

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting  
March 11, 2004

The Twin Platte Natural Resources District Board of Directors meeting was held at the United Nebraska Bank Center Meeting Room, Second Floor, West Wing, 111 South Dewey Street, North Platte, Nebraska on March 11, 2004. Mr. Rubenthaler called the meeting to order at 3:09 p.m. CST (2:09 p.m. MST). A legal notice of the meeting was published in the NORTH PLATTE TELEGRAPH. A news release containing the agenda for the meeting and including the time and place was sent to the news media in the District.

BOARD MEMBERS PRESENT

Eric Hansen  
James Meismer  
Robert Petersen  
Jim Rubenthaler  
Dennis Schilz  
Douglas Stack  
Jerry Weaver  
Robert Wiseman

BOARD MEMBERS ABSENT

Jeff Baldrige  
Todd Kramer  
Joe Wahlgren

OTHERS PRESENT

Dennis Brown  
Ken Niedan  
Roric Paulman  
Mike Wheeler, Sargent Irrigation  
Frank Kwapnioski, Nebraska Public Power District

NRCS PERSONNEL PRESENT

Mary Reece, District Conservationist  
Jay Rezek, Civil Engineer

STAFF PRESENT

Bill Carhart, Range Programs Coordinator  
Amy Mapes, Administrative Assistant  
Kent O. Miller, General Manager

ANNOUNCEMENTS

Report of Directors Excused - Mr. Rubenthaler reported that Mr. Baldrige, Mr. Kramer, and Mr. Wahlgren were excused.

DISTRIBUTION OF INFORMATION TO BOARD OF DIRECTORS

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Directors Notebooks Containing Information Items Available for Handout - Mr. Rubenthaler reported that each Director has a notebook containing information items that are available for handouts for others attending the meeting.

Other Items - Mr. Rubenthaler reported that notebooks containing the USDA Natural Resources Conservation Service Conservation Plans signed by the General Manager, as the Twin Platte Natural Resources District representative, were available for information and that the notebooks would be passed around the Board table for review by each member of the Board of Directors present.

PUBLIC FORUM

Mr. Rubenthaler opened the Public Forum of the meeting.

Public comments were heard from Ken Niedan. Mr. Niedan requested that the Board, when managing ground water, consider the Nebraska Statutes in regard to the preference in the use of ground water.

*Nebraska Statute 46-613 - Ground water; declaration of policy; preference in use.*

*Preference in the use of ground water shall be given to those using the water for domestic purposes. They shall have preference over those claiming it for any other purpose. Those using the water for agricultural purposes shall have the preference over those using the same for manufacturing or industrial purposes.*

*As used in this section, (1) domestic use of ground water shall mean all uses of ground water required for human needs as it relates to health, fire control, and sanitation and shall include the use of ground water for domestic livestock as related to normal farm and ranch operations and (2) agricultural purposes shall include, but not be limited to, aquaculture as defined in section 2-3804.01.*

Public comments were heard from Roric Paulman.

Public comments were heard from Dennis Brown.

Public comments were heard from Frank Kwapnioski.

Mr. Rubenthaler closed the Public Forum.

AGENDA MODIFICATION

None presented.

GENERAL INFORMATION

No report presented.

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BOARD OF DIRECTORS MEETINGS

Minutes for February 12, 2004 Meeting - Mr. Rubenthaler reported that the Minutes for the February 12, 2004 Board of Directors meeting were in the Directors' packet and he asked if there were corrections or additions to the Minutes.

Mr. Petersen moved that the Minutes of the February 12, 2004 Board of Directors meeting be approved. Mr. Wiseman seconded the motion, and it carried. (Motion #1)

AYE: Hansen, Petersen, Rubenthaler, Stack, Weaver, Wiseman

NAY: None

ABSENT: Baldridge, Kramer, Meismer, Schilz, Wahlgren

COOPERATING AGENCIES REPORTS

USDA Natural Resources Conservation Service - District Conservationist Report – Mrs. Reece distributed a written report and she reviewed the report. Mrs. Reece reported on the Environmental Quality Incentive Program (EQIP) Local Work Group meeting held on March 3, 2004. Mrs. Reece distributed a map showing the land in the Twin Platte Natural Resources District that has benefited from EQIP contracts from 1997 through 2003. Mrs. Reece distributed information for a Prescribed Burn School, which will be held March 29, 2004 in Ainsworth, NE. Mrs. Reece reported on the Keith County Emergency Watershed Protection project.

