

**MINUTES**  
**Middle Republican Natural Resources District**  
**Board of Directors Meeting**  
**Tuesday, April 13, 2010**  
**Curtis, Nebraska**

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

**Board Members Absent:** None

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

**NRCS Staff:** Martin Gugelman

**Others:** Traci Witthuhn, Brad Edgerton, William R. Barger, Brad Johnson, Roger Stockton

**Information E-mailed to Directors:**

E-notes dated March 16, 23, 30 and April 6

Legislative Summary dated March 19, 26 and April 2

Order from Judge Urbom

Comments from Joel Burke

E-mail from Dean Edson dated March 31

E-mail from Dan Smith re: Task Force

E-mail from Dan Smith re: LRNRD

**Information Mailed to Directors:**

Agenda

Minutes from March Regular Meeting

Minutes from March Public Hearing

Financial Report – March

Monthly Income & Expense Report

NRCS Report

Civil Rights Handout

I & E Report

Scholarship Applicants (4)

Draft IMP – April 5<sup>th</sup>

Spring Groundwater Monitoring Report

**Information Distributed at Meeting:**

Hasting Tribune Article dated April 9

Task Force Nominations

Legislative Summary – Final Reading Action

Surface Water Report

E-mail from Jim Schneider dated April 8

Draft IMP – April 12<sup>th</sup>

Farm Journal Article #44 dated March 2010

Cost-Share Report

RRBC Report

**REGULAR MEETING**

**1. The regular monthly board meeting was called to order by Chairman Friesen at 7:30 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 – 11. A. 2. AWEF Report & Action

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](http://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 March 16 Regular Board Meeting and Public Hearing were mailed to Directors.

Randel arrived at 7:32 pm

- ◆ A motion was made by Anderjaska and seconded by Fornoff to approve the Minutes of the March 16<sup>th</sup> Regular Board Meeting and Public Hearing.  
Ayes- 10          Nays- 0          Motion Carried

5. Open Hearing for Variance Request. None.

6. Close Hearing.

### **7. CONSIDER VARIANCE REQUEST**

None.

### **8. FINANCIAL ACTIONS**

a. The March Financial Report and Monthly Income and Expense Report were presented by Smith. The County Treasurer's Balance was \$42,350.54.

Schurr arrived at 7:34 pm

- ◆ A motion was made by Anderjaska and seconded by Spencer to approve the March Financial Report and Monthly Income and Expense Report as presented.  
Ayes- 11          Nays- 0          Motion Carried

A copy of this report is filed with the Minutes.

### **9. LEGAL MATTERS**

a. Case Status – LB 701 – Declaratory Judgment – March 19, 2010 - Consider future action. Smith went over issues relating to the decision by the Judge and finding a common process between all counties on how to handle the disbursement of funds. Jon Schroeder has written a letter to the Attorneys General on behalf of all five county attorneys' requesting an opinion on how to handle situation.

b. Occupation Tax Challenge – Lancaster District Court – Decision and Appeal. Smith reported that he has received a docket from Blankeau. May not see a decision until after the first of the year.

### **10. OPEN FORUM**

None.

### **11. REPORTS – AGENCIES, ASSOCIATIONS, OTHERS**

#### **A. NRCS REPORT.**

1. District Cons. Report. Gugelman pointed out that Kevin Breece had put a written report in the board packet and a civil rights handout was also included. There has been no news on whether or not the DC position has been filled yet. Gugelman stated that he

had accepted a job in Kansas and would be leaving in June. It is expected that his job would begin being advertised very soon.

2. AWEF Report and Consideration for Action. Smith reported that at this time there is still no word on the number of dollars available.

**B. NARD**

1. Report – Anderjaska reported on last meeting held. They are currently working on the budget which will be approved at the June meeting.

**C. NNRC**

1. Report – Nelsen reported the March 24-25<sup>th</sup> meeting held in Lincoln.

**D. INFORMATION AND EDUCATION**

1. Reports - Post high scholarships.

Lawson went over his report and the four scholarship applicants that were recommended by the NRD Staff. He also offered a file which contained all the applications to those who wished to review them.

◆ A motion was made by Anderjaska and seconded by Spencer to award the scholarships to Tell Dietrich and Alex Wach with Tyler Clifford and Johanna Nutt being the alternates, in that order.

Ayes- 11      Nays- 0      Motion Carried

**E. REPUBLICAN RIVER BASIN COALITION**

Witthuhn went over her report and answered questions.

◆ A motion was made by Fornoff and seconded by Anderjaska to invite Tri-Basin NRD to join the RRBC.

Ayes- 11      Nays- 0      Motion Carried

**F. NE REPUBLICAN RIVER MANAGEMENT DISTRICTS ASSOCIATION.**

Witthuhn reported that the next meeting will be July 26<sup>th</sup> at Tri-Basin NRD in Holdrege and explained the Pioneer Irrigation District membership request.

◆ A motion was made by Uerling and seconded by Spencer to invite the Pioneer Irrigation District to join the NeRRMDA.

Ayes- 11      Nays- 0      Motion Carried

**G. OTHER AGENCIES OR ASSOCIATIONS.**

1. RC&D. Roger Stockton reported on the current projects and events of the RC&D. He also announced the Republican River Restoration Partners project is going to go forward after all.

