of a new staff person; routine replacement of equipment; and, equipment that would be needed to implement Phase III activities. ⇒ It was moved by Ted Hughes and seconded by Chip Whitaker to include the purchase of a ¾ ton pickup and 40x44 storage building in the FY 19-20 draft budget. AYE: Bartak, Blair, Carpenter, Dierks, Fritz, Gotschall, Heithoff, Hughes, Keller, Kelly, Moser, Rice, Stewart & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Vogel. MOTION CARRIED.

Other equipment purchases discussed included a side-by-side, soil probes and trailers. Since these items will be used to implement the Phase III program the possibility of grant funding will be explored by staff.

• 2019-2020 Staff Salaries: ⇒ It was moved by Ted Hughes and seconded by Chris Dierks to go into executive session at 8:24 PM to discuss job performances of the Upper Elkhorn NRD Staff and to protect the public interests and reputation of those from any undue harm and the impact it may have on the FY 19-20 salaries and excuse all staff from the executive session. AYE: Bartak, Blair, Carpenter, Dierks, Fritz, Gotschall, Heithoff, Hughes, Keller, Kelly, Moser, Rice, Stewart & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Vogel. MOTION CARRIED.

Chairman Michael Moser reconvened the regular board meeting at 8:52 PM. ⇒ It was moved by Ted Hughes and seconded by Keith Heithoff to approve the salary recommendations discussed for the FY 19-20 FY. AYE: Bartak, Blair, Carpenter, Fritz, Gotschall, Heithoff, Keller, Kelly, Moser, Rice, Stewart & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Vogel. MOTION CARRIED.

COALITION/TASK FORCE UPDATE:
Niobrara River Basin Coalition:
• Negotiations with NPPD (Spencer Hydro Facility): Dennis Schueth reported that they are still negotiating with NPPD regarding the purchase price of the water right. There will be a conference call on July 29, 2019.

• Niobrara Basin Board of Directors Invite: Discussed earlier in the agenda.

Lower Platte River Basin Water Management Plan Coalition: There will be a meeting held July 24 at the LLNRD.

Nebraska Habitat Conservation Coalition (Piping Plover): No Report.

Nebraska Groundwater Management Coalition: No Report.

ADMINISTRATIVE REPORT:
Dennis Schueth’s report was mailed out in the Director’s packets a copy is kept on file at the NRD office. The administrative report was covered under the previous agenda items.

AUGUST BOARD MEETING:
The next regular meeting date for the UENRD would be August 26, 2019 at 7:00 PM.

⇒ It was moved by Gene Kelly and seconded by Marv Fritz to adjourn at 9:07 PM. AYE: Bartak, Blair, Carpenter, Dierks, Fritz, Gotschall, Heithoff, Hughes, Keller, Kelly, Moser, Rice, Stewart & Whitaker. NAY: None. ABSTAIN: None. ABSENT: Vogel. MOTION CARRIED.

I, the undersigned Secretary of the Upper Elkhorn Natural Resources District hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Board of Directors on July 22, 2019 that all of the subjects included in the foregoing proceedings were contained in the agenda for at least twenty-four hours prior to said meeting, the minutes of the Chairman and the Board were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body, that all news media requesting notification of the time and place of said meeting and the subjects to be discussed at said meeting.

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Gene Kelly, Secretary