

MINUTES
Middle Republican Natural Resources District
Board of Directors Meeting
Tuesday, June 8, 2010 at 8:00 PM following the IMP Hearing
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: None

Others: Chris Miller, Chelsea Juricek, Traci Witthuhn, Brad Edgerton, William M. Barger, Brad Johnson, Justin Lavene, Jesse Bradley

Information E-mailed to Directors:

E-notes dated May 11, 25 and June 2

LB 1057 Task Force List

Information Mailed to Directors on May 11, 2010:

Public Hearing Notice

Draft IMP dated 11 may 2010

Information Mailed to Directors:

Public Hearing Agenda

Agenda

Minutes from May Regular Meeting

Draft Concepts for Changes to GWMA

Financial Report – May

Monthly Income & Expense Report

Draft Budget dated 6/1/2010

Insurance Policy Extract

Civil Rights Handout

NNRC Agenda

I & E Report

Hazard Mitigation Plan handout

Tell Deatrich Thank you

Resolution Number 159-10

Miller & Associates Ltr and draft response

Information Distributed at Meeting:

NRCS Report

Audit Proposals

SWWMA Ltr of June 1, 2010

Permit to Construct Well Report

Surface Water Report

NE Grazing Conference

Cost-Share Report

Notice of Non-Compliance - Otto

RRBC Report

REGULAR MEETING

1. The regular monthly board meeting was called to order by Chairman Friesen at 8:54 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 May 11th Regular Board Meeting were mailed to Directors.

- ◆ A motion was made by Anderjaska and seconded by Fornoff to approve the Minutes of the May 11th Regular Board Meeting as corrected on page 6, Items 13. b.
Ayes - 11 Nays - 0 Motion Carried

5. Open Hearing for Variance Request. None.

6. Close Hearing.

7. CONSIDER VARIANCE REQUEST

None.

8. FINANCIAL ACTIONS

a. The May Financial Report and Monthly Income and Expense Report were presented by Smith. The County Treasurer's Balance was \$323,203.91.

- ◆ A motion was made by Nelsen and seconded by Anderjaska to approve the May 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.

b. Draft budget.

Smith went over the line items that have been adjusted since last month and answered questions.

c. Approve Insurance package for FY 10-11.

Smith handed out an extract of the changes to the insurance package and requested approval to renew policy.

- ◆ A motion was made by Anderjaska and seconded by Spencer to approve the insurance package for FY 10-11 as presented in the amount of \$18,781.00.
Ayes- 11 Nays- 0 Motion Carried

d. Select audit firm.

Smith provided a summary of the two (2) audit proposals that were received.

- ◆ A motion was made by Anderjaska and seconded by Uerling to accept the proposal from RJ Meyer and Associates to perform our audit for \$3,900 plus up to \$150 in expenses.

Ayes- 11 Nays- 0 Motion Carried

3. AUGMENTATION REPORT - MILLER.

Chris Miller of Miller and Associates provided a PowerPoint of a method to evaluate the impacts of stream augmentation and asked the Board for additional ideas as to

what other information they would like to see included in the study. He also requested the steps needed to approve an augmentation project in the MRNRD. Smith drafted up a response letter which was included in the board packet.

◆ A motion was made by Fornoff and seconded by Loomis to send Smith's draft letter of June 8, 2010 to Miller & Associates.

Ayes- 11 Nays- 0 Motion Carried

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 brought a copy of the appeal to read for anyone interested.
- c. Kansas vs. Nebraska filing. Justin Lavene addressed the Board with a brief update on the case, the process and an estimated timeline.

10. OPEN FORUM

None.

11. REPORTS – AGENCIES, ASSOCIATIONS, OTHERS

A. NRCS REPORT.

1. District Cons. Report.

Smith briefly went over Breece's report included in the handouts.

B. NARD

1. Report – Anderjaska reported that the next meeting will be June 21st in Lincoln. They will be voting on the budget. Basin tour will be June 21st and 22nd. If anyone is interested in going, contact Stacie to make arrangement. Deadline to sign up is Monday the 14th.

C. NNRC

1. Report – Nelsen reported that the next meeting will be June 16th and 17th. The agenda for this meeting was included in the Board Packets.

