

**Upper Republican Natural Resources District
Board of Directors Regular Meeting
February 9, 2010 at 1:30 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, 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: Jim Schneider (DNR), Jesse Bradley (DNR), Stan Loeffler, Gary Lee (NRCS), Caleb Caton (NRCS), Joe Anderson (NRCS), Lloyd Smith, Larry Umberger, Roger Stockton, Gerald Coates, Shad Stamm, and Russ Pankonin. Jim Schneider, Jesse Bradley.

Information mailed to Directors:

Agenda
Minutes of January 14, 2010 Regular Board meeting
Variance information
Report of District applications, contracts and agreements

Information distributed at Board meeting:

Agenda	Report of District applications, contracts, agreements
Minutes of January 14, 2010 Regular Board meeting	
Financial reports	Draft IMP
NRCS information	50 yr SDF maps
Republican River Restoration Partners information	Republican River Basin Coalition
Variance information	LB 1056 & LB 1054

Chairman Pelster called the meeting to order at 1:34 pm.

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.

MINUTES:

- Terryberry moved to approve the minutes of the January 14, 2010 Regular Board meeting as mailed. Seconded by Martin.

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

FINANCIAL REPORT:

The Manager presented the Financial Reports to the Board.

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

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

NRCS REPORT:

Gary Lee gave the NRCS report this month. NRCS staff has finished working on CSP contracts and nine contracts were approved in the District. They are currently ranking EQIP applications. Nadine has been evaluating the stands in CREP fields as most of these contracts are in their 5th year and are scheduled for mid-contract management.

Wallin arrived at 1:42 p.m.

Roger Stockton with SW RC & D presented the Board with information on the Republican River Restoration Partners. The proposed project is to cut down invasive trees along the river and work on shore rehabilitation along the Swanson Reservoir and possibly Enders Lake. They would be asking the NRD's to assist with this project. Roger will present more information to the Board at the March meeting.

- Terryberry moved to approve the NRCS report of planning activity dated February 5, 2010 and to include the Conservation Plans as signed for Chase, Dundy and Perkins County. Seconded by Martin.

Roll call vote: 11-yes. Motion carried.

GROUNDWATER MANAGEMENT/RULES AND REGULATIONS:

Chairman Pelster moved agenda item A-1, Groundwater Management Plan, down to Manager's report Republican River Basin meeting report.

VARIANCE COMMITTEE:

Tim Schilke and Terry Martin gave the Variance Committee report.

Bruce Kramer is requesting a variance to retire the well on the SW ¼ of Section 26-5-36 and drill a new well on the NW ¼ of Section 4-4-36, Chase County, and transfer 126.7 certified acres from the SW ¼ of Section 26-5-36 to the NW ¼ of Section 4-4-36.

- Schilke moved to approve the variance request of Bruce Kramer to retire the well on the SW ¼ of Section 26-5-36 and drill a new well on the NW ¼ of Section 4-4-36, Chase County, and transfer 126.7 certified acres from the SW ¼ of Section 26-5-36 to the NW ¼ of Section 4-4-36. The transfer is effective today, is permanent and is for irrigation efficiency and water savings. Seconded by Bernhardt.

Discussion. It was noted that Rule 13.01, moratorium on new wells, is applicable to this variance.

Roll call vote: 11-yes. Motion carried.

Evelyn Stamm and Dallas Watkins are requesting to transfer 94.9 certified acres from the SE ¼ of Section 22-1-38 to the SE ¼ of Section 24-2-39 which would bring the total certified acres on the SE ¼ of Section 24-2-39 to 227.3. The remaining 23.7 certified acres on the SE ¼ of Section

22-1-38 would then be decertified. They would also have 39” of carry forward with the transferred acres.

