

MINUTES
Middle Republican Natural Resources District
Board of Directors Meeting
Tuesday, January 13, 2009
Curtis, Nebraska

Board Members Present: Kevin Fornoff, Josh Friesen, Dan Nelsen, Marty Schurr, Joe Anderjaska, Brad Randel, Benjie Loomis, Rick McConville, Buck Haag, Rick Spencer

Board Members Absent: James Uerling

NRD Staff: Dan Smith, Bob Merrigan, Roger Lawson and Stacie Owens

NRCS Staff: Doug Whisenhunt

Others: Traci Witthuhn, William M. Barger, Brad Edgerton, Dale Cramer, Stan Moore, Randy Vontz, Ralph Scott, Brad Johnson, Mike O'Brien, Vern Friesen

Information Mailed to Directors

Agenda	Nov. 19 th Special Meeting Minutes
Dec. 9 th Regular Meeting Minutes	Dec. 9 th Variance Hearing Minutes
Dec. 17 th Special Meeting Minutes	Public Hearing Agenda
Application for Well Permit MR 527	Request for Variance # 527
Dec. 2008 Financial Report	Monthly Income & Expense Report
Dec. 2008 NRCS Report	NRCS FY 2009 1 st Qtr Progress Report
NRCS Civil Rights Chronicle	E-Notes for Dec. 16, 23 and Jan. 6
I & E Report	Website Activity graph for 4 th Qtr 2008
Website Activity graph for year 2008	Preliminary Water Usage Report dated Jan. 8
DNR letter dated Dec. 30	Arbitrator's Preliminary Decision dated Dec. 19

Information Distributed at Meeting:

NARD Update dated Jan. 9	NARD Annual Conference information
Surface Water Report for Dec. 2008	ARP Bids
Cost-Share Report	RRBC Report dated January 2009
Transfer Request T1-2009	

REGULAR MEETING

1. The regular monthly board meeting was called to order by Chairman Friesen at 2:01 p.m.

- a. Verify Oaths of Office.
- b. Verify Quorum.
- c. Excused Absences – Uerling.

- ◆ A motion was made by Fornoff and seconded by Schurr to excuse the absence of James Uerling.

Ayes- 10 Nays-0 Motion Carried

Friesen stepped down as Chairman and turned the meeting over to Smith.

- d. Election of Officers.

Smith made 3 calls for nominations from the floor for the position of Chairman.

Fornoff nominated Friesen for Chairman.

- ◆ A motion was made by Schurr and seconded by Spencer to cease nominations and appoint Friesen by unanimous ballot.
Ayes-10 Nays-0 Motion Carried

Smith made 3 calls for nominations from the floor for the position of Vice Chairman.

Loomis nominated Fornoff for Vice Chairman.

- ◆ A motion was made by Anderjaska and seconded by Nelsen to cease nominations and appoint Fornoff by unanimous ballot.
Ayes- 10 Nays- 0 Motion Carried

Smith made 3 calls for nominations from the floor for the position of Treasurer.

Schurr nominated Nelsen for Treasurer.

- ◆ A motion was made by Anderjaska and seconded by Fornoff to cease nominations and appoint Nelsen by unanimous ballot.
Ayes- 10 Nays- 0 Motion Carried

- ◆ A motion was made by Schurr and seconded by Fornoff to retain Owens as Board Secretary.
Ayes- 10 Nays- 0 Motion Carried

2. The agenda and roster were circulated to those present.

a. **Added Items:** None.

3. Notice of the regular monthly meeting was published in the **North Platte Telegraph** and the **McCook Daily Gazette** and was posted at the **MRNRD Office** and on the **District Website** at www.mrnrd.org. As a courtesy it was also provided to local radio stations. Guests should also note the location of a current copy of the statutes dealing with public meetings and the booklet with the information provided to directors.

4. The Minutes for the November 19th Special Meeting, December 9th Regular Meeting and Variance Hearing, and December 17th Special Meeting were mailed to Directors.

- ◆ A motion was made by Schurr and seconded by Spencer to approve the Minutes of the November 19th Special Meeting, December 9th Regular Meeting and Variance Hearing, and December 17th Special Meeting as corrected.
Ayes- 10 Nays-0 Motion Carried

5. The meeting was recessed at 2:15 p.m. for the purpose of opening the variance hearing.

6. The meeting was reconvened at 2:26 p.m.

7. CONSIDER VARIANCE REQUEST AND TRANSFER REQUEST

Discussion was held.

- ◆ A motion was made by Fornoff and seconded by Schurr to approve MR527.
Ayes-8 Nays- Spencer, Haag Motion Carried

8. FINANCIAL ACTIONS

a. The financial report and Monthly Income & Expense Report for December were presented by Smith. The County Treasurer's Balance was \$16,426.02.

◆ A motion was made by Loomis and seconded by Nelsen to approve the December financial report as presented.

Ayes-10 Nays- 0 Motion Carried

A copy of this report is on file with the Minutes.

b. Audit Report. Smith went over the final Audit Report and answered questions.

