

MINUTES
Middle Republican Natural Resources District
Board of Directors Meeting
Tuesday, November 10, 2009
Curtis, Nebraska

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

Board Members Absent: Rick Spencer

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

NRCS Staff: None.

Others: Roger Goltl, Claude Cappel, George Seward, William M. Barger, Lorrie Sughroue, Brad Johnson

Information E-mailed to Directors:

NNRC Agenda	Interrelated Water Management Plan Program
Option Thoughts from Smith	E-Notes dated Oct. 13 th , 20 th , 27 th and Nov. 3 rd
Kearney Hub editorials Oct. 20 & 27	

Information Mailed to Directors:

Agenda	Oct. 13 th Minutes
Variance Hearing Minutes	Variance Hearing Agenda
Request for Variance 23, 25 & 26	MR 535, 537 & 538
Financial Report	Monthly Income & Expense Report
A/R List	Civil Rights Handout
I& E Report	Resolution 314-09
Norris Institute Letter	Republican River Irrigation Districts Resolution
Irrigation Nitrate Samples	Fall Well Reading corrected page

Information Distributed at Meeting:

Handout from Claude Cappel	Letter from Gus Lieske
Letter from Dunnigan	Map relating to Seward Variance Requests
NRCS Report	NRCS 2009 Practice totals per PRS
Legislative Updates from Edson	Heineman's proposed reductions
Summary of NRD's budgets	Lower Republican NRD apology letter
RRBC Report	Draft NRRMDA Agenda
SW NE RC&D Annual Report	Cost Share Report

REGULAR MEETING

1. The regular monthly board meeting was called to order by Chairman Friesen at 7:34 pm.

- a. Verify Quorum.
- b. Excused Absences – None.

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

- a. **Added Items: 11.a.2. EQIP Work Group Meeting**

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 October 13th Regular Board Meeting and Variance Hearing were mailed to Directors.

- ◆ A motion was made by Anderjaska and seconded by Fornoff to approve the Minutes of the October 13th Regular Board Meeting and Variance Hearing.
Ayes- 9 Nays- 0 Abstain- Loomis Motion Carried

5. The meeting was recessed at 7:36 pm for the purpose of opening the variance hearing.

6. The meeting was reconvened at 8:02 pm.

7. CONSIDER VARIANCE REQUEST

Discussion was held.

- ◆ A motion was made by Fornoff and seconded by Loomis to approve the Seward variance requests 23-2009.
Ayes- 7 Nays- Haag, McConville, Uerling Motion Carried

- ◆ A motion was made by Nelsen and seconded by Schurr to approve the Seward variance requests 25-2009.
Ayes- 7 Nays- Haag, McConville, Uerling Motion Carried

- ◆ A motion was made by Schurr and seconded by Loomis to approve the Seward variance requests 26-2009.
Ayes- 7 Nays- Haag, McConville, Uerling Motion Carried

8. FINANCIAL ACTIONS

a. The October Financial Report and Monthly Income and Expense Report were presented by Smith. The County Treasurer's Balance was \$80,240.86.

- ◆ A motion was made by Loomis and seconded by Nelsen to approve the October Financial Report and Monthly Income and Expense Report as presented.
Ayes- 10 Nays- 0 Motion Carried

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

9. LEGAL MATTERS

a. Case Status – LB 701 – Declaratory Judgment progress – Filed.
Smith discussed the updates relating to the filings and a push to try to get it before a judge.

b. Occupation Tax Challenge – Lancaster District Court – December?
Smith reported that the trial date is set for December 14th at 3:00 pm.

10. OPEN FORUM

Claude Cappel, Farmer, McCook. Provided a handout relating to current laws and some bills approved in the past. He also had concerns about the rolling average concept and the expenses of the drip systems that have been installed in the quick response areas and issues that would arise on those systems in the event of a shutdown.

11. REPORTS – AGENCIES, ASSOCIATIONS, OTHERS

A. NRCS REPORT.

1. District Cons. Report. Smith briefly went over Whisenhunt's report and handouts. He also discussed the NRD Local Work Group and requested any volunteers from the Board. Nelsen agreed to do it if he was unable to be in the field.

B. NARD

1. Report – Anderjaska gave his report on the recent meeting and provided a copy of the LRNRD's apology. He also announced that NARD would be sponsoring the Nebraska Ag Institute Conference, the Legislative Conference will be held January 26th and 27th in Lincoln, and the Washington DC Tour will be March 6th through 10th which he may attend this year. Smith also added a couple information items to the packets and discussed those.

C. NNRC

1. Report – Nelsen provided the Agenda for the next meeting which will be held November 18th and 19th. He also reported on current activities.

D. INFORMATION AND EDUCATION

1. Reports.

Lawson went over his report and answered questions. He also went over the resolution for the Hazard Mitigation Plan for Hayes County and requested approval from the Board. Smith recommended going forward with this process.

