

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

January 13th, 2011 at 2 p.m.

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, LRNRD Public Hearing, 1/11
2. Agenda, LRNRD Variance Hearing, 1/11
3. Agenda, Monthly Board Meeting, 1/11
4. LRNRD Board Meeting & Variance Minutes and Index of Decisions, 12/10
5. Treasurer's Report, 12/10
6. Budget Comparison, 12/10
7. Managers Report, 1/11
8. Assistant Managers Report, 1/11
9. Variance Request, 1/11
10. Rural Water Treasurer Report, 12/10
11. LRNRD NSWCP Cost Share Report

MATERIALS HANDED OUT AT THE MEETING:

1. NRCS Report, 1/11
2. Change in Location of Certified Acres on Contiguous Property
3. Letter from the Republican River Basin Coalition, 1/11
4. NARD Update
5. Overall Augmentation Options
6. NSWCP Cost Share Report

Vice Chairperson Bill Bose called the regular monthly meeting of the Lower Republican NRD Board of Directors to order at 2:40 p.m.

Vice Chairperson Bill Bose informed the audience of the Open Meetings Law posters posted in the meeting room.

Directors present: Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Brad Wulf.

Absent: Roger Nelson, Nelson Trambly.

Others present: Pat Underwood, Lower Republican NRD Grant Consultant, Andy Ruan, Hastings Tribune, Jerry Kovarik, NRCS. Staff present: Mike Clements, Bryan Lubeck, Shirlee Poyser, Kristi Coe.

Election of Officers:

Michael Clements asked for nominations for Chairperson, Nelson Trambly, Marlin Murdoch and Bill Bose were nominated. Nelson Trambly was selected as Chairperson with 4 votes in favor.

Michael Clements asked for nominations for Vice-Chairperson, Bill Bose, Marlin Murdoch, and Matt Harrison were nominated. Bill Bose was elected Vice-Chairperson with 5 votes in favor.

Michael Clements asked for nominations for Secretary, Dave Bartels, Matt Harrison, Marlin Murdoch and Brad Wulf were nominated. Marlin Murdoch was selected as Secretary with 7 votes in favor.

Michael Clements asked for nominations for Treasurer, Dave Bartels, Matt Harrison were nominated. Dave Bartels was elected as Treasurer with 7 votes.

Motion #1 by Jim Moore seconded by Brad Wulf to accept the Executive Committee as Nominated and to destroy the ballots. Motion carried. Ayes 9 Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Brad Wulf. Nays – 0 Absent – 2 Roger Nelson and Nelson Trambly.

Executive Committee:

Nelson Trambly Chairperson
 Bill Bose Vice Chairperson
 Marlin Murdoch Secretary
 Dave Bartels Treasurer

Motion #2 by Marlin Murdoch seconded by Jim Moore to dissolve the LRNRD Compact Compliance Committee and the LRNRD Groundwater Management Committee and to form a new Planning Committee consisting of the Executive Committee, Brad Wulf and Alternate Matt Harrison. Motion carried. Ayes 9 Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Brad Wulf, Clark Andrews. Nays – 0 Absent – 2 Roger Nelson and Nelson Trambly.

Planning Committee:

Nelson Trambly
 Bill Bose
 Marlin Murdoch
 Dave Bartels
 Brad Wulf,
 Matt Harrison - Alternate

Motion #3 by Brad Wulf seconded by Clark Andrews to accept LRNRD Representative List as presented. Motion carried. Ayes 9 Bill Bose, Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Brad Wulf, Clark Andrews, Dave Bartels. Nays – 0 Absent – 2 Roger Nelson and Nelson Trambly.

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
 Nelson Trambly Trailblazer RC&D Alternate
 Marlin Murdoch NRRMDA Representative
 Toby tenBensel NRRMDA Alternate
 Brad Wulf Rural Water District Advisory Committee Rep.

Motion #4 by Jim Moore seconded by Dave Bartels to accept LRNRD Scholarship Committee as presented. Motion carried. Ayes 9 Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose. Nays – 0 Absent – 2 Roger Nelson and Nelson Trambly.

Scholarship Committee: (3 Directors and 2 Staff personnel)

Clark Andrews
 Dave Bartels
 Toby tenBensel
 Bryan Lubeck
 Jo Siel

Motion #5 by Dave Bartels seconded by Jim Moore 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 9 Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison. Nays – 0 Absent – 2 Roger Nelson and Nelson Trambly.

Motion #6 by Jim Moore seconded by Matt Harrison to approve the board and variance hearing minutes from the December meetings. Motion carried. Ayes 9 Jim Moore, Marlin Murdoch, Toby tenBensel, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit. Nays – 0 Absent – 2 Roger Nelson and Nelson Trambly.

Motion #7 by Matt Harrison seconded by Marlin Murdoch to accept the December treasurer's report as distributed. Motion carried. Ayes 9 Marlin Murdoch, Toby tenBensel, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore. Nays – 0 Absent – 2 Roger Nelson and Nelson Trambly.

Mike Clements gave his Manager's report.

Bryan Lubeck had nothing further to add to his Assistant Manager's report.

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

It was asked that the Surface Water Option be tabled until the February board meeting.

Motion #8 by Jim Moore seconded by Dave Bartels to table the Surface Water Option until the February 10th, 2011 meeting. Motion carried. Ayes 9 Toby tenBensel, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch. Nays – 0 Absent – 2 Roger Nelson and Nelson Trambly.

