

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
December 14, 2004

The Twin Platte Natural Resources District Board of Directors meeting was held at the Lake McConaughy Visitors Center located on Highway 61 one mile south of Kingsley Dam and at the Figure 4 Traditions at the Haythorn Ranch located on Highway 61 4½ miles north of Kingsley Dam in Keith County, Nebraska on December 14, 2004. Mr. Rubenthaler called the meeting to order at 4:35 p.m. MST (5:35 p.m. CST). 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
Todd Kramer
James Meisner
Robert Petersen
Jim Rubenthaler
Douglas Stack
Joe Wahlgren
Jerry Weaver

BOARD MEMBERS ABSENT

Jeff Baldrige
Dennis Schilz
Robert Wiseman

OTHERS PRESENT

Becky Lancaster
Mike Wheeler, Sargent Irrigation

NRCS PERSONNEL PRESENT

Roger Hammer
Lee Morse
Casey Lancaster
Tim Hermansen
Gloria Lorentzen
Traci Bates
Carol Eakins

STAFF PRESENT

Brad Carlson, Range Programs Technician
Ann Dimmitt, Water Programs Regulator Coordinator
Amy Mapes, Administrative Assistant
Kent O. Miller, General Manager

ANNOUNCEMENTS

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

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 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.

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 November 18, 2004 Meeting - Mr. Rubenthaler reported that the Minutes for the November 18, 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 November 18, 2004 Board of Directors meeting be approved. Mr. Meismer seconded the motion. The motion carried. (Motion #1)

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

COOPERATING AGENCIES REPORTS

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USDA Natural Resources Conservation Service - District Conservationist Report – Ms. Bates distributed a written report and she reviewed the report.

USDA Natural Resources Conservation Service - Environmental Quality Incentive Program (EQIP) – Ms. Bates distributed a written report for Local Work Group meetings held on November 18, 19, 22, and 30, 2004.

Nebraska Natural Resources Commission – Mr. Miller reported that the current Nebraska Department of Natural Resources was the result of a merger between the agencies named Natural Resources Commission and the Department of Water Resources. Mr. Miller reported that with this merger the Natural Resources Commission is still a functioning body within the Department of Natural Resources. Mr. Miller reported that three of the 16 members are appointed by the Governor to represent the specific interests of municipal water users, surface water irrigators, and ground water irrigators and the remaining 13 members are selected for four-year terms at caucuses of the Natural Resources Districts Directors to represent Nebraska's river basins. Mr. Miller reported that the Natural Resources Commission members are selected by River Basins by the seated Natural Resources District Directors within the River Basin. Mr. Miller reported that the Twin Platte Natural Resources District is within the South Platte, North Platte, and Middle Platte basins. Mr. Miller reported that the Natural Resources Commission's Middle Platte Basin and North Platte Basin representative's terms expire in January 2005. Mr. Miller reported that candidates eligible are any resident in the River Basin of majority age of 19.

Nebraska Natural Resources Commission – Middle Platte River Basin Caucus – Mr. Miller reported that the Middle Platte Basin Caucus has tentatively been scheduled to be held on January 7, 2005 at 1:00 p.m. CST in Grand Island, NE to select a representative for the Natural Resources Commission for a four-year term. Mr. Miller reported that the Twin Platte Natural Resources District Directors residing in the Middle Platte River Basin and eligible to participate in the caucus are Jim Rubenthaler and Joe Wahlgren. Mr. Miller reported that the current representative for the Middle Platte Basin is Arlond Garratt. Mr. Miller asked if there were any candidates from within the Twin Platte Natural Resources District and there were none indicated. Mr. Miller asked if any of the Twin Platte Natural Resources District Directors eligible to participate in the Middle Platte River Basin Caucus planned to attend and none planned to attend the caucus.

