

MINUTES
LOWER REPUBLICAN NATURAL RESOURCES DISTRICT
Lower Republican NRD Meeting Room, 30 North John Street, Alma, NE
November 13th, 2008
Board of Directors Meeting

A notice of the meeting was announced over radio station KRVN and published in the newspapers within the District.

INFORMATIONAL MATERIAL MAILED OUT PRIOR TO MEETING:

1. Agenda, Monthly Board Meeting, 11/13/08
2. LRNRD Board Meeting Minutes and Index of Decisions, 10/9/08
3. LRNRD Variance Minutes, 10/9/08
4. Republican River Basin Coalition Report, 10/08
5. LRNRD Treasurers Report and Budget Comparison, 10/31/08
6. Managers Report, 11/08
7. Assistant Managers Report, 11/08
8. Rural Water Treasurer Report, 10/31/08
9. LRNRD NSWCP Cost Share Report, 10/31/08

MATERIALS HANDED OUT AT THE MEETING:

1. Water Use Reports from 2005-2008 for Webster, Nuckolls and Furnas Counties

Chairperson Nelson Trambly called the regular monthly meeting of the Lower Republican NRD Board of Directors to order at 7:00 p.m.

Directors present: Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Roger Nelson, Nelson Trambly, Jay Ziegler.

Absent: Clark Andrews, Bill Bose, Marlin Murdoch, Brad Wulf.

Nelson Trambly informed the audience of the Open Meetings Laws posters posted in the meeting room.

Others present: Ginger Jensen, Kearney Hub, Nick Simonson, Harlan Co. NRCS, Traci Witthuhn, RRBC, Roger Stockton, Southwest RC&D. Staff present: Mike Clements, Bryan Lubeck.

Motion #1 by Roger Nelson seconded by Jim Moore to accept the minutes from the October board meeting. Motion carried. Roll Call. Ayes 7 Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Roger Nelson, Nelson Trambly, Jay Ziegler. Nays 0. Absent – 4 Clark Andrews, Bill Bose, Marlin Murdoch, Brad Wulf.

Motion #2 by Jim Moore seconded by Matt Harrison to accept the October Variance Request minutes. Motion carried. Roll Call. Ayes 7 Terry Hoit, Brian Holtze, Jim Moore, Roger Nelson, Nelson Trambly, Jay Ziegler, Matt Harrison. Nays 0. Absent – 4 Clark Andrews, Bill Bose, Marlin Murdoch, Brad Wulf.

Motion #3 by Jim Moore seconded by Terry Hoit to accept the October treasurer's report as distributed. Motion carried. Roll Call. Ayes 7 Brian Holtze, Jim Moore, Roger Nelson, Nelson Trambly, Jay Ziegler, Matt Harrison, Terry Hoit. Nays 0. Absent – 4 Clark Andrews, Bill Bose, Marlin Murdoch, Brad Wulf.

Mike Clements gave his Manager's report. A copy of this report is in the minute book. Mike talked about the Kansas Water Tap (WTAP) it is a voluntary incentive based retirement

program that Kansas is making available in the Prairie Dog and other areas of the state. The owner can retire part or all of a water right based on historic consumptive use. The water right must be active and used 6 out of the last 10 years. They will use the historic consumptive use of the last 6 years, throw out low and the high and average the middle 4 years. The maximum payment would be \$2,000 per acre foot of consumptive use. Kansas would like to retire about 3,500 acre feet of water rights in the Prairie Dog over the next 5 years.

Kristi Coe prepared a worksheet with water usage information for Webster, Nuckolls, and Furnas Counties for years 2005-2008. Mike distributed this at the meeting.

Mike received an email from the NE Department of Revenue, Attorney John Cannon, pertaining to irrigated taxes in Harlan County. The LRNRD Rules and Regulations state that if you certified your land as irrigated you will pay irrigated taxes. Harlan County wants to only charge tax to the landowner if the property was irrigated that year. If the land was not irrigated, then the assessor does not want to collect the tax. The Department of Revenue is having a rules hearing on Friday, November 21st. Kim Robak will be testifying on behalf of the LRNRD.

Mike discussed with the board the Integrated Computer System. They are putting together a database to track municipal and industrial water usage for fully appropriated or over appropriated districts. This should be very helpful as all districts will then be using the same database format. There will be a one time charge of \$1,350 for the database.

Bryan Lubeck reported that the Outdoor Classroom is almost complete. A copy of this report is in the minute book.

