



LOWER REPUBLICAN NRD – BOARD MEETING MINUTES

Lower Republican NRD Meeting Room,
30 North John, Alma, NE
May 11, 2023, at 7:00pm

BOARD OF DIRECTORS MEETING:

Meeting notices were published in the Harlan County Journal and on the District Website at www.lrnrd.org. Chairperson Marlin Murdoch called the meeting of the Lower Republican NRD Board of Directors to order at 7:00pm. The chairperson provided notice that the location of the current copy of the statute dealing with public meetings laws is located on the south wall. Guests were asked to sign the attendance roster.

Excused Absences: Don Duffy, Tim Kahrs.

Directors present: Clark Andrews, David Bartels, Lee Fintel, Troy Fletcher, Matt Harrison, Marlin Murdoch, Toby tenBensel, Nelson Trambly, Brad Wulf.

Others present: Jerry Kovarik, NRCS, Ryan Brugh, Alma, Sam Capps, NeDNR.

Staff present: Todd Siel, Nick Simonson, Shirlee Poyser.

MATERIAL E-MAILED OUT PRIOR TO THE MEETING & AVAILABLE AT THE MEETING

Agenda

LRNRD Board Meeting Minutes, 4/23

LRNRD/RWP Treasurer's Report, 4/23

LRNRD/NRCS Staff Report, 5/23

Comments from the public: LRNRD Scholarship Recipient Ryan Brugh thanked the board for the \$1,000 scholarship he received and spoke to the board about his college plans.

Motion #1 by David Bartels seconded by Nelson Trambly to approve the April minutes as presented. Motion carried. Ayes 9 Nays 0, Absent 2.

Motion #2 by Clark Andrews seconded by Toby tenBensel to approve the LRNRD and Rural Water Treasurer's reports for April. Motion carried. Ayes 9 Nays 0, Absent 2.

NRCS Staff Report: Jerry Kovarik reported on EQIP, CSP, RCPP. Jerry announced that he accepted the position of Acting Assistant State Conservationist/Partnership starting June 5th. Jerry hopes to be back in the Alma office by October 1st. Shaina Vincent will serve as Acting DC in Jerry's absence.

LRNRD Staff Report: Managers Todd Siel and Nick Simonson gave the NRD staff report.

Tree Planting: Tree planting is in full swing and just as we experienced last year, the planting contractor moves at a rapid pace. They have completed plantings in Webster County and half of the Franklin County sites. Tilling was completed in two days and planting will resume next week, as a significant amount of precipitation was received throughout the district. Terry Hoit reported that he was onsite when they planted his windbreak and shrub thickets, and he was impressed with the crew and the quality of the planting.

Pooling/Chemigation/Occupation Tax: Staff have been working to remind all the irrigators in our district about the approaching deadline for three important items: Occupation Tax exemptions, pooling agreements and/or arrangements, and chemigation permits. JUNE 1st is the deadline for all of these items. Mary has announced a reminder for all three in her KRVN report on two different occasions, posted to our social media accounts, and gave it front page billing on our newsletter you should have received or will receive shortly. Shirlee also sent out reminder postcards for chemigation permits last week. It is a very busy time of year for agriculture, so we encourage everyone to address this long before the deadline.

Schluntz Hearing: On Monday, May 1st, a hearing was held in District Court in Alma. Appearing before Judge Teri Harder was Dave Domina, representing SBS Farms, Inc., Steve Seeman, Julie Bishop, and Tamara Bishop (Plaintiffs). Arguing on behalf of the LRNRD was Blake Johnson, of Bruning Law Group. Judge Harder did not choose to rule on any of the cases presented before her on Monday but we anticipate that she will act expediently. They were allowed 14 days after the hearing to submit anything that was pertinent to the

proceedings that was not already included. Since this is a pending litigation matter, we will discuss it in more detail during the closed session portion of our board meeting on Thursday.

Tire Recycling: Guide Rock – Tuesday, August 29th 8:00-12:00; Hildreth – Tuesday, September 19th 8:00-12:00; Alma – Tuesday, September 19th 8:00-12:00.

