

MINUTES
LOWER REPUBLICAN NATURAL RESOURCES DISTRICT
30 NORTH JOHN STREET, ALMA, NE
AUGUST 8TH, 2013
IMMEDIATELY FOLLOWED BY THE VARIANCE HEARING
REGULAR BOARD MEETING

Board of Directors Meeting

A notice of the meeting was published in the local newspapers within the District and on the District Website at www.lrnrd.org.

INFORMATIONAL MATERIAL MAILED OUT PRIOR TO THE MEETING

1. Agenda, 8/13
2. LRNRD Board Meeting, Variance Minutes & Index of Decisions, 7/13
3. Treasurer's Report, 7/13
4. Manager's Report
5. Assistant Manager's Report
6. NRCS Report
7. Meter Reading Adjustments
 - a.) *Stephen Johnson*
 - b.) *Mike Kahrs*
8. Change in Location of Certified Acres on Contiguous Property
 - a.) *Scott Anderson*
 - b.) *Jason Keezer*
 - c.) *Don Fegter*
 - d.) *Arvid Bell*
9. Variance Requests
 - a.) *Leon & Maxine Johnson #197*
 - b.) *Nelson P. Trambly #198*
10. Rural Water District Treasurer Report, 7/13

MATERIALS HANDED OUT AT THE MEETING:

1. Agenda, 8/13
2. FY2014 Budget Breakdown

Chairperson Nelson Trambly called the meeting of the Lower Republican NRD Board of Directors to order at 7:08 p.m. Nelson Trambly noted that guests should sign the attendance roster and noted the location of a current copy of the statutes dealing with public meetings laws and the booklet with the information provided to directors.

Directors present: Clark Andrews, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf.

Absent: Dave Bartels.

Others present: Jerry Kovarik, NRCS, Nolan Little, Tri-Basin NRD, Jesse Bradley, NDNR, Chelsea Erickson, KS DWR, Stockton, KS, Doug Boldt, Upland, Nelson P. Trambly, Leon Johnson, Upland, Stephen Johnson, Upland. Staff present: Mike Clements, Bryan Lubeck.

Motion #1 by Matt Harrison seconded by Roger Nelson to approve the variance hearing and board minutes from the July Board Meetings. Motion carried. Ayes 10 – Clark Andrews, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf. Nays 0. Absent – 1 Dave Bartels.

Motion #2 by Matt Harrison seconded by Terry Hoit to approve the July Treasurer's Report as distributed. Motion carried. Ayes 10 – Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews. Nays 0. Absent – 1 Dave Bartels.

Mike Clements had nothing further to add to his report.

Bryan Lubeck talked with the Conservation and Survey Division about the static water level fall measurements. They said several other districts only take fall measurements, the Conservation and Survey Division are more concerned with the spring measurements.

Jerry Kovarik gave the NRCS report. A copy of this report is in the minute book.

Motion #3 by Bill Bose seconded by Matt Harrison move that the board go into Executive Session at 7:16PM to discuss KS vs. NE Supreme Court Litigation. Motion carried. Ayes 10 – Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews. Nays 0. Absent – 1 Dave Bartels.

Motion #4 by Toby tenBensel seconded by Clark Andrews move that the Board come out of Executive session at 8:04PM and declare that no actions of the board, official or unofficial, were taken during said Closed Session. Motion carried. Ayes 10 – Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Bill Bose. Nays 0. Absent – 1 Dave Bartels.

Motion #5 by Matt Harrison seconded by Marlin Murdoch to adjust Stephen Johnson meter 04-8-1669 reading by 12% for 2012 and 2013. Motion carried. Ayes 10 – Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Bill Bose, Matt Harrison. Nays 0. Absent – 1 Dave Bartels.

Motion #6 by Bill Bose seconded by Terry Hoit to adjust Mike Kahrs meter 98-8-1333 reading by 9% for 2012 and 2013. Motion carried. Ayes 9 – Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Bill Bose, Matt Harrison, Terry Hoit. Nays 0. Absent – 1 Dave Bartels. Abstain 1 – Tim Kahrs.

Mike spoke to the board about the Dry Year Lease payments that normally go out in November. Mike has had two producers contact him about postponing their payment till 2014. Rex Gittins at DNR was supportive of this. NDNR will send their \$1 million to the LRNRD and we will combine the monies and the LRNRD will write the check.

Motion #7 by Bill Bose seconded by Marlin Murdoch to offer the choice to receive the Dry Year Lease payments either November 1st, 2013 or after January 1st, 2014. Motion carried. Ayes 10 – Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs. Nays 0. Absent – 1 Dave Bartels.

