

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting  
December 9, 2008

The Twin Platte Natural Resources District Board of Directors meeting was held in Keith County, Nebraska at the Lake McConaughy Visitor's Center located on Highway 61 one mile south of Kingsley Dam, and at the Figure Four Traditions at the Haythorn Ranch located west of Highway 61 four and one-half miles north of Kingsley Dam on December 9, 2008. Mr. Rubenthaler called the meeting to order at 4:33 pm MST (5:33 pm 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  
Dale Margritz  
Jim Meisner  
Bob Petersen  
Jim Rubenthaler  
Dennis Schilz  
Shane Storer  
Joe Wahlgren  
Jerry Weaver  
Bob Wiseman

BOARD MEMBERS ABSENT

Doug Stack

NRCS PERSONNEL PRESENT

Norma Van Nostrand

STAFF PRESENT

Amy Mapes, Administrative Assistant  
Kent Miller, General Manager

ANNOUNCEMENTS

Nebraska Open Meeting Act – Mr. Rubenthaler reported that the Nebraska Open Meeting Act requires public bodies to make available at least one current copy of the Open Meeting Act posted in the meeting room at a location accessible to members of the public, and at the beginning of the meeting the public shall be informed about the location of the posted information. Mr. Rubenthaler reported that the current Open Meeting Act was in the back of the meeting room and accessible to members of the public.

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 will be absent and

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – December 9, 2008

that the minutes will reflect whether an absent Director is excused or unexcused. Mr. Rubenthaler reported that Mr. Stack had notified the office prior to the meeting that he would be absent and is therefore excused.

Distribution of Information – Mr. Rubenthaler reported that handouts were available for the public in the back of the meeting room.

Other Announcements – Mr. Rubenthaler reported that the monthly summary report of Natural Resources Conservation Service 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

None presented.

BOARD OF DIRECTORS MINUTES

Minutes for November 13, 2008 Meeting – Mr. Rubenthaler reported that the Minutes for the November 13, 2008 meeting were in the Directors' packet and he asked if there were any corrections or additions.

Mr. Petersen moved that the Minutes of the November 13, 2008 Board of Directors meeting be approved. Mr. Margritz seconded the motion. The motion carried. (Motion #1)

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

REQUESTS FOR ASSISTANCE

None presented.

COOPERATING AGENCIES REPORT

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – December 9, 2008

USDA Natural Resources Conservation Service – District Conservationist Report – Ms. Norma Van Nostrand distributed and reviewed a written report for information.

Nebraska Natural Resources Commission – Mr. Miller reported that the current Nebraska Department of Natural Resources was the result of a merger in 2000 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 in the Directors' packet for information was a map of the Nebraska river basins which also shows the boundaries of the Natural Resources Districts and a listing of the current Natural Resources Commission members. 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 2009. 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 traditionally been held 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 Ladd M. Reeves. 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 traditionally been held in Scottsbluff, NE on the second Thursday of January, which would be January 8, 2009, 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 Eric Hansen, Dale Margritz, Jim Meismer, and Shane Storer. Mr. Miller reported that the current representative for the North Platte Basin is Myron Lembke. 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

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – December 9, 2008

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

Nebraska Department of Natural Resources – Mr. Miller reported that on June 24, 2008, the Legislature’s Natural Resources Committee held a hearing in North Platte, NE in regard to the qualifications for the Director of Natural Resources and the function of the Department of Natural Resources. Mr. Miller reported that during the hearing, the Natural Resources Districts presented testimony that the Director should not be required to be an Engineer and the surface water folks presented testimony that the Director should be required to be an Engineer. Mr. Miller reported that the same testimony was again presented at the Legislature’s Natural Resources Committee hearing held in Scottsbluff, NE later in the summer. Mr. Miller reported that following that hearing, Tom Knutson (Manager of Irrigation Districts in the Lower Loup) suggested to Ron Bishop (Central Platte NRD) that there must be a way to resolve some of the differences being displayed before the Legislature’s Natural Resources Committee and he proposed that Mr. Bishop invite three other NRD Managers and he would invite three other surface water folks and have the group see if they could find some common ground. Mr. Miller reported that Mr. Bishop invited Butch Koehlmoos (Lower Loup NRD), Dan Smith (Middle Republican NRD), and Kent O. Miller (Twin Platte NRD) and Mr. Knutson invited Don Kraus (CNPPID), Brian Barels (NPPD), and Dennis Strauch (Pathfinder Irrigation District) and a first meeting was held on September 11, 2008 and many meetings followed. Mr. Miller reported that those meetings included discussions with past Directors and past legal counsel. Mr. Miller reported that on November 20, 2008, Mr. Smith reported to the Legislature’s Natural Resources Committee, during a hearing in Lincoln in regard to the qualifications for the Director of Natural Resources and the function of the Department of Natural Resources, that the group was meeting and would have a recommendation prior to the start of the 2009 Legislative session. Mr. Miller reported that the group was nearing completion of a recommendation that may include splitting the Nebraska Department of Natural Resources into two agencies with one having regulatory responsibilities and one having planning and development responsibilities similar to Colorado and Wyoming.