Sam Capps, NeDNR Coordinator for the Republican River Basin, confirmed that 2023 is a compact call year and handed out copies of the Republican Basin: Compact Call Year Decision Timeline, Monthly Reservoir Report, and Harlan County Lake Accounting.

NeDNR will be conducting a Water Market Survey. As part of the requirements of the Republican River Basin-Wide plan, in the first five (5) years NeDNR must complete a study on the feasibility of a Water Market. NeDNR has teamed up with the policy center at UNL and put together a survey to gauge the understanding of a Water Market and to see what interest there may be. NeDNR will send a link of the survey to the Basin-Wide Plan stakeholders and NRD managers. The managers will then forward it on to their Board of Directors. The 2023 Republican River Compact Administration meeting will be held in Burlington, CO on August 30 & 31.

Change in Location of Certified Acres on Contiguous Property – Staff Committee Approvals:

Clark and Dawn Andrews – Certified Acres on Contiguous Property was staff approved.

Manager Siel spoke to the board about selling some of the excess equipment through Adam Marshall Land and Auction Service.

Motion #3 by Brad Wulf seconded by Matt Harrison to sell the 2018 Chevy Silverado Pickup and Danuser woodchipper-mulcher through Adam Marshall Land & Auction Services. Motion carried. Ayes 9 Nays 0, Absent 2.

Rural Water Update: The Rural Water building that was approved for sale to Aurora Cooperative was damaged due to a recent hailstorm in Franklin. The skylights in the building were broken and other possible roof damage may be evident. We are waiting for the insurance adjuster to assess the damage to the building, pumphouse, and water tower.

The Master Panel for the water tower has finally arrived and should be installed in the next few weeks. Water usage has been above normal for the system. Livestock water and an undetected leak accounts for much of the excess usage.

Steve McNulty, NDEE, is working with LRNRD on a grant program through the EPA. This would be an excellent opportunity to expand our current rural water system to the Riverton area and open up further hook ups.

Platte to Republican High Flow Diversion Project (PRD) Update: Legal briefs are to be submitted by early next week and then we will look toward fall for an appearance before the Nebraska Supreme Court.

Flag Creek Update: Holdrege Well Service drilled the first well on Monday, May 8th, but was delayed due to the weather. The well located along the east side of the property is drilled and cased, but the pump test will need to wait until we can get back on the property. Through the drilling process, it appears that we have reason to be optimistic about the production from that site, as well as the location to the south. We have no issues with waiting until next week to finish up since it is due to rain! Twin Valleys Public Power District plans to install a 3-phase electric line in June.

NCORPE Update: The last meeting was on April 19th in Alma. They are pumping to the north for Twin Platte IMP obligations, but the timing is sporadic and depends on what natural flows are in the Platte River. We should not need to pump into the Republican basin until October, at the earliest.

Watershed & Flood Prevention Operations Environmental Assessment Plan and Design (WFPO EA Plan):

Olsson submitted the fourth (4th) chapter to NRCS. There are nine (9^h) total chapters to be submitted.

WaterSMART Grant: LRNRD Technicians continue working on flow meter configurations and site evaluations. According to the grant requirements, a certain amount of the materials in the meters must come from a source in the United States.

NARD Update: The next NRD manager's meeting is scheduled for June 6-7th and the NARD board meeting will be June 11-12th.

Nick heard from the City of Superior that they are wanting to drill a well for the Redi mix plant. Nick did inform them of the regulations for industrial wells.

Other Business: The LRNRD will sponsor the UNL TAPS program again this year. It is also that time of year to work on manager and staff evaluations. The Human Resources Committee will plan to meet before the June board meeting.

Motion #4 by Clark Andrews seconded by Nelson Trambly to move that the Board go into Closed Session at 8:33pm to discuss Contractual Negotiations and Imminent Litigation and Personnel. Motion carried. Ayes 9 Nays 0, Absent 2.

Motion #5 by Clark Andrews seconded by Nelson Trambly to move that the Board come out of Closed Session at 9:01pm and declare that no actions of the board, official or unofficial, were taken during said Closed Session. Motion carried. Ayes 9 Nays 0, Absent 2.

The next regularly scheduled board meeting will be June 8th, 2023, at 7:00pm.

The meeting adjourned at 9:02pm.

Secretary

Date