◆ A motion was made by Anderjaska and seconded by Fornoff to accept the 2008 Fiscal Year End Audit Report as presented.

Ayes-10 Nays- 0 Motion Carried

9. LEGAL MATTERS

a. Case Status – LB 701 – Nebraska Supreme Court
None.

b. Occupation Tax Challenge – Lancaster District Court.
None.

10. OPEN FORUM

William M. Barger. Barger had questions about stream depletion. Smith answered questions.

11. REPORTS

A. NRCS REPORT.

1. District Cons. Report. Whisenhunt went over his report and provided a Powerpoint of the Burn Program Procedures.

B. NARD

1. Report – Anderjaska went over the current bills and announced the NARD Annual Conference in Washington, D.C. on March 21 – 25th, 2009.

2. Legislative Conference Jan. 26 – 28.

Owens will be sending out room confirmation numbers next week.

3. Voting Delegate. Friesen appointed himself as voting delegate and Randel as the alternate.

C. NACD

1. E-notes dated December 16 and 23, 2008 and January 6, 2009 were mailed to the Directors.

D. NNRC

1. Report on Basin Meeting, January 9, 2009.
None.

E. INFORMATION AND EDUCATION

1. Reports.

Lawson went over his report and answered questions.

F. REPUBLICAN RIVER BASIN COALITION

1. Traci Witthuhn handed out her report and answered questions.
2. Delegates. Currently Smith is the delegate and Friesen is the alternate.

These positions will remain the same

G. NE REPUBLICAN RIVER MANAGEMENT DISTRICTS ASSOCIATION

1. Report on January 9, 2009. None.

2. Delegates. Currently Fornoff is delegate and Nelsen is alternate.

Nelsen is not interested in serving as alternate. Friesen appointed Fornoff as delegate and Randel as alternate.

H. OTHER AGENCIES OR ASSOCIATIONS

1. RC&D
None.

I. LEGISLATION

Smith provided handouts from NARD.

J. ARBITRATION – REPORT.

Smith provided handout.

12. GROUND WATER MANAGEMENT AREA

A. GROUND WATER MANAGEMENT AREA

1. REPORTS

(a) WELL PERMITS

None.

(b) SURFACE WATER

Bureau's report enclosed.

(c) METER PROGRAM

Preliminary report provided which is approximately 80% of the wells read.

2. TRANSFERS REQUESTS.

Merrigan went over the Temporary Transfer Requests .

- ◆ A motion was made by Schurr and seconded by Loomis to approve transfer request T1-2009 from Vern Friesen to Mike O'Brien.

Ayes- 8 Nays-Haag Abstain-Friesen Motion Carried.

3. TRANSFERS – CONSIDER REVISIONS.

Discussion was held.

4. CERTIFICATION – CONSIDER REVISIONS.

Discussion was held.

- ◆ A motion was made by Schurr and seconded by Fornoff to approve the discussed changes and revisions to the Transfers and Certification sections of the Rules and Regulations.
Ayes- 7 Nays-Haag, McConville, Spencer Motion Carried.

5. ACREAGE REDUCTION PROGRAM – CONSIDER APPLICATIONS.

Review and discussion of current applications was held.

- ◆ A motion was made by Anderjaska and seconded by Spencer to reject all ARP bid applications received to-date and reopen bid process until April 1, 2009 with inclusion of program guidelines in the water report mailings.
Ayes- 10 Nays- 0 Motion Carried

Nelsen left meeting at 5:07 p.m.

6. DNR CONSULTATION ON FORECAST 46-715 (5) FINAL REPORT.

Smith went over the official notice dated December 30, 1008 by Nebraska Department of Natural Resources.

B. GROUND WATER QUALITY MANAGEMENT AREA

None.

C. OTHER GROUND WATER ACTIVITY

None.

13. PROGRAMS

A. CONSERVATION MANAGEMENT FUNDS

Smith went over Cost-Share Report.

- ◆ A motion was made by Anderjaska and seconded by Loomis to approve Cost Share Report.
Ayes –9 Nays –0 Motion Carried

B. WATERSHEDS

Smith went over a draft report from NRCS and advised the board that we were still looking for federal funding.

C. COMPLAINTS

1. Beverly Nutter’s runoff complaint. Merrigan and Gugelman are planning on review of property possibly next week.

D. CHEMIGATION

None.

E. TREE PLANTING

Merrigan reported that we are working on 3-year contract with Jaeger.

F. BUFFER STRIPS

None.

G. LIVESTOCK WASTE CONTROL APPLICATIONS

None.

14. GENERAL OPERATIONS

A. PERSONNEL.

None.

B. SALES AND RENTAL EQUIPMENT.

None.

- ◆ A motion was made by Schurr and seconded by Fornoff to change the meeting time for the February 10, 2009 meeting to 7:30 p.m.
Ayes- 6 Nays-Spencer, Anderjaska, Haag Motion Carried.

The meeting was adjourned at 5:17 PM.

The next regular meeting will be held Tuesday, February 10, 2009 at 7:30 P.M. in Curtis, Nebraska at the Community Center at 201 Garlick Avenue.

Stacie M. Owens
Board Secretary