

MINUTES
LOWER REPUBLICAN NATURAL RESOURCES DISTRICT
Lower Republican NRD Meeting Room, 30 North John Street, Alma, NE

December 10th, 2009 at 2 p.m.

Board of Directors Meeting

A notice of the meeting was announced over radio station KRVN and published in the newspapers within the District.

INFORMATIONAL MATERIAL MAILED OUT PRIOR TO MEETING:

1. Agenda, LRNRD Public Hearing, 12/09
2. Agenda, Monthly Board Meeting, 12/09
3. LRNRD Board Meeting & Variance Minutes and Index of Decisions, 11/09
4. Treasurer's Report, 11/09
5. Budget Comparison, 11/09
6. Managers Report, 12/09
7. Assistant Managers Report, 12/09
8. RRBC Report, 12/09
9. Variance Request – 12/09
10. Rural Water Treasurer Report, 11/09
11. LRNRD NSWCP Cost Share Report

MATERIALS HANDED OUT AT THE MEETING:

None

Secretary Brad Wulf called the regular monthly meeting of the Lower Republican NRD Board of Directors to order at 2:10 p.m.

Brad Wulf informed the audience of the Open Meetings Law posters posted in the meeting room.

Directors present: Clark Andrews, Dave Bartels, Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Brad Wulf.

Absent: Bill Bose, Nelson Trambly.

Others present: Pat Underwood, Kearney Hub, Nick Simonson, Harlan Co. NRCS, Traci Witthuhn, RRBC, John Laux, NE Game and Parks, Alma, Brad Edgerton, FCID, Cambridge, James Williams, DNR, Mike Delka, Bostwick Irrigation, Brent Ballou, Wilsonville, Dave Domina, Omaha, Rich Scott, Omaha, Ray Winz, Holdrege, Rhn Jacobsen, Franklin, John Tobiassen, Franklin. Staff present: Mike Clements, Bryan Lubeck, Shirlee Poyser and Kristi Coe.

Motion #1 by Roger Nelson seconded by Jim Moore to approve the board and variance hearing minutes from the November meetings. Motion carried. Ayes 9 Clark Andrews, Dave Bartels, Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Brad Wulf. Nays – 0 Absent – 2 Bill Bose, Nelson Trambly.

Motion #2 by Clark Andrews seconded by Brian Holtze to accept the November treasurer's report as distributed. Motion carried. Ayes 9 Dave Bartels, Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Brad Wulf, Clark Andrews. Nays – 0 Absent – 2 Bill Bose, Nelson Trambly.

Mike Clements asked for questions on his Manager's report. Mike asked the board if the NRD office could be closed on Christmas Eve.

Motion #3 by Jim Moore seconded by Dave Bartels to allow the LRNRD office to be closed on December 24th. Motion carried. Ayes 9 Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Brad Wulf, Clark Andrews, Dave Bartels. Nays – 0 Absent – 2 Bill Bose, Nelson Trambly.

Bryan Lubeck added to his report that the LRNRD abandoned 31 wells last year and to date we have already sealed 22 this year. Marlin Murdoch discussed recording wells that Royce Bose has and ways we could help seal those wells.

John Laux, NE Game and Park reported that he has been working with Bryan on WILD NE contracts. There are two pending contracts and no new contracts at this time. John updated the board on the contracts that he is working on.

Nick Simonson, Harlan County NRCS, updated the board on the EQIP program. The EQIP deadline is February 1st. Ranking cut off is in the middle of March. NRCS has been working on CSP program applications.

Traci Witthuhn gave the Republican River Basin Coalition report. A copy of this is in the minute book.

Ray Winz gave a presentation on Republican Basin Irrigation Water Use Assessment Revenue Projection. A copy of this information is in the minute book.

The board discussed the variance request for John Tobiassen.

Motion #4 by Marlin Murdoch seconded by Dave Bartels to approve Variance Request #108 for John Tobiassen. Motion carried. Ayes 9 Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Brad Wulf, Clark Andrews, Dave Bartels. Nays – 0 Absent – 2 Bill Bose, Nelson Trambly.

Brent Ballou revisited with the LRNRD board about the Charles Ballou Bypass Trust Change in Location on Contiguous Property. After lengthy discussion the board decided to revisit this as a variance at the January meeting.