Kristi Coe presented Ackerman Trust, Glenda Anderson, Norbert Pokorny, Robert Wilson, Rolland Fletcher Change in Location of Certified Acres on Contiguous Property. A copy of these requests is in the minute book.

Motion #9 by Marlin Murdoch seconded by Terry Hoit to approve Ackerman Trust, Glenda Anderson, Norbert Pokorny, Robert Wilson, Rolland Fletcher Change in Location of Certified Acres on Contiguous Property. Motion carried. Ayes 9 Toby tenBensel, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch,. Nays – 0 Absent – 2 Roger Nelson and Nelson Trambly.

Ackerman Trust Variance Request #123 was presented to the board.

Motion #10 Brad Wulf seconded by Terry Hoit to approve Variance Request #123 for Ackerman Trust. Motion Carried. Ayes 8 Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Marlin Murdoch, Toby tenBensel. Nays – 0 Absent – 3 Roger Nelson, Nelson Trambly, Jim Moore.

Rolland Fletchers Variance Request #125 was presented to the board.

Motion #11 Clark Andrews seconded by Marlin Murdoch to approve Variance Request #125 for Rolland Fletcher. Motion carried. Ayes 9 Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel. Nays – 0 Absent – 2 Roger Nelson, Nelson Trambly.

Comments from the public: Dale Helm questioned the board on tax valuations.

Nate Jenkins, Upper and Republican Basin Coalition, had questions for the LRNRD board. Nate asked, "What components in the IMP are used to achieve compact compliance, like the allocation reduction, sequencing for pumping curtailment, and a possible shut down option? Can someone describe the analysis that was done that shows that this is going to ensure compact compliance in dry years?" Mike Clements said it would be the same analysis the state provided the URNRD for their plan. Mike asked what the State's analysis was for the URNRD. Nate replied that they are to work cooperatively with the NRDs, looking at the modeling to determine what exactly worked. The URNRD is curious what sort of analysis was done to show that the options that the LRNRD picked independently would achieve the same results? Mike Clements replied that the LRNRD is looking at a number of different things that we are going to do. "It is not just lowering the allocation, it's leasing surface water, permanently retiring acres, temporarily retiring acres. There is a number of different things that play into this. Overall, we are going to factor in the things done in the past and future with the surface water leases, AWEP retirement, then see where we land at the end of a year as far as the department's projections. Then the board will make a determination as to what further measures we may need to take." Nate apologized then asked, "In the IMP process, part of this is statutorily, working together with the State, and where is the State at right now in analyzing your plan? Have you received any input from the State?" Mike Clements responded that the State has reviewed it and we have another meeting scheduled with them February 2nd.

Ray Winz asked if the LRNRD proposed an allocation and allocated it over three to five years, if there is any way the board could make that a rolling average.

Mike Clements gave the NARD update. Mike received and read through the legislative bills that pertain to NRD's. A copy of this report is in the minute book.

Pat Underwood gave the grant update. She is currently working on two grants. One is the Conservation Innovation Grant. This grant is using conservation easements as another tool of retirement of acres.

Pat is also working on the BOR WaterSmart Grant.

Motion #12 by Dave Bartels seconded by Clark Andrews to approve the WaterSMART Grant Resolution #2011-01 as presented. Motion Carried. Ayes 9 Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Brad Wulf. Nays – 0 Absent – 2 Roger Nelson, Nelson Trambly.

There were no updates on the Rural Water. Garold is on vacation so Scot Lennemann will be covering for Garold.

Motion #13 by Jim Moore seconded by Toby tenBensel to approve the Rural Water treasurer's report as presented. Motion carried. Ayes 9 Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Brad Wulf, Clark Andrews. Nays – 0 Absent – 2 Roger Nelson, Nelson Trambly.

Chris Miller, Miller and Associates gave a presentation on the Overall Augmentation Options. A copy of this is in the minute book.

Motion #14 by Matt Harrison seconded by Toby tenBensel to table the Augmentation Costs and Benefits as presented. Motion carried. Ayes 9 Bill Bose, Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Brad Wulf, Clark Andrews, Dave Bartels. Nays – 0 Absent – 2 Roger Nelson, Nelson Trambly.

Roger Stockton distributed a copy of the SW NE RC&D Annual Report. Roger updated the board on projects that were done this last year.

Motion #15 by Marlin Murdoch seconded by Dave Bartels to approve the Cost Share Time Extensions as presented. Motion carried. Ayes 9 Matt Harrison, Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose. Nays – 0 Absent – 2 Roger Nelson, Nelson Trambly.

FU734	Kurtis Huxoll	April 5, 2011
FU735	Susan Huxoll	March 23, 2011
H599	Gale Dorn	April 23, 2011
W476	Hansen-Wulf Inc	April 23, 2011

Motion #16 by Dave Bartels seconded by Jim Moore to go into Executive Session at 4:25 p.m. to discuss possible Litigation on the Republican River Settlement Agreement. Motion carried. Ayes 9 Terry Hoit, Jim Moore, Marlin Murdoch, Toby tenBensel, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison. Nays – 0 Absent – 2 Roger Nelson, Nelson Trambly.

Motion #17 Matt Harrison seconded by Terry Hoit move to come out of executive session at 5:15 p.m. and declare that no actions of the board, official or unofficial, were taken during said Closed Session. Motion carried. Ayes 9 Jim Moore, Marlin Murdoch, Toby tenBensel, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit. Nays – 0 Absent – 2 Roger Nelson, Nelson Trambly.

The next regularly scheduled board meeting will be February 10th, 2011 starting with the Variance Hearings at 2:00 p.m., followed by the regular board meeting.

Secretary

Date