

Agenda Item: 6.

Memo to: Personnel, Legislative and Public Affairs Subcommittee

Subject: Nebraska Association of Resources Districts 2017 Resolutions

Date: September 5, 2017

From: John Winkler



The following resolutions are to be voted on at the Nebraska Association of Resources District's 2017 Meeting:

**NARD Resolution 2017-1: Natural Disaster Assistance Funding Through NEMA. Submitted by Little Blue NRD.** Recommendation that the Nebraska Association of Resource Districts seek changes in the "State of Nebraska's Guidelines for Public Officials" regarding public disaster declarations that provide that Improvement Project Areas which have been established by Natural Resources Districts for the public good, and for which no public tax money is being invested for the construction, operation, maintenance and management of such project, shall be eligible for reimbursement of a portion of the repair costs from NEMA when such projects are damaged by natural disasters and meet all other eligibility requirements.

**NARD Resolution 2017-2: Surface Water Leasing For Groundwater Recharge. Submitted by Tri-Basin NRD.** Recommendation that the Nebraska Association of Resources Districts seek changes in Nebraska statutes or state rules and regulations that will streamline and simplify the process of surface water rights leasing.

**Recommendation that the Subcommittee recommend to the Board of Directors that the NARD Voting Delegate and/or Alternate be authorized to vote to Support Resolution 2017-1: Natural Disaster Assistance Funding through NEMA and vote to Support Resolution 2017-2: Surface Water Leasing for Groundwater Recharge, at the 2017 NARD Annual Conference.**



Nebraska's  
Natural Resources  
Districts

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August 21, 2017

TO: NARD Board and NRD Managers

FROM: Dean E. Edson, Executive Director

**RE: 2017 ANNUAL CONFERENCE RESOLUTIONS**

Attached are two resolutions that have been submitted to NARD for consideration at the 2016 Annual Conference as of August 18, 2017, which is the deadline for resolutions. Additional resolutions submitted, if any, will require 2/3rds vote of the delegates to be considered at the annual meeting.

The 2016 voting delegate list is on page 2. This is the list from last year's meeting. Please check the delegate list and provide any changes to our office September 15, 2017. The voting procedures to be used at the conference are on page 3.

**Resolutions submitted by the August 18, 2017 deadline**

1. ***NARD Resolution 2017-1 – NATURAL DISASTER ASSISTANCE FUNDING THROUGH NEMA. Submitted by Little Blue NRD.***
2. ***NARD Resolution 2017-2 - - SURFACE WATER LEASING FOR GROUNDWATER RECHARGE. Submitted by Tri-Basin NRD.***

**Voting Delegate and Alternate  
For  
2016 Annual Conference**

	<b>DELEGATE</b>	<b>ALTERNATE</b>
<b>Central Platte NRD</b>	<b>Jim Bendfeldt</b>	<b>Jay Richeson</b>
<b>Lewis &amp; Clark NRD</b>	<b>Marcel Kramer</b>	<b>Jeff Steffen</b>
<b>Little Blue NRD</b>	<b>Lyle Heinrichs</b>	<b>Chuck Rainforth</b>
<b>Lower Big Blue NRD</b>	<b>Doug Stokebrand</b>	<b>Steve Kelley</b>
<b>Lower Elkhorn NRD</b>	<b>Kurt Janke</b>	<b>Bob Huntley</b>
<b>Lower Loup NRD</b>	<b>Dean Rasmussen</b>	<b>Virgil Gellermann</b>
<b>Lower Niobrara NRD</b>	<b>Diana Wendt</b>	<b>Jack Engelhaupt</b>
<b>Lower Platte North NRD</b>	<b>Bob Hilger</b>	<b>John Hannah</b>
<b>Lower Platte South NRD</b>	<b>Larry Ruth</b>	<b>Milt Schmidt</b>
<b>Lower Republican NRD</b>	<b>Roger Nelson</b>	<b>Nelson Trambly</b>
<b>Middle Niobrara NRD</b>	<b>Dean Jochem</b>	<b>Marty Graff</b>
<b>Middle Republican NRD</b>	<b>Shane Rippen</b>	<b>Joe Anderjaska</b>
<b>Nemaha NRD</b>	<b>Orval Gigstad</b>	<b>Duane Sugden</b>
<b>North Platte NRD</b>	<b>Jerry Dillman</b>	<b>Dave Ostdiek</b>
<b>Papio-Missouri River NRD</b>	<b>Rich Tesar</b>	<b>Tim Fowler</b>
<b>South Platte NRD</b>	<b>Larry L Rutt</b>	<b>Bill Halligan</b>
<b>Tri-Basin NRD</b>	<b>Dave Raffety</b>	<b>Larry Reynolds</b>
<b>Twin Platte NRD</b>	<b>Robert Petersen</b>	<b>Dennis Schilz</b>
<b>Upper Big Blue NRD</b>	<b>Larry Moore</b>	<b>Ronda Rich</b>
<b>Upper Elkhorn NRD</b>	<b>Dale Wiles</b>	<b>Ted Hughes</b>
<b>Upper Loup NRD</b>	<b>Judy Ridenour</b>	<b>Bobbie Jo Christensen</b>
<b>Upper Niobrara White NRD</b>	<b>Tod Dorshorst</b>	<b>Scott Berndt</b>
<b>Upper Republican NRD</b>	<b>Tom Gaschler</b>	<b>Terry Martin</b>

