

**Upper Republican Natural Resources District
Board of Directors Regular Meeting
September 1, 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), Gerald Coates, Stan Loeffler, Scott Hogeland, Jerry Fries, Scott Olson, Robert Tigner, Jason Friederick, James Uerling, Brad Edgerton, and Russ Pankonin.

Information mailed to Directors:

Agenda	Report of District applications, contracts, agreement
Minutes Regular Board meeting 8-18-09	Board Retreat information
Minutes Board Retreat 8-20-09	

Information distributed at Board meeting:

Agenda	Report of District applications, contracts, agreement
Minutes of Regular Board meeting 8-18-09	Republican River Basin Coalition report
Minutes Board Retreat 8-20-09	Transfer of certified irrigated acres form
Financial reports	Nebr. Environmental Trust Fund grant application
Budget information	URNRD Resolution
NRCS reports	

Chairman Pelster opened the FY 2009-2010 Budget Hearing at 7:35 p.m.

Joel Burke is the hearing officer this evening. Joel reviewed the exhibits that were submitted for the hearing. The hearing order will be any Board members, governmental agency officials and then the public.

Chairman Pelster opened the FY 2009-2010 Levy hearing at 7:37 p.m.

Chairman Pelster asked if there were any Board members that had any testimony. Tom Gaschler, Budget Committee chairman asked that Jasper review the budget for everyone. Jasper reviewed the budget and the levy with Board members and the public. Chairman Pelster asked for any testimony from any governmental agency. Scott Olson, representing himself, testified on the budget and levy hearings concerning the occupation tax. Scott Olson, Chairman for the Dundy County Commissioners, testified on the budget and levy hearing concerning the occupation tax.

Chairman Pelster asked for any more testimony on the budget or the levy hearing. At this time there was none.

Chairman Pelster announced that the both hearings will remain open until later in the Regular Board meeting.

Chairman Pelster called the meeting to order at 7:52 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 Regular Board meeting as corrected. Seconded by Martin.

Roll call vote: 11-yes. Motion carried.

- The correction is on motion #5 there was no second on the motion. The motion should read: Seconded by Bernhardt.

- Mosel moved to approve the minutes of the August 20, 2009 as mailed. Seconded by Strand.

Roll call vote: 10-yes, 1-abstain. 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 Terryberry.

Roll call vote: 11-yes. Motion carried.

BUDGET COMMITTEE:

Chairman Pelster reminded everyone that the FY 2009-2010 Budget and Levy hearings are still open. Jasper reviewed some of the figures that were given out for Dundy County. Jasper reviewed the draft resolutions with the Board. Chairman Pelster asked for any other testimony and there was none.

Chairman Pelster closed the FY 2009-2010 Budget and Levy Hearings at 8:04 pm.

- Gaschler moved to adopt Resolution UR-2009-09-01-01, the FY 2009-2010 Property tax request and Levy Resolution as presented. Seconded by Martin.

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

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

- Gaschler moved to adopt resolution UR-2009-09-01-02, the FY 2009-2010 Occupation tax resolution as presented. Seconded by Strand.

Discussion.

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

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

Jasper reported to the Board that the District Court in Lancaster County has scheduled the hearing trial for the occupation tax for December 14th and post trial briefs to be submitted by December 30th.

Mr. Olson asked that it be on record he was offended.

➤ Gaschler moved to adopt the FY 2009-2010 Budget as published. Seconded by Martin. Roll call vote: 10-yes, 1-no. Motion carried.
Voting yes: Bernhardt, Gaschler, Large, Martin, Mosel, Pelster, Schilke, Schroder, Strand and Terryberry. Voting no: Wallin.

NRCS REPORT:

Nadine Bishop gave the NRCS report this month. Nadine gave a Conservation Stewardship Program update and also discussed the EQIP cooperative conservation partnership initiative.

- Terryberry moved to approve the NRCS report of planning activity dated 9-1-09 to include the Conservation Plans as signed for Chase, Dundy and Perkins County noting that the Terry Martin listed is from Holyoke. Seconded by Schilke.

Discussion.

Roll call vote: 11-yes. Motion carried.

REPORT OF DISTRICT APPLICATIONS, CONTRACTS, AGREEMENTS:

- Terryberry moved to approve the report of District applications, contracts and agreements to include the School Land Cooperative Agreements. Seconded by Martin.

Roll call vote: 11-yes. Motion carried.

LEGAL COUNSEL REPORT:

Joel reported to the Board on the possibility of combining the three lawsuits into one. There was a chemigation violation that will be turned over to the County Attorney.

REPUBLICAN RIVER BASIN MEETING/COMPACT REPORT:

Jasper reported that DNR is having consultants review the assumptions they had made and the techniques they were using. They had to complete the model runs and analysis to generate a stream flow depletion factor map based on the compact model. Until that is refined we won't know how effective regulation will be in water short years in terms of compliance.

REPUBLICAN RIVER BASIN COALITION REPORT:

Traci gave the Republican River Basin Coalition report to the Board. Traci's report included a Coalition budget report, draft agenda for the upcoming NRRMDA meeting and a litigation report.

BUILDING PROJECT:

Jasper discussed the hail damage on the roof and on the stucco. The roof will probably be done next spring but hope to fix the stucco on the building this fall. The planter is done and the technicians will be starting on the sign next.

FORM/FEE FOR TITLE LIEN SEARCH:

The Board reviewed the draft form that Joel has put together for transfers of certified irrigated acres. The Board will need to set the fees for the district's time.

- Mosel moved that the URNRD Board charge the same fees as the statutory fees and an additional \$10.00 per tract for the Districts time. Seconded by Martin.

Roll call vote: 11-yes. Motion carried.

ASSISTANT MANAGER'S REPORT:

Dirk presented the Nebraska Environmental Trust fund grant with end gun removal that Traci and he have been working on.

- Martin moved to direct management to proceed with the Nebraska Environmental Trust Fund application for end gun removal as presented by the Assistant Manager. Seconded by Gaschler.

Roll call vote: 11-yes. Motion carried.

Dirk reported that the Perkins County Hazard Mitigation plan should be approved soon.

INFORMATION AND EDUCATION:

Jasper reviewed the draft resolution with the Executive Committee on the position related to ongoing water policy discussions.

- Gaschler moved to adopt the URNRD resolution position for ongoing water policy discussions. Seconded by Strand.

Roll call vote: 11-yes. Motion carried.

The interim study hearings will be held in October.

BOARD OF DIRECTORS:

The Board needs to elect a voting delegate and alternate for NARD Conference.

- Gaschler moved to appoint Terry Martin as the voting delegate and Tom Gaschler as alternate at NARD conference. Seconded by Mosel.

Roll call vote: 11-yes. Motion carried.

Deb needs to know who will be attending NARD Conference in Kearney.

The interim study hearings will be held in October.

Chairman Pelster adjourned the meeting at 9:13 pm.

Respectfully submitted

Tom Terryberry
Secretary/Treasurer