

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
March 10, 2005

The Twin Platte Natural Resources District Board of Directors meeting was held at the TierOne Bank Center Meeting Room, Second Floor, West Wing, 111 South Dewey Street, North Platte, Nebraska on March 10, 2005. Mr. Rubenthaler called the meeting to order at 3:07 p.m. CST (2:07 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 Meisner
Robert Petersen
Jim Rubenthaler
Douglas Stack
Joe Wahlgren
Jerry Weaver
Robert Wiseman

BOARD MEMBERS ABSENT

Jeff Baldrige
Dennis Schilz

OTHERS PRESENT

Keith Rexroth, NNRC Member, SPNRD Board Member
Frank Kwapnioski, NPPD
Mike Wheeler, Sargent Irrigation
Tom Downey, Sargent Irrigation
Neil Betty

NRCS PERSONNEL PRESENT

Casey Lancaster

STAFF PRESENT

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

ANNOUNCEMENTS

Report of Directors Excused - Mr. Rubenthaler reported that Mr. Baldrige and Mr. Schilz were excused.

DISTRIBUTION OF INFORMATION TO BOARD OF DIRECTORS

Directors Notebooks Containing Information Items Available for Handout - Mr.

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Rubenthaler reported that each Director has a notebook containing information items.

Other Items - Mr. Rubenthaler reported that a monthly summary report of NRCS conservation plans was available for information and that the report would be passed around the Board table for review by each member of the Board of Directors present. Mr. Rubenthaler reported that a notebook containing the Cooperative Agreements between the Nebraska Board of Educational Lands and Funds and Lessees that were signed by the General Manager as the Twin Platte Natural Resources District representative for the District to assist in the development and the application of a complete resources conservation plan was available for information, and that the notebook 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.

There were no comments.

Mr. Rubenthaler closed the Public Forum.

AGENDA MODIFICATION

None presented.

GENERAL INFORMATION

No report presented.

BOARD OF DIRECTORS MINUTES

Minutes for February 10, 2005 Meeting - Mr. Rubenthaler reported that the Minutes for the February 10, 2005 Board of Directors meeting was 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 10, 2005 Board of Directors meeting be approved. Mr. Meisner seconded the motion. The motion carried. (Motion #1)

Aye: Hansen, Meisner, Petersen, Rubenthaler, Stack, Wahlgren,
Weaver, Wiseman

Nay: None

Absent & Excused: Baldrige, Schilz

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COOPERATING AGENCIES REPORTS

USDA Natural Resources Conservation Service - District Conservationist Report – Mr. Lancaster distributed a written report and he reviewed the report.

Nebraska Natural Resources Commission – Keith Rexroth, South Platte River Basin representative on the Nebraska Natural Resources Commission reported on activities of the Commission. Mr. Rexroth, who is also a member of the South Platte Natural Resources District Board of Directors, reported on water issues within the South Platte Natural Resources District.

Other Agencies – No reports presented.

SUBCOMMITTEE MEETINGS REPORT

Land Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Water Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Wildlife Habitat & Urban Affairs Subcommittee

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

Wildlife Habitat Programs - WILD Nebraska Program – Mr. Stack reported that information was in the Directors' notebooks. Mr. Stack reported that Mr. Carhart provided a WILD Nebraska program review and explained that the program still includes active contracts from the preceding Wildlife Habitat Improvement Program (WHIP). Mr. Stack reported that a total of \$15,280 is allocated to cover existing WHIP/WILD annual payment obligations during FY2005. Mr. Stack reported that 75% or \$11,460 of the funds are from the Nebraska Game & Parks Commission and the remaining 25% or \$3,820 are the District's contribution. Mr. Stack reported that the \$11,460 in Commission funds compares to \$15,000 provided by the Commission the previous fiscal year and \$17,000 the year before that. Mr. Stack reported that this fiscal year's allocation of Commission funds do not allow for any new project expenditures. Mr. Stack reported that the Commission has been facing continued shortfalls in revenue from reduced sales of Habitat Stamps, Park Permits, and other forms of income that has forced the cutback of Commission habitat funds to the WILD Nebraska program. Mr. Stack reported that an alternative source of funding has been made available for new projects beginning this

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year through Environmental Trust grant dollars obtained by the Commission to help offset the loss of Commission habitat funds for enrolling new projects. Mr. Stack reported that the grant dollars offered to Districts are for new habitat projects that will not receive annual payments but will receive a one time distribution for new habitat materials, like the Special Practice option. Mr. Stack reported that the District would contribute 25% toward the new projects as it has with the traditional source of Commission habitat funds in the past.

