

**Upper Republican Natural Resources District
Board of Directors Regular Meeting
February 3, 2009 at 7:30 p.m.
511 East 5th Street, Imperial, NE**

Agendas were sent to all Board Members and all others requesting agendas. Agendas were posted in the NRD Office in Imperial, the NRCS Offices in Grant and Imperial, and the FSA Office in Benkelman. The meeting was announced over KADL-Imperial, KRVN-Lexington and KOGA-Ogallala and published in area newspapers.

Board Members Present: Kerry Bernhardt, Tom Gaschler, Dean Large, Terry Martin, Mike Mosel, Greg Pelster, Tim Schilke, Tom Schroder, Mick Strand, Tom Terryberry and Jeff Wallin.

NRD Staff: Jasper Fanning, Dirk Dinnel and Deb Hayes.

NRD Legal Counsel: Joel Burke.

Others present: Nadine Bishop (NRCS), Traci Witthuhn(RR Basin Coordinator), Roger Stockton (SW RC & D) Gerald Coates, Stan Loeffler, Marlin Kunneman, Myron Kunneman, Jim Tomky, Delbert Bussell, Max Hoffmeister and Brad Edgerton.

Information mailed to Directors:

Agenda

Minutes of January 6, 2009 Regular Board meeting

Minutes of January 20, 2009 Special Board meeting

Transfer applications

Report of District applications,
contracts and agreements

Information distributed at Board meeting:

Agenda

Minutes of January 6, 2009 Regular Board meeting

Minutes of January 20, 2009 Special Board meeting

Financial reports

NRCS Reports

Transfer guidelines

Report of District applications,
contracts and agreements

Republican River Coalition report

Irrigation retirement program

Chairman Pelster called the meeting to order at 7:30 p.m.

Chairman Pelster announced that the Open Meetings Act is posted if anyone would like to review it.

OPEN FORUMS:

Guests, Board members and NRD staff were introduced.

Chairman Pelster moved the Public Comment under A. Groundwater Management/Rules & Regulation Item 1a.

MINUTES:

The Board reviewed the minutes of the January 6, 2009 Regular Board meeting.

- Martin moved to approve the minutes of the January 6, 2009 Regular Board meeting as mailed. Seconded by Large.

Roll call vote: 9-yes, 1-abstain, 1-absent. Motion carried.

The Board reviewed the minutes of the January 20, 2009 Special Board meeting.

- Terryberry moved to approve the minutes of the January 20, 2009 Special Board meeting as mailed. Seconded by Bernhardt.

Roll call vote: 7-yes, 3-abstain, 1-absent. Motion carried.

FINANCIAL REPORT:

The Manager presented the Financial Reports to the Board.

- Martin moved to pay the Accounts Payable and to accept the Treasurer's report. Seconded by Gaschler.

Discussion.

Roll call vote: 10-yes, 1-absent. Motion carried.

NRCS REPORT:

Nadine gave the NRCS report. Nadine reviewed the Mutual Agreement between USDA, The State of Nebraska and Upper Republican NRD and also reviewed the Cooperative Working Agreement between NRCS, USDA, The State of Nebraska and Upper Republican NRD with the Board.

- Terryberry moved to approve the NRCS report of planning activity dated February 2, 2009 to include the Conservation Plans as signed for Perkins and Dundy County. Seconded by Bernhardt.

Roll call vote: 11-yes. Motion carried.

Roger Stockton with Southwest RC & D gave a report to the Board on a tire grant for Chase County and the UNL research tree planting that will be done in Benkelman.

GROUNDWATER MANAGEMENT/RULES AND REGULATIONS:

Jasper and the Groundwater Control Committee discussed the transfer guidelines with the Board. Several guests discussed their thoughts on the transfer guidelines.

- Martin moved to set a Special Board meeting the week of February 15th to allow the Groundwater Control Committee to discuss the guidelines and present a proposal to the full Board at this meeting. Seconded by Terryberry.

Roll call vote: 10-yes, 1-no. Motion carried.

Voting yes: Bernhardt, Gaschler, Large, Martin, Pelster, Schilke, Schroder, Strand, Terryberry and Wallin. Voting no: Mosel.

- Martin moved to postpone action on George Seward's transfer application until the March Regular Board meeting. Seconded by Schilke.

Roll call vote: 11-yes. Motion carried.

Delbert Bussell and Wayne Lutz withdrew their transfer requests.

Chairman Pelster called a short recess at 8:43 p.m.

Chairman Pelster called the meeting back in session at 8:57 p.m.

VARIANCE COMMITTEE:

No report as Delbert Bussell withdrew his variance request.

REPORT OF DISTRICT APPLICATIONS, CONTRACTS, AGREEMENTS:

The Board reviewed the report of District applications, contracts and agreements.

- Terryberry moved to approve the URNRD report of District applications, contracts and agreements to include the NSWCP applications, pooling contracts, well decommissioning applications and the Board of Educational Lands Cooperative Agreements. Seconded by Martin.

Roll call vote: 11-yes. Motion carried.

LEGAL COUNSEL REPORT:

None.

MANAGER'S REPORT:

Republican River Basin meeting/Compact report:

Jasper reported that the states have exchanged information on the arbitration process and are in the process of reviewing this information.

