

**MINUTES**  
**Middle Republican Natural Resources District**  
**Board of Directors Meeting**  
**Tuesday, March 16, 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:** Kevin Breece

**Others:** Traci Witthuhn, Brad Edgerton, William R. Barger, Roger Goltl, Roger Kolbet, Don Felker, Raymond Durner

**Information E-mailed to Directors:**

Legislative Updates dated Feb. 12, 26, Mar. 5, 12    E-notes dated Feb. 17, 23, Mar. 2, 9  
Order from Kiplinger Case, et al.,

**Information Mailed to Directors:**

Agenda	Regular Meeting Minutes
Public Hearing Minutes	Public Hearing Agenda
Variance Req# VAR1-2010	Financial Reports
US Census Bureau News	I & E Report
Envirothon Scoresheet	Permit to Construct
Surface Water Report	Rules 2-1 and 2-2 Language
Wind Energy Public Mtg	NRD Wellness Program
Candidate Filing List	

**Information Distributed at Meeting:**

Variance Req# VAR2-2010	NNRC Meeting Agenda
Improvement Project Area 2-3252 thru 2-3255	IMP Draft dated March 16
Cost-Share Summary	NRCS Report
RRBC Report	

**REGULAR MEETING**

**1. The regular monthly board meeting was called to order by Chairman Friesen at 7:05 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](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.

Schurr and Uerling arrived at 7:06 pm.

4. The Minutes for the February 9<sup>th</sup> Regular Board Meeting and Public Hearing were mailed to Directors.

- ◆ A motion was made by Anderjaska and seconded by Fornoff to approve the Minutes of the February 9<sup>th</sup> Regular Board Meeting and Public Hearing.  
Ayes- 9      Nays- 0      Abstain - Schurr      Motion Carried

5. Open Hearing for Variance Request. The meeting was recessed at 7:07 pm for the purpose of opening the variance hearing.

6. Close Hearing.

The meeting was reconvened at 7:16 pm.

## **7. CONSIDER VARIANCE REQUEST**

Discussion held.

- ◆ A motion was made by Fornoff and seconded by Loomis to approve Variance Request # 1-2010.  
Ayes – 10      Nays – 0      Motion Carried

Haag arrived at 7:18 pm.

## **8. FINANCIAL ACTIONS**

a. The February Financial Report and Monthly Income and Expense Report were presented by Smith. The County Treasurer's Balance was \$54,843.18.

- ◆ A motion was made by Anderjaska and seconded by Nelsen to approve the February 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 – January 21.  
Nothing new.
- b. Occupation Tax Challenge – Lancaster District Court.  
Smith announced that a ruling had been passed down in our favor; however, an appeal could be filed within the next thirty days.

## **10. OPEN FORUM**

Bill Barger – Requested that the Board take the transfers off the table as he has customers wanting to transfer acres and purchase water.

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

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

1. District Cons. Report. Smith introduced Kevin Breece who has taken Doug Whisenhunt's position temporarily. Breece went over his report and answered questions.

2. Cooperative Agreements for Hardin & Overton. Smith went over the cooperative agreements and the changes that have been requested for these agreements. Further discussions will be held with NRCS and more information on these discussions will be provided at the next Board meeting.

3. TSP Changes. Smith went over the changes to the TSP program, how it has worked in the past and the issues we are facing.

### **B. NARD**

1. Report – Anderjaska reported that there will be no meeting in March due to scheduling conflicts.

2. Washington DC Trip. Smith, Anderjaska and Nelsen collectively reported on their trip for the NARD Washington DC Conference.

### **C. NNRC**

1. Report – Nelsen reported that the next meeting will be March 24 and 25<sup>th</sup> at the Lower Platte South (agenda was provided in the packet). He also mentioned attending a meeting in Alma with Kent Zimmerman and Traci Witthuhn relating to the water balance study which should now be fully funded despite the State budget cuts.

### **D. INFORMATION AND EDUCATION**

#### 1. Reports.

Lawson went over his report and answered questions.