**H. LEGISLATION.**

1. Legislative Reports.

a) LB 862. Smith went over the process and the current status of the bill.

b) LB 1057 – Task Force Nominations. Smith provided a list of suggested people for the Task Force. The Governor has requested that nominations be in by April 14<sup>th</sup>. Applicants should use the Governor’s website to apply.

◆ A motion was made by Anderjaska and seconded by Loomis to nominate Dan Smith and Kevin Fornoff to represent the MRNRD on the Task Force.

◆ A motion was made by Haag and seconded by Spencer to amend the motion to drop Kevin Fornoff’s name and add James Uerling.

Ayes – 3      Nays – Nelsen, Randel, Schurr, Spencer, Anderjaska, Friesen,  
Fornoff, Loomis      Motion Failed

Original motion was restated by the Chairman.

◆ A motion was made by Anderjaska and seconded by Loomis to nominate Dan Smith and Kevin Fornoff to represent the MRNRD on the Task Force.

Ayes – 9      Nays – Uerling, Haag      Motion Carried

Discussion was held regarding the Task Force Nomination list Smith provided.

◆ A motion was made by Nelsen and seconded by Loomis to offer support for Suda, Schroeder, Scharf, Paulman, Anderjaska, Burke, Goeke, Martin and anyone else interested in applying.

Ayes – 5      Nays – Spencer, Uerling, Friesen, Haag, McConville  
Abstain - Randel      Motion Failed

◆ A motion was made by Fornoff and seconded by Loomis to offer support Burke, Goeke, Martin and Anderjaska.

Ayes – 8      Nays – Uerling, Haag, McConville      Motion Carried

## **12. GROUND WATER MANAGEMENT AREA**

### **A. GROUND WATER MANAGEMENT AREA**

#### **1. REPORTS**

(a) **WELL PERMITS**

No changes from last month’s report.

(b) **SURFACE WATER**

Bureau’s report mailed to Directors.

(c) **METER PROGRAM**

Nothing new.

(d) **AWEP.**

Discussed under Item 11.

(c) **ARP.**

Nothing new.

**2. TRANSFERS REQUESTS.**

(a) **INITIAL REVIEW LIST – None.**

(b) **FINAL REVIEW – None.**

**3. ACREAGE REDUCTION PROGRAM.**

Discussed under Item 12.A.1.c.

**4. GROUNDWATER COMMITTEE REPORT.**

Smith handed out latest set of revisions based on suggestions from the Groundwater Committee Meeting. He stated that the IMP is getting refined but there are still going to be revisions that they suggest.

**5. IMP AND GWMA REVISIONS – DISCUSSION.**

Smith called on Jim Schneider and Jesse Bradley to answer questions from the Board.

a) **CONSIDER HEARING DATE.**

- ◆ A motion was made by Fornoff and seconded by Loomis to set an IMP and GWMA Rules and Regulations hearing for June 8<sup>th</sup>.

Ayes – 10    Nays – Schurr    Motion Carried

**6. DNR – MARCH 18 MEETING.**

Smith discussed events of the meeting with DNR, the irrigation districts and the four NRD's being a starting point. A committee was formed with Jasper Fanning, Marv Swanda, Jim Schneider and Brad Edgerton.

**7. CONTINUING ACTIONS WITH REGARD TO LEASES AND AUGMENTATION.**

Smith stated that we need to continue to look at these items and keep discussions ongoing.

**B. GROUND WATER QUALITY MANAGEMENT AREA.**

None.

**C. OTHER GROUND WATER ACTIVITY – SPRING 2010 LEVELS.**

Smith went over report and answered questions.

**13. PROGRAMS**

**A. COST-SHARE FUNDS – LCP/NSWCP.**

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

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

Ayes – 11    Nays – 0    Motion Carried

**B. WATERSHEDS – DNR INSPECTIONS – REHAB OF SITES 80A & 32A.**

Smith stated that DNR came out last week but the weather turned bad so they returned to Lincoln. They will reschedule another visit when weather clears.

**C. COMPLAINTS.**

None.

**D. CHEMIGATION.**

None.

**E. TREE PLANTING.**

Smith reported the Halsey trees were being picked up today, technicians would be taking orders out to the NRCS offices this week and Jaeger is scheduled to start planting on Monday, weather permitting.

**F. BUFFER STRIPS.**

None.

**G. LIVESTOCK WASTE CONTROL APPLICATIONS.**

None.

**14. GENERAL OPERATIONS.**

**A. PERSONNEL.**

None.

**B. SALES AND RENTAL EQUIPMENT.**

None.

**C. PERSONNEL AND OPERATIONS COMMITTEE.**

Friesen asked for volunteers. Nelsen, Spencer and Friesen agreed to be on the committee and hold meeting on Monday, April 19<sup>th</sup> at 9:00 am.

The meeting was adjourned at 11:16 pm.

The next regular meeting will be held Tuesday, May 11, 2010 at 7:30 pm in Curtis, Nebraska at the Community Center at 201 Garlick Avenue.

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Stacie M. Owens  
Board Secretary