Clark Andrews entered at 7:06 p.m.

Bill Bose and Marlin Murdoch entered at 7:09 p.m.

Nick Simonson, Harlan County NRCS gave a brief report.

Traci Witthuhn, Republican River Basin Coordinator gave the Basin Report. A copy of this is in the minute book.

There were no comments from the public.

Motion #4 by Roger Nelson seconded by Jim Moore to approve the Rural Water treasurer's report as distributed. Motion carried. Roll Call. Ayes 10 Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Jay Ziegler, Clark Andrews, Bill Bose, Matt Harrison. Nays 0. Absent 1 Brad Wulf.

Mike talked to the board about the Rural Water having to relocate some pipeline southeast of Guide Rock. There is some serious erosion and flooding problems that have occurred. The county has made the ditch bigger and built up the road, but after the work was finished the Rural Water pipeline is only buried about a foot. The pipeline has to be a certain distance from the center of the road and buried approximately six feet in depth. The pipeline is on private property with an easement. Mike explained to the board that roughly 2,000 feet of pipeline needs to be moved. Pipe cost is \$1,260, trenching \$1,250 and Garold's time. We will not have to get another easement on this.

Motion #5 by Bill Bose seconded by Terry Hoit to approve sending a bill to Nuckolls County for moving the Rural Water pipeline. Motion carried. Roll Call. Ayes 10 Brian Holtze, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Jay Ziegler, Clark Andrews, Bill Bose, Matt Harrison, Terry Hoit. Nays 0. Absent 1 Brad Wulf.

Mike talked to the board about the Nebraska WARN, Water and Wastewater and Storm water Mutual Aid Agreement. They would like to start a network with other districts that would be able to volunteer to help out in disaster situations.

Motion #6 by Jay Ziegler seconded by Jim Moore to participate in the Water, Waste Water and Storm Water Mutual Aid Agreement. Motion carried. Roll Call. Ayes 10, Jim Moore, Marlin Murdoch, Roger Nelson, Nelson Trambly, Jay Ziegler, Clark Andrews, Bill Bose, Matt Harrison, Terry Hoit, Brian Holtze. Nays 0. Absent 1 Brad Wulf.

The Kansas Water Tap (WTAP) was discussed earlier in the manager's report.

Roger Nelson went to the NARD meeting. He reported that the NARD Health Insurance program is doing very well and NARD wants to introduce a Wellness Program.

There was no Executive Committee Report.

There was no Groundwater Management Area Report.

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There were no Applications for a Permit to Construct a Well.

Roger Stockton gave the Southwest RC&D report. Roger said that RC&D is having their Annual meeting on November 18th. The Weed Management area is still working on clearing the river. They cleared 1,064 acres of Red Cedar, Russian Olive and Salt Cedar trees. Since July, they have cleared another 850 acres of trees in the western half of the Republican River. The most encouraging is that the hunting enthusiasts that own land along the river that did not want the debris removed, now a year later after seeing the results, are asking if they can get involved in the project.

Motion #7 by Bill Bose seconded by Matt Harrison to approve Cost Share Time Extensions as presented. Motion carried. Roll Call. Ayes 10 Marlin Murdoch, Roger Nelson, Nelson Trambly, Jay Ziegler, Clark Andrews, Bill Bose, Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore. Nays 0. Absent 1 Brad Wulf.

NU259

General Ag Services

January 28, 2008

Motion #8 by Clark Andrews seconded by Marlin Murdoch to go into Executive Session at 8:10 p.m. to discuss possible Litigation on the Republican River Settlement Agreement and Possible Litigation for Rules Violations. Motion carried. Roll Call. Ayes 10 Roger Nelson, Nelson Trambly, Jay Ziegler, Clark Andrews, Bill Bose, Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch. Nays 0. Absent 1 Brad Wulf.

Motion #9 Marlin Murdoch seconded by Terry Hoit to come out of executive session at 8:39 p.m. and declare that no actions of the board, official or unofficial, were taken during said Closed Session. Motion carried. Roll Call. Ayes 10 Roger Nelson, Nelson Trambly, Jay Ziegler, Clark Andrews, Bill Bose, Matt Harrison, Terry Hoit, Brian Holtze, Jim Moore, Marlin Murdoch. Nays 0. Absent 1 Brad Wulf.

The next regularly scheduled board meeting will be December 11th at 2 p.m.

Chairperson Nelson Trambly adjourned the meeting at 8:39 p.m.

Secretary

Date