Mr. Stack reviewed four proposed new WILD Nebraska “Special Practice” Agreements utilizing the Environmental Trust grant dollars offered by the Commission. Mr. Stack reported that expenditures for the four new projects would be \$2,638.75, with \$1,979.06 being Environmental Trust Funds and \$659.69 contributed by the District.

Mr. Stack moved the Wildlife Habitat & Urban Affairs Subcommittee recommendation to the Board of Directors to approve the following 2005 WILD Nebraska agreements:

<u>Agreement #</u>	<u>Cooperator</u>	<u>County</u>	<u>Acres</u>	<u>Materials</u>
TP0501	Mary Cone	KE	25	\$ 1,050.00
TP0502	Bob Leonhardt	LN	9	\$ 395.50
TP0503	John Feltz	KE	9	\$ 166.50
TP0504	Jeff Smith	LN	10	\$ 1,026.75

Mr. Weaver seconded the motion. The motion carried. (Motion #2)

Aye: Hansen, Meisner, Petersen, Rubenthaler, Stack, Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: Baldrige, Schilz

Wildlife Habitat Programs - Corners For Wildlife Program - Mr. Stack reported that the Corners For Wildlife (CFW) Program is in the second year of three to receive Environmental Trust grant funding, which provides annual payments for CFW contracts. Mr. Stack reported that most CFW habitat materials are cost shared at 75% by local Pheasants Forever chapters. Mr. Stack reported that the District’s contribution is to work with landowners to enroll qualifying projects and coordinate the habitat improvements and that the District contributes free machine planting of trees and shrubs on CFW sites. Mr. Stack reported that previous action by the Board of Directors allows District staff to proceed in signing up acres in CFW as funds become available. Mr. Stack reported that the following CFW projects have been enrolled so far in 2005:

<u>Cooperator</u>	<u>Co.</u>	<u>Acres</u>	<u>Trees</u>	<u>Total of Annual Payments (Tree Planting Service Value)</u>
Holzfafter Farms	KE	18.3	0	\$3,660.00 (grass only option)

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Mark Hahn	KE	17.0	0	\$3,400.00 (grass only option)
Guy Jones	KE	27.2	401	\$6,665.00 (\$ 232.58)
R. Satterfield	LN	5.9	420	\$2,212.50 (\$ 243.60)

Mr. Stack reported that the District staff would continue to enroll new sites until the funding or interest in the program is depleted.

SUBCOMMITTEE MEETINGS REPORT
Executive Subcommittee

Mr. Rubenthaler, Executive Subcommittee Chairperson, reported that the Executive Subcommittee met prior to the Board meeting and he presented a report.

Board of Directors Vacancy, Sub-District 1 - Mr. Rubenthaler reported that a vacancy exists on the Board of Directors due to there being no candidates filing for election to represent Sub-District 1. Mr. Rubenthaler reported that the Nebraska Statutes, Section 2-3215, 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 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. Mr. Rubenthaler reported that the appointment would be for the remainder of the unexpired term which expires at the end of calendar year 2008.

Mr. Meismer moved the Executive Subcommittee recommendation to the Board of Directors to appoint Shane Storer to fill a vacancy to represent Sub-District 1 on the Board of Directors. Mr. Stack seconded the motion. The motion carried. (Motion #3)

Aye: Hansen, Meismer, Petersen, Rubenthaler, Stack, Wahlgren,
 Weaver, Wiseman
 Nay: None
 Absent & Excused: Baldrige, Schilz

Personnel Policy - Mr. Rubenthaler reported that the Executive Subcommittee reviewed Personnel Policy Number 11: Annual Leave and Personnel Policy Number 18: Compensatory Leave. Mr. Rubenthaler reported that the Executive Subcommittee agreed to recommend revisions for Personnel Policy Number 18: Compensatory Leave for exempt employees who are employees who do not receive overtime as defined by the Federal Fair Labor Standards Act which applies to all state and local government employees. Mr. Rubenthaler reported that the exempt employees of the District are the Program Coordinators and the General Manager.

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Mr. Stack moved the Executive Subcommittee recommendation to the Board of Directors to add the following to Personnel Policy Number 18: Compensatory Leave:

Exempt employees, upon approval of the General Manager, may take a day off for each Saturday, Sunday, or Holiday they are required to work eight (8) or more hours. Any accumulated days must be taken prior to taking earned annual leave days.