Motion #5 by Jim Moore seconded by Roger Nelson to approve the Rural Water treasurer's report as presented. Motion carried. Ayes 9 Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Brad Wulf, Clark Andrews, Dave Bartels, Matt Harrison. Nays – 0 Absent – 2 Bill Bose, Nelson Trambly.

Mike Clements talked about the funding cuts that happened in Special Session to the NSWCP program. The LRNRD was cut by \$35,907.64. These are contracts that have already been approved. Notification will be sent to individuals who have contracts, letting them know that the approved contracts will not be funded due to the money cuts. The contracts will be held until next year receiving first priority once it is determined how much funding we will get.

Mike Clements and Marlin Murdoch attended the DNR Forecast Meeting. A copy of the Forecasting Republican River Basin Water Supply Presentation and the Preliminary 2009 Republican River Compact Accounting Results and 2010 Forecast is in the minute book.

Brad Edgerton asked for the boards support on the Republican River Irrigation District Resolution. A copy of the resolution is in the minute book. The board decided to table acting on the resolution until next month.

Motion #6 by Matt Harrison seconded by Marlin Murdoch to table supporting the Republican River Irrigation Districts Resolution. Motion carried. Ayes 9 Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Brad Wulf, Clark Andrews, Dave Bartels, Matt Harrison, Terry Hoit. Nays – 0 Absent – 2 Bill Bose, Nelson Trambly.

Mike Clements gave a brief update on refunding the Occupational tax. The LRNRD received a copy of a letter from Senator Carlson and Christensen regarding the Governor allowing the refund of the unconstitutional property tax.

Mike Clements received a letter from the Trailblazer RC&D asking the LRNRD to be the “pass through agency” once again for the Scrap Tire Collection Site Clean Up for Political Subdivisions.

Motion #7 by Jim Moore seconded by Terry Hoit to approve being the collection agency for the Trailblazer RC&D Scrap Tire Collection. Motion carried. Ayes 9 Jim Moore, Marlin Murdoch, Roger Nelson, Brad Wulf, Clark Andrews, Dave Bartels, Matt Harrison, Terry Hoit, Brian Holtze. Nays – 0 Absent – 2 Bill Bose, Nelson Trambly.

There was no NARD report.

There was no Executive Committee Report.

There was no Groundwater Management Area Report.

There was no Groundwater Management Committee Report.

There were no Applications for a Permit to Construct a Well.

Brian Holtze said the Southwest RC&D would be meeting and he would be attending.

Motion #8 by Terry Hoit seconded by Marlin Murdoch to approve the Cost Share Time Extensions as presented. Motion carried. Ayes 9 Marlin Murdoch, Roger Nelson, Brad Wulf, Clark Andrews, Dave Bartels, Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore. Nays – 0 Absent – 2 Bill Bose, Nelson Trambly.

FU714	DL Brown Farms, LTD	April 13, 2010
FU716	Joan H. Lewis Rev. Trust	March 23, 2010
FU720	Fisher Cattle, LLC	April 3, 2010
FU722	Ryan Hunt	May 1, 2010
FU728	Erika Hunt	April 13, 2010

Motion #9 by Marlin Murdoch seconded by Roger Nelson to go into Executive Session at 3:49 p.m. to discuss possible Litigation on the Republican River Settlement Agreement. Motion carried. Ayes 9 Roger Nelson, Brad Wulf, Clark Andrews, Dave Bartels, Matt Harrison, Terry Hoyt, Brian Holtze, Jim Moore, Marlin Murdoch. Nays – 0 Absent – 2 Bill Bose, Nelson Trambly.

Motion #10 Clark Andrews seconded by Jim Moore to come out of executive session at 6:02 p.m. and declare that no actions of the board, official or unofficial, were taken during said Closed Session. Motion carried. Ayes 9 Roger Nelson, Brad Wulf, Clark Andrews, Dave Bartels, Matt Harrison, Terry Hoyt, Brian Holtze, Jim Moore, Marlin Murdoch. Nays – 0 Absent – 2 Bill Bose, Nelson Trambly.

The next regularly scheduled board meeting will be January 14th, 2010 starting with the Variance Hearings at 2:00 p.m., followed by the regular board meeting.

Secretary Brad Wulf adjourned the meeting at 6:02 p.m.

Secretary

Date