Nebraska Natural Resources Commission – South Platte River Basin Caucus – Mr. Miller reported that the South Platte River Basin caucus was held on March 1, 2004 and that Keith Rexroth was elected to serve on the Nebraska Natural Resources Commission and represent the South Platte River Basin. Mr. Miller reported that Mr. Rexroth resides in the South Platte Natural Resources District and is a current member of the South Platte Natural Resources District Board of Directors. Mr. Miller that Robert Petersen, who resides in the Twin Platte Natural Resources District and is a current member of the Twin Platte Natural Resources District Board of Directors, was also a candidate.

Other Agencies - No report presented.

SUBCOMMITTEE MEETINGS REPORT

Land Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Water Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

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Wildlife Habitat & Urban Affairs Subcommittee

Mr. Weaver, Wildlife Habitat & Urban Affairs Subcommittee Chairperson, reported that the Wildlife Habitat & Urban Affairs Subcommittee met prior to the Board of Directors meeting and he presented a report.

Wildlife Habitat Programs – WILD Nebraska Program - Mr. Weaver reported that in the Directors’ notebook and available as a handout was the information provided for the Subcommittee for the WILD Nebraska Program. Mr. Weaver reported that 91 sites are actively enrolled during this fiscal year for a total of 1,158 acres in both WILD and the preceding Wildlife Habitat Improvement Program (WHIP). Mr. Weaver reported that a total of \$20,000 for the WILD program was available, of which 75% or \$15,000 were funds from the Nebraska Game & Parks Commission, and the remaining \$5,000 were the District's 25% contribution. Mr. Weaver reported that for the previous fiscal year, \$17,000 was provided by the Commission. Mr. Weaver reported that the Commission is faced with a shortfall in revenue from reduced sales of Habitat Stamps, Park Permits, and other forms of income. Mr. Weaver reported that the Commission expects that future allocations will at least cover annual payments for existing agreements. Mr. Weaver reported that of the total funds, \$16,957 was committed to annual payments for existing contracts, and \$311 would be utilized for tree replant stock for existing sites. Mr. Weaver reported that \$430 was dedicated to a follow-up grass seeding that was purposely delayed for a suitable cover crop to be in place. Mr. Weaver reported that \$2,302 was available for new agreements and that the proposals being brought to the Board would use that entire amount.

Mr. Weaver moved the Wildlife Habitat & Urban Affairs Subcommittee’s recommendation to the Board of Directors to approve the following new agreements for the WILD Nebraska Program:

<u>Agreement #</u>	<u>Cooperator</u>	<u>County</u>	<u>Acres</u>	<u>Payments</u>	<u>Materials</u>
TP0401	EDNA, Inc.	KE	7	\$ 840.00	\$ 273.14
TP0402	Ed Hahn	KE	7	\$ 840.00	\$ 273.14
TP0403	Grapes Family	KE	11	\$1,320.00	\$ 472.30
TP0404	Terry Kreutzer	KE	15	\$1,800.00	\$ 643.84
TP0405	Randy Ensz	KE	16	\$1,920.00	\$ 636.74
				TOTAL	\$2,299.16

Mr. Meisner seconded the motion, and it carried. (Motion #2)

AYE: Hansen, Meisner, Petersen, Rubenthaler, Schilz, Stack, Weaver, Wiseman

NAY: None

ABSENT: Baldrige, Kramer, Wahlgren

Wildlife Habitat Programs - Corners For Wildlife Program – Mr. Weaver reported that in the Directors’ notebook and available as a handout was the information provided for the Subcommittee for the Corners for Wildlife program. Mr. Weaver reported that 28 projects have been enrolled by the Twin Platte Natural Resources District from 1997

