

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
September 8, 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 September 8, 2005. Mr. Rubenthaler called the meeting to order at 7:34 p.m. CDT (6:34 p.m. MDT). 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

Jeff Baldridge
Eric Hansen
James Meisner
Robert Petersen
Jim Rubenthaler
Dennis Schilz
Douglas Stack
Shane Storer
Joe Wahlgren
Jerry Weaver
Robert Wiseman

BOARD MEMBERS ABSENT

None

OTHERS PRESENT

Mike Wheeler, Sargent Irrigation – Ogallala

NRCS PERSONNEL PRESENT

Mary Reece, District Conservationist

STAFF PRESENT

Bill Carhart, Range Programs Coordinator
Ann Dimmitt, Water Programs Regulatory Coordinator
Amy Mapes, Administrative Assistant
Kent O. Miller, General Manager
Dave Slattery, Conservation Programs Coordinator

ANNOUNCEMENTS

Report of Directors Excused – Mr. Rubenthaler reported that Operating Policy Number 4: BOARD OF DIRECTORS ABSENCES, provides that a Director will be considered excused if the Director notifies the office prior to the meeting that he or she will be absent and that the minutes will reflect whether an absent Director is excused or unexcused. Mr. Rubenthaler reported that all of the Directors were present.

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DISTRIBUTION OF INFORMATION TO BOARD OF DIRECTORS

Directors Notebooks Containing Information Items Available for Handout - Mr. Rubenthaler reported that each Director has a notebook containing information items.

Other Items - Mr. Rubenthaler reported that monthly summary reports of NRCS conservation plans were available for information and that the reports would be passed around the Board table for review by each member of the Board of Directors present.

Mr. Miller passed around the table a thank you note from students attending the Nebraska Range Youth Camp who had received a scholarship from the Twin Platte Natural Resources District.

INFORMAL PUBLIC HEARING - BUDGET

Open Proceedings - Mr. Rubenthaler opened the Public Hearing at 7:40 p.m. CDT (6:40 p.m. MDT).

Appointment of Hearing Examiner - Mr. Rubenthaler appointed Kent O. Miller, General Manager of the Twin Platte Natural Resources District Hearing Examiner.

Review of Purpose by Hearing Examiner – Mr. Miller reported that the purpose of the informal public hearing was for hearing testimony in regard to support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed Twin Platte Natural Resources District 2005-2006 Fiscal Year Budget. Mr. Miller distributed the legal notice which was published in the North Platte Telegraph on August 31, 2005 and he reviewed the legal notice. Mr. Miller distributed an informational packet for the proposed 2005-2006 Fiscal Year Budget which was in the Director's packet for information. Mr. Miller reviewed the following items in the informational packet for the proposed 2005-2006 Fiscal Year Budget:

Preparation Schedule

Summary of Proposed 2006 Fiscal Year Budget

Graph: General Operating Costs - Proposed 2006 Fiscal Year Budget

Graph: Revenue - Proposed 2006 Fiscal Year Budget

Graph: Valuation 1982 - 2006 Fiscal Years

Graph: Property Tax Levy 1982 - 2006 Fiscal Years

Graph: Property Tax Funds 1982 - 2006 Fiscal Years

State of Nebraska 2005-2006 Budget Form

Published Legal Notice for Budget Hearing and Budget Summary

Descriptions of the Accounts - Proposed 2006 Fiscal Year Budget

Chart of Information for Natural Resources Districts 2005 Fiscal Year Budgets

Public Testimony - Mr. Miller opened the Hearing for Public Testimony.

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No testimony was offered.

Informal Questions – Mr. Miller asked if there were questions in regard to the Budget.

There were no questions.

Close Proceedings - Mr. Miller turned the Hearing back to the Presiding Officer, Mr. Rubenthaler.

Mr. Rubentahler declared the hearing closed 7:45 p.m. CDT (6:45 p.m. MDT).

INFORMAL PUBLIC HEARING – SETTING FINAL TAX REQUEST

Open Proceedings - Mr. Rubenthaler opened the Public Hearing at 7:46 p.m. CDT (6:46 p.m. MDT).

Appointment of Hearing Examiner - Mr. Rubenthaler appointed Kent O. Miller, General Manager of the Twin Platte Natural Resources District Hearing Examiner.

