

APPROVED

MINUTES
Middle Republican Natural Resources District
Board of Directors Meeting
Tuesday, October 11, 2016 at 7:30 PM
Curtis, Nebraska

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

Board Members Absent: Steve Cappel

NRD Staff: Jack Russell, Bob Merrigan, Alex Boyce, Sylvia Johnson, Doris Burke, Mary Tidymen & Stacie Owens

NRCS Staff: Jason Kennedy

Others: Bruce Lefler, Kyle Shepherd, Brad Johnson, William M. Barger

Information Mailed to Directors:

Agenda	Regular Meeting Agenda
Special Budget Hearing Minutes	Budget Hearing Minutes
Financial Report	Legal Summary
Profit vs Loss Budget vs Actual	Civil Rights Handout
Surface Water Report	Personnel Policy

Information Distributed at Meeting:

Amendment #1 w/UNL	Oct Monthly Update for Compact
Cost Share Report	N-CORPE Bonding Resolution
Bonding Analysis	

Information E-mailed

Press Release and Talking Points

REGULAR MEETING

1. The regular monthly board meeting was called to order by Chairman Haag at 7:30 pm.
 - a. Verify Quorum.
 - b. Excused Absences.

♦ Schilling moved to approve absence of Cappel. Seconded by Uerling.
Ayes - 9 Nays - 0 Motion Carried

2. The agenda and roster were circulated to those present.
 - a. Items added to the Agenda since mailing: 9.c.1. UNL Agreement for Observation Wells
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 September Budget Hearing, Special Budget Hearing to Set Final Tax Request and Regular Board Meeting were mailed to Directors.

- ♦ Schilling moved to approve the September Budget Hearing, Special Budget Hearing to Set Final Tax Request and Regular Board Meeting. Seconded by Randel.

Ayes - 7 Nays - 0 Abstain - Fornoff, Uerling Motion Carried

5. CONSIDER VARIANCE REQUEST

None.

6. FINANCIAL ACTIONS

A. The August Financial Report was presented by Russell. The taxes received were \$901,182.95.

- ♦ Schilling moved to approve the September Financial Report. Seconded by Uerling.

Ayes - 9 Nays - 0 Motion Carried

A copy of this report is filed with the Minutes.

7. OPEN FORUM

None.

8. REPORTS – AGENCIES, ASSOCIATIONS, OTHERS

A. NRCS

1. District Conservation Report – Kennedy went over his report on their current workload.

B. NARD

1. Report – Rippen reported on the annual conference.

Loomis arrived at 7:35 PM.

C. NNRC

1. Report – Fornoff reported on grant application process.

D. INFORMATION AND EDUCATION

1. Report – Johnson reported on meetings she has attended and that she is currently preparing for the Farm & Ranch Expo.

E. RRCA.

None.

F. LEGISLATION

1. 1098 – Basin Planning. Russell stated there would be a meeting in Holdrege on October 18th and the next stakeholder meeting in Cambridge on November 1st.

G. N-CORPE

1. Status Report. Shepherd stated that they have been doing a number of tours of the property lately. Twin Platte has hired a contractor for phase 1 of their pipeline and construction

will begin soon. Phase 1 will be bid out in November with plans to start that construction after the first of the year. Currently working on clearing up log jams in some areas of the creek.

2. Action on Series 2013 Bonds – Bruce Lefler.

Lefler went over the proposed resolution and discussed the different options and the savings associated with the refinancing. He answered questions of the board. Discussion held.

- ♦ Anderjaska moved to approve the Resolution authorizing the issuance of Limited Obligation Occupation Tax Supported River Flow Enhancement Refunding Bonds in the maximum principal amount not to exceed \$23,750,000 for the purpose of refunding some or all of the outstanding Series 2013 Limited Obligation Occupation Tax Supported River Flow Enhancement Refunding Bonds previously issued by the NRD to NCORPE and lower the threshold of the proposed resolution to 4%. Seconded by Fornoff.

Ayes – 9 Nays – Haag Motion Carried

Discussion held regarding putting additional monies down on the bonds.