D. INFORMATION AND EDUCATION – LAWSON.

1. Quad Co. Hazard Mitigation Plan. Lawson went over the proposed Resolution 159-10 to adopt the Multi-jurisdictional Hazard Mitigation Plan and requested adoption of that resolution.

◆ A motion was made by Anderjaska and seconded by Fornoff to adopt Resolution 159-10.

Ayes – 11 Nays – 0 Motion Carried

E. REPUBLICAN RIVER BASIN COALITION

Witthuhn went over her report which was handed out at the meeting and answered questions. Witthuhn will provide budget comparison information for the July board meeting.

F. NE REPUBLICAN RIVER MANAGEMENT DISTRICTS ASSOCIATION.

Witthuhn reported the next meeting would be July 26th in Holdrege and she would have an agenda available at the next board meeting. She also gave a brief report on the Riparian Tour that was held.

G. OTHER AGENCIES OR ASSOCIATIONS.

1. RC&D – Fund Request.

Roger Stockton handed out pamphlets for the Nebraska Grazing Conference and discussed the request from the South West Weed Management Area for funds to help offset some of their expenses in hiring the AmeriCorps National Civilian Community Corps expenses not covered by the grant they received in cleaning up Swanson reservoir.

◆ A motion was made by Fornoff and seconded by Uerling to donate \$3,000 cash to the SWWMA for “Save our Swanson” project and up to another \$4,500 of in-kind or cash support, not to exceed a total of \$7,500.

Ayes- 10 Nays- Nelsen Motion Carried

H. LEGISLATION.

1. Task Force.

Smith discussed the release of the names the Governor appointed to the Republican River Basin Water Sustainability Task Force placing Anderjaska and Fornoff on from our NRD. First meeting will take place in McCook on June 23rd.

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.

Discussed during NRCS report, Item 11.A.

(c) ARP.

Nothing new.

2. TRANSFERS REQUESTS.

(a) INITIAL REVIEW LIST – None.

(b) FINAL REVIEW – None.

3. AUGMENTATION REPORT - MILLER.

Moved up following Item 8 by Chairman.

4. GROUNDWATER COMMITTEE REPORT.

None.

5. IMP HEARING – DISCUSSION.

Minor discussion held regarding some of the testimony heard during the hearing. The groundwater committee will plan on meeting to further review the testimony received and come up with some ideas to discuss at the July meeting.

6. RECERTIFICATION OF ACRES.

Owens reported that recertification documents are being pulled together now and sent out to Red Willow County irrigators now.

7. CONTINUING REPORTS WITH REGARD TO LEASES AND AUGMENTATION.

Smith reported that conversations with irrigation districts are still ongoing.

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 Abstain - Randel Motion Carried

B. WATERSHEDS – REHAB OF SITES 80A & 32A.

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

C. COMPLAINTS.

Merrigan reported on a well owned by Otto Land which has been irrigating without a meter. Technicians noted that the well irrigated last year without a meter, Merrigan had sent out a letter to Otto Land with regard to the situation but no response was received.

- ◆ A motion was made by McConville and seconded by Haag to send a Cease and Desist Order dated June 9, 2010 for well registration number G-062847 owned by Otto Land, Inc.

Ayes – 10 Nays – Schurr Motion Carried

D. CHEMIGATION.

Smith announced that the technicians have started the inspection process.

E. TREE PLANTING.

Smith reported that all cost-share applicants have been billed and final bills are being paid out for the trees and the tree planter now. A final report should be ready by the next meeting.

F. BUFFER STRIPS.

None.

G. LIVESTOCK WASTE CONTROL APPLICATIONS.

None.

14. GENERAL OPERATIONS.

A. PERSONNEL.

Smith reported that the notice for the new technician position has been published and closed on June 4th. There are 18 applicants. He and Merrigan may be contacting a Board member to sit in on interviews here in the next week or two.

B. SALES AND RENTAL EQUIPMENT.

None.

The meeting was adjourned at 11:50 pm.

The next regular meeting will be held Tuesday, July 13, 2010 at 8:00 am, at the Community Center at 201 Garlick Avenue in Curtis, Nebraska.

Stacie M. Owens
Board Secretary