Review of Purpose by Hearing Examiner – Mr. Miller reported that the purpose of the informal public hearing was for hearing testimony in regard to support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request to fund the proposed Twin Platte Natural Resources District 2005-2006 Fiscal Year Budget. Mr. Miller distributed the legal notice which was published in the North Platte Telegraph on August 31, 2005 and he reviewed the legal notice. Mr. Miller reported the following:

2004-2005 Property Tax Request	\$ 359,928.00
2004 Tax Rate	\$ 0.013020
Property Tax Rate (2004-2005 Request/2005 Valuation)	\$ 0.012481
2005-2006 Proposed Property Tax Request	\$ 442,608.00
Proposed 2005 Tax Rate	\$ 0.015348

Public Testimony - Mr. Miller opened the Hearing for Public Testimony.

No testimony was offered.

Informal Questions – Mr. Miller asked if there were questions in regard to the Budget.

There were no questions.

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Close Proceedings - Mr. Miller turned the Hearing back to the Presiding Officer, Mr. Rubenthaler.

Mr. Rubentahler declared the hearing closed 7:49 p.m. CDT (6:45 p.m. MDT).

2006 FISCAL YEAR BUDGET

Restricted Funds Authority - Mr. Miller reported that the Nebraska Statutes provide that the Twin Platte Natural Resources District may exceed the budget limit for the 2005-2006 Fiscal Year by an additional one percent and carry forward to future budget years the full amount of the increase as unused restricted funds authority upon the affirmative vote of at least seventy-five percent of the Board of Directors. Mr. Miller reported that nine affirmative votes would be needed for at least seventy-five percent of the Board of Directors to approve exceeding the budget limit for the 2005-2006 Fiscal Year by an additional one percent.

Mr. Petersen moved to approve the following resolution:

WHEREAS, the provisions of Nebraska Statutes provides that the Twin Platte Natural Resources District may exceed the budget limit for the 2005-2006 Fiscal Year by up to an additional one percent upon the affirmative vote of at least seventy-five percent of the Board of Directors; and

WHEREAS, the Twin Platte Natural Resources District may carry forward an additional unused restricted funds authority of \$4,632.00 to future budget years;

NOW THEREFORE BE IT RESOLVED, that the Twin Platte Natural Resources District Board of Directors approve exceeding the budget limit for the 2005-2006 Fiscal Year by an additional one percent.

Mr. Meismer seconded the motion. The motion failed. (Nebraska Statutes requires an affirmative vote of at least 75% of the Board of Directors to exceed the budget limit for the 2005-2006 Fiscal Year by an additional one percent which is 9 affirmative votes) (Motion #1)

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

Final Approval - Mr. Miller reported that final approval of the 2005-2006 Fiscal Year Budget requires an affirmative vote of a majority of the Board of Directors present.

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Mr. Stack moved to approve the following resolution:

WHEREAS, a legal notice of budget hearing and budget summary was published in the North Platte Telegraph on August 31, 2005, for a hearing scheduled for September 8, 2005 by the Board of Directors of the Twin Platte Natural Resources District; and

WHEREAS, the Board of Directors of the Twin Platte Natural Resources District on September 8, 2005 held a public hearing for the purpose of hearing support, opposition, criticism, suggestions and observations of taxpayers relating to the proposed budget;

NOW THEREFORE BE IT RESOLVED, that the Twin Platte Natural Resources District Board of Directors approves the 2005-2006 Fiscal Year Budget as presented for public hearing.

Mr. Schilz seconded the motion. The motion carried. (Nebraska Statutes requires a majority vote of the Board of Directors present) (Motion #2)

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

Set Property Tax Request - Mr. Miller reported that setting the property tax request for the 2005-2006 Fiscal Year requires an affirmative vote of a majority of the Board of Directors (6 affirmative votes).

Mr. Stack moved to approve the following resolution:

WHEREAS, Nebraska Statutes provide that the property tax request for the prior year shall be the property tax request for the current year unless the Board of Directors passes by a majority vote a resolution setting the tax request at a different amount; and

WHEREAS, the 2004-2005 Fiscal Year property tax request for the Twin Platte Natural Resources Districts was \$359,328.00 and the 2005-2006 Fiscal Year Budget requires a property tax request for the Twin Platte Natural Resources Districts of \$442,608.00.

NOW THEREFORE BE IT RESOLVED, that the Twin Platte Natural Resources District Board of Directors sets the final property tax request for the Twin Platte Natural Resources District for the 2005-2006 Fiscal Year Budget at \$442,608.00.

