

MINUTES
LOWER REPUBLICAN NATURAL RESOURCES DISTRICT
Lower Republican NRD Meeting Room, 30 North John Street, Alma, NE
August 13th, 2009
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, Monthly Board Meeting, 8/09
2. LRNRD Board Meeting & Variance Minutes and Index of Decisions, 6/09
3. Treasurer's Report, 6/09, 7/09
4. Budget Comparison, 6/09, 7/09
5. Managers Report, 6/09, 7/09
6. Assistant Managers Report, 6/09, 7/09
7. RRBC Report, 7/09
8. Change in Location of Certified Acres on Contiguous Property – David Schubert
9. Variance Requests: Richard Schroder
10. Variance Request – Supplemental Well Option
 - a. Todd Brown #2577, Furnas Co.
 - b. Todd Brown #2578, Furnas Co.
 - c. DL & W Farms #1061, Furnas Co.
 - d. Steve Henry #1168, Furnas Co.
 - e. Jerry Hoffman #1052, Furnas Co.
 - f. Jerry Hoffman #2571, Furnas Co.
 - g. Hunt Farm Partnership #2567, Furnas Co.
 - h. Von Johnson #1182, Furnas Co.
 - i. Alan Mues #1189, Furnas Co.
 - j. Jan tenBensel #2400, Furnas Co.
 - k. Toby tenBensel #2493, Furnas Co.
 - l. Hunt CD Bar Inc. #83, Furnas Co.
 - m. Kent Lueking #84, Harlan Co.
 - n. Jerry Schoen - #869, Harlan Co.
 - o. Lewis Hunter #1032, Webster Co.
 - p. Gary Rasser #2270, Webster Co.
 - q. Gary Rasser #4098, Webster Co.
 - r. LWT, Ltd #2224, Webster Co.
 - s. Robb Watson #2343, Webster Co.
 - t. Jerome Meyer #2125, Nuckolls Co.
 - u. Kaldahl Grain #2111, Nuckolls Co.
11. Rural Water Treasurer Report, 6/09, 7/09
12. Rural Water FY2010 Budget
13. LRNRD FY2010 Budget
14. Application for Permit to Construct a Well in the LRNRD
15. LRNRD NSWCP Cost Share Report

MATERIALS HANDED OUT AT THE MEETING:

1. Agenda, 8/09
2. TVWMA – Eastern Republican River Riparian Improvement Project Final Report 2008-2009
3. Letter from Dana Cole – Pledged Securities

Chairperson Nelson Trambly called the regular monthly meeting of the Lower Republican NRD Board of Directors to order at 5:00 p.m.

Nelson Trambly informed the audience of the Open Meetings Law posters posted in the meeting room.

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

Absent: Jim Moore.

Others present: Ginger Jensen, Kearney Hub, Nick Simonson, Harlan Co. NRCS, Steve Meyer, Trailblazer RC&D, Merle Illian, Twin Valley Weed Management, Senator Mark Christensen, Imperial, Richard & Mary Schroder, Pierce, NE, James R. Williams NE DNR, Jim Schneider, DNR, Paul Koester, DNR. Staff present: Mike Clements, Bryan Lubeck, Shirlee Poyser and Kristi Coe

Motion #1 by Brad Wulf seconded by Bill Bose to accept the board minutes, public hearing and variance minutes as presented from the June & July board meetings. Motion carried. Roll Call – 10 Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Brian Holtze, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf. Nays – 0. Absent – 1 - Jim Moore.

Motion #2 by Roger Nelson seconded by Clark Andrews to accept the June & July treasurer's report as distributed. Motion carried. Roll Call – 10 Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Brian Holtze, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews. Nays – 0. Absent – 1 - Jim Moore.

Mike Clements asked for any questions about his report. He had no further additions. A copy of the manager's report is in the minute book.

Bryan Lubeck had no further additions. A copy of the Assistant Managers report is in the minute book.

A copy of the Republican River Basin Coalition report is in the minute book.

Nick Simonson, Harlan County NRCS, gave the NRCS report. A copy of this report is in the minute book.

Merle Illian reported on the Riparian Vegetation. A copy of the Eastern Republican River Riparian Improvement Project Final Report for 2008-2009 is in the minute book.

Jim Moore entered at 5:15 p.m.

Steve Meyer, Trailblazer RC&D Coordinator reported on the Community Tree Improvement Project. Steve also handed out a copy of the communities that lost trees and the total trees lost during the ice storm a couple of years ago. A detailed copy of this report is in the minute book.

There were no comments from the public.

Mike Clements discussed the LRNRD pledged securities. The auditors found that the First State Bank had under collateralized the district by \$87,900. Therefore, the auditors will disclose this as a non compliance issue in the audit. Mike spoke with the President of First State Bank and he assured us that our accounts will be looked at on a daily basis not a monthly.

Motion #3 by Brad Wulf seconded by Terry Hoit to keep the Interstate Compact Funds at the First State Bank. Motion carried. Roll Call – 11 Bill Bose, Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels. Nays – 0. Absent – 0.

Kristi Coe presented Dave Schubert's Change in Location of Certified Acres on Contiguous Property.

Motion #4 by Bill Bose seconded by Marlin Murdoch to approve Dave Schubert's Change in Location of Certified Acres on Contiguous Property. Motion carried. Roll Call – 11 Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose. Nays – 0. Absent – 0.