Mr. Petersen seconded the motion. The motion carried. (Motion #4)

Aye: Hansen, Meismer, Petersen, Rubenthaler, Stack, Wahlgren,
Weaver, Wiseman

Nay: None

Absent & Excused: Baldrige, Schilz

Legal Counsel – No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for February 2005 was in the Directors' notebook and available as a handout for information.

Accounts Payable - Mr. Meismer 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. Meismer moved that the Financial Statement for February 2005 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on March 10, 2005 in the amount of \$15,863.06. Mr. Stack seconded the motion. The motion carried. (Motion #5)

Aye: Hansen, Meismer, Petersen, Rubenthaler, Stack, Wahlgren,
Weaver, Wiseman

Nay: None

Absent & Excused: Baldrige, Schilz

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

Bids/Proposals – Mr. Miller reported that during the February 10, 2005 Board meeting, the staff reported, per District policy, that bids/proposals would be presented for consideration during the March 10, 2005 Board of Directors meeting for Brule Watershed maintenance. Mr. Miller reported that in the Directors' packet for information was a letter from the USDA Natural Resources Conservation Service dated January 10, 2005 recommending maintenance for the Brule Watershed. Mr. Miller reported that in the Directors' notebook were copies of the two proposals received. Mr. Miller reported that the staff was recommending that both proposals be rejected due to the high cost and that the staff would look for alternatives.

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Mr. Stack moved to reject all proposals received for maintenance for the Brule Watershed and to direct the District staff to determine if there are other alternatives for the maintenance recommended in the January 10, 2005 letter from the USDA Natural Resources Conservation Service. Mr. Wahlgren seconded the motion. The motion carried. (Motion #6)

Aye: Hansen, Meismer, Petersen, Rubenthaler, Stack, Wahlgren,
Weaver, Wiseman

Nay: None

Absent & Excused: Baldrige, Schilz

Bids/Proposals Scheduled To Be Presented for Consideration During the April 14, 2005 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 14, 2005 Board of Directors meeting for the purchase of a server for the office for the computer equipment, for the purchase of an electric ground water level measuring tape, for the purchase of a Multimedia (Power Point) Projector, and for Brule Watershed maintenance.

DIRECTORS REPORTS

Nebraska Association of Resources Districts – Board of Directors Meeting – Mr. Meismer reported on the Board of Directors meeting held on March 7, 2005.

Nebraska Association of Resources Districts – Water Policy Task Force – Mr. Meismer reported on the Water Policy Task Force meeting held on March 2, 2005.

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.

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 \$19,103.21 was available.

Mr. Meismer moved to approve the February 28, 2005 report as presented and to approve

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the following new contracts:

<u>Cont#</u>	<u>Practice</u>	<u>Description</u>	<u>App Amt</u>	<u>Prop Amt To Fund</u>
<u>PROPOSED NEW CONTRACTS:</u>				
05-047	NC-12	Trees	\$ 270.00	\$ 270.00
05-048	NC-12	Trees	\$ 433.50	\$ 433.50
05-049	NC-12	Trees	\$ 229.50	\$ 229.50
05-050	NC-12	Trees	\$ 216.00	\$ 216.00
05-051	NC-12	Trees	\$ 706.35	\$ 706.35
05-052	NC-12	Trees	\$ 831.00	\$ 831.00
05-053	NC-12	Trees	\$ 484.80	\$ 484.80
05-054	NC-12	Trees	\$ 206.56	\$ 206.56
05-055	NC-12	Trees	\$ 831.00	\$ 831.00
05-056	NC-12	Trees	\$ 831.00	\$ 831.00
05-057	NC-12	Trees	\$ 831.00	\$ 831.00
05-058	NC-12	Trees	\$ 470.85	\$ 470.85
05-059	NC-12	Trees	\$ 831.00	\$ 831.00
05-060	NC-1	Terraces	\$ 2,167.50	\$ 2,167.50
05-061	NC-10	Pasture Planting	\$ 1,265.99	\$ 1,265.99
05-062	NC-1	Terraces	\$ 2,069.00	\$ 2,069.00
05-063	NC-17	Irrigation Water Management	\$ 2,627.00	\$ 2,627.00
05-064	NC-17	Irrigation Water Management	\$ 1,136.00	\$ 1,136.00
Total Amount Of New Contracts				\$ 16,438.05
FUNDS AVAILABLE: Returned to State of Nebraska				\$ 2,665.16
Balance Available				\$ 0.00

Mr. Wiseman seconded the motion. The motion carried. (Motion #7)

Aye: Hansen, Meismer, Petersen, Rubenthaler, Stack, Wahlgren,
 Weaver, Wiseman

Nay: None

Absent & Excused: Baldridge, Schilz

Cost-Share Programs - District Conservation Program – Sealing Abandoned Wells – Mr. Miller reported that in the Directors' notebook and available as a handout was a report for information. Mr. Miller reported that \$3,925.99 was available for new contracts.

