

**MINUTES**  
**Middle Republican Natural Resources District**  
**Board of Directors Meeting**  
**Tuesday, February 9, 2016 at 1:30 PM**  
**Wallace, Nebraska**

**Board Members Present:** Kevin Fornoff, Joe Anderjaska, James Uerling, Steve Cappel, Brad Randel, John Palic, Shane Rippen, Jay Schilling, Buck Haag, Benjie Loomis, Rick McConville

**Board Members Absent:** None.

**NRD Staff:** Jack Russell, Bob Merrigan, Alex Boyce, Doris Burke & Stacie Owens

**NRCS Staff:** Jason Kennedy

**Others:** William M. Barger, Josh Friesen, Bruce Fulk, Ryan Kuhlman, Brian Holm, Brad Johnson

**Information Mailed to Directors:**

Agenda	Minutes
VAR10 Variance Request	Financial Report
Legal Summary	Profit & Loss Report vs Actual
Civil Rights Handout	Surface Water Report
VAR11 Variance Request	

**Information Distributed at Meeting:**

Cost Share Summary	Medicine Creek Briefs (3)
Evaporation & Seepage Charts	

**Information E-mailed**

Bostwick Irrigation District Lawsuit	NARD Update 1/29/16
2016 NARD Bill Summary Final	Medicine Creek Order
NARD Update 2/5/16	Corrected Meeting Agenda

**REGULAR MEETING**

1. The regular monthly board meeting was called to order by Chairman Haag at 1:30 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: 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 January Regular Board Meeting were mailed to Directors.

- ◆ Uerling moved to approve the Minutes from the January Regular Board Meeting. Seconded by Schilling.  
Ayes - 10      Nays – 0      Abstain - McConville      Motion Carried

#### **5. CONSIDER VARIANCE REQUEST**

Trail requested the variance be considered at the March meeting.

#### **6. FINANCIAL ACTIONS**

A. The January Financial Report was presented by Russell. The taxes received were \$840,914.98.

- ◆ Schilling moved to approve the January Financial Report. Seconded by Cappel.  
Ayes - 11      Nays - 0      Motion Carried

A copy of this report is filed with the Minutes.

#### **7. OPEN FORUM**

Bruce Fulk, Wallace. Commented that he felt it was a good idea to have the meetings scattered around the District.

William M Barger, Culbertson. Questioned how the elections would work and pooling agreement deadlines.

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

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

1. District Conservation Report – Kennedy went over his report and answered questions of the Board. He also stated he will be contacting the State office to see if NRCS would like to partner on the stream bank assessment we are going to pursue.

##### **B. NARD**

1. Report – Uerling reported that he has turned over his position as NARD Representative to Rippen. Rippen reported on legislative conference and stated that there will be a trip to Washington DC scheduled for March 12-16 if anyone is interested in attending. The next meeting will be in Lincoln on March 7<sup>th</sup>.

##### **C. NNRC**

1. Report – Fornoff reported they were waiting for DNR to turn over the qualifying applications to them.

- 2. Application for NRC Funds.  
None.

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

1. Report – Russell reported that Johnson was attending meetings in Lincoln and has been busy working on setting up a meet and greet with Dan Hughes, preparing for the Ag

Appreciation breakfast in McCook in March and that they would be going to Washington DC to start making contact with the politicians at that level.

**E. NeRRMDA**

1. Report – Cappel. None.

**F. RRCA**

None.

**G. LEGISLATION**

1. 1098 – Basin Planning.

Russell stated that there was a meeting in January and will be another one on Tuesday, February 16<sup>th</sup> in Holdrege at 10 a.m.

**H. N-CORPE**

1. Status Report.

Randel reported that N-CORPE has currently pumped 17,000 acre feet which is about half of what is planned. They will stop pumping to do some repairs to the spillway out of the lake.

2. Other. None.

**I. OTHERS**

1. SW Weed Management.

Russell spoke with Mike Clements and the Lower

**9. GROUND WATER MANAGEMENT AREA**

**A. GROUND WATER MANAGEMENT AREA**

**1. REPORTS**

**(a) WELL PERMITS.**

None.

**(b) SURFACE WATER**

Bureau's report included.

