

MINUTES
LOWER REPUBLICAN NATURAL RESOURCES DISTRICT
Lower Republican NRD Meeting Room, 30 North John Street, Alma, NE
January 8th, 2015

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.lmrnd.org.

INFORMATIONAL MATERIAL MAILED OUT PRIOR TO THE MEETING

1. Agenda, 1/15
2. LRNRD Board Meeting, Variance Minutes & Index of Decisions, 12/14
3. Treasurer's Report, 12/14
4. Manager's Report
5. Assistant Manager's Report
6. Change in Location of Certified Acres on Contiguous Property
a.) Stephen Johnson
7. Variance Request
a.) Robin Hinrichs
8. Rural Water District Treasurer Report, 12/14

MATERIALS HANDED OUT AT THE MEETING:

1. Agenda, 1/15
2. Variance Request – *Robin Hinrichs*
3. N-CORPE Treasurer's Report
4. Memorandum of Agreement with Middle Republican NRD
5. 2015 Final Forecast for the Republican Basin
6. Appropriated Basin Coalition Interlocal Cooperation Agreement and By-Laws

Chairperson Marlin Murdoch called the meeting of the Lower Republican NRD Board of Directors to order at 2:00 p.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, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf.

Absent: none.

Others present: Jerry Kovarik, NRCS, John Thorburn, TBNRD, Andy Raun, Hastings Tribune, Troy Fletcher, Oxford, Robin Hinrichs, Axtell. Staff present: Mike Clements, Scott Dicke, Shirlee Poyser, and Kristi Heft.

Mike Clements conducted for election of officers:

Michael Clements asked for nominations by secret ballot for Chairperson, Marlin Murdoch, Nelson Trambly and Matt Harrison were nominated. Marlin Murdoch was selected as Chairperson with 11 votes in favor.

Michael Clements asked for nominations by secret ballot for Vice-Chairperson, Bill Bose and Brad Wulf were nominated. Bill Bose was elected Vice-Chairperson with 6 votes in favor.

Michael Clements asked for nominations by secret ballot for Secretary, Dave Bartels, Toby tenBensel, Brad Wulf, Matt Harrison, and Tim Kahrs were nominated. Dave Bartels was selected as Secretary with 10 votes in favor.

Michael Clements asked for nominations by ballot for Treasurer, Toby tenBensel, Nelson Trambly, Brad Wulf were nominated. Toby tenBensel was elected as Treasurer with 6 votes.

Officers:

Marlin MurdochChairperson
 Bill Bose.....Vice Chairperson
 Dave BartelsSecretary
 Toby tenBensel.....Treasurer

Motion #1 by Nelson Trambly seconded by Matt Harrison to approve the Executive Committee as Nominated. Motion carried. Ayes 11 – Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf. Nays 0. Absent 0.

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 ClementsTrailblazer RC&D Alternate
 Toby tenBensel.....NRRMDA Representative
 Matt HarrisonNRRMDA Alternate
 Brad Wulf.....Rural Water District Advisory Committee Rep.
 Tim Kahrs.....N-CORPE Representative
 Bill Bose.....N-CORPE Alternate

Scholarship Committee: (3 Directors and 2 Staff personnel)

Matt Harrison
 Terry Hoit
 Toby tenBensel
 Scott Dicke
 Jo Siel

Motion #2 by Bill Bose seconded by Roger Nelson to accept the Representatives and Scholarship Committee as Nominated. Motion carried. Ayes 11 – Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews. Nays 0. Absent 0.

Motion #3 by Clark Andrews seconded by Matt Harrison to authorize the Lower Republican NRD Board Chairperson, Treasurer and the District's General Manager, Assistant Manager and the Administrative Bookkeeper/Assistant to sign and open on all LRNRD accounts and LRNRD Rural Water Accounts. Motion carried. Ayes 11 – Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels. Nays 0. Absent 0.

Motion #4 by Roger Nelson seconded by Matt Harrison to approve the board minute, workshop minutes and variance minutes from the December Board Meeting. Motion carried. Ayes 10 – Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels. Nays 0. Absent 0. Abstain – 1 Bill Bose.

Motion #5 by Matt Harrison seconded by Toby tenBensel to approve the LRNRD Treasurer's Report as presented. Motion carried. Ayes 11 – Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison. Nays 0. Absent 0.

Mike Clements introduced the new N-CORPE Manager, Kyle Shepherd to the board. Mike added that the NARD Legislative conference is January 26-28 in Lincoln and there are 17 new senators. Mike added that the TVWMA is looking at spraying around the Prairie Dog Creek.

Scott Dicke presented the approximate water usage by county on effective acres for 2014. Scott had no further additions to his report.

Mike Clements received a call from Bessie McInturf of Omaha requesting an exemption of her 2014 Occupation Tax. Mike said he would present the issue to the board.

Motion #6 by Matt Harrison seconded by Terry Hoit to not approve Bessie McInturf's Occupation Tax exemption request for 2014. Motion carried. Ayes 11 –Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit. Nays 0. Absent 0.