Tree Program –Mr. Miller reported that 74,162 total trees have been ordered for 2005. Mr. Miller reported that in 2004, 106,925 total trees were sold. Mr. Miller reported that the District will use one machine crew in 2005 which is scheduled to plant 35,220 trees at 105 sites for 72 cooperators. Mr. Miller reported that the District used two machine crews in 2004 and planted 65,252 trees at 166 sites for 91 cooperators. Mr. Miller reported that orders were processed for 2005 for the purchase of 38,942 trees to be planted by 146 cooperators. Mr. Miller reported that in 2004, orders were processed for the purchase of 41,672 trees to be planted by 127 cooperators. Mr. Miller reported that Mike Ekdahl was scheduled to place in 2005, 54 miles of water conservation mulch material. Mr. Miller reported that in 2004, Mr. Ekdahl placed 125 miles of water conservation mulch material.

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Range Programs – Mr. Carhart distributed information for Prescribed Burn Workshops which will be held March 22 and 24, 2005.

Soil Conservation Programs – No report presented.

Wildlife Habitat Programs – WILD Nebraska Program – No report presented.

Wildlife Habitat Programs – Corners for Wildlife Program – No report presented.

Water Programs – Ground Water Management – Monitoring Programs – No report presented.

Water Programs – Ground Water Management – Ground Water Management Plan – Mr. Miller reported that in the Directors' packet for information was a letter to Roger Patterson, Director, Nebraska Department of Natural Resources dated March 4, 2005 transmitting the requested revisions for Chapter 8 of the Ground Water Management Plan and Chapter 8 of the Ground Water Management Plan with the revisions approved by the Board during the February 10, 2005 Board of Directors meeting with additional revisions recommended by the Nebraska Department of Natural Resources staff shown. Mr. Miller reported that the additional revisions were shown with a strikethrough line for deletions and an underscore line for additions. Mr. Miller reported that the revisions for Chapter 8 of the Ground Water Management Plan approved by the Board during the February 10, 2005 Board of Directors meeting with the additional revisions recommended by the Nebraska Department of Natural Resources staff were delivered to the Nebraska Department of Natural Resources on March 7, 2005. Mr. Miller reported that he had told the Board during the February 10, 2005 Board of Directors meeting that the Nebraska Department of Natural Resources staff were reviewing the text of the revisions and may offer some suggestions for changes prior to formal delivery of the revision to the Department. Mr. Miller reported that he had told the Board that if any of the revisions by the Department's staff would change the intent of the revisions approved by the Board of Directors, that the revisions for Chapter 8 would not be submitted to the Department until the Board of Directors had an opportunity to consider the suggested revisions by the Department's staff. Mr. Miller reported that all of the revisions by the Department's staff were for clarification and to provide consistency with the language in the statutes. Mr. Miller reported that none of the revisions changed the intent of the revisions approved by the Board of Directors on February 10, 2005.

Water Programs – Integrated Management of Ground Water & Surface Water – Temporary Well Drilling Suspension – Mr. Miller reported that in the Directors' packet for information was a letter transmitting replacement well permit application forms to well drillers and a copy of the form and in the Directors notebook for information was a report listing replacement well permits issued.

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Water Programs – Integrated Management of Ground Water & Surface Water – Integrated Management Plan – Mr. Miller reported that Nebraska Statutes require that the Natural Resources Districts in the Over Appropriated area of the Platte River Basin upstream of the Kearney Canal diversion send a notice to Irrigation Districts, Reclamation Districts, Public Power and Irrigation Districts, Mutual Irrigation Companies, Canal Companies, and Municipalities in regard to commencement of the Integrated Management Planning process for the Over Appropriated Basin. Mr. Miller reported that a notice was mailed February 27, 2005 which had been prepared by Ann Diers, Legal Counsel – Nebraska Department of Natural Resources. Mr. Miller reported that in the Directors’ packet were a copy of the notice, the distribution list, and a map of the Over Appropriated area of the Platte River Basin upstream of the Kearney Canal diversion. Mr. Miller reported that in the Directors’ notebook for information were copies of correspondence received in regard to the notice. Mr. Miller reported that he planned to send a letter to each one who responded to the notice telling them who of the Twin Platte Natural Resources District Stakeholders represented their interest, that they would receive written notification of all Twin Platte Natural Resources District Stakeholders meetings during which there will be an opportunity for comments from the public attending the meeting, and that the Twin Platte Natural Resources District and the Nebraska Department of Natural Resources, following the April 1, 2005 deadline for written statements in regard to the notice, will determine how best to address their request for basin-wide consultation and collaboration.