Nebraska Natural Resources Commission – North Platte River Basin Caucus – Mr. Miller reported that the North Platte Basin Caucus has tentatively been scheduled to be held on January 13, 2005 at 2:00 p.m. MST in Gering, NE to select a representative for the Natural Resources Commission for a four-year term. Mr. Miller reported that the Twin Platte Natural Resources District Directors residing in the North Platte River Basin and eligible to participate in the caucus are Jeff Baldrige, Eric Hansen, and Jim Meismer. Mr. Miller reported that the current representative for the North Platte Basin is LeRoy Pieper. Mr. Miller asked if there were any candidates from within the Twin Platte Natural Resources District and there were none indicated. Mr. Miller asked if any of the Twin

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Platte Natural Resources District Directors eligible to participate in the North Platte River Basin Caucus planned to attend and none planned to attend the caucus.

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

No report presented.

SUBCOMMITTEE MEETINGS REPORT
Executive Subcommittee

Mr. Rubenthaler reported that the Executive Subcommittee was continuing to meet to discuss the Board of Directors vacancy that will occur in Sub-District 1 in January 2005.

FINANCIAL REPORT

Financial Statement - Mr. Meisner reported that the Financial Statement for November 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 moved that the Financial Statement for November 2004 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on December 14, 2004 in the amount of \$51,510.06. Mr. Stack seconded the motion. The motion carried. (Motion #2)

AYE: Hansen, Kramer, Meisner, Petersen, Rubenthaler, Stack,
Wahlgren, Weaver

NAY: None

ABSENT & EXCUSED: Schilz, Wiseman

ABSENT: Baldrige

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

Bids/Proposals – Mr. Miller reported that during the November 18, 2004 Board meeting, that he reported, per District policy, that bids/proposals would be presented for consideration during the December 14, 2004 Board of Directors meeting for the purchase of a vehicle. Mr. Miller reported that the Budget provides for the purchase of this vehicle. Mr. Miller reported that the bids/proposals being presented for approval were for a pickup to be used by the Water Programs Field Coordinator, Glen Bowers.

Mr. Meisner moved that the Board of Directors approve the low proposal received from Ross Perry Dodge for a Dodge pickup. Mr. Kramer seconded the motion. (Motion # 3)

Discussion occurred.

Mr. Meisner and Mr. Kramer agreed to withdraw Motion #3.

Mr. Hansen moved to suspend Operating Policy Number 28, which provides that “Bids shall be awarded to the lowest responsible bidder”, and that the Board of Directors approve the proposal received from Jerry Remus Chevrolet for a Chevrolet pickup. Mr. Weaver seconded the motion. The motion carried. (Motion #4)

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

Bids/Proposals Scheduled To Be Presented for Consideration During the January 13, 2005 Board of Directors Meeting – Mr. Miller reported that no bids/proposals were scheduled to be presented for consideration during the January 13, 2005 Board of Directors meeting.

DIRECTORS REPORTS

Nebraska Association of Resources Districts – Board of Directors Meeting – No report presented.

Nebraska Association of Resources Districts – Legislative Conference, January 25-26, 2005 – Mr. Meisner reported that the Nebraska Association of Resources Districts annual Legislative Conference will be held January 25-26, 2005 in Lincoln, NE and that in the Directors' packet was information and the tentative agenda. Mr. Miller reported that Senator Pederson will be invited to have a private dinner with representatives of the Twin Platte Natural Resources District attending the conference on Tuesday evening, January 25, 2005 following the reception. Mr. Miller reported that the panhandle Natural Resources Districts have a formal dinner, which Senator Phil Erdman participates and the Loup River Basin Natural Resources Districts have a formal dinner, which Senator Deb

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Fischer participates.

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

Platte River Citizens Advisory Council – Mr. Meismer reported that the minutes for the November 19, 2004 meeting of the Platte River Citizens Advisory Council were in the Director’s packet for information.

Sandhills Resources, Conservation & Development Council – No report presented.

Requests for Authorization to Travel - No requests were presented.