2. SW Water Conference. Smith reported that the attendance was down but those who were there, stayed for the whole conference. Lawson reported that attendees stayed for the entire conference.

### **E. REPUBLICAN RIVER BASIN COALITION**

Witthuhn went over her report and answered questions. She also reported that the Tri-Basin has been invited to join the coalition but she has not heard whether or not they intend to join yet. Next meeting is April 1<sup>st</sup> in Alma.

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

Witthuhn reported that the next meeting will be April 1<sup>st</sup> in Alma and a draft agenda has been included in her packet.

### **G. OTHER AGENCIES OR ASSOCIATIONS.**

1. RC&D. Smith did not receive a formal report from Roger Stockton but had spoke to him. Stockton informed him that the Republican River Restoration Partners request for use of the skid loader that was voted on at the last meeting has fallen through.

### **H. LEGISLATION.**

1. Legislative Reports. Smith went over some of the items on the Legislative

Reports.

**12. GROUND WATER MANAGEMENT AREA**

**A. GROUND WATER MANAGEMENT AREA**

**1. REPORTS**

**(a) WELL PERMITS**

Report mailed to Directors.

**(b) SURFACE WATER**

Bureau's report mailed to Directors.

**(c) METER PROGRAM**

Smith reported that usage reports were still being mailed out.

**(d) AWEP.**

Smith stated that there is still interest out there and we should know more as funds become available.

**2. TRANSFERS REQUESTS.**

**(a) INITIAL REVIEW LIST – None.**

**(b) FINAL REVIEW – None.**

**3. ACREAGE REDUCTION PROGRAM.**

Nothing new.

**4. GROUNDWATER COMMITTEE REPORT.**

Committee has not met since last Board meeting so no report available. Next meeting tentively scheduled for April 7<sup>th</sup> at 7:00 pm at the MRNRD office.

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

Smith enclosed the latest draft of the IMP and went over changes with the Board.

**a) Variance Language for Occupation Tax.**

Smith discussed some language relating to the occupation tax.

- ◆ A motion was made by Fornoff and seconded by Schurr to recognize the need to look at some kind of exception or variance with regard to the occupation tax with the development of the revised rules and regulations.

Ayes – 11      Nays – 0      Motion Carried

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

None.

**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 Loomis to approve the Cost Share applications.

Ayes – 10      Nays – 0      Abstain - Schurr      Motion Carried

#### **B. WATERSHEDS.**

Smith reported that the technicians having been doing cleanup on the dams and that we are just waiting on paperwork to be approved by NRCS and we can begin.

#### **C. COMPLAINTS.**

None.

#### **D. CHEMIGATION.**

Paperwork has been mailed out and we are already receiving a number back.

#### **E. TREE PLANTING.**

Merrigan reported that tree planting is scheduled to being the week of April 2<sup>nd</sup> if the weather cooperates.

#### **F. BUFFER STRIPS.**

None.

#### **G. LIVESTOCK WASTE CONTROL APPLICATIONS.**

None.

### **14. GENERAL OPERATIONS.**

#### **A. PERSONNEL.**

None.

#### **B. SALES AND RENTAL EQUIPMENT.**

Merrigan reported that the skid loader lease is up in June and request Board approval to rent it for another year. He was also approached by Medicine Valley High School to possibly rent the machine from us during the winter months for snow removal.

- ◆ A motion was made by Anderjaska and seconded by Spencer to approve the lease of the skid loader for another year at the same terms as last year.

Ayes – 11      Nays – 0      Motion Carried

- ◆ A motion was made by Uerling and seconded by Spencer to authorize management to arrange an innerlocal agreement with other agencies to rent the skid loader and recoup some of our costs associated with the rental.

Ayes – 11      Nays – 0      Motion Carried

#### **C. CANDIDATE FILING.**

Smith reported that there are currently twelve (12) candidates that have filed.

The meeting was adjourned at 9:45 pm.

The next regular meeting will be held Tuesday, April 13, 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