- ♦ Schilling moved to lower the issuance of the bond by \$1,000,000 contingent on receiving the remaining of the monies from DNR. Seconded by McConville.

Ayes - 8 Nays – Palic, Rippen Motion Carried

Further discussion held on which payment option to pursue.

- ♦ Schilling moved to use debt service Schedule 1. Seconded by Uerling.

Ayes - 4 Nays – Randel, Rippen, Anderjaska, Haag, Loomis, McConville
Motion Failed

- ♦ Anderjaska moved to use debt service Schedule 2. Seconded by McConville.

Ayes - 6 Nays – Schilling, Uerling, Fornoff, Palic Motion Carried

Copy of the debt schedules are attached to these minutes.

3. Other.

None.

H. OTHERS

None.

9. GROUND WATER MANAGEMENT AREA

A. GROUND WATER MANAGEMENT AREA

1. REPORTS

(a) WELL PERMITS.

None.

(b) SURFACE WATER

Bureau's report was included in the packets.

(c) METER PROGRAM

Technicians are currently servicing and reading meters.

(d) GROUND WATER COMMITTEE

Russell stated that the committee met at 5 PM and went over the new revisions. The staff will make the discussed changes and send out all the changes to the board members either prior to the next meeting or in that meetings board packets. Palic did state that one item that came up was placing a permanent 15” hardcap on every year, not just in water short years. He asked that everyone think about whether that’s something they wanted to pursue or not.

(e) FRENCHMAN VALLEY COMMITTEE.

None.

(f) MODELING – BROWN & CALDWELL

None.

(g) TZA PROPOSAL.

None.

2. RULES AND REGULATIONS

None.

3. IMP

None.

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. UNL AGREEMENT FOR OBSERVATION WELLS.

Merrigan went over the agreement and explained that UNL is wanting to get started on mapping some of the wells.

- ♦ Uerling moved to approve entering into the proposed agreement for \$16,133 with UNL. Seconded by Fornoff.

Ayes – 10

Nays – 0

Motion Carried

10. PROGRAMS

A. COST-SHARE FUNDS – LCP/NSWCP.

1. Approve Applications.

- ♦ Randel moved to approve the cost share report. Seconded by Schilling.

Ayes – 10

Nays – 0

Motion Carried

B. WATERSHEDS.

None.

C. EROSION AND SEDIMENT CONTROL ACT.

None.

D. COMPLAINTS.

None.

E. CHEMIGATION.

None.

F. TREE PLANTING.

None.

G. BUFFER STRIPS.

None.

H. LIVESTOCK WASTE CONTROL APPLICATIONS.

None.

11. GENERAL OPERATIONS.

A. PERSONNEL – UPDATE POLICY.

Russell went over the suggested changes to the personnel policy and answered questions.

- ♦ Uerling moved to approve the proposed changes to the personnel policy.
Seconded by Loomis.
Ayes – 10 Nays – 0 Motion Carried

B. SALES AND RENTAL EQUIPMENT.

None.

12. LEGAL MATTERS

A. Compact Issues.

None.

B. Other.

13. EXECUTIVE SESSION

- ♦ Uerling moved to enter into executive session to discuss legal matters with the Board and MRNRD staff. Seconded by McConville.
Ayes - 10 Nays – 0 Motion Carried

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

Entered at 9:45 pm.

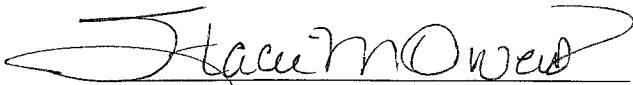
- ♦ Fornoff moved to exit the executive session. Seconded by Uerling.
Ayes - 10 Nays – 0 Motion Carried

Exited at 10:11 pm.

- ♦ Fornoff moved to authorize Russell to engage additional counsel for the Medicine Creek case. Seconded by Anderjaska.
Ayes – 9 Nays – 0 Abstain- Uerling Motion Carried

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

The meeting was adjourned at 10:13 pm.


Stacie M. Owens, Board Secretary