Republican River Basin Coalition:

Traci gave the Republican River Basin Coalition report to the Board. Traci reviewed the budget report for the Coalition. Traci reported that the minutes for the NRRMDA meeting and the minutes for the Coalition meeting are in the packets. The next NRRMDA meeting and Coalition meeting will be held April 3rd in Imperial. The Coalition will be pursuing funding for a basin-wide water balance study.

Jasper reported on the letter Traci from Frenchman Cambridge Irrigation District with the Board. They are requesting an interest payment of \$374,763.81 as of January 23, 2009.

- Terryberry moved to go into executive session for possible litigation for 20 minutes with the Board, Manager, legal counsel and Traci Witthuhn present. Seconded by Gaschler.

Roll call vote: 11-yes. Motion carried.

The Board went into executive session at 9:23 pm.

- Terryberry moved to come out of executive session. Seconded by Bernhardt.

Roll call vote: 11-yes. Motion carried.

The Board came out of executive session at 9:47 pm.

Building Project:

Jasper reported that the windows have been fixed and painting has been started and should be completed next week.

District Irrigation Retirement Program:

Jasper and the Board reviewed the District irrigation retirement program. This program would allow people to retire certified acres that they don't want to irrigate and would not have to pay occupation tax on this. This will be an agenda item for the Special Board meeting.

Board room rental policy:

Joel and Deb have been working on this policy. Joel is advising the NRD to write some general policies for the room rental. Jasper discussed the rental rates with the Board.

Groundwater Coalition and Litigation:

Several NRD's formed the Groundwater Coalition years ago and the districts would like to get together for a meeting to discuss the Platte issues that are going on. Central Public Power and Irrigation district is asking the court to review the North Platte NRD's allocation they set on Pumpkin Creek. The Groundwater Coalition has approximately \$20,000 in its account and would like to offer the North Platte NRD some assistance.

ASSISTANT MANAGER'S REPORT:

Dirk gave the Board his report for the Chase County Hazard Mitigation public meeting. Dirk reviewed the plan with the Information and Education Committee earlier this evening.

- Strand moved to approve the project rankings for the hazard mitigation plan for Chase County and the Upper Republican NRD. Seconded by Mosel.

Roll call vote: 11-yes. Motion carried.

INFORMATION AND EDUCATION REPORT:

Mick gave the Information and Education Committee report.

- Strand moved to present awards to Lynn Flaming and Brett Bullock at the Pheasants Forever Banquet in Grant on February 28th. Seconded by Bernhardt.

Roll call vote: 11-yes. Motion carried.

LEGISLATION:

Jasper and the Board reviewed bills that were discussed at Legislative conference.

- Terryberry moved to direct manager to position the URNRD in bills as he deems necessary and best for the District in legislative matters. Seconded by Gaschler.

Roll call vote: 11-yes. Motion carried.

STATE ASSOCIATION:

Jeff was the NRD representative this year and discussed items from the NARD State Association Board meeting.

BOARD OF DIRECTORS:

Chairman Pelster turned the meeting over to Terry Martin.

Vice Chairman Martin asked for nominations for Chairman.

Tom Gaschler nominated Greg Pelster for Board Chairman.

- Large moved that nominations cease and elect Greg Pelster for Board chairman. Seconded by Schilke.

Roll call vote: 10-yes, 1-abstain. Motion carried.

Vice Chairman Martin turned the meeting back over to Chairman Pelster.

Chairman Pelster asked for nominations for Vice Chairman.

Tom Terryberry nominated Terry Martin for Board Vice Chairman.

- Bernhardt moved that nominations cease and elect Terry Martin for Board Vice Chairman. Seconded by Gaschler.

Roll call vote: 10-yes, 1-abstain. Motion carried.

Chairman Pelster asked for nominations for Secretary/Treasurer.

Tim Schilke nominated Tom Terryberry for Board Secretary/Treasurer.

- Martin moved that nominations cease and elect Tom Terryberry for Board Secretary/Treasurer. Seconded by Mosel.

Roll call vote: 10-yes, 1-abstain. Motion carried.

Chairman Pelster asked for nominations for NARD State Delegate.

Mike Mosel nominated Terry Martin for NARD State Delegate.

- Schilke moved that nominations cease and elect Terry Martin for NARD State Delegate. Seconded by Gaschler.

Roll call vote: 11-yes. Motion carried.

Chairman Pelster asked for nominations for NARD State Delegate alternate.

Terry Martin nominated Jeff Wallin for NARD State Delegate alternate.

- Bernhardt moved that nominations cease and elect Jeff Wallin for NARD State Delegate alternate. Seconded by Mosel.

Roll call vote: 10-yes, 1-abstain. Motion carried.

Chairman Pelster reviewed URNRD committees list and appointed Board members to the different Committees.

- Martin moved to retain the Coalition Committee as Greg Pelster and Jasper Fanning alternate. Seconded by Mosel.

Roll call vote: 10-yes, 1-abstain. Motion carried.

Jasper reported to the Board that there will be a conflict on the March meeting. The Board set the meeting date as March 5th at 7:30 pm.

Chairman Pelster adjourned the meeting at 10:47 pm. The next Regular Board meeting will be Thursday, March 5, 2009 at the NRD Office in Imperial starting at 7:30 pm.

Respectfully submitted

Tom Terryberry
Secretary/Treasurer