

**Upper Republican Natural Resources District  
Board of Directors Regular Meeting  
July 1, 2008 at 7:30 p.m.  
135 West 5<sup>th</sup> Street, Imperial, NE**

Agendas were mailed 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, Donn Gengenbach, Dean Large, Terry Martin, Mike Mosel, Greg Pelster, Tim Schilke, Mick Strand, Tom Terryberry and Jeff Wallin.

**NRD Staff:** Jasper Fanning and Deb Hayes.

**NRD Legal Counsel:** Joel Burke.

**Others present:** Nadine Bishop (NRCS), Traci Witthuhn (RR Basin Coordinator) and Duane Dinnel.

**Information mailed to Directors:**

Agenda  
Minutes of June 3, 2008 Regular Board meeting  
Transfer application  
Report of District applications, contracts, agreements  
Goals for Hazard Mitigation Plan

**Information distributed at Board meeting:**

Agenda	Transfer request
Minutes of June 3, 2008 Regular Board meeting	Report of District applications & contracts
Financial reports	Republican River Basin Coalition report
Draft budget	Hazard Mitigation information
NRCS report	

Chairman Pelster called the meeting to order at 7:38 p.m.

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

**OPEN FORUMS:**

Guests, NRCS staff, Board members and NRD staff were introduced.

**MINUTES:**

- Terryberry moved to approve the minutes of the June 3, 2008 Regular Board meeting as mailed. Seconded by Mosel.

Roll call vote: 10-yes, 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 Gengenbach.

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

Jasper reviewed the FY 08-09 draft budget and salary budget with the Board. Jasper has done employee evaluations and the Executive Committee has done Jasper evaluation.

- Terryberry moved that the recommendation of the Executive Committee is to set Jasper Fanning's salary at \$107,500.00. Seconded by Martin.

Discussion.

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

- Gengenbach moved to adopt the FY 08-09 employee wages of \$492,000.00. Seconded by Bernhardt.

Discussion.

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

## **NRCS REPORT:**

Nadine Bishop gave the NRCS report. NRCS staff has been doing filed work and status reviews. Nadine also reported that CRP has been open for critical feed use for haying or grazing.

- Terryberry moved to approve the NRCS report of planning activity for the URNRD dated July 1, 2008 to include the Conservation Plans as signed for Chase, Dundy and Perkins County. Seconded by Strand.

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

## **GROUNDWATER MANAGEMENT/RULES AND REGULATIONS:**

The Groundwater Committee met with Duane Dinnel to discuss his transfer request. Duane Dinnel is requesting to transfer 49 certified irrigated acres from the SW ¼ 2-7-36 (27.7 ac) and the N ½ 11-7-36 (21.3 ac) to Tom Luhrs on the SE ¼ 15-6-37.

Jeff Wallin arrived at 8:22 p.m.

- Martin moved to allow the request of Duane Dinnel to transfer 49 certified irrigated acres from the SW ¼ 2-7-36 and the N ½ 11-7-36 to land presently owned by Tom Luhrs on the SE ¼ 15-6-37 with the following qualifiers and conditions: 1. Effective date of January 1, 2008; 2. Transfer carry forward in the equivalent of 3 years of average annual allocation, or the actual amount of carry forward associated with the 49 acres whichever is less; 3. Certified irrigated acres be moved out of the quick response area; 4. Certified irrigated acres be moved to acres already being irrigated. Seconded by Schilke.

Discussion.

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

Jasper discussed a District allocation retirement program with the Board.

### **REPORT OF DISTRICT APPLICATIONS, CONTRACTS, AGREEMENTS:**

The Board reviewed the District applications, contracts and agreements.

- Martin moved to approve the report of District applications, contracts and agreements dated July 1, 2008. Seconded by Gaschler.

Roll call vote: 11-yes. Motion carried.

### **LEGAL COUNSEL REPORT:**

Joel had no business to report this evening.

Jasper discussed the LB 701 litigation with the Board.

- Martin moved that the URNRD go on record for support for appeal on LB 701 litigation. Seconded by Mosel.

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

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

### **REPUBLICAN RIVER BASIN COALITION REPORT:**

Tracy Witthuhn gave the Republican River Basin Coalition report. Traci gave a brief summary on each item that was in her written report. The board reviewed the suggestions made by each NRD on how to handle Coalition expenses.

### **BUILDING PROJECT:**

Jasper and the Board reviewed the two options on the change order request for cabinets, plumbing and outlets in the new building.

- Martin moved to approve the change order request #2, option #2, to receive a credit of \$987.00. Seconded by Terryberry.

Roll call vote: 11-yes. Motion carried.

### **ASSISTANT MANAGER'S REPORT:**

Jasper reviewed the Hazard Mitigation projects with the Board. Dirk had met with the Information & Education committee and reviewed the potential hazards for Perkins County. These were then presented to JEO and they suggested adding a few general projects.

### **INFORMATION AND EDUCATION REPORT:**

Mick Strand reported the Information & Education committee will meet after the board meeting to choose a candidate for the conservation award.

### **LEGISLATION:**

Jasper and the Board discussed how to handle the repayment of taxes if LB 701 is declared unconstitutional.

Jasper attended the hearing in North Platte on qualifications for the Director's position and Nebraska Department of Natural Resources.

**BOARD OF DIRECTORS:**

Tom Gaschler attended the meeting on the open meetings law act and reviewed the information with the Board.

Chairman Pelster adjourned the meeting at 9:05 pm. The next Regular Board meeting will be Tuesday, August 5, 2008 at the NRD Office in Imperial starting at 7:30 p.m.

Respectfully submitted

Tom Terryberry  
Secretary/Treasurer