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through 2002 for a total of \$69,323.75 in annual payments to landowners in the District. Mr. Weaver reported that in 2003, the District added nine more projects for a total of 37 Corners for Wildlife projects. Mr. Weaver reported that a new grant-funding period has just begun for 2004, 2005, and 2006 with the recent approval of an Environmental Trust grant, which provides the CFW annual payments. Mr. Weaver reported that most CFW habitat materials are cost shared at 75% by local Pheasants Forever chapters. Mr. Weaver reported that the District's contribution is to work with landowners to enroll qualifying projects and coordinate the habitat improvements, and that the District provides free machine planting of trees and shrubs on CFW sites. Mr. Weaver reported that previous action by the Board of Directors has allowed District staff to proceed in signing up acres in CFW as funds become available. Mr. Weaver reported that this direction potentially allows more Corners for Wildlife sites to be added in the Twin Platte Natural Resources District since funding is allocated on a first come, first served basis across Nebraska. Mr. Weaver reported that Mr. Carhart would continue to enroll new sites until the funding or interest in the program is depleted.

SUBCOMMITTEE MEETINGS REPORT  
Executive Subcommittee

Mr. Rubenthaler requested that the Executive Subcommittee meet for a few minutes after the Board meeting to discuss legal counsel representation for the Twin Platte Natural Resources District.

FINANCIAL REPORT

Financial Statement - Mr. Meisner reported that the Financial Statement for February 2004 was in the Directors' notebook and available as a handout for information.

Accounts Payable - Mr. Meisner reported that the Accounts Payable report was in the Directors' notebook and available as a handout, and that he had reviewed the Accounts Payable and found the report to be in order. Mr. Meisner reported that included in the accounts payable was a surcharge payment to the Nebraska Association of Resources District for the employee's insurance benefits program reserve. Mr. Meisner reported that in the Directors' notebook was information on the employees insurance benefits program, which is administered by the Nebraska Association of Resources Districts. Mr. Meisner reported that the program is not broke, but the reserves are almost depleted. Mr. Meisner reported that this is a result of limiting the premium increases over the past several years. Mr. Meisner reported that the highest premium increase has been 7.5%, while most years they were 2.0% – 5.0%, while other insurance programs have been increasing their premiums by double digits.

Mr. Meisner moved that the Financial Statement for February 2004 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on March 11, 2004 in the amount of \$13,870.27. Mr. Stack seconded the motion, and it carried. (Motion #3)

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AYE: Hansen, Meismer, Petersen, Rubenthaler, Schilz, Stack, Weaver, Wiseman  
NAY: None  
ABSENT: Baldrige, Kramer, Wahlgren

Budget Status – Mr. Meismer reported that the Budget Status report was in the Directors' notebook and available as a handout.

Bids/Proposals – None were presented.

Bids/Proposals Scheduled To Be Presented for Consideration During the April 8, 2004 Board of Directors Meeting – Mr. Miller reported that the District Policy provides that “The staff will notify the Board during the Board meeting immediately prior to the Board meeting at which bids will be presented for consideration”. Mr. Miller reported that the staff plans to present bids/proposals for consideration during the April 8, 2004 Board of Directors meeting for the purchase of computer equipment. Mr. Miller reported that the Budget provides for the purchase of computer equipment.

#### DIRECTORS REPORTS

Nebraska Association of Resources Districts – Board of Directors Meetings – Mr. Meismer reported on the Board of Directors meeting held on March 8, 2004.

Nebraska Association of Resources Districts – Water Policy Task Force – Mr. Meismer reported on the status of Legislative Bill 962, which contains the recommendations of the Water Policy Task Force.

Platte River Citizens Advisory Council – No report presented.

Sandhills Resources, Conservation & Development Council – Mr. Hansen reported on recent activities of the Sandhills Resources, Conservation & Development Council. Mr. Hansen asked the Board if they would like to invite the Executive Director of the Sandhills Resources, Conservation & Development Council to a future Board meeting. The Board agreed that they would like to invite the Executive Director to the April or July Board meeting.

Board of Directors Elections 2004 – Mr. Rubenthaler reported that the deadline for incumbents filing for election was February 17 and the deadline for non-office holders filing for election was March 1. Mr. Rubenthaler reported that the election filings for the Twin Platte Natural Resources District Directors seats up for election in 2004 were Subdistrict 1 – None, Subdistrict 2 - Bob Petersen, Subdistrict 3 - Jerry Weaver, Subdistrict 4 - Bob Wiseman, and Subdistrict 5 - Dennis Schilz. Mr. Rubenthaler reported that a vacancy will occur for Election Sub-District 1 in January 2005. Mr. Rubenthaler reported that the Nebraska Statutes govern vacancies in the office of a Director and authorizes the Board to fill such vacancies. Mr. Rubenthaler reported that the District's policy when a vacancy on the Board of Directors occurs is the Executive

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Subcommittee will seek persons interested in filling the vacated Director position, and recommend one or more persons to the Board of Directors to fill the vacancy no later than the second regular meeting of the Board of Directors following the occurrence of the vacancy.