Bill Bose gave an update on the NCORPE project. The NCORPE Executive Committee met. There are concerns over the URNRD being over their pumping standards. Bill Bose stated that we need to find a way for everyone to come together on issues so we are all working towards the same goals. The pipeline bids are roughly \$12 million to \$18 million. Well bids were submitted by Sargent, Downy and Hydro and they ranged from \$5.8 million to \$6.9 million. The bonds were all sold and the interest rate average was 5.27% for 25 years. NCORPE got an A+ rating on the bonds this time around. Also, NCORPE has some expenses that need paid.

Motion #8 by Marlin Murdoch seconded by Toby tenBensel to approve expenses up to \$250,000 for NCORPE. Motion carried. Ayes 10 – Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch. Nays 0. Absent – 1 Dave Bartels.

Nelson Trambly took the NRD tractor to John Klein in Franklin. It was found that the pump was cracked and not repairable. The cost to repair it will be around \$1,000. It was unknown at the time if the tractor had been repaired. Matt Harrison was concerned about the NRD selling the tractor and not having this service available to producers. Mike recommended that we contract out the tilling like the Tri-Basin NRD does. It was decided to find out what the proper steps are to take sealed bids on the equipment that will be for sale.

Motion #9 by Bill Bose seconded by Matt Harrison to find out the proper steps to take for sealed bids on sale of equipment. Motion carried. Ayes 10 – Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson. Nays 0. Absent – 1 Dave Bartels.

Motion #10 by Brad Wulf seconded by Toby tenBensel to approve all Change in Location of Certified Acres on Contiguous Property for: Scott Anderson, Jason Keezer, Don Fegter, Arvid Bell. Motion carried. Ayes 10 – Nelson Trambly, Brad Wulf, Clark Andrews, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel. Nays 0. Absent – 1 Dave Bartels.

Motion #11 by Roger Nelson seconded by Marlin Murdoch to approve Leon and Maxine Johnson's Variance Request #197. Motion carried. Ayes 10 – Brad Wulf, Clark Andrews, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly. Nays 0. Absent – 1 Dave Bartels.

Motion #12 by Bill Bose seconded by Brad Wulf Roger Nelson to approve Nelson P. Trambly's Variance Request #198. Motion carried. Ayes 9 – Clark Andrews, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Brad Wulf. Nays 0. Absent – 1 Dave Bartels. Abstain – 1 Nelson Trambly.

There were no comments from the public.

Motion #13 by Clark Andrews seconded by Terry Hoit to accept the FY 2014 Budget and set the Budget Hearing for September 12th at 7PM. Motion carried. Ayes 10 – Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews. Nays 0. Absent – 1 Dave Bartels.

Bryan Lubeck talked to the board about the need to have the Groundwater Runoff Complaint added to the Groundwater Rules and Regulations. Typically, the NRD inspects the sight, speaks with the individuals and this usually resolves the complaint. Bryan talked to Attorney Steve Seglin about rules and procedures for runoff complaints and adding them to our Groundwater Rules and Regulations. The LRNRD is not responsible for surface water runoff complaints only groundwater.

Motion #14 by Terry Hoit seconded by Brad Wulf to set the Groundwater Rules and Regulation Public Hearing date for September 12th following the Budget Hearing. Motion carried. Ayes 8 – Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Brad Wulf, Nelson Trambly. Nays 2 – Clark Andrews, Bill Bose. Absent – 1 Dave Bartels.

Scott Ross from DWR in Stockton, KS contacted Mike to see if the LRNRD would repair Kansas flow meters. It would be approximately 10-20 meters per year. The meters will be brought to the LRNRD office.

Motion #15 by Bill Bose seconded by Marlin Murdoch to approve meter repairs on Kansas meters. Motion carried. Ayes 10 – Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Bill Bose. Nays 0. Absent – 1 Dave Bartels.

The NRD is contributing \$12,937 to the Environmental Trust grant for Moisture Sensors. The LRNRD will receive \$130,000 from Environmental Trust and the rest is in-kind from the producers.

Motion #16 by Toby tenBensel seconded by Terry Hoit to approve the LRNRD contribution to the Environmental Trust Moisture Sensor Grant for \$129,000. Motion carried. Ayes 10 – Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Bill Bose, Matt Harrison. Nays 0. Absent – 1 Dave Bartels.

There was no NARD report.

Motion #17 by Marlin Murdoch seconded by Roger Nelson to approve the Rural Water Treasurer's report. Motion carried. Ayes 10 – Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Bill Bose, Matt Harrison, Terry Hoit. Nays 0. Absent – 1 Dave Bartels.

The meeting was adjourned at 9:05 p.m.

The next regularly scheduled board meeting will be September 12th, 2013 at 7 p.m.

Secretary

Date