**(c) METER PROGRAM**

Burke reported on the final numbers for each county and the District average of 9.77”.

**(d) GROUND WATER COMMITTEE**

Russell will be working on setting up a meeting sometime in March.

**(e) FRENCHMAN VALLEY COMMITTEE.**

None.

**(f) MODELING – BROWN & CALDWELL**

Boyce went over his report of the monitoring wells and calculations of

evaporation and seepage. Discussion held. Russell and Boyce will be going out to Denver to meet with Brown & Caldwell on their progress.

**2. RULES AND REGULATIONS**

None.

**3. IMP**

Russell reported that everything has been completed and the IMP's are all in place.

**4. NOTICES OF NON-COMPLIANCE ISSUED**

None.

**5. CEASE AND DESIST ORDER**

None.

**B. GROUND WATER QUALITY MANAGEMENT AREA**

None.

**C. OTHER GROUND WATER ACTIVITY**

1. Variance Packet – Kuhlman. Merrigan went over the variance packet and turned it over to Kuhlman for questioning from the Board. Discussion held and some Board members explained concerns they have.

**10. PROGRAMS**

**A. COST-SHARE FUNDS – LCP/NSWCP.**

1. Approve Applications. Merrigan went over the report.

◆ Uerling moved to approve the cost share report. Seconded by Fornoff.

Ayes - 11      Nays – 0      Motion Carried

**B. WATERSHEDS.**

None.

**C. EROSION AND SEDIMENT CONTROL ACT.**

None.

**D. COMPLAINTS.**

None.

**E. CHEMIGATION.**

Russell stated that Tidyman is starting to work on chemigation.

**F. TREE PLANTING.**

None.

**G. BUFFER STRIPS.**

None.

**H. LIVESTOCK WASTE CONTROL APPLICATIONS.**

None.

**11. GENERAL OPERATIONS.**

**A. PERSONNEL.**

Russell reported that they have received many applications for the Trenton secretary position.

**B. SALES AND RENTAL EQUIPMENT.**

None.

**C. COMPUTER BACKUP.**

Owens reported on the on the plan for how data from the office will be backed up and the costs associated with it.

- ◆ Schilling moved to purchase on the on-site backup unit and off-site backup cloud space. Seconded by McConville.

Ayes - 11      Nays – 0      Motion Carried

**D. ELECTION – FRONTIER COUNTY.**

Russell stated that Palic has agreed to finish out the term in Frontier County.

- ◆ Anderjaska moved to have Palic serve out the remaining term in Frontier County. Seconded by Loomis.

Ayes - 11      Nays – 0      Motion Carried

**12. LEGAL MATTERS**

**A. Compact Issues.**

None.

**B. Other.**

None.

**13. EXECUTIVE SESSION**

- ◆ Uerling moved to enter into executive session to discuss legal matters and real estate, and invite staff and Jon Schroeder to join. Seconded by Cappel.

Ayes - 11      Nays – 0      Motion Carried

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

Entered Executive Session at 2:45 pm.

- ◆ Uerling moved to exit executive session. Seconded by Loomis.  
Ayes - 11      Nays – 0      Motion Carried

Exited Executive Session at 4:04 pm.

Discussion held.

- ◆ Fornoff moved to appeal the decision made by Judge Urbom on the Medicine Creek case. Seconded by Schilling.  
Ayes - 11      Nays – 0      Motion Carried

- ◆ Randel moved to enter into executive session to discuss personnel and invite the General Manager. Seconded by Palic.  
Ayes - 11      Nays – 0      Motion Carried

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

Entered Executive Session at 4:09 pm.

- ◆ Uerling moved to exit executive session. Seconded by Palic.  
Ayes - 11      Nays – 0      Motion Carried

Exited Executive Session at 4:17 pm.

- ◆ Uerling moved to retain Boyce and offer him an additional \$2,000 raise. Seconded by Loomis.  
Ayes - 11      Nays – 0      Motion Carried

The next regular meeting will be held Tuesday, March 8, 2016 at 7:30 p.m. at the Curtis Community Center, at 201 Garlick Avenue, in Curtis, Nebraska

The meeting was adjourned at 4:18 pm.

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Stacie M. Owens, Board Secretary