

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

September 12<sup>th</sup>, 2013

Budget Hearing, Public Hearing and Variance Hearing at 7:00 p.m. followed by the Regular Board Meeting

**FY2014 Budget Hearing**

The Lower Republican NRD FY2014 Budget Hearing was called to order by Chairperson Nelson Trambly at 7:00 p.m. Michael Clements stated that a notice of this hearing was published in all the newspapers in the District. Michael Clements presented the highlights of the LRNRD FY2014 budget. A copy is in the minute book. Directors absent: None. Chairperson Nelson Trambly adjourned the hearing at 7:05 p.m.

**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](http://www.lrnrd.org).

**INFORMATIONAL MATERIAL MAILED OUT PRIOR TO THE MEETING**

1. Agenda, 9/13
2. LRNRD Board Meeting, Variance Minutes & Index of Decisions, 8/13
3. Treasurer's Report, 8/13
4. Manager's Report
5. Assistant Manager's Report
6. Tractor, Trailer, Tiller, Drills, ¾ Ton Pick-up, Tilling, Drill Rental & Competitive Bidding Procedure – Lubeck
7. FY2014 LRNRD Resale Stock & Customer Charges – Lubeck
8. Change in Location of Certified Acres on Contiguous Property
  - a.) **Jeff Loschen**
  - b.) **Randall Albers**
  - c.) **Greg Christensen**
  - d.) **Dave Schubert**
  - e.) **Myron Dallmann**
  - f.) **Christian T. Schluntz**
  - g.) **Mark Christensen**
  - h.) **Evelyn Oberheide**
  - i.) **Mike Karr**
9. Variance Requests
  - a.) **Robert Dodds #199**
  - b.) **Dave & Clayton Schubert #200**
10. Meter Reading Adjustments
  - a.) **Gary Stoelting**
  - b.) **Walter Rankin**
  - c.) **Ron & Bretta Robison**
11. Dry Year Lease Payments
12. 2013 Water Transfer Guidelines
13. FY2014 Budget & Budget Summary
14. NARD Resolutions
15. Rural Water District Treasurer Report, 8/13

**MATERIALS HANDED OUT AT THE MEETING:**

1. Agenda, 9/13
2. FY2014 Budget Breakdown
3. NRCS Report

Chairperson Nelson Trambly called the meeting of the Lower Republican NRD Board of Directors to order at 7:14 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, Dave Bartels Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf.

Absent: None.

Others present: Jerry Kovarik, NRCS, Andy Raun, Hastings Tribune, Tammy Fahrenbruch, Tri-Basin NRD, Robert Dodds, Republican City, Dave Schubert, Wilcox, Mike Delka, Gary Stoelting, Orleans, Rolland and Troy Fletcher, Oxford, Ray Winz, Holdrege, Blake Howsden, Oshkosh, Ron Robison, Alma. Staff present: Mike Clements, Bryan Lubeck, Shirlee Poyser, and Kristi Coe.

**Motion #1 by Matt Harrison seconded by Terry Hoit to approve the variance hearing and board minutes from the August Board Meeting. Motion carried.** Ayes 11 - Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf. Nays 0.

**Motion #2 by Dave Bartels seconded by Tim Kahrs to approve the August Treasurer's Report as distributed. Motion carried.** Ayes 11 - Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews. Nays 0.

Mike Clements gave his Managers report. Mike reported the Computer Solution, Inc. has been rewriting the Flow Meter/Allocation Program. An update on the program will be given to the executive committee on September 17<sup>th</sup>. There is an NCORPE meeting on Wednesday, September 18<sup>th</sup>. Mike also report that the Harlan County Lake is down 15 feet from full pool (1930.5). The state is currently holding compact water in the lake, they are waiting to see what the numbers are as to whether or not they will have to release anymore. There is 16,000AF setting in Harlan and there is some setting out west.