Nebraska Department of Natural Resources Meeting – Mr. Meisner reported that on March 8, 2004, when Mr. Miller and he were in Lincoln for the Nebraska Association of Resources Districts Board of Directors meeting, that they met with Roger Patterson, Director, and Jim Cook, Legal Counsel, to discuss the timeline and activities required by Nebraska Statutes for the preparation of a joint action plan for the integrated management of hydrologically connected ground water and surface water. Mr. Meisner reported that Department personnel would conduct a work session with the full Board of Directors during the June 10, 2004 Board of Directors meeting. Mr. Meisner reported that they also discussed what the Twin Platte Natural Resources District would need to do to initiate a requirement that a permit be obtained from the District prior to drilling a ground water well. Mr. Meisner reported that the Department would be preparing a procedure and timeline that the District could utilize to revise the District's Ground Water Management Plan that would allow the District to then initiate a requirement that a permit be obtained from the District prior to drilling a ground water well. Mr. Meisner reported that they also discussed the information sheet the Department sends with all well registrations.

Requests for Authorization to Travel - No requests were presented.

DISTRICT REPORT

Requests for Assistance – No requests for assistance were presented.

Cost-Share Programs - Nebraska Soil & Water Conservation Program – Mr. Miller reported that in the Directors' notebook and available as a handout was the monthly report. Mr. Miller reported that any un-obligated funds on March 1, 2004 were required to be returned to the Nebraska Department of Natural Resources for re-distribution to Natural Resources Districts. Mr. Miller reported that during the February 12, 2004 Board meeting, the Board took action to authorize the General Manager to approve additional contracts in the order they are signed by the producer and received in the office prior to March 1, 2004 for any eligible practices available for cost share within the Twin Platte Natural Resources District up to and not to exceed the funds available. Mr. Miller reported that the monthly report shows the contracts he approved between February 12 and February 29, 2004, and that on March 1, 2004, \$9.46 of un-obligated funds were returned to the Nebraska Department of Natural Resources for re-distribution to Natural Resources Districts. Mr. Miller reported that due to a contract cancelled after March 1, 2004, that \$2,070.00 is available for funding additional contracts.

Mr. Petersen moved to approve the February 29, 2004 report and the March 11, 2004 report as presented and to approve the following new contracts:

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<u>Cont#</u>	<u>Practice</u>	<u>Description</u>	<u>App Amt</u>	<u>Prop Amt To Fund</u>
PROPOSED NEW CONTRACTS:				
04-073	NC-12	Trees	\$ 521.46	\$ 521.46
04-074	NC-12	Trees	\$ 611.20	\$ 611.20
Total Amount Of New Contracts				<u>\$ 1,132.66</u>
FUNDS AVAILABLE:				\$ 937.34

Mr. Meismer seconded the motion, and it carried. (Motion #4)

AYE: Hansen, Meismer, Petersen, Rubenthaler, Schilz, Stack, Weaver, Wiseman

NAY: None

ABSENT: Baldrige, Kramer, Wahlgren

Cost-Share Programs - District Conservation Program – Sealing Abandoned Wells – Mr. Miller reported that in the Directors' notebook and available as a handout for information was a report for information. Mr. Miller reported that 11 contracts have been approved for cost-share, and that \$7,363.36 was available for additional contracts.

Cost-Share Programs – NE Buffer Strip Program - No report presented.

Tree Program – No report presented.

Range Programs – No report presented.

Soil Conservation Programs – No report presented.

Wildlife Habitat Programs – No report presented.

Water Programs – Ground Water Program – District Programs – Mr. Miller reported that this spring the District personnel would be adding 20 to 30 additional wells monitored by the District for ground water quantity around the Nebraska Public Power District property, where the Gerald Gentlemen power plant is located. Mr. Miller reported that the District personnel held an open house on March 10, 2004 in Brule, Nebraska for producers within the target areas designated by the District in southwestern Keith County.

