

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

January 19, 2017 at 8:30 am immediately following the conclusion of the Public Hearings

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

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

1. Agenda for False Certification of Irrigated Acres as Non-Irrigated
2. LRNRD Temporary Exemption from Occupation Tax – John Davis
3. Variance Request – Jerry Guthrie
4. Agenda, 1/17
5. LRNRD Board Meeting, Variance Minutes & Index of Decisions, 12/16
6. LRNRD/RWP Treasurer's Report, 12/16
7. Manager's Report
8. FY16 Audit Report

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Chairperson Marlin Murdoch called the meeting of the Lower Republican NRD Board of Directors to order at 8:46 a.m. Marlin Murdoch 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, Toby tenBensel, Nelson Trambly, Brad Wulf.

Absent: Roger Nelson.

Others present: John Thorburn, TBNRD, Lori Potter, Kearney Hub, Andy Raun, Hasting Tribune, David and Jamie Harbour, Stamford, Scott Yelken, Burr Oak, KS, Troy Fletcher, Oxford, Jerry Guthrie, Alma, Sylvia Johnson, MRNRD, Curtis, Karen Labenz, Dana Cole. Staff present: Mike Clements, Scott Dicke, Shirlee Poyser and Kristen Heft, Scot Lennemann, Ron McConnell.

Mike Clements conducted for election of officers:

Michael Clements asked for nominations by secret ballot for Chairperson, Marlin Murdoch, Nelson Trambly were nominated. Marlin Murdoch was selected as Chairperson with 7 votes in favor.

Michael Clements asked for nominations by secret ballot for Vice-Chairperson, Bill Bose, Dave Bartels, Tim Kahrs, Nelson Trambly were nominated. Bill Bose was elected Vice-Chairperson with 6 votes in favor.

Michael Clements asked for nominations by secret ballot for Secretary, Clark Andrews, Dave Bartels, Tim Kahrs, and Nelson Trambly were nominated. Tim Kahrs was selected as Secretary with 4 votes in favor.

Michael Clements asked for nominations by ballot for Treasurer, Dave Bartels, Clark Andrews, Nelson Trambly and Toby tenBensel were nominated. Dave Bartels was elected as Treasurer with 7 votes.

**Executive Committee/Officers:**

Marlin Murdoch ..... Chairperson  
 Bill Bose ..... Vice Chairperson  
 Tim Kahrs ..... Secretary  
 Dave Bartels ..... Treasurer

**Motion #1 by Matt Harrison seconded by Toby tenBensel to accept Executive Committee as nominated. Motion carried.**  
 Ayes 10, Nays 0, Absent 1.

**Representatives:**

Roger Nelson ..... NARD Representative  
 Nelson Trambly ..... NARD Alternate  
 Toby tenBensel ..... Southwest Nebraska RC&D Representative  
 Clark Andrews ..... Southwest Nebraska RC&D Alternate  
 Brad Wulf ..... Trailblazer RC&D Representative  
 Mike Clements ..... Trailblazer RC&D Alternate  
 Toby tenBensel ..... NRRMDA Representative  
 Matt Harrison ..... NRRMDA Alternate  
 Brad Wulf ..... Rural Water District Advisory Committee Rep.  
 Nelson Trambly ..... NCORPE  
 Tim Kahrs ..... NCORPE Alternate

**LRNRD Project Committee:**

Matt Harrison, Marlin Murdoch, Toby tenBensel

**Platte River Diversion Project: (PRDP) Representatives:**

Mike Clements, Voting Member  
 Scott Dicke, Alternate Voting Member

**Scholarship Committee:** (3 Directors and 2 Staff personnel)

Matt Harrison, Terry Hoit, Toby tenBensel, Scott Dicke, Sasha Hahn

**Human Resource Committee (new in 2017)**

Clark Andrews, Tim Kahrs, Marlin Murdoch

**Motion #2 by Bill Bose seconded by Terry Hoit to accept the Representatives, Scholarship and LRNRD Project Committees as nominated. Motion carried.** Ayes 10, Nays 0. Absent 1.

**Motion #3 by Brad Wulf seconded by Matt Harrison to authorize the Lower Republican NRD Board Chairperson, Treasurer and the District's General Manager, Assistant Manager and Administrative Bookkeeper/Assistant to sign and open on all LRNRD accounts and LRNRD Rural Water Accounts. Motion carried.** Ayes 10, Nays 0. Absent 1.