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Mr. Petersen seconded the motion. The motion carried. (Nebraska Statutes requires a majority vote of the Board of Directors present) (Motion #3)

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

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 August 11, 2005 Meetings - Mr. Rubenthaler reported that the Minutes for the August 11, 2005 Board of Directors meetings 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 August 11, 2005 Board of Directors meeting be approved. Mr. Schilz seconded the motion. The motion carried. (Motion #4)

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

COOPERATING AGENCIES REPORTS

USDA Natural Resources Conservation Service - District Conservationist Report – Mrs. Reece presented a report. Mrs. Reece reported that in the Director's notebook for information was a CREP report.

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USDA Natural Resources Conservation Service – Environmental Quality Incentive Program (EQIP) – Mrs. Reece reported that she had information that needed to be presented to the Environmental Quality Incentive Program (EQIP) Local Work Group, which includes Twin Platte Natural Resources District Directors, USDA Farm Service Agency County Committee members, and others, and she needed to give the Local Work Group an opportunity to offer comments. Mrs. Reece suggested that as an alternative to the local work group meeting, that she could present the information and receive comments from the Board at this time and she could meet later with each Farm Service Agency County Committees. The Board agreed to hear a report and offer comments at this time. Mrs. Reece provided a report and received comments.

Other Agencies – No reports presented.

SUBCOMMITTEE MEETINGS REPORT
Land Resources Subcommittee

Mr. Baldrige, Land Resources Subcommittee Chair, reported that the Land Resources Subcommittee met prior to the Board meeting this evening and he presented a report.

Tree Program - 2005 Report - Mr. Baldrige reported that in the Directors' Board meeting notebook for information was a report showing a history of the tree planting program from 1973 to present and a cost-share summary report.

Tree Program - 2006 Planning - Policies - Mr. Baldrige reported that no policy changes were recommended.

Tree Program - 2006 Planning - Tree Stock – Mr. Baldrige reported on the anticipated availability of trees from Halsey and from Colorado. Mr. Baldrige reported that the Nursery's have not yet determined the charges for trees for 2006 for Districts.

Tree Program - 2006 Planning - Machine Planting Charges - Mr. Baldrige reported that in the Directors' Board meeting notebook were reports showing the District's tree program funds for 2005. Mr. Baldrige reported that due to an estimated increase of expenses projected for 2006 that the Land Resources Subcommittee was recommending that planting charges would need to increase. Mr. Baldrige reported that the tree planting charge for planting by the District's machine crew was \$.53 for 2005.

Mr. Baldrige moved the Land Resources Subcommittee recommendation to the Board of Directors to approve that the District's tree stock charges be set by the General Manager based on the nursery charges to the District and that the District's machine planting charges be set at \$.55 per tree for 2006. Mr. Meisner seconded the motion. The motion carried. (Motion #5)

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

Tree Program - 2006 Planning - Water Conservation Mulch Services - Mr. Baldridge reported that in the Directors' Board meeting notebook for information was a report of water conservation mulch installed in the District from 1991 to present. Mr. Baldridge reported that Mike Ekdahl, the mulch contractor, was not able to determine his costs pending the effects of petroleum prices on the cost of the mulch material.

Range Program – Interseeding Program – 2005 Report - Mr. Baldridge reported that in 2005, 150 acres were interseeded by 3 landowners all who chose to do the interseeding themselves at the \$3/acre fee charged by the District. Mr. Baldridge reported that the program broke even this year when repairs to the interseeding machine were factored in.

Range Program – Interseeding Program – 2006 Planning - Mr. Baldridge reported that no projects are certain for 2006 but that the NRCS staff members are working on some potential interseeding projects, including 160 acres in Lincoln County.

Range Program – District Range Tour - Mr. Baldridge reported on a range tour the District is co-sponsoring on September 15th in the loess hills south of Brady. Mr. Baldridge reported that the tour is in conjunction with the Loess Canyon Rangeland Alliance, a producer-driven group organized recently to address conservation issues in that area of Lincoln County. Mr. Baldridge reported that the tour will feature range management on sites that have been burned either by wildfire or by prescribed burns, as well as unburned sites. Mr. Baldridge reported that cedar tree control and leafy spurge control will also be addressed on the tour, as well as the identification of desirable plants that producers will want to see increase in their pastures with good management.

