

**MINUTES**  
**Middle Republican Natural Resources District**  
**Board of Directors Meeting**  
**Monday, August 2, 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, Rick Spencer

**Board Members Absent:** None

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

**NRCS Staff:** Jason Kennedy

**Others:** Jim Schneider, Jesse Bradley, Jerry Mustion, David Barber, Stan Laeffler, Tom Baker, Craig Scott, Brad Edgerton, Traci Witthuhn, Roger Stockton, Blain Stinson

**Information E-mailed to Directors:**

E-notes dated July 27

Press Release/Letter to Editor

**Information Mailed to Directors:**

Agenda

Minutes from July Hearing

Minutes from July Regular Meeting

Board Mtg Notes from Smith

Draft IMP dated 28 July 2010

Press Release

Draft Budget dated 7/29/2010

NARD 414(h) Plan Amendment

I & E Report

Republican River Restoration Newsletter

USGS Joint Funding Agreement

**Information Distributed at Meeting:**

Audit Statement Page 6

Ltr from Bureau of Reclamation

Financial Report

Civil Rights Resources

NARD Annual Conference

Cost-Share Summary

Project Agreement#2

“Elephant in a Dark Room” Handout

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 – 12.b.3. NARD Fall Conference  
12.g.1. RC&D Additional Funding

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 July 13<sup>th</sup> Regular Board Meeting and Public Hearing were mailed to Directors.

- ◆ A motion was made by Schurr and seconded by Randel to approve the Minutes of the July 13<sup>th</sup> Regular Board Meeting and Public Hearing, as corrected.  
Ayes - 10      Nays – 0      Abstain - Spencer      Motion Carried

5. Open Hearing for Variance Request. None.

6. Close Hearing.

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

None.

### **8. CONSIDER ADOPTION OF IMP WITH MINOR REVISIONS.**

Discussion was held.

- ◆ A motion was made by Nelsen and seconded by Anderjaska to adopt the IMP draft dated 28 July 2010 as presented with the 10,000 acre feet on page 22 stricken from the document.

Further discussion held.

- ◆ A motion was made by Schurr and seconded by Fornoff to amend the motion to include the deletion of 10,000 acre feet cushion under B1 and C# on pages 18 and 19 on any consecutive year following the initial compact call year.

Further discussion held.

- ◆ Haag moved to call question of amendment to the floor. Uerling seconded.  
Ayes - 3      Nays – Uerling, Schurr, Randel, Nelsen, Loomis, Friesen,  
Fornoff, Anderjaska      Motion Failed

Further discussion held.

- ◆ Motion was withdrawn by Schurr and agreed to by Fornoff.

- ◆ A motion was made by Schurr and seconded by Fornoff to amend the original motion to include that after the first compact call year reduce the 10,000 acre feet to 5,000 acre feet for the second year and reduce to zero for the consecutive years following in checklists B1 and C3 and reduce district obligation in X.B.2.c step 2 proportionally.

Ayes - 10      Nays – Haag      Motion Carried

Chairman restated Original Motion with the inclusion of the amendment.

◆ The amended motion made by Nelsen and seconded by Anderjaska to adopt the IMP draft dated 28 July 2010 as presented with the 10,000 acre feet on page 22 stricken from the document and to include that after the first compact call year reduce the 10,000 acre feet to 5,000 acre feet for the second year and reduce to zero for the consecutive years following in checklists B1 and C3 and reduce district obligation in X.B.2.c step 2 proportionally.

Ayes - 6 Nays – Spencer, Randel, McConville, Haag, Uerling Motion Carried

## **9. FINANCIAL ACTIONS**

a. The July Financial Report was presented by Smith. The County Treasurer's Balance was \$19,249.06.

◆ A motion was made by Nelsen and seconded by Loomis to approve the July Financial Report as presented.

Ayes- 11 Nays- 0 Motion Carried

A copy of this report is filed with the Minutes.

b. Approve budget for publication.

Smith went over the line items that have been adjusted explaining in further detail, answered questions and request approval for publication.

◆ A motion was made by Randel and seconded by Loomis to approve proposed budget for publication and set budget hearing for September 14, 2010.

Ayes- 11 Nays- 0 Motion Carried

c. Audit Schedule August 4 and 5.

Smith announced initial audit dates. More days will be scheduled at a later time.

McConville left meeting at 11:28 p.m.

Chairman moved up the following items:

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

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

1. District Cons. Report. Jason Kennedy went over his report and answered questions.

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

1. RC&D –

Roger Stockton reported on Swanson Lake Project and estimated cleanup space that was done.

◆ A motion was made by Haag and seconded by Uerling to approve the distribution of the remaining donation amount of \$4,500 already approved as \$2,000 in cash and \$2,500 as in kind.

Ayes- 10 Nays- 0 Motion Carried

**E. REPUBLICAN RIVER BASIN COALITION**

Witthuhn distributed her report and answered questions.