**Motion #4 by Dave Bartels seconded by Terry Hoit to approve the board minutes, the public hearing minutes and the variance minutes from the December board meeting. Motion carried.** Ayes 10, Nays 0. Absent 1.

**Motion #5 by Matt Harrison seconded by Tim Kahrs to approve the LRNRD and RWP Treasurer's Report as presented. Motion carried.** Ayes 10, Nays 0. Absent 1.

A copy of the NRCS report is in the minute book.

Mike Clements had nothing further to add to his manager's reports. A full copy of the manager's report is in the minute book.

Scott Dicke, highlighted the Republican River Compact, the Platte-Republican Diversion Project. Scott stated the final water usage for the District is 8 inches for 2016. A detailed copy of his report is in the minute book.

Scott Dicke has considered ways to improve capabilities in the board room. Currently, the NRD has a projector and stand, this equipment is outdated. We are interested in getting a television that will allow us to follow along with presentations, and tie this into our network. This upgrade has been in our budget since 2011 but has never occurred. We received quotes from NexTech and Yanda's as to what we felt would be the best options for the LRNRD.

**Motion #6 by Brad Wulf seconded by Nelson Trambly to approve purchasing the Audio-Video system. Motion carried.** Ayes 10, Nays 0. Absent 1.

Mike Clements was asked by Les Bruntz to inquire with the board, if there was any cost share availability for the Magnation product. Mike directed Les to the NRCS to see if they could help him.

Discussion was held on establishing a 13" hard cap when DNR indicates we are in a compact call year. This would need to be added to our policy on water short years and compact call years. This would make consistency within our IMP. On December 31 of each year is when we would know if there would be a 13" cap.

**Motion #7 by Brad Wulf seconded by Dave Bartels to approve a 13" hard cap during compact call years and to schedule a public hearing for March 9th.** Ayes 8, Nays 2 Clark Andrews, Bill Bose. Absent 1.

Karen Labenz, Dana Cole LLC, presented the FY2016 Audit Report to the board.

**Motion #8 by Bill Bose seconded by Tim Kahrs to approve the FY2016 Audit Report. Motion carried.** Ayes 10, Nays 0. Absent 1.

Variance Request #256 for Jerry Guthrie was presented to the board.

**Motion #9 by Tim Kahrs seconded by Matt Harrison to approve Variance Requests #256 for Jerry Guthrie. Motion carried.** Ayes 10, Nays 0. Absent 1.

John Davis's False Certification of Irrigated Acres as non-irrigated was presented to the board.

**Motion#10 by Toby tenBensel seconded by Bill Bose move the Board direct our legal counsel to draft an order finding Respondents, John Davis, violated Rule 2-2.2, require repayment of the 2016 occupation tax, and forfeit both the 2016 allocation volume of 9 acre inches and an additional 9 acre inches from Respondents' base allocation.** Ayes 10, Nays 0. Absent 1.

The Estate of Gerald Schluntz, Tamara Bishop and Julie Smith violation of Rule 6-4.1.1 was presented to the board for consideration.

**Motion #11 by Tim Kahrs seconded by Dave Bartels to move that the board direct our legal counsel to draft an order for Board's consideration finding that the Estate of Gerald Schluntz, Tamara Bishop and Julie Smith (Respondents) violated Rule 6-4.1.1 and assessing the enhanced penalty of permanent forfeiture of Respondents 1,107.5 Certified Irrigated Acres under Rule 2-2.2. Motion carried.** Ayes 7, Nays 1 Terry Hoit, Abstain 2, Bill Bose, Nelson Trambly, Absent 1.

The board moved to go into executive session.

**Motion #12 by Clark Andrews seconded by Terry Hoit to move that the Board go into Executive session at 10:05 a.m. to discuss personnel. Motion carried.** Ayes 10, Nays 0. Absent 1.

**Motion #13 by Terry Hoit seconded by Dave Bartels to move that the Board come out of Executive Session at 12:05 p.m. and declare that no actions of the board, official or unofficial, were taken during said Closed Session. Motion carried.** Ayes 10, Nays 0. Absent 1.

The next regularly scheduled board meeting will be February 9<sup>th</sup>, 2017 at 2:00pm.

The meeting was adjourned at 12:05PM.

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Secretary

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Date