

MINUTES
Middle Republican Natural Resources District
Board of Directors Meeting
Tuesday, July 13, 2010 at 7:30 PM
Curtis, Nebraska

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

Board Members Absent: Rick Spencer

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

NRCS Staff: Jason Kennedy

Others: Jason Kepler, Ralph Scott, Jesse Bradley, Roger Stockton, Randy Lashley, Bill Hoyt, Steve Cappel

Information E-mailed to Directors:

E-notes dated June 8, 15, 29 & July 7, 13

Information Mailed to Directors on June 16, 2010:

Draft Rules & Regulations

Information Mailed to Directors:

Agenda	Minutes from June IMP Hearing
Minutes from June Regular Meeting	Transcript from IMP Hearing
Public Hearing Agenda	Request for Variance
Well Permit Application	Financial Report – June
Monthly Income & Expense Report	Draft Budget dated 7/8/2010
Civil Rights Handout	NNRC Commission Meeting Briefs
I & E Report	Kearney Hub article
Youth Range Camp Participant Distribution	Ltr from NE Youth Range Camp-Taylor
RRB Water & Drought Portalhandouts (2)	RRBC Report
Water Matters No. 4 – June 2010	

Information Distributed at Meeting:

NRCS Report	Permit to Construct Well Report
Surface Water Report	West Central Water & Crops Field Day
Cost-Share Report	

REGULAR MEETING

1. The regular monthly board meeting was called to order by Chairman Friesen at 7:36 pm.

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

2. The agenda and roster were circulated to those present.
Items added to the Agenda since mailing – 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 June 8th IMP Hearing and Regular Board Meeting were mailed to Directors.

- ◆ A motion was made by Fornoff and seconded by Loomis to approve the Minutes of the June 8th IMP Hearing and Regular Board Meeting, and accept the transcript of the IMP Hearing.

Ayes - 8 Nays - 0 Motion Carried

5. Open Hearing for Variance Request. The meeting was recessed at 7:37 p.m. for the purpose of opening the variance hearing.

6. Close Hearing. The meeting was reconvened at 7:46 p.m.

7. CONSIDER VARIANCE REQUEST

Discussion was held.

- ◆ A motion was made by Schurr and seconded by Loomis to approve a 200 gpm industrial well for 83 Wash LLC, Randy Lashley, for up to 80.65 acre feet of usage per year.

Ayes- 8 Nays- 0 Motion Carried

8. FINANCIAL ACTIONS

a. The June Financial Report and Monthly Income and Expense Report were presented by Smith. The County Treasurer's Balance was \$119,720.59.

- ◆ A motion was made by Schurr and seconded by Fornoff to approve the June Financial Report and Monthly Income and Expense Report as presented.

Ayes- 8 Nays- 0 Motion Carried

A copy of this report is filed with the Minutes.

- b. Draft budget.

Smith went over the line items that have been adjusted explaining in further detail and answered questions.

Anderjaska arrived at 8:09 p.m.

Nelsen arrived at 8:20 p.m.

9. LEGAL MATTERS

- a. LB 701 Property Tax – Co. Attorneys have asked for an AG opinion. Smith reported that there has been no response from the AG's office as of yet.

b. Occupation Tax Challenge – Appeal to NE Supreme Court.
Smith reported that our response was filed on July 2nd. The other side will have 30 days respond.

c. Kansas vs. Nebraska filing.
Smith announced that Nebraska, Colorado and Kansas were currently in meetings in Kansas City.

10. OPEN FORUM

None.

11. REPORTS – AGENCIES, ASSOCIATIONS, OTHERS

A. NRCS REPORT.

1. District Cons. Report. Jason Kennedy, the new DC, went over his report and answered questions.

B. NARD

1. Report – Anderjaska reported on last month's meeting where they approved the budget. Fall Conference will be held in Kearney again this year. Schurr requested to be auctioneer for silent auction.

C. NNRC

1. Report – Nelsen reported on June meeting in Norfolk. Copy of briefs was included in board packets. Next meeting will be held in Kearney on the 27th and 28th of July.

D. INFORMATION AND EDUCATION – LAWSON.

1. Lawson went over his report and answered questions.

E. REPUBLICAN RIVER BASIN COALITION

Witthuhn's report was included in the Board Packet as she was unable to attend meeting.