## RESOLUTION & VOTING PROCEDURES

1. **Each NARD member district that is in good standing shall be able to submit resolutions for consideration by the Association membership on policy issues pertinent to the mission and goals of the Association. A majority of the 23 districts shall constitute a quorum.**
2. **The voting delegate for the member district, or the alternate in the case of the delegate's absence, shall be the only individual to make the motion on behalf of their respective district. Any district representative may speak on the merits of a motion or issue during the discussion period once recognized by the chair.**
3. **We encourage more information on the issues. However, a non-voting participant may only speak on an issue and/or provide additional information at the request of a voting delegate of a district in good standing or at the request of the chair.**
4. **A copy of all resolutions submitted to the NARD Office prior to the Annual Meeting is included in the Resolutions Packet. Resolutions received by the deadline require a majority of the members voting for consideration. Resolutions received after the deadline must follow 5.b. below.**
5. **Additional resolutions may be submitted for consideration at the first Business Session at the Annual Conference for discussion provided that:**
  - a) **The member district is responsible for providing enough copies so members may read the resolution before discussion begins.**
  - b) **If 2/3 of the members voting approve the Motion to place the resolution before the body, the resolution shall be added to the agenda for consideration (example: 2/3rds of 115 = 77).**
6. **Resolutions shall be discussed and motions shall be made at the 1<sup>st</sup> Business Session. No final voting for approval of resolutions shall be taken on the first day. This provides discussion time at caucus before final approval.**
7. **Motions/resolutions shall be voted on at the 2<sup>nd</sup> Business Session.**
8. **Amendments may be made on either the first or second day during the Business Session. A written copy of the amendment(s) must be provided to the Chairman of the Legislative Committee.**
9. **Each member district shall have five votes.**
10. **To help avoid any distractions during the Business Session, all cell phones must be silenced during the session. Anyone whose cell phone rings during the Business Session will be fined \$5 for each occurrence and proceeds will be contributed to the NARD Foundation Account. Contributions to the NARD Foundation are tax deductible.**

**NARD Resolution 2017-1**

**NATURAL DISASTER ASSISTANCE FUNDING THROUGH NEMA  
Submitted by Little Blue NRD**

**WHEREAS**, natural disasters in Nebraska are a common occurrence and can cause significant damage to private and public infrastructure and facilities and;

**WHEREAS**, Natural Resources Districts were formed in 1972 and given authority to establish Improvement Project Areas (IPAs) for the purpose of creating projects with “special benefits” with “the costs of construction, capital improvement or operation and maintenance involved in such special benefits portions of a project (to be) recovered by special assessments” to the beneficiaries of such projects; and

**WHEREAS**, rural water districts were established under the Improvement Project Area Statutes 2-3252 through 2-3254.07 and no new rural water districts were to be constructed after the formation of natural resources districts without natural resources district’s assistance and oversight, and;

**WHEREAS**, some NRD sponsored rural water projects operate entirely as self-supporting entities and no tax monies are used to operate and maintain such projects; further such projects pay sales tax for all materials and supplies and are not sales tax exempt as the natural resources districts are; and

**WHEREAS**, interpretations by the Nebraska Emergency Management Agency (NEMA) renders rural water districts ineligible for reimbursement for significant project repairs caused by natural disasters simply because they are under the control of natural resources districts; and

**NOW THEREFORE BE IT RESOLVED**, the Nebraska Association of Resource Districts seek changes in the “State of Nebraska’s Guidelines for Public Officials” regarding public disaster declarations that provide that Improvement Project Areas which have been established by Natural Resources Districts for the public good, and for which no public tax money is being invested for the construction, operation, maintenance and management of such project, shall be eligible for reimbursement of a portion of the repair costs from NEMA when such projects are damaged by natural disasters and meet all other eligibility requirements.

*Monday Business Session: Motion \_\_\_\_\_ Second: \_\_\_\_\_*

*Other: \_\_\_\_\_*

*Amendment No. 1: \_\_\_\_\_*

*Amendment No. 2: \_\_\_\_\_*

*Tuesday Business Session: \_\_\_\_\_*

*Amendment No. 1: \_\_\_\_\_*

*Amendment No. 2: \_\_\_\_\_*

**NARD Resolution 2017-2**

**SURFACE WATER LEASING FOR GROUNDWATER RECHARGE  
Submitted by Tri-Basin NRD**

**WHEREAS**, Nebraska’s surface water resources are limited and variable and

**WHEREAS**, groundwater is Nebraska’s greatest asset and

**WHEREAS**, underground storage of water is more economical than building dams and reservoirs and

**WHEREAS**, storing water underground does not result in any evaporation loss, recharges aquifers and augments stream baseflows and

**WHEREAS**, many surface water irrigation water right holders also utilize groundwater for irrigation and

**WHEREAS**, such adaptive management of water resources is critical to ensure the sustainability of both surface water and groundwater resources and

**WHEREAS**, many surface water right holders would be willing to allow their surface water supplies to be leased for groundwater recharge under certain conditions if they are adequately compensated;

**NOW THEREFORE BE IT RESOLVED**, that the Nebraska Association of Resources Districts will seek changes in Nebraska statutes or state rules and regulations that will streamline and simplify the process of surface water rights leasing.

**Motion** \_\_\_\_\_ **Second:** \_\_\_\_\_  
**Other** \_\_\_\_\_

**Amendment No. 1:** \_\_\_\_\_  
**Amendment No. 2:** \_\_\_\_\_

**Tuesday Business Session:** \_\_\_\_\_  
**Amendment No. 1:** \_\_\_\_\_  
**Amendment No. 2:** \_\_\_\_\_