Water Programs – Ground Water Program –Integrated Management of Ground Water and Surface Water – No report presented.

Water Programs – Ground Water Program – 319 Project – No report presented.

Water Programs – Ground Water Program – Ground Water Management Coalition – No report presented.

Water Programs – Watershed Program - Brule – No report presented.

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Water Programs – Watershed Program – Southwestern Keith County – Mr. Miller reported that during the January 8, 2004 Board of Directors meeting, the Board authorized the Twin Platte Natural Resources District to be the lead sponsor or a joint sponsor with the South Platte Natural Resources District and the Upper Republican Natural Resources District for development, with assistance from the USDA Natural Resources Conservation Service, of the Southwestern Keith County Watershed, and to authorize the General Manager to submit a letter and the appropriate applications to the USDA Natural Resources Conservation Service requesting federal assistance for development of the Southwestern Keith County Watershed. Mr. Miller reported that on March 4, 2004, he had met with Marvin Brown - NRCS Assistant State Conservationist Field Operations West, Doug Christensen - NRCS Assistant State Conservationist Water Resources, Bob Hipple - General Manager Upper Republican Natural Resources District, and Rod Horn - General Manager South Platte Natural Resources District, to discuss the proposed Southwestern Keith County Watershed. Mr. Miller reported that Mr. Brown would be providing information for him to provide to the Upper Republican Natural Resources District and the South Platte Natural Resources District. Mr. Miller reported that he would be submitting a letter and the appropriate applications to the USDA Natural Resources Conservation Service requesting federal assistance for development of the Southwestern Keith County Watershed as soon as the South Platte Natural Resources District and the Upper Republican Natural Resources District determine if they wish to be a joint sponsor.

Water Programs – Platte River Activities - Cooperative Agreement – Mr. Miller reported on the status of the Cooperative Agreement.

Water Programs – Platte River Activities - Cooperative Hydrology Study – Mr. Miller reported on the status of the Cooperative Hydrology Study. Mr. Miller reported that in the Directors’ notebook and available as a handout was an article written by the Central Platte Natural Resources District for their upcoming newsletter

Water Programs – Platte River Activities – Nebraska Habitat Conservation Coalition – No report presented.

Water Programs – Platte River Activities – Economic Coalition – No report presented.

Water Programs – Platte River Activities – North Platte River – No report presented.

Water Programs – Platte River Activities – South Platte River – Mr. Miller reported on meetings and discussions in regard to the South Platte River Compact.

Regulatory Programs - Chemigation – Mr. Miller reported that in the Directors’ packet for information was a letter mailed to chemigation permit holders, a schedule for 2004 chemigation certification sessions, and a brochure for the Twin Platte Natural Resources District chemigation program. Mr. Miller reported that the Twin Platte Natural Resources

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District has 1,177 permits on file. Mr. Miller reported that 198 of the permits on file are currently inactive.

Regulatory Programs – Erosion and Sediment Control - No report presented.

Regulatory Programs – Ground Water Runoff - No report presented.

Trails – Lake Maloney – No report presented

Information & Education Programs – Mr. Miller reported that the District's policy provides for seven scholarships annually for the Nebraska Range Youth Camp, which will be held June 14-18, 2004, and the Nebraska Natural Resources and Leadership Camp for youth, which will be held June 13-18, 2004. Mr. Miller reported that the District provides the full cost of the camp (transportation is not included). Mr. Miller reported that both camps are held at the State 4-H Camp at Halsey.

Mr. Miller reported that the Nebraska Range Short Course would be held June 20-25, 2004. Mr. Miller reported that the District's policy provides that if applications for scholarships for the Nebraska Range Short Course were received, the Board would consider the applications.

Legislation – No report presented.

Requests for Authorization to Travel – No requests were presented.

Meetings and Dates of Interest – Mr. Miller reported that various items of information were in the Directors' packet and in the Directors' notebook and available as a handout.

Miscellaneous Information – Mr. Miller reported that various items of information were in the Directors' packet and in the Directors' notebook and available as a handout.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

The meeting adjourned at 5:10 p.m. CST (4:10 p.m. MST).

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Jerry Weaver, Secretary

KOM:Minutes:Bmin0304