

**MINUTES**  
**Middle Republican Natural Resources District**  
**Special Meeting**  
**Tuesday, August 25, 2020 at 9 AM**  
**Middle Republican NRD Offices, 208 Center Ave.**  
**Curtis, Nebraska**

**Board Members Present:** Joe Anderjaska, John Palic, Shane Rippen, Benjie Loomis, Jolene Messinger, Brian Schafer, Dan Nelsen, Tracy Zink, Dan Estermann, Jay Schilling, Brad Randel

**Board Members Absent:** Rick McConville, Rick Spencer

**NRD Staff:** Jack Russell, Sylvia Johnson, Stacie Owens

**Others:** None

**Information Distributed**

Agenda

**SPECIAL MEETING**

- 1. The special meeting was called to order by Vice Chairman Randel at 9:05 AM.**
  - a. Verify Quorum.
  
- 2. The agenda was circulated to those present.**
  - a. Items added since mailing. None.
  
- 3. Official notice of this 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.
  
- 4. The purpose is to authorize the MRNRD staff to issue notices of intent to issue cease and desist orders and penalties to landowners for violations of the MRNRD Rules and Regulations.**
  
- 5. Open Forum.**

Randel reported he has received a number of calls reporting that the staff is always easy to work with to get help. Schilling and Schafer reported the same thing.

Estermann stated that he'd like to see the staff issue new releases to the papers in the future so it alleviate phone calls to board members from the public.

Rippen stated he was against any board or staff holding private meetings with the Hauxwell's. Randel explained the circumstances and the decision to have Russell come to his house to meet with Bryan at this request. Randel and Russell stated that Bryan basically vented his frustrations and then left. Neither Randel nor Russell gave him any direction or advice.

**6. Executive Session**

- ◆ Schafer moved to enter into executive session to discuss legal matters with Board, Manager and Staff. Seconded by Loomis.  
Ayes - 11      Nays – 0      Motion Carried

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

Entered at 9:17 am.

- ◆ Zink moved to exit the executive session. Seconded by Anderjaska.  
Ayes – 11      Nays – 0      Motion Carried

Exited at 11:37 am.

Discussion held.

- ◆ Zink moved to authorize staff to work with legal counsel to implement the maximum penalty to Hauxwell's for violation a cease and desist and issue a notice of intent to cease and desist to landowners for violation of the Middle Republican NRD Rules and Regulations. Seconded by Anderjaska.  
Ayes – 11      Nays – 0      Motion Carried

More discussion.

- ◆ Zink moved to authorize staff to issue a restraining order and implement maximum fine to Bryan and Ami Hauxwell. Seconded by Loomis.  
Ayes – 11      Nays – 0      Motion Carried
- ◆ Anderjaska moved to approve Resolutions MR4 through MR10-2020. Seconded by Rippen.  
Ayes – 11      Nays – 0      Motion Carried
- ◆ Zink moved to direct staff to set meeting and hearing dates that work for legal counsel and board members. Seconded by Loomis.  
Ayes – 11      Nays – 0      Motion Carried
- ◆ Palic moved to enter into executive session to discuss personnel with Board, Manager and Staff. Seconded by Loomis.  
Ayes - 11      Nays – 0      Motion Carried

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

Entered at 12:00 pm.

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

Exited at 12:19 pm.

The meeting was adjourned at 12:20 pm.

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Stacie M. Owens  
Board Secretary