Scott Dicke presented the board with the draft Chemigation Rules and Regulations, the Nebraska Administrative Code from NDEQ, Title 195, Chemigation Regulations and the Groundwater Rules and Regulations on Cease and Desist Orders. Scott indicated that the Chemigation Rules and Regulations had not been updated since the March 12th, 1987 and that chemigation fees had not increased since the inception of the rules. After considering the administrative costs of the program Scott indicated that increases to the fees were needed. The LRNRD will also have to set a hearing date to update Chemigation and Groundwater Rules and Regulations.

Motion #7 by Brad Wulf seconded by Nelson Trambly to set the Chemigation Permit prices at \$15 for a renewal, \$50 for a new and \$500 for an emergency. Motion carried. Ayes 11 – Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs. Nays 0. Absent 0.

Motion #8 by Matt Harrison seconded by Bill Bose to set the Chemigation hearing date for February 12th, 2015 at 1:30 p.m. Motion carried. Ayes 11 – Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch. Nays 0. Absent 0.

Motion #9 by Bill Bose seconded by Tim Kahrs to set the Groundwater Rules & Regulations hearing date for February 12th immediately following the Chemigation hearing. Motion carried. Ayes 11 – Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson. Nays 0. Absent 0.

Mike Clements presented Stephen Johnsons Change in Location of Certified Acres on Contiguous Property. The board had one stipulation that the irrigated to dry acres have to come from the southeast corner of the field.

Motion #10 by Nelson Trambly seconded by Terry Hoit to approve Stephen Johnsons Change in Location of Certified Acres on Contiguous Property with the stipulation that the acres have to come from the southeast corner of the field. Motion carried. Ayes 10 – Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel. Nays 1 – Bill Bose. Absent 0.

Robin Hinrichs' Variance Requests #224 and #225 were considered by the board after some modifications to the earlier requests.

Motion #11 by Nelson Trambly seconded by Bill Bose to approve Robin Hinrichs Variance Requests #224 & #225. Motion carried. Ayes 11 – Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly. Nays 0. Absent 0.

N-CORPE Board conducted manager interviews with Kyle Shepherd of North Platte accepting the position. N-CORPE will continue pumping into 2015 in order to fill the 19,000AF Basin shortfall. Kansas will only give us 100% credit for water pumped by June, 2015. The 2014/2015 balance for each of the three NRD's have been updated to show the: LRNRD 1,200AF, MRNRD -4,200AF, and URNRD -14,600AF.

Motion#12 by Dave Bartels seconded by Tim Kahrs to approve the NCORPE Treasurer's Report. Motion carried. Ayes 11 – Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf. Nays 0. Absent 0.

Mike Clements presented the Memorandum of Agreement between the Middle Republican NRD and the Lower Republican NRD. A copy of this agreement is in the minute book.

Motion #13 by Matt Harrison seconded by Dave Bartels to approve the Memorandum of Agreement with the Middle Republican NRD. Motion carried. Ayes 11 – Dave Bartels, Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews. Nays 0. Absent 0.

There were no comments from the public. Mike Clements added a special Thank You to Andy Rahn. Andy works for Hastings Tribune and wrote a very nice article about the Lower Republican NRD.

Mike Clements present the board with the Forecast of Allowable Depletions in the Republican Basin during 2015-2025. A copy of this report is in the minute book.

There were no updates to the Rural Water Project and the treasurer's report was presented.

Motion #14 by Matt Harrison seconded by Terry Hoit to approve the Rural Water Treasurer's Report. Motion carried. Ayes 11 – Bill Bose, Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels. Nays 0. Absent 0.

Motion #15 by Clark Andrews seconded by Dave Bartels to move that the Board go into Executive session at 3:33 p.m. to discuss Personnel. Motion carried. Chairman admonished the board that this is the only subject that can be discussed in closed session. Ayes 11 –Matt Harrison, Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose. Nays 0. Absent 0.

Motion #16 by Clark Andrews seconded by Matt Harrison move that the Board come out of Executive Session at 4:47 p.m. and declare that no actions of the board, official or unofficial, were taken during said Closed Session. Motion carried. Ayes 11 – Terry Hoit, Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Bill Bose, Matt Harrison. Nays 0. Absent 0.

Mike presented the board with the Interlocal Cooperative Agreement for fully appropriated basins and the Coalition By-Laws between Central Platte NRD, Lower Republican NRD, Middle Republican NRD, North Platte NRD, South Platte NRD, Tri-Basin NRD, Twin Platte NRD, Upper Niobrara White NRD, Upper Republican NRD and the NARD.

Motion #17 by Brad Wulf seconded by Toby tenBensel to approve the Nebraska Appropriated Basin Coalition Interlocal Cooperation Agreement and By-Laws and to appoint Mike Clements as the District Representative and Nelson Trambly as the alternate. Motion carried. Ayes 8 – Tim Kahrs, Marlin Murdoch, Roger Nelson, Toby tenBensel, Nelson Trambly, Brad Wulf, Clark Andrews, Dave Bartels, Terry Hoit. Nays 2 - Bill Bose, Matt Harrison. Absent 0.

The meeting was adjourned at 4:47PM.

The next regularly scheduled board meeting will be February 12th, 2015 starting at 1:30PM with a public hearing.

Secretary

Date