Bryan Lubeck gave his Assistant Manager's report. Bryan explained the LRNRD Average Water use by Year. A copy of this graph is in the minute book. Bryan and Scot DeWald inspected an old Christmas Tree farm planted in the 1960's, there were approximately 40 Scotch Pine completely dead and some Austrian Pine in serious decline. Scot DeWald concluded that the trees died of pine wilt. There is a treatment for the trees at \$250 per tree, therefore, that will not be an option. Bryan is working with Pat Underwood and Merle Illian on grants they received to plant 200 cherry trees in Harlan County and extreme western Franklin County on public ground (i.e. RV and Camping Grounds, walking trails). Bryan is working with the Field Office Secretaries and Paul Koester from DNR to update our aerial maps showing irrigated acres in our district. Bryan requested an overlay to determine where the surface water and/or groundwater/surface water acres are. Lastly, Bryan was approached by the Alma FFA instructor, he was asked if a couple of students could come and talk to the board next month about the greenhouse project they are currently working on.

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

Bryan Lubeck discussed the equipment that will be for sale. All equipment will be moved to the LRNRD office in Alma. Pictures will be taken of the equipment and put on the LRNRD Website. Bryan then asked if the NRD would be doing any tilling this next year. It was decided the LRNRD would not be tilling since the equipment would be for sale.

**Motion #3 by Matt Harrison seconded by Marlin Murdoch to proceed with the sealed bid process of the LRNRD equipment, with bid openings on October 10<sup>th</sup> prior to the meeting. The LRNRD has the rights to reject any bid. The LRNRD will not be tilling tree sites any more.** Motion carried. Ayes 11 - Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels. Nays 0.

Bryan spoke to Dave Brandyberry about tree planting charges, fabric costs, subsurface drip and installation and mulch. Prices will be the same except for the subsurface installation. Bryan proposed that we raise the cost of the trees from 68 cents to 71cents.

Dave Bartels inquired that the ultra-sonic flow meter testing rate be increased from \$35 to \$50.

Marlin Murdoch spoke to McCrometer at Husker Harvest Day. He found out that the mechanical meters can have cell phone or internet access by simply placing a small device under the head. It costs about \$1,400 each plus \$10 per month for cellphone/internet access.

**Motions #4 by Dave Bartels seconded by Brad Wulf to approve raising the ultra-sonic flow meter testing rate to \$50 and approve the FY2014 LRNRD Resale Stock & Customer Charges. Motion carried.** Ayes 11 - Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose. Nays 0.

Blake Howsden asked to have his agenda item moved to later in the meeting.

**Motion #5 by Brad Wulf seconded by Toby tenBensel to approve all Change in Location of Certified Acres on Contiguous Property: Jeff Loschen, Randall Albers, Greg Christensen, Dave Schubert, Myron Dallmann, Christian T. Schluntz, Mark Christensen, Evelyn Oberheide and Mike Karr. Motion carried.** Ayes 11 - Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison. Nays 0.

**Motion #6 by Brad Wulf seconded by Marlin Murdoch to approve Robert Dodd's #199 Variance Request. Motion carried.** Ayes 11 - Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit. Nays 0.

**Motion #7 by Bill Bose seconded by Matt Harrison to approve Dave Schubert's #200 Variance Request as presented. Motion carried.** Ayes 11 - Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs. Nays 0.

Blake Howsden spoke to the board about moving some acres and using someone else's well. Mike Clements explained options he might consider before continuing with the project.

Gary Stoelting spoke to the board about his meter over reading.

**Motion #8 by Marlin Murdoch seconded by Bill Bose to approve adjusting Gary Stoelting's meter 00-8-1307 back by 21%. Motion carried.** Ayes 11 - Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch. Nays 0.

**Motion #9 by Bill Bose seconded by Marlin Murdoch to approve adjusting Walter Rankin's meter 03-8-2053 back by 27%. Motion carried.** Ayes 11 - Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson. Nays 0.

**Motion #10 by Brad Wulf seconded by Toby tenBensel to approve Ron Robison's meter 05-8-2403 back 179.76 acre inches. Motion carried.** Ayes 11 - Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel. Nays 0.