◆ A motion was made by Anderjaska and seconded by Fornoff to pass resolution 314-09.

Ayes- 10

Nays- 0

Motion Carried

E. REPUBLICAN RIVER BASIN COALITION

Smith briefly went over Witthuhn report which was distributed at the meeting.

F. NE REPUBLICAN RIVER MANAGEMENT DISTRICTS ASSOCIATION.

1) DNR Forecast at December Meeting.

Smith reported that DNR would be here in Curtis with a "draft" forecast on November 30th. This was originally going to be held in December but there were many scheduling conflicts. A draft agenda has been handed out.

G. OTHER AGENCIES OR ASSOCIATIONS.

1. RC&D.

Smith pointed out the RC&D's Annual Report provided for their review. Lawson briefly went over certain slides on a PowerPoint provided by Roger Stockton of a goat grazing weed management project.

2. Irrigation District Resolution.

Smith brought forward Brad Edgerton's resolution, which he presented at the October meeting, as he requested. The Board acknowledged the resolution. No action was taken.

3. Norris Institute Grant, \$3,000.

Smith requested that the Board approve payment on the work that has been done relating to the grant project and our previously approved donation in the amount of \$3,000.

◆ A motion was made by Schurr and seconded by Anderjaska to approve payment on our part of the grant to the Norris Institute.

Ayes- 10 Nays- 0 Motion Carried

H. LEGISLATION.

1. State Budget Reductions.

Smith went over some possible legislation based on recent meetings with Carlson and Christensen.

I. REPUBLICAN RIVER COMPACT.

Nothing new.

12. GROUND WATER MANAGEMENT AREA

A. GROUND WATER MANAGEMENT AREA

1. REPORTS

(a) **WELL PERMITS**

Nothing new.

(b) **SURFACE WATER**

Bureau's report has not yet been received.

(c) **METER PROGRAM**

Smith reported that the technicians were servicing and reading meters in Hayes and Hitchcock Counties as weather permits.

2. TRANSFERS REQUESTS.

(a) **INITIAL REVIEW LIST – None.**

(b) **FINAL REVIEW** – Discussed during variance hearing as they are associated with transfer wells requested during that hearing.

3. ACREAGE REDUCTION PROGRAM.

(a) **Report.**

Nothing new.

4. DNR PROPOSAL AND MEETING DATES NOV. 17TH – McCook at 1 PM and 3 PM and Curtis at 7 PM.

Smith suggested to the Board that we advertise these meetings as Special Meetings with no planned action in case a quorum is in attendance.

- ◆ A motion was made by Anderjaska and seconded by Fornoff to advertise the Special Meetings for the DNR presentations on November 17th at 1 pm and 3 pm in McCook, and 7 pm in Curtis.

Ayes – 10 Nays – 0 Motion Carried

5. OTHERS.

(a) 5 Year Rolling Average with Fee Structure.

Smith discussed a new concept that is being looked at which would involve a 6” allocation and a fee structure allowing paid transfers. This would also allow for some augmentation dollars to be available.

(b) Voluntary Fee.

Smith stated that this was something the Upper Republican NRD is looking at.

All concepts have a number of holes that will need to be addressed. The groundwater committee which start trying to schedule some meetings to look further into all the concepts in detail.

B. GROUND WATER QUALITY MANAGEMENT AREA – Samples.

Smith went over the report.

C. OTHER GROUND WATER ACTIVITY

None.

13. PROGRAMS

A. CONSERVATION MANAGEMENT FUNDS

1. Approve Applications. Smith went over Cost-Share.

- ◆ A motion was made by Nelsen and seconded by Anderjaska to approve the Cost Share Report.

Ayes – 10 Nays – 0 Motion Carried

Smith reported that fencing practices are now being allowed under NSWCP under certain conditions. The cap will be \$5,000. He also brought up that LB403 requires us to maintain an attestation form from all persons receiving money from us stating that they are a US citizen.

B. WATERSHEDS – District Inspections and Maintenance.

Smith discussed the contract issues which are mainly being held up due to weather conditions.

C. COMPLAINTS

None.

D. CHEMIGATION

None.

E. TREE PLANTING.

Merrigan reported that the initial order has been submitted but confirmation has not yet been received.

F. BUFFER STRIPS

None.

G. LIVESTOCK WASTE CONTROL APPLICATIONS

None.

14. GENERAL OPERATIONS

A. PERSONNEL.

None.

B. SALES AND RENTAL EQUIPMENT

None.

C. DELIVERY OF NEW PICKUP.

Smith announced that we have received the new Ford pickup.

The meeting was adjourned at 10:07 pm.

The next regular meeting will be held Tuesday, December 8, 2009 at 1:45 pm in Curtis, Nebraska at the Community Center at 201 Garlick Avenue.

Stacie M. Owens
Board Secretary