- Martin moved to approve the variance request of Evelyn Stamm and Dallas Watkins to transfer 94.9 acres with 39” of carry forward from the SE ¼ of Section 22-1-38 to the SE ¼ of Section 24-2-39 which would bring the total certified acres on the SE ¼ of Section 24-2-39 to 227.3. The remaining 23.7 certified acres on the SE ¼ of Section 22-1-38 would then be decertified. This transfer is effective today, is permanent, and is for irrigation efficiency and water savings. Seconded by Strand.

Discussion.

Roll call vote: 11-yes. Motion carried.

REPORT OF DISTRICT APPLICATIONS, CONTRACTS, AGREEMENTS:

- Terryberry moved to approve the District applications, contracts and agreements dated February 9, 2010 to include the dissolve pooling contracts, pooling contracts and school land agreements. Seconded by Mosel.

Roll call vote: Motion carried.

LEGAL COUNSEL REPORT:

Joel gave the Legal Counsel report and reported that the LB 701 property tax refund has been presented to the Judge and we are waiting on a decision. Joel testified for the Republican River Basin NRD’s on Senators Christensen’s bill in regard to providing a refund to everyone that paid unconstitutional property tax.

REPUBLICAN RIVER BASIN MEETING/COMPACT REPORT:

Jim Schneider and Jess Bradley, with DNR, reviewed the draft IMP with the Board. The Negcom Committee and DNR representatives will be scheduling meetings or phone conferences to keep reviewing the IMP.

Chairman Pelster stepped out of the meeting at 3:30 p.m.

REPUBLICAN RIVER BASIN COALITION REPORT:

Traci Witthuhn was unable to attend the meeting today The Republican River Basin Coalition written report was presented to the Board. Jasper reviewed the discussion held at the NRRMDA and RRBC meetings.

ASSISTANT MANAGER’S REPORT:

Dirk reported to the Board that he has received Chase and Perkins Counties Hazard Mitigation plans for final approval. He had reviewed these plans and discussed them with the Information & Education Committee earlier.

- Strand moved to approve resolution 20100209-2 for Chase County Hazard Mitigation. Seconded by Schilke.

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

- Strand moved to approve resolution 20100209-1 for Perkins County Hazard Mitigation. Seconded by Bernhardt.

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

Dirk also reported that the NRD did not receive the Environmental Trust grant for end gun removal.

INFORMATION AND EDUCATION REPORT:

The Information & Education Committee reviewed the request of trees from the Benkelman Tree Board.

- Strand moved to donate the 200 trees to Benkelman Tree Board for their Arbor Day celebration. Seconded by Gaschler.

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

Pelster returned to the meeting at 3:52 p.m.

LEGISLATION:

Jasper reported that Senator Christensen's bill LB 862 went fairly well. The hearings for LB 1054 and LB 1056 are to be held tomorrow. Tom Terryberry, Greg Pelster and Jasper will be going down to testify on these bills.

- Mosel moved to have Tom Terryberry and Greg Pelster to testify at Lincoln in opposition of LB 1054 and LB 1056. Seconded by Gaschler.

Roll call vote: 11-yes. Motion carried.

STATE ASSOCIATION:

Greg and the Board extended their congratulations to Terry Martin for being elected Secretary/Treasurer of the NARD Board of Directors. Terry reported that NARD is working hard on Legislative issues.

Wallin left at 4:17 p.m.

BOARD OF DIRECTORS:

The NARD Washington DC trip will be March 5th through March 11th and Jasper and Tom Gaschler are interested in attending.

- Terryberry moved to approve Tom Gaschler and Jasper Fanning to attend the Washington DC trip from March 5th until March 11th. Seconded by Schilke.

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

The March Board meeting was discussed. The March Board meeting will be held March 1, 2010 at 1:30 p.m. at the NRD Office.

Chairman Pelster adjourned the meeting at 4:33 p.m. The next Regular Board meeting will be Monday, March 1, 2010 at the NRD Office in Imperial starting at 1:30 p.m.

Respectfully submitted

Tom Terryberry
Secretary/Treasurer