SUBCOMMITTEE MEETINGS REPORT
Water Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT
Wildlife Habitat & Urban Affairs Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT
Executive Subcommittee

No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for August 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 August 2005 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on September 8, 2005 in the amount of \$14,984.27. Mr. Petersen seconded the motion. The motion carried. (Motion #6)

Aye: Baldridge, Hansen, Meismer, Petersen, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: None

Absent: None

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 September 8, 2005 Board of Directors Meeting – Mr. Miller reported that bids/proposals would be presented for consideration during the October 13, 2005 Board of Directors meeting for the purchase of a trailer for the tree program. Mr. Miller reported that the Budget provides for the purchase of this trailer.

Office Facilities Lease - Mr. Miller reported that during the August 11, 2005 Board of Directors meeting, it was reported that Mr. Baldridge and he had each contacted TierOne Bank and learned that the bank was willing to enter into an agreement to extend the current lease of the office facilities for five years. Mr. Miller reported that the current lease expires November 30, 2006. Mr. Miller reported that the representatives of the bank indicated that they would request an increase of the monthly rate from \$1,675.00 to \$1,775.00 and that they would provide an allowance of up to \$3,000.00 for new carpet. Mr. Miller reported that due to the indication during the August 11, 2005 Board of Directors meeting that the Board seemed favorable to extending the lease with the terms offered, that he had contacted the bank. Mr. Miller reported that in the Directors' notebook was a letter from TierOne Bank dated September 1, 2005 offering to extend the current lease for an additional five year period with an increase in the lease rate of \$100.00 per month effective December 1, 2006. Mr. Miller reported that in the Directors' notebook was an addendum to Twin Platte Natural Resources District Lease Agreement

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which provides for extending the current lease agreement commencing on December 1, 2006 and terminating November 30, 2011, a monthly rate of \$1,750.00 per month effective December 1, 2006, and a carpet allowance of \$3,000.00.

Mr. Petersen moved to approve the addendum to the Twin Platte Natural Resources District lease agreement as proposed by TierOne Bank which provides for extending the current lease agreement commencing on December 1, 2006 and terminating November 30, 2011, setting the lease rate at \$1,775.00 per month effective December 1, 2006, and a carpet allowance of \$3,000.00 and to authorize the General Manager to sign the addendum to the Twin Platte Natural Resources District lease agreement for the Twin Platte Natural Resources District. Mr. Meisner seconded the motion. The motion carried. (Motion #7)

Aye: Baldridge, Hansen, Meisner, Petersen, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman
Nay: None
Absent & Excused: None
Absent: None

Mr. Miller reported that the staff had sought bids for carpeting the office facilities as the current carpet is in very poor condition. Mr. Miller reported that in the Directors' notebook was a carpet bid summary for the six bids received.

Mr. Schiulz moved to waive the operating policy 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 and to approve the low proposal receive from Select Carpet and Tile in the amount of \$4,253.20 for carpet and installation in the Twin Platte Natural Resources District office facilities located in the TierOne Bank Center. Mr. Wahlgren seconded the motion. The motion carried. (Motion #8)

Aye: Hansen, Meisner, Petersen, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman
Nay: Baldridge
Absent & Excused: None
Absent: None

DIRECTORS REPORTS

Nebraska Association of Resources Districts – Annual Conference September 25-27, 2005 – Mr. Meisner reported that the Nebraska Association of Resources Districts annual conference will be held September 25-27, 2005 in Kearney, Nebraska and that in the Directors packet for information was the program for the conference. Mr. Meisner reported that Mr. Rubenthaler, Mr. Petersen, Mr. Miller, and he are planning to attend. Mr. Meisner reported that if other Directors would like to attend, to please notify the office and the staff would register you for the conference and make lodging reservations.

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Mr. Meismer reported that the Board needed to take action to select a voting delegate for the conference. Mr. Rubenthaler appointed Mr. Petersen the Twin Platte Natural Resources District's voting delegate for the Nebraska Association of Resources Districts 2005 Annual Conference.

Nebraska Association of Resources Districts – Water Policy Task Force – No report presented.

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 \$72,204.50 was available.