Mike Clements discussed a letter we received from our auditors on deferring their 2013 Dry Year Lease Program. Mike has prepared a letter that will be sent out to those participating in the 2013 Dry Year Lease Program asking them to sign the letter requesting the payment to be made in 2014. Mike received confirmation that the State of Nebraska will be contributing one million dollars to the 2014 Dry Year Lease Program. Mike is contacting those currently in the program to solicit contract renewal. Mike will emphasize that their participation in the program again this year could go a long ways towards any further regulations that the district might have to take. It is very important to have them back.

**Motion #11 by Brad Wulf seconded by Bill Bose to approve the 2014 Dry Year Lease Program and contact those currently in the program to solicit contract renewal. Motion carried.** Ayes 11 - Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly. Nays 0.

Bill Bose gave the NCORPE update. The bonding letting is complete. Completion of the project and having all thirty wells up and running has been moved up to December 31, 2013. Mike spoke with Dan Smith and Jasper Fanning and was informed that all but a one or two easements to be signed. Contractor is to start moving equipment in next week. When this project is fully operational we can pump about 31,000+ AF of water for the three district, or a little over 10,000AF for each district.

Mike Clements mentioned that we needed to appoint another voting alternate for NCORPE.

**Motion #12 by Bill Bose seconded by Tim Kahrs to approve any LRNRD board member as a second voting alternate for NCORPE. Motion carried.** Ayes 11 - Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf. Nays 0.

There were no comments from the public.

Mike Clements wanted to bring to the board's attention that Gottsch Feeding applied for two new livestock wells that will pump over 50gpm. The wells will pump over 500gpm. Gottsch has expanded their operation by 9,800 head. Currently, they have two wells serving the facility and it is not a very efficient set up. They would like to put the two new to improve the efficiency of the operation.

Mike Clements has had several questions concerning the Water Transfer Guidelines. If two inches were transferred, only one inch applied, can the unused water be transferred back to where it was transferred from?

**Motion #13 by Tim Kahrs seconded by Terry Hoit to contact those that signed up for the Water Transfer, see if the total amount of the water was used, then if unused portion should be transferred back. All transfers must be completed by December 1, 2013. Motion carried.** Ayes 11 - Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews. Nays 0.

**Motion #14 by Roger Nelson seconded by Terry Hoit to approve the FY2014 Budget as presented. Motion carried.** Ayes 10 - Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels. Nays 1 – Bill Bose.

**Motion #15 by Marlin Murdoch seconded by Roger Nelson to approve the FY2014 Budget Resolution as presented. Motion carried.** Ayes 10 - Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels. Nays 1 – Bill Bose

Roger Nelson reported that the NARD Fall Conference will be September 23<sup>rd</sup> – 25<sup>th</sup>.

Mike Clements discussed the NARD Resolutions.

Mike Clements reported that the Rural Water had 13 new hook-ups this year. The State of Nebraska is going to be doing some major highway repair south of Red Cloud next summer. The Rural Water has pipeline that will have to be reburied and buried deeper because they are extending the right-of-ways. With cost share from the State it will still cost the Rural Water District approximately \$20,000.

**Motion #16 by Brad Wulf seconded by Roger Nelson to approve the Rural Water Treasurer's report. Motion carried.** Ayes 11 - Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison. Nays 0.

**Motion#17 by Tim Kahrs seconded by Terry Hoit to move that the board go into Executive Session at 8:36PM to discuss KS vs. NE Supreme Court Litigation. Motion carried.** Ayes 11 - Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit. Nays 0.

**Motion #18 by Terry Hoit seconded by Toby tenBensel move that the Board come out of Executive session at 9:38PM and declare that no actions of the board, official or unofficial, were taken during said Closed Session. Motion carried.** Ayes 11 - Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs. Nays 0.

The meeting was adjourned at 9:39 p.m.

The next regularly scheduled board meeting will be October 10<sup>th</sup>, 2013 at 7 p.m.

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Secretary

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Date