F. NE REPUBLICAN RIVER MANAGEMENT DISTRICTS ASSOCIATION.

Witthuhn's packet contained a draft agenda for the next meeting on July 26th in Holdrege.

G. OTHER AGENCIES OR ASSOCIATIONS.

1. RC&D –
Roger Stockton reported on work at Swanson Lake and their progress on tree clearing.

H. LEGISLATION.

1. Sustainability Task Force Report – Anderjaska/Fornoff.
Anderjaska and Fornoff commented on the initial meeting. Ralph Scott also added comments on the hiring of a facilitator and hoping for another meeting in August.

12. GROUND WATER MANAGEMENT AREA

A. GROUND WATER MANAGEMENT AREA

1. REPORTS

(a) WELL PERMITS

Smith went over report and answered questions.

(b) SURFACE WATER

Bureau's report mailed to Directors.

(c) METER PROGRAM

Nothing new.

(d) AWEP.

Nothing new.

(e) ARP.

Nothing new.

(f) VIOLATIONS IN URNRD.

Smith discussed actions that were taken and concerns.

2. TRANSFERS REQUESTS.

(a) INITIAL REVIEW LIST – None.

(b) FINAL REVIEW – None.

3. GROUNDWATER COMMITTEE REPORT.

Smith provided changes the committee was looking at.

4. DRAFT REVISIONS TO RULES AND REGULATIONS – DISCUSSION.

Smith discussed revisions in further detail.

5. IMP REVISIONS – DISCUSSION AND CONSIDERATION.

Kepler and Bradley were here to answer questions and provided draft definition to compact call year and IMP suggested changes. Discussions were held and questions asked. Additional changes and revisions to language will be discussed further.

6. RECERTIFICATION OF ACRES – ONGOING IN RED WILLOW CO. AND HITCHCOCK COUNTY.

Smith stated that Red Willow was almost complete and Hitchcock County is just getting started.

7. CONTINUING REPORTS WITH REGARD TO LEASES AND AUGMENTATION.

None.

B. GROUND WATER QUALITY MANAGEMENT AREA.

None.

C. OTHER GROUND WATER ACTIVITY

None.

13. PROGRAMS

A. COST-SHARE FUNDS – LCP/NSWCP.

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

- ◆ A motion was made by Fornoff and seconded by Nelsen to accept the Cost Share summary.

Ayes – 10 Nays – 0 Motion Carried

B. WATERSHEDS – REHAB – Approve agreement amendments 1 & 2.

Smith went over the modification and approval of the additional funds needed.

- ◆ A motion was made by Uerling and seconded by Fornoff to ratify Smith’s signature on Amendment 1 and to approve circled language on Amendment 2.

Ayes – 10 Nays – 0 Motion Carried

Copy of Amendment 2 language approved filed with these minutes.

C. COMPLAINTS – Numerous inquiries about “cheating” – Staff has investigated.

Smith reported that we have received a number of calls but have confirmed that they were not valid.

D. CHEMIGATION.

Smith stated that inspections were ongoing.

E. TREE PLANTING.

None.

F. BUFFER STRIPS.

None.

G. LIVESTOCK WASTE CONTROL APPLICATIONS.

None.

14. GENERAL OPERATIONS.

A. PERSONNEL.

Smith reported that Spencer Campbell has been hired as the new technician.

B. SALES AND RENTAL EQUIPMENT.

None.

- ◆ A motion was made by Uerling and seconded by Loomis to enter into executive session to discuss strategy and litigation related to the IMP.

Ayes – 10 Nays – 0 Motion Carried

Chairman Friesen restated, for the record, the limitation of the subject matter of the closed session.

Entered into Executive Session at 10:59 p.m.

- ◆ A motion was made by Loomis and seconded by Haag to exit.
Ayes – 10 Nays – 0 Motion Carried

Exited Executive Session at 12:06 a.m.

The meeting was adjourned at 12:10 a.m.

The next regular meeting will be held Monday, August 2nd, 2010 at 7:30 p.m., at the Community Center at 201 Garlick Avenue in Curtis, Nebraska.

Stacie M. Owens
Board Secretary