

**Upper Republican Natural Resources District  
Board of Directors Regular Meeting  
December 1, 2009 at 7:30 p.m.  
511 East 5<sup>th</sup> 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, Tom Terryberry and Jeff Wallin.

**Board Members Absent:** Mick Strand.

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

**NRD Legal Counsel:** Joel Burke.

**Others present:** Nadine Bishop (NRCS), Traci Witthuhn (RR Basin Coordinator), Stan Loeffler, Roger Stockton, Brendon Barger, Brad Edgerton, Russ Pankonin, and Robert Tigner.

**Information mailed to Directors:**

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| Agenda   | NRCS agreement |
| Minutes of the November 12, 2009 Board meeting | Audit report   |

**Information distributed at Board meeting:**

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| Agenda   | SW RC & D annual report            |
| Minutes of November 12, 2009 Regular Board meeting | Republican River Basin Coalition   |
| Financial reports                                  | Legal Counsel Information          |
| NRCS report  | NARD Legislative Conference agenda |

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.

**MINUTES:**

- Gaschler moved to approve the minutes of the November 12, 2009 Regular Board meeting as mailed. Seconded by Martin.

Roll call vote: 8-yes, 1-abstain, 2-absent. Motion carried.

Wallin arrived at 7:36 p.m.

**FINANCIAL REPORT:**

The Manager presented the Financial Reports to the Board.

- Martin moved to pay the Accounts Payable and to accept the Treasurers report. Seconded by Schilke.

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

The audit report was mailed to the Board before the meeting for them to review.

- Martin moved to approve the FY 08-09 audit report. Seconded by Terryberry.

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

**NRCS REPORT:**

Nadine gave the NRCS report. Nadine gave an update on the Conservation Stewardship program and they will have a new Biologist starting next week. Nadine reviewed the acknowledgement of section 1619 compliance with the Board.

- Gaschler moved to approve the NRCS, USDA acknowledgment of section 1619 compliance. Seconded by Mosel.

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

- Terryberry moved to approve the NRCS report of planning activity dated December 1, 2009 and to include the Conservation Plans as signed for Chase and Dundy County. Seconded by Martin.

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

Roger Stockton reviewed the SW RC & D annual report with the Board.

**GROUNDWATER MANAGEMENT/RULES AND REGULATIONS:**

Jasper and the Groundwater Committee have discussed updating the Groundwater Management plan with current information. Jasper will present a proposal at the January Board meeting.

**LEGAL COUNSEL REPORT:**

Joel reported that he is waiting for a stipulation from Lower Republican NRD. As soon as he receives this a hearing date should be set for the LB 701 property tax lawsuit and possibly will have a decision by the January Board meeting.

**REPUBLICAN RIVER BASIN MEETING/COMPACT REPORT:**

Greg and Dirk reported on the Basin meeting they attended yesterday. This meeting was in conjunction with DNR’s forecast meeting. It was reported that 2010 will not be a water short year. Red Willow dam is going to be drained due to a crack in the dam. The Board discussed the dam with Brad Edgerton.

**REPUBLICAN RIVER BASIN COALITION REPORT:**

Traci gave the Republican River Basin Coalition report. Traci reviewed the financial report, minutes of the NRRMDA meeting, weed management and the water balance study.

**BUILDING REPORT:**

Jasper reviewed the progress of the sign for the building.

**WATER SHORT YEAR COMPLIANCE OPTIONS:**

Jasper reported that DNR has asked for a letter with what option the NRD Board would want to move forward with.

- Martin moved to direct management to prepare a letter to send to DNR summarizing the District’s intent regarding the IMP and showing support for Option #3 and to also mention funding. Seconded by Large.

Discussion.

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

**LEGAL COUNSEL INTERVIEWS:**

Jasper and the Executive Committee interviewed 3 legal firms. The Executive Committee recommends that the Board hire Dave Bargaen and Mark Fahleson with Rembolt Ludtke.

- Martin moved to hire Rembolt Ludtke legal firm to assist Joel with legal matters for the amount of \$175 per hour. Seconded by Bernhardt.

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

**USGS RECORDER WELL CONTRACT:**

Jasper reviewed the USGS recorder well contract with the Board. The contract amount is \$15,480 and the URNRD half is \$8160.

- Terryberry moved to approve the USGS recorder well contract for the amount of \$8160. Seconded by Gaschler.

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

**STATE ASSOCIATION:**

Terry Martin gave the State Association report. There is a vacancy on the Board due to a death. The 2010 NARD Legislative Conference will be held January 26<sup>th</sup> & 27<sup>th</sup> at Embassy Suites in Lincoln. Deb will need to know at the January Board meeting who is planning to attend.

Chairman Pelster adjourned the meeting at 9:01 p.m. The next Regular Board meeting will be Thursday, January 14, 2010 at the NRD Office in Imperial starting at 7:30 p.m.

Respectfully submitted

Tom Terryberry  
Secretary/Treasurer