DISTRICT REPORT

Requests for Assistance – Kingsley Cattle Company – Mr. Miller reported that the Kingsley Cattle Company has agreed with the U.S. Environmental Protection Agency and the U.S. Corps of Engineers, as the results of a Findings of Violation and Order for Compliance, to develop a Mitigation Site. Mr. Miller reported that the agreement requires that there be covenants and restrictions upon the Mitigation Site for the benefit of a local agency. Mr. Miller reported that the attorney for Kingsley Cattle Company, LeRoy Sievers, has requested that the Twin Platte Natural Resources District be the local agency. Mr. Miller reported that in the Director’s packet for information was a letter from Mr. Sievers, a Declaration of Restrictions and an Exhibit. Mr. Sievers, who participated by phone in this portion of the Board meeting from his office in Lincoln, NE, provided information and answered questions.

Mr. Stack moved that the Twin Platte Natural Resources District Board of Directors approve being designated as beneficiary of the Declaration of Restrictions for the Kingsley Cattle Company Mitigation Site in the Northwest Quarter of the Southeast Quarter of Section 36, Township 15 North, Range 38 West, Keith County Nebraska as set forth in the Findings of Violation and Order for Compliance on Consent, Docket No. CWA-07-2005-00776 before the United States Environmental Protection Agency, Region 7. Mr. Petersen seconded the motion. The motion carried. (Motion #5)

AYE: Hansen, Kramer, Meismer, Petersen, Rubenthaler, Stack,
Wahlgren, Weaver

NAY: None

ABSENT & EXCUSED: Schilz, Wiseman

ABSENT: Baldrige

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 \$38,650.90 was available.

Mr. Wahlgren moved to approve the December 2004 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>				
05-017	NC-12	Trees	\$ 634.35	\$ 634.35
05-018	NC-12	Trees	\$ 825.40	\$ 825.40
05-019	NC-12	Trees	\$ 831.00	\$ 831.00
05-020	NC-12	Trees	\$ 337.80	\$ 337.80
05-021	NC-12	Trees	\$ 290.85	\$ 290.85
05-022	NC-12	Trees	\$ 579.00	\$ 579.00
05-023	NC-12	Trees	\$ 94.50	\$ 94.50
05-024	NC-12	Trees	\$ 111.00	\$ 111.00
05-025	NC-12	Trees	\$ 831.00	\$ 831.00
Total Amount Of New Contracts				\$ 4,534.95
FUNDS AVAILABLE: Practice NC-12, Windbreaks				\$ 17,642.12
Practice NC-14, Planned Grazing				\$ 1,535.46
Practice NC-17, Irrigation				\$ 12,177.53
Other available practices				\$ 2,760.84

Mr. Petersen seconded the motion. The motion carried. (Motion #6)

AYE: Hansen, Kramer, Meismer, Petersen, Rubenthaler, Stack, Wahlgren, Weaver

NAY: None

ABSENT & EXCUSED: Schilz, Wiseman

ABSENT: Baldrige

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 \$7,114.10 was available for new contracts.

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 – No report presented.

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 – No report presented.

Water Programs – Integrated Management of Ground Water & Surface Water – Integrated Management Plan – No report presented.

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 on the status of the Peer Review.

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.

Regulatory Programs – Ground Water Runoff - No report presented.

Trails – Lake Maloney – No report presented.

Information & Education Programs – 2004 Awards Program – Mr. Miller reported that the District's 2004 Tree Award for Keith/Arthur Counties would be presented to Wayne and Joan Hansmeier (Kingsley Cattle Company) during the District's Awards Banquet at the Haythorn Ranch following the Board of Directors meeting.

Legislation – No report presented.

Requests for Authorization to Travel – No requests were presented.

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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.

AWARDS DINNER

An Awards Dinner was held during which the District's 2004 Tree Award for Keith/Arthur Counties was presented to Wayne and Joan Hansmeier (Kingsley Cattle Company).

ADJOURNMENT

The meeting adjourned at 8:10 p.m. MST (9:10 p.m. CST).

Jerry Weaver, Secretary

KOM:Minutes:Bmin1204