- 1. Bureau of Reclamation Basin Study Grant \$20,000 match.  
More information will be provided on this as more details become available.
- 2. Basin tour August 26-27.  
Smith and Witthuhn went over their plans for the tour.

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

Witthuhn included minutes from last meeting in her packet, discussed new items and answered questions.

- 1. Surface Water Model – NET Grant \$20,000 match.  
More information will be provided on this as more details become available.

**10. LEGAL MATTERS**

- a. LB 701 Property Tax – return included in budget.  
Smith reported on the Press Release that is scheduled to go out on the consensus of the County Attorney’s to pay back tax.
- b. Occupation Tax Challenge – NE Supreme Court end of August?  
Smith stated that the case could possibly be heard around the end of August.
- c. Kansas vs. Nebraska filing – 3 and 6 months to decide if they hear case.  
Smith reported that the briefs were all in and now courts will decide whether to hear the case or not.

**11. OPEN FORUM**

None.

**12. REPORTS – AGENCIES, ASSOCIATIONS, OTHERS**

**A. NRCS REPORT.**

- 1. District Cons. Report.  
*Item moved up on Agenda by Chairman.*

**B. NARD**

- 1. Report – Anderjaska reported on latest meeting.
- 2. 414 Plan Resolution.

◆ A motion was made by Anderjaska and seconded by Fornoff to approve the 414 Plan Resolution.

Ayes- 10            Nays- 0            Motion Carried

3. NARD Fall Conference.

Agenda provided and members wishing to attend should contact Stacie.

**C. NNRC**

1. Report – Nelsen reported that next meeting won't be until September. He also provided a chapter out of Ogallala Blue for informational meeting.

**D. INFORMATION AND EDUCATION – LAWSON.**

1. Lawson went over his report and answered questions.

**E. REPUBLICAN RIVER BASIN COALITION**

*Item moved up on Agenda by Chairman.*

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

*Item moved up on Agenda by Chairman.*

**G. OTHER AGENCIES OR ASSOCIATIONS.**

1. RC&D – Roger Stockton.

*Item moved up on Agenda by Chairman.*

**H. LEGISLATION.**

1. Sustainability Task Force Report – Anderjaska/Fornoff.

Nothing further to report at this time.

**13. GROUND WATER MANAGEMENT AREA**

**A. GROUND WATER MANAGEMENT AREA**

**1. REPORTS**

**(a) WELL PERMITS**

Smith went over report and answered questions.

**(b) SURFACE WATER**

No report available at this time.

**(c) METER PROGRAM**

Nothing new.

**(d) AWEP.**

Nothing new.

**(e) ARP.**

Nothing new.

**2. TRANSFERS REQUESTS.**

**(a) INITIAL REVIEW LIST – None.**

**(b) FINAL REVIEW – None.**

**3. GROUNDWATER COMMITTEE REPORT.**

None.

**4. DRAFT REVISIONS TO RULES AND REGULATIONS – DISCUSSION.**

Nothing right now.

**5. SECOND ROUND OF ARBITRATION.**

Smith reported that phase one is complete and it is now 30 days away from a decision or further discussion.

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

USGS proposal to sample nested wells. \$2,450.00

Smith went over the reduced price of the water sampling and requested approval to resume the program.

- ◆ A motion was made by Fornoff and seconded by Haag to approve agreement with USGS for collection and analysis of groundwater samples from monitoring wells in Hitchcock-Red Willow Groundwater Quality Management Area.

Ayes – 10      Nays – 0      Motion Carried

**C. OTHER GROUND WATER ACTIVITY**

Smith reported on the handling of the letter addressed to the MRNRD, URNRD and DNR. A single response will be drafted to Aaron Thompson by all three agencies jointly.

**14. PROGRAMS**

**A. COST-SHARE FUNDS – LCP/NSWCP.**

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

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

Ayes – 9      Nays – 0      Abstain - Spencer      Motion Carried

**B. WATERSHEDS – REHAB – Consider Agreement Amendments.**

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

- ◆ A motion was made by Uerling and seconded by Anderjaska to rescind previously approved Amendment #2 and approved the revised Amendment #2.

Ayes – 10      Nays – 0      Motion Carried

**C. COMPLAINTS – Press Release.**

Smith reported that the press release relating to customer calls about compliance issues has been released to the media and newspapers.

**D. CHEMIGATION.**

None.

**E. TREE PLANTING.**

None.

**F. BUFFER STRIPS.**

None.

**G. LIVESTOCK WASTE CONTROL APPLICATIONS.**

None.

**15. GENERAL OPERATIONS.**

**A. PERSONNEL.**

Smith reported that Spencer Campbell has been doing a very good job so far and will soon be taking his technician test.

**B. SALES AND RENTAL EQUIPMENT.**

None.

The meeting was adjourned at 12:28 a.m.

The next regular meeting will be held Tuesday, September 14th, 2010 at 7:30 p.m., at the Community Center at 201 Garlick Avenue in Curtis, Nebraska.

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Stacie M. Owens  
Board Secretary