Motion #5 by Brad Wulf seconded by Bill Bose to accept the June & July Rural Water treasurer's report as presented. Motion carried. Roll Call – 11 Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison. Nays – 0. Absent – 0.

Mike Clements presented the FY2010 Rural Water budget to the board.

Motion #6 by Jim Moore seconded by Brian Holtze to approve the Rural Water FY2010 budget as presented. Motion carried. Roll Call – 11 Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit. Nays – 0. Absent – 0.

Mike Clements presented the LRNRD FY2010 budget to the board. Mike explained that the Executive Committee had already reviewed the budget, made a few minor changes. Mike talked in detail about each of the categories. A copy of the budget is in the minute book.

Motion #7 by Jim Moore seconded by Matt Harrison to approve the LRNRD FY2010 budget as presented. Motion carried. Roll Call – 10 Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Matt Harrison, Terry Hoit, Brian Holtze. Nays – 1 Bill Bose. Absent – 0.

Public hearing for the budget was set at 6:45 p.m. on September 10, 2009.

Mike Clements presented the Complaint for Declaratory Judgment that was filed in Harlan County on July 29th, 2009. Plaintiff: LRNRD and Defendant: Craig Bonham. Mike Clements said that the Lower, Middle and Upper Republican NRD's each filed a Declaratory Judgment. Joel E. Burke is representing the three NRD's. A copy of this is in the minute book.

Roger Nelson reported that the NARD Annual Conference will be September 27-29th at the Holiday Inn in Kearney. Roger Nelson announced that Nelson Trambly was nominated as Director of the Year. Mike also pointed out the NARD NRD Public Relations Goals and Objectives for this next year. A copy of this is in the minute book.

There was no Executive Committee Report.

There was no Groundwater Management Area Report.

There was no Groundwater Management Committee Report.

Applications for a Permit to Construct a Well were reviewed.

There was no Southwest RC&D report.

Steve Meyer, Trailblazer RC&D talked to the board about the upcoming Annual Meeting in October and invited everyone to attend. Steve said that 65-70 women attended the Women's Wilderness Weekend on August 8th and 9th. He is working on a grant for Household Hazardous Waste for next year.

Motion #8 by Marlin Murdoch seconded by Clark Andrews to approve the Cost Share Time Extensions as presented. Motion carried. Roll Call – 11 Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore. Nays – 0. Absent – 0.

FU697	Norman Huxoll	November 14, 2009
H583	Gladman Farms	November 26, 2009

Motion #9 by Dave Bartels seconded by Bill Bose to recess from the LRNRD Board Meeting at 7:00 p.m. and enter into the Variance Hearing. Motion carried. Roll Call – 11 Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch. Nays – 0. Absent – 0.

Motion #10 by Bill Bose seconded by Matt Harrison to enter back into the regular LRNRD board meeting at 7:12 p.m. Motion carried. Roll Call – 11 Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson. Nays – 0. Absent – 0.

Motion #11 by Matt Harrison seconded by Marlin Murdoch to deny Variance Request No. 74 for Richard Schroder. Motion carried. Roll Call – 11 Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly. Nays – 0. Absent – 0.

Motion #12 by Matt Harrison seconded by Terry Hoit to approve supplemental well options for:

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| a. Todd Brown #2577, Furnas Co. | l. Hunt CD Bar Inc. #83, Furnas Co. |
| b. Todd Brown #2578, Furnas Co. | m. Kent Lueking #84, Harlan Co. |
| c. DL &W Farms #1061, Furnas Co. | n. Jerry Schoen - #869, Harlan Co. |
| d. Steve Henry #1168, Furnas Co. | o. Lewis Hunter #1032, Webster Co. |
| e. Jerry Hoffman #1052, Furnas Co. | p. Gary Rasser #2270, Webster Co. |
| f. Jerry Hoffman #2571, Furnas Co. | q. Gary Rasser #4098, Webster Co. |
| g. Hunt Farm Partnership #2567, Furnas Co. | r. LWT, Ltd #2224, Webster Co. |
| h. Von Johnson #1182, Furnas Co. | s. Robb Watson #2343, Webster Co. |
| i. Alan Mues #1189, Furnas Co. | t. Jerome Meyer #2125, Nuckolls Co. |
| j. Jan tenBensel #2400, Furnas Co. | u. Kaldahl Grain #2111, Nuckolls Co. |
| k. Toby tenBensel #2493, Furnas Co. | |

Motion carried. Roll Call – 11 Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf. Nays – 0. Absent – 0.

Motion #13 by Brad Wulf seconded by Dave Bartels to go into Executive Session at 7:20 p.m. to discuss possible Litigation on the Republican River Settlement Agreement. Motion carried. Roll Call – 11 Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews. Nays – 0. Absent – 0.

Motion #14 Marlin Murdoch seconded by Bill Bose to come out of executive session at 9:50 p.m. and declare that no actions of the board, official or unofficial, were taken during said Closed Session. Motion carried. Roll Call – 11 Bill Bose, Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels. Nays – 0. Absent – 0.

The next regularly scheduled board meeting will be September 10th, starting with the Budget Hearing at 6:45 p.m., the Variance Hearing at 7:00 p.m. and the Board Meeting following.

Chairperson Nelson Trambly adjourned the meeting at 9:50 p.m.

 Secretary

 Date