Mr. Stack moved to approve the September 8, 2005 report as presented and to approve the following new contracts:

<u>Cont#</u>	<u>Practice</u>	<u>Description</u>	<u>App Amt</u>	<u>Prop Amt To Fund</u>
PROPOSED NEW CONTRACTS:				
06-005	NC-17	Irrigation Water Management	\$ 2,485.00	\$ 2,485.00
Total Amount Of New Contracts				\$ 2,485.00
FUNDS AVAILABLE:				
		Practice NC-12, Windbreaks		\$ 23,275.80
		Practice NC-14, Planned Grazing		\$ 23,275.80
		Practice NC-17, Irrigation		\$ 20,790.80
		Other available practices		\$ 2,377.10

Mr. Wahlgren seconded the motion. The motion carried. (Motion #9)

Aye: Baldridge, Hansen, Meismer, Petersen, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: None

Absent: None

Cost-Share Programs - District Conservation Program - Contracts – Mr. Miller reported that in the Directors' Board meeting notebook was a report for information. Mr. Miller reported that \$8,891.35 was available for new contracts.

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Tree Program – No report presented.

Range Programs – No report presented.

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 – Mr. Miller reported that the Nebraska Public Power District had recently submitted an application to the Nebraska Environmental Trust for a project titled “Surface Geophysical Investigation of Sutherland Reservoir Area, West-Central Nebraska”. Mr. Miller reported that the Nebraska Public Power District had contacted him following the August 11, 2005 Board of Directors meeting requesting that the Twin Platte Natural Resources District be a partner along with the U.S. Geological Survey and that the deadline for submitting the application was prior to this evenings Board of Directors meeting. Mr. Miller reported that the Twin Platte Natural Resources District’s participation as a partner would be in-kind for activities of Twin Platte Natural Resources District staff many of which are already being cared out around Sutherland Reservoir. Mr. Miller reported that he had therefore authorized the Nebraska Public Power District to show the Twin Platte Natural Resources District as a partner with the understanding that the Board of Directors would be considering authorizing being a partner during this Board of Directors meeting. Mr. Miller reported that in the Directors’ notebook was the application.

Mr. Storer moved to approve the Twin Platte Natural Resources District being a partner in the application submitted by the Nebraska Public Power District to the Nebraska Environmental Trust for a project titled “Surface Geophysical Investigation of Sutherland Reservoir Area, West-Central Nebraska”. Mr. Wiseman seconded the motion. The motion carried. (Motion #10)

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

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

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Water Programs – Integrated Management of Ground Water & Surface Water – Temporary Well Drilling Suspension – Mr. Miller reported that stays have been imposed on the use of existing water wells in an affected area within the Twin Platte Natural Resources District to increase the number of acres historically irrigated. Mr. Miller reported that the Twin Platte Natural Resources District has received a request dated September 1, 2005 from Charles Frates, requesting a variance on the property described as Section 7, Township 13 North, Range 39 West of the 6th P.M., Keith County, Nebraska to irrigate lands not presently irrigated in exchange for returning existing irrigated acres to dry land and that the total acres irrigated would be 10.7 acres less than is currently irrigated. Mr. Miller reported that in the Director’s packet for information was a completed Twin Platte Natural Resources District form, the Twin Platte Natural Resources District required agreement, the required USDA Farm Service Agency form, and a map of the site. Mrs. Dimmitt reviewed the request for a variance.

Mr. Stack moved to approve granting a variance to Charles Frates to irrigate 166.68 acres in Section 7, Township 13 North, Range 39 West of the 6th P.M., Keith County, Nebraska which includes lands not presently irrigated in exchange for returning existing irrigated acres to dry land after which the total acres irrigated would be 10.7 acres less than is currently irrigated and to authorize the General Manager to sign the variance as the Twin Platte Natural Resources District representative. Mr. Baldrige seconded the motion. The motion carried. (Motion #11)

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

Mr. Miller reported that he was recommending an Executive Session of the Board of Directors to hear a report on legal matters relating to enforcement of a possible violation of the suspension of constructing new wells and increasing irrigated acres within the Twin Platte Natural Resources District. Mr. Rubenthaler reported that the Executive Session would be at the end of the Board meeting and that there would be no discussion or action taken by the Board of Directors following the Executive Session.

Water Programs – Integrated Management of Ground Water & Surface Water – Integrated Management Plan – Mr. Miller reported on the meetings held and the schedule for future meetings of the Twin Platte Natural Resources District Stakeholders.

