

MINUTES
LOWER REPUBLICAN NATURAL RESOURCES DISTRICT
Lower Republican NRD Meeting Room, 30 North John Street, Alma, NE
August 9th, 2018 at 7:00 pm

Board of Directors Meeting

A notice of the meeting was published on the District Website at www.lrnrd.org.

Vice Chairperson Bill Bose called the meeting of the Lower Republican NRD Board of Directors to order at 7:04 p.m. Guests were asked to sign the attendance roster. The vice chairman provided notice that the location of the current copy of the statutes dealing with public meetings laws is located on the south wall and the booklet with the information is provided to all directors.

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

Absent: Marlin Murdoch.

Others present: Jerry Kovarik, NRCS, Todd Mahin, City of Red Cloud, Brad Edgerton, Frenchman Cambridge Irrigation District, John Thorburn, Tri-Basin NRD. Staff present: Todd Siel, Scott Dicke, Shirlee Poyser, Kristen Heft.

MATERIAL EMAILED OUT PRIOR TO THE MEETING & MADE PUBLIC AT THE MEETING

Agenda

LRNRD Board Meeting and Index of Decisions, 7/18

LRNRD/RWP Treasurer's Report, 7/18

Staff Report

FY2019 Platte Republican Diversion Budget

FY2019 Lower Republican NRD Budget

Comments from the Public: None.

Motion #1 by Dave Bartels seconded by Tim Kahrs to approve the board minutes. Motion carried. Ayes 10, Nays 0, Absent 1.

Motion #2 by Brad Wulf seconded by Tim Kahrs to approve the LRNRD and RWP Treasurer's Report as presented. Motion carried. Ayes 10, Nays 0, Absent 1.

Jerry Kovarik gave the NRCS report. Jerry reported NRCS is working on CSP contracts.

Variance Request hearing was resumed at 7:14 and closed at 7:22 p.m.

The LRNRD meeting continued at 7:22pm

Managers Todd Siel and Scott Dicke reviewed details of the written staff report. The LRNRD received a favorable ruling on July 20th from the Nebraska Supreme Court pertaining to the Gerald Schluntz Estate violation of LRNRD Rules and Regulations. The July 20th decision from the Nebraska Supreme Court upheld the district court's decision to dismiss the Schluntz appeal. It has been nearly two years since the LRNRD issued the "Cease and Desist Order and Order Imposing Civil Penalties," for violations of the LRNRD Groundwater Rules and Regulations. A full copy of the staff report is in the minute book.

Variance Request #270 was presented for approval.

Motion #3 by Clark Andrews seconded by Nelson Trambly to approve variance request #270 Greg Christensen. Motion carried. Ayes 10, Nays 0, Absent 1.

Todd Mahin, Superintendent for the City of Red Cloud, distributed copies of the NeDNR Dam Inspection check list, along with maps from 2015 through 2017 of the dam northwest of Red Cloud. The dam is to provide flood control to the City of Red Cloud. According to the NeDNR's dam inspection checklist, "Deficiencies exist which could realistically lead to dam failure during expected conditions and that corrective action is necessary."

Jennifer Schellpeper, NDNR, presented the Republican River Basin-Wide Plan. The Plan was initiated to fulfill the requirements of *Neb. Rev Stat.* § 46-755, wherein NRDs and NeDNR are required to jointly develop a plan to collaboratively manage hydrologically connected water resources within the basin. The planning process began in 2015 and continued through mid-2018. NeDNR lead the effort with the assistance of the NRDs in the Basin, the Upper, Middle, and Lower Republican along with Tri-Basin NRD and Stakeholders throughout the districts. In 2014, LB1098 was passed that required the creation of a Basin-Wide Plan in the Republican River. The NRD's along with the State have been working to develop the Basin-Wide Plan. The State would like all Basin-Wide Plans adopted and finished by December 31, 2018, as Plans must be effective by April 2019.

The Platte Republican Diversion project budget was presented for approval.

Motion #4 by Tim Kahrs seconded by Dave Bartels to approve the Platte Republican Diversion FY2019 budget as presented. Motion carried. Ayes 10, Nays 0, Absent 1.

Motion #5 by Dave Bartels seconded by Tim Kahrs to approve lowering the 2018 Occupation Tax from \$9 per acre to \$8 per acre and raising the mill levy asking to \$1,349,340. Motion carried. Ayes 10, Nays 0, Absent 1.

Motion #6 by Dave Bartels seconded by Tim Kahrs to approve the FY2019 LRNRD budget. Motion carried. Ayes 9, Nays 1, Absent 1.

Motion #7 by Brad Wulf seconded by Nelson Trambly to set the FY2019 LRNRD Budget hearing for September 13th, 2018 at 7:00 pm. Motion carried. Ayes 10, Nays 0, Absent 1.

NARD Update: Annual Conference is September 24th-25th.

NCORPE Update: Robert Kreutzer, RSM from Omaha is working on the NCORPE audit.

Other Business: None

Motion #8 by Clark Andrews seconded by Toby tenBensel to move that the Board go into Executive session at 9:05 p.m. to discuss contractual negotiations and Imminent Litigation. Motion carried. Vice Chairman admonished the board that this is the only subject that can be discussed in closed session. Ayes 10, Nays 0, Absent 1.

Motion #9 by Clark Andrews seconded by Terry Hoit to move that the Board come out of Executive Session at 9:27p.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 September 13, 2018 at 7 p.m. starting with the LRNRD Budget hearing.

The meeting was adjourned at 9:37 pm.

Secretary

Date

Recorded and Distributed by: Shirlee Poyser, Administrative Assistant
F:\Shirlee\Board Meeting Information\FY19 Minutes and Agenda\MINUTES 8-9-18.docx

DRAFT