Mr. Miller reported that in the Directors’ notebook for information was a listing of the Twin Platte Natural Resources District Stakeholders selected by the Board.

Mr. Miller reported that in the letter the District received from Don Kraus, General Manager, Central Nebraska Public Power and Irrigation District (CNPPID), in regard to the Over Appropriated Basin notice, Mr. Kraus stated that “Central is entitled to determine its own representation” and “It is anticipated that Central will usually be represented by either me, Mike Drain, or Jeremie Kerkman”. Mr. Miller reported that CNPPID is represented on the Twin Platte Natural Resources District’s Stakeholders by Jerry Steinke who is an employee of CNPPID and is a resident of Keith County. Mr. Miller reported that the Twin Platte Natural Resources District Stakeholders were selected by the Board of Directors and that a criterion for selection was that they be a resident of the District. Mr. Miller reported that Mr. Kraus, Mr. Drain, and Mr. Kerkman are not residents of the Twin Platte Natural Resources District. Mr. Miller reported that the Stakeholders were established for development of the District’s Integrated Management Plan for the Fully Appropriated area of the Platte River Basin within the Twin Platte Natural Resources District and that the Stakeholders may be utilized in part for the development of the Over Appropriated Integrated Management Plan for the District and for the Platte River Basin. Mr. Miller asked if the Board desired to change the criteria that stakeholders be a resident of the Twin Platte Natural Resources District. Discussion occurred and no action was taken to change the criteria that stakeholders be a resident of the Twin Platte Natural Resources District.

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Mr. Miller recommended that Steve Krajewski, City Manager – Ogallala, and a resident of Ogallala, Nebraska, be a representative for the Municipalities on the Twin Platte Natural Resources District stakeholders.

Mr. Meismer moved that Steve Krajewski, City Manager – Ogallala, and a resident of Ogallala, Nebraska, be a representative for the Municipalities on the Twin Platte Natural Resources District stakeholders for the development of the Twin Platte Natural Resources District Integrated Management Plan. Mr. Wahlgren seconded the motion. The motion carried. (Motion #8)

Aye: Hansen, Meismer, Petersen, Rubenthaler, Stack, Wahlgren,
Weaver, Wiseman

Nay: None

Absent & Excused: Baldrige, Schilz

Mr. Miller reported that the first meeting of the Twin Platte Natural Resources District Stakeholders for the development of the Twin Platte Natural Resources District Integrated Management Plan is scheduled for March 29, 2005.

Water Programs – Integrated Management of Ground Water & Surface Water – Certifying Irrigated Acres – No report presented.

Water Programs – Integrated Management of Ground Water & Surface Water – Platte River Cooperative Agreement – No report presented.

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

Water Programs – Watershed Program – Western Irrigation Watershed – No report presented.

Water Programs – Interlocal Cooperation Agreements - Cooperative Hydrology Study – Mr. Miller reported that the sponsors are continuing discussion in regard to maintenance and future use of the computer model.

Water Programs – Interlocal Cooperation Agreements – Ground Water Management Coalition – No report presented.

Water Programs – Interlocal Cooperation Agreements – South Platte Coalition – No report presented.

Water Programs – Interlocal Cooperation Agreements – Nebraska Habitat Conservation Coalition – No report presented.

Regulatory Programs - Chemigation – No report presented.

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

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Regulatory Programs – Ground Water Runoff - No report presented.

Trails – Lake Maloney – No report presented.

Information & Education Programs – No report presented.

Legislation – Mr. Miller reported on the testimony he presented, at the request of the Nebraska Association of Resources District, to the Legislature’s Natural Resources Committee in regard to LB 708.

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. Mr. Miller reported that in the Directors' packet was information for the “Exploring Nebraska’s Water Future – A Water Resources Seminar” March 29-30, 2005 at the Lake McConaughy Visitor’s Center in Ogallala, Nebraska

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 4:48 p.m. CST (3:48 p.m. MST).

Jerry Weaver, Secretary

KOM:Minutes:Bmin0305