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 – Mr. Miller reported on the status of the Platte River Cooperative Agreement Governance Committee study to evaluate the feasibility of increasing the flood stage discharge to 3,000 cubic feet per second (cfs) in the North

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Platte River at North Platte, Nebraska. Mr. Miller reported that the North Platte River is used to transport Program water from Lake McConaughy and other future potential water supplies to meet water supply goals in the Central Platte River. Mr. Miller reported that in the fall of 2002, the National Weather Service lowered the flood stage of the North Platte River just north of the City of North Platte from 6.0 feet to 5.7 feet. Mr. Miller reported that the discharge rate in the study area at the revised flood stage is approximately 1,980 cfs. Mr. Miller reported that the purpose of this channel capacity study is to identify alternatives to increase the flood stage discharge to 3,000 cfs at North Platte, Nebraska, provide cost estimates for each alternative identified, and offer recommendations relating to the most cost effective means to increase and maintain the desired flood stage discharges. Mr. Miller reported that the Governance Committee has established a Water Management Committee to provide technical input on issues related to the water supply goals of the Cooperative Agreement and that he is a member of the Water Management Committee.

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 Twin Platte Natural Resources District was one of the originating sponsors seven years ago for the Interlocal Cooperation Agreement for the Cooperative Hydrology Study (COHYST). Mr. Miller reported that the study was funded by an Environmental Trust Fund grant and funds provided by each of the sponsors. Mr. Miller reported that in the Directors’ packet was the 1998 Interlocal Cooperative Agreement, the 2001 Interlocal Cooperative Agreement, and a proposed Amendment #1 to the 2001 Interlocal Cooperative Agreement. Mr. Miller reported that the Twin Platte Natural Resources District Budget provides funds for Amendment #1 to the 2001 Interlocal Cooperative Agreement.

Mr. Schilz moved to approve Amendment #1 to the 2001 Interlocal Cooperative Agreement for the Cooperative Hydrology Study and to authorize the General Manager to sign the amendment for the Twin Platte Natural Resources District. Mr. Wiseman seconded the motion. The motion carried. (Motion #12)

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

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

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

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

Water Programs – South Platte Compact – Nebraska Environmental Trust Grant Application – Mr. Miller reported that a copy of the Twin Platte Natural Resources District application to the Nebraska Environmental Trust, prepared by LeRoy Sievers, for a project titled “South Platte River Water Improvements” was in the Directors’ notebook for information. Mr. Miller reported that the proposed project, which the Board of Directors approved August 11, 2005, is to research the South Platte River Compact to look at the winter provisions of the Compact and to obtain the necessary information that would be needed for filing an application for the water right for the winter provisions of the South Platte River Compact.

Regulatory Programs - Chemigation – No report presented.

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

Regulatory Programs – Ground Water Runoff - No report presented.

Trails – Lake Maloney – Mr. Miller reminded the Board of Directors of the action taken during the April 10, 2003 Board meeting that the Twin Platte Natural Resources District be the sponsor for a grant application for federal funds and state funds for the first segment of the Lake Maloney trail system, provided that the Lake Maloney Home Owners Association commits in writing that they can successfully secure the required local matching funds, that the Lake Maloney Home Owners Association will acquire Nebraska Public Power District approval of a detailed plan that is all inclusive for any of the trail system occupying Nebraska Public Power District property at Lake Maloney prior to beginning construction, and that the Lake Maloney Home Owners Association enters into a written agreement with the Twin Platte Natural Resources District that the Association will provide full maintenance and the Twin Platte Natural Resources District will contribute \$3,500.00, provided funds are available, for the first segment of the Lake Maloney trail system.

Mr. Miller reported that the Consulting Engineering firm, Kirkham Michael, has prepared a grant application for funding from the Federal Transportation Enhancement Program, which is administered in Nebraska by the Nebraska Department of Roads. Mr. Miller reported that in the Directors’ Board meeting packet was the grant application, the cost estimates, a map of the master plan, and a proposed Resolution.

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Mr. Stack moved to approve the following resolution:

BE IT RESOLVED BY THE TWIN PLATTE NATURAL RESOURCES DISTRICT:

WHEREAS, the Twin Platte Natural Resource District proposes to apply for assistance from the TRANSPORTATION ENHANCEMENT PROGRAM for the purpose of constructing a trail for pedestrians, cyclists, and hikers: and

WHEREAS, the project includes the construction of an 8-foot wide pedestrian / cyclist / hiking trail on the west side of Lake Maloney and is approximately 2.4 miles (12,674 feet) in length. The proposed trail will be constructed of concrete; and

WHEREAS, the Twin Platte Natural Resource District has available a minimum of 20% of the project cost and has the financial capability to operate and maintain the completed facility in a safe and attractive manner for public use; and

WHEREAS, the proposed application and supporting documents were made available for public review at a properly announced meeting of the Twin Platte Natural Resource District;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE TWIN PLATTE NATURAL RESOURCE DISTRICT, that the Twin Platte Natural Resource District applies for assistance from the Transportation Enhancement Program for the purpose of constructing the "West Lake Maloney" Trail.

