

MINUTES
Middle Republican Natural Resources District
Board of Directors Meeting
Tuesday, May 11, 2021 at 7:00 PM
Curtis, Nebraska

Board Members Present: Joe Anderjaska, Jolene Messinger, Travis Rousselle, Benjie Loomis, Tracy Zink, Dan Nelsen, Dan Estermann, Brad Randel, Jay Schilling, Rick McConville

Board Members Absent: John Palic, Shane Rippen

NRD Staff: Jack Russell, Alex Boyce, Sylvia Johnson and Stacie Owens

NRCS Staff: Jason Kennedy

Others: William M. Barger

Information Mailed to Directors:

Regular Meeting Agenda

Financial Report

Civil Rights Handout

Regular Meeting Minutes

Profit vs Loss Budget vs Actual

Surface Water Report

Information Distributed at Meeting:

Surface Water Report

Resolution MR3-2021

Legal Summary

Information E-mailed

Hauxwell vs MRNRD, 5-4-21

2021 Tour Basin, 5-4-21

Lawsuit by Hauxwell's, 5-4-21

REGULAR MEETING

1. The regular monthly board meeting was called to order by Vice Chairman Zink at 7:01 pm.
 - a. Verify Quorum.
 - b. Excused Absences.
2. The agenda and roster were circulated to those present.
 - a. Items added to the Agenda since mailing: 14. Hauxwell Cease & Desist
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 April Regular Board Meeting were mailed to Directors.

- ◆ Loomis moved to approve the minutes of the April Regular Board Meeting pending corrections. Seconded by Schilling.
Ayes – 9 Nays – 0 Motion Carried

5. FINANCIAL ACTIONS

A. The April Financial Report was presented by Russell. The taxes received were \$174,539.48.

McConville arrived at 7:08 pm.

- ◆ Anderjaska moved to approve the April Financial Report. Seconded by Nelsen.
Ayes - 8 Nays – 0 Abstain - McConville Motion Carried

A copy of this report is filed with the Minutes.

6. OPEN FORUM

None.

7. MANAGER’S REPORT

A. IMP - Hearing.

- ◆ Schilling moved to accept the wording of the proposed jointly developed fifth generation Integrated Management Plan for the District and approve DNR to schedule a hearing for July 6th. Seconded by Messinger.
Ayes - 9 Nays – 0 Motion Carried

B. LONG RANGE PLAN.

Russell stated that it is still in progress but hopes to set up committee meetings to review it once the first draft is complete.

9. COMMITTEE REPORTS

None.

10. NRCS

Kennedy reported there were 20 applicants for the EQIP Water Smart so far and sign-up is due Friday. Potentially could do more contracts to obligate come late summer, early fall. He has requested additional funds of 600k but hasn’t heard back on what he will receive. Went over another cover crop program which focuses on soil health. The sign up will run through mid-June. The new soil conservationist in Trenton has started and a new technician will be starting soon. Nathan will be taking a new position in Grant.

11. NARD

None.

12. N-CORPE

Loomis reported on the last meeting in Alma on April 20th. All grass leases have been paid which took in approximately \$100,000. First half rents on a pivot and the building were also both paid. Discussion were pursued on the 2-year employee agreement with Game and Parks. Kyle will be doing the hiring. Game and Parks has agreed to pay up to \$30,000 in wages for what the employee will do for them. Schilling did mention there was a request to open up more hunting land but after discussions they decided with long term leases beginning, they will probably not take that avenue.

12. LEGAL MATTERS

None.

13. EXECUTIVE SESSION

A. Potential Violations, Cease and Desists, and Personnel.

- ◆ Schilling moved to enter into executive session to discuss potential violations, cease and desists, and personnel with the Board, Manager, Assistant Manager and Staff. Seconded by Loomis.
Ayes - 9 Nays – 0 Motion Carried

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

Entered at 7:34 pm.

Randel arrived at 7:55 pm.

- ◆ Loomis moved to exit the executive session. Seconded by Messinger.
Ayes - 10 Nays – 0 Motion Carried

Exited at 8:40 pm.

- ◆ Loomis moved to support Resolution MR3-2021 regarding pooling agreement denial by manager and staff on the basis of failure to comply with requests to provide required evidence of common management and on the basis of failure to comply with the rules, regulations and controls of the MRNRD. Seconded by Nelsen.
Ayes - 10 Nays – 0 Motion Carried
- ◆ Schilling moved to pursue a potential cease and desist to Paul and Delores Orman if the MRNRD's current requests are not satisfied. Seconded by Messinger.
Ayes - 10 Nays – 0 Motion Carried

14. HAUXWELL CEASE AND DESIST

- ◆ Anderjaska moved to authorize Manager to pursue issuance of a notice of intent to issue a Cease & Desist letter CD1 B. & A. Hauxwell. Seconded by Schilling.
Ayes - 10 Nays – 0 Motion Carried

- ◆ Anderjaska moved to direct Manager to contact DNR on the Boards behalf relating to the legal issues in defending the Rules and Regulations of the District. Seconded by Nelsen.
Ayes - 10 Nays – 0 Motion Carried

The next Regular Board Meeting will be held Tuesday, June 8, 2021 at 7:00 pm at the Middle Republican NRD Office in Curtis, Nebraska.

The meeting was adjourned at 8:45 pm.

Stacie M. Owens, Board Secretary