Mr. Weaver seconded the motion. The motion carried. (Motion #13)

Aye: Meismer, Petersen, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver

Nay: Baldrige, Hansen, Wiseman

Absent & Excused: None

Absent: None

Mr. Miller reported that to assist the Lake Maloney Home Owners Association in securing the required local matching funds, the Kirkham Michael Consulting Engineering firm has prepared a grant application for the Trail Development Assistance Fund administered by the Nebraska Game & Parks Commission. Mr. Miller reported that the grant application is from the Twin Platte Natural Resources District. Mr. Miller reported that in the Directors' packet for was the grant application for \$20,000.00 and a proposed Resolution. Mr. Miller reported that a grant of \$20,000.00 was approved in 2003. Mr. Miller reported that due to the failure to obtain the Federal Funds in 2003, the grant could not be accepted and that the District was encouraged to re-submit an application for a grant.

Mr. Petersen moved to approve the following resolution:

1. The Twin Platte Natural Resource District proposes to apply for assistance from the Trail Development Assistance Fund for the purposes described in the application and supporting documents.

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2. Kent O. Miller has been appointed as Project Liaison Officer by the project sponsor's governing board as the principle local contact to work with Game and Parks Commission staff and on all matters concerning the project.
3. The Twin Platte Natural Resource District currently has the 50% matching share of the total project cost identified on the Application form and will provide the financial resources to operate and maintain the completed project in a safe and attractive manner for the life of the facility .
4. The Twin Platte Natural Resource District will not discriminate against any person on the basis of race, color, age, religion, handicap, sex, or national origin in offering the project for public use.
5. The Twin Platte Natural Resource District agrees to comply, where applicable and within the purview of the law, with the American with Disabilities Act of 1991, as amended, by making the project facilities accessible to, and usable by, the disabled.

Mr. Meismer seconded the motion. The motion carried. (Motion #14)

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

Information & Education Programs – No report presented.

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' Board meeting packet.

Miscellaneous Information – Mr. Miller reported that various items of information were in the Directors' Board meeting packet and in the Directors' Board meeting notebook.

OTHER BUSINESS

There was no other business.

DISTRICT REPORT (Continued)

Water Programs – Integrated Management of Ground Water & Surface Water –
Temporary Well Drilling Suspension (Continued) –

Mr. Miller recommended an Executive Session of the Board of Directors to hear a report on legal matters relating to enforcement of a possible violation of the suspension of

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constructing new wells and increasing irrigated acres within the Twin Platte Natural Resources District. Mr. Rubenthaler reported that there would be no discussion or action taken by the Board of Directors following the Executive Session.

Mr. Petersen moved that the Board of Directors go into executive session to hear a report on legal matters relating to enforcement of a possible violation of the suspension of constructing new wells and increasing irrigated acres within the Twin Platte Natural Resources District. Mr. Schilz seconded the motion. The motion carried. (Motion #15)

Aye: Baldridge, Hansen, Meismer, Petersen, Rubenthaler, Schilz, Storer,
Wahlgren, Weaver, Wiseman

Nay: Stack

Absent & Excused: None

Absent: None

The Board of Directors went into Executive Session at 10:11 pm CDT (9:11 pm MDT).

Mr. Stack moved that the Board of Directors return to open session. Mr. Petersen seconded the motion. The motion carried. (Motion #16)

Aye: Baldridge, Hansen, Meismer, Petersen, Rubenthaler, Schilz, Stack,
Storer, Weaver, Wiseman

Nay: Wahlgren

Absent & Excused: None

Absent: None

The Board of Directors returned to open session at 10:30 pm CDT (9:30 pm MDT).

ADJOURNMENT

The meeting adjourned at 10:31 p.m. CDT (9:31 p.m. MDT).

Jerry Weaver, Secretary

KOM:Minutes:Bmin0905