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

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – December 9, 2008

No report presented.

SUBCOMMITTEE MEETINGS REPORT  
Executive Subcommittee

No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meisner reported that the Financial Statement for December 2008 was in the Directors' notebook and available as a handout.

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 December 2008 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on December 9, 2008 in the amount of \$21,846.86. Mr. Schilz seconded the motion. The motion carried. (Motion #2)

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

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

Bids/Proposals – No bids/proposals presented.

Bids/Proposals Scheduled to be Presented for Consideration during the January 2009 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 he plans to present bids/proposals for consideration during the January 8, 2009 Board of Directors meeting for the purchase of a laptop computer for the General Manager. Mr. Miller reported that the Budget provides for this purchase.

DIRECTORS REPORTS

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

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – December 9, 2008

Nebraska Association of Resources Districts – Legislative Conference, January 27-28, 2009 – Mr. Meisner reported that the Nebraska Association of Resources Districts annual Legislative Conference will be held January 27-28, 2009 in Lincoln, Nebraska. Mr. Meisner reported that in the Directors’ packet was the tentative agenda. Mr. Meisner reported that Senator Tom Hansen will be invited to have a private dinner with representatives of the Twin Platte Natural Resources District attending the conference on Tuesday evening, January 27, 2009 following the reception. Mr. Meisner reported that the panhandle Natural Resources Districts have a formal dinner, which Senator Philip Erdman traditionally participated (Senator-elect Ken Schilz will take office in January 2009) and the Loup River Basin Natural Resources Districts have a formal dinner, which Senator Deb Fischer traditionally participates.

Mr. Hansen, Mr. Meisner, Mr. Petersen, Mr. Rubenthaler, Mr. Wahlgren, Mr. Weaver, and Mr. Wiseman indicated that they plan to attend the Conference. Mr. Schilz and Mr. Storer indicated were considering attending the Conference. Mr. Miller reported that the office would call Mr. Stack to see if he is planning to attend the Conference.

Mr. Miller reported that the District needs to select a voting representative for the business session. Mr. Miller reported that Mr. Meisner is chair of the Nebraska Association of Resources Districts Legislative Committee and he will be chairing the business session.

Mr. Rubenthaler appointed Mr. Wahlgren to be the Twin Platte Natural Resources District Voting Delegate and Mr. Petersen to be the Twin Platte Natural Resources District Alternate Voting Delegate for the Nebraska Association of Resources Districts Legislative Conference January 27-28, 2009.

Water Policy Task Force – Mr. Meisner reported that the Water Policy Task force would be meeting December 17, 2008 in Kearney, NE.

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

Cost-Share Programs – Nebraska Soil & Water Conservation Program – Mr. Miller reported that in the Directors' notebook was a report and that \$42,467.67 was available for funding contracts.

Mr. Wahlgren moved to approve the December 9, 2008 report as presented and to approve the following new contracts:

TWIN PLATTE NATURAL RESOURCES DISTRICT  
 Board of Directors Meeting Minutes – December 9, 2008

<u>Cont#</u>	<u>Practice</u>	<u>Description</u>	<u>App Amt</u>	<u>Prop Amt to Fund</u>
9.014	NC-12	Trees	\$ 1,890.05	\$ 1,890.05
9.015	NC-12	Trees	\$ 378.00	\$ 378.00
9.016	NC-12	Trees	\$ 1,386.03	\$ 1,386.03
Total Amount of New Contracts				\$ 3,654.08

FUNDS AVAILABLE:	Practice NC-12, Windbreaks	\$ 20,505.64
	Practice NC-14, Planned Grazing	\$ 2,420.63
	Practice NC-17, Irrigation	\$ 15,190.29
	Other available practices	\$ 697.03

Mr. Wiseman seconded the motion. The motion carried. (Motion #3)

Aye: Hansen, Margritz, Meisner, Petersen, Rubenthaler, Schilz, Storer, Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: Stack

Cost-Share Programs – District Conservation Programs – Mr. Miller reported that in the Directors' Board notebook was a report, and that \$5,501.45 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 – No report presented.

Water Programs – Integrated Management Plan – Twin Platte Natural Resources District – Stakeholders Meetings – Mr. Miller reported that the next meeting of the Platte River Basin Over Appropriated stakeholders would be December 16, 2008 at the Quality Inn in North Platte, NE. Mr. Miller reported that in the Directors' packet for information was the agenda for the meeting and a recommendation for a Basin-Wide Integrated Management Plan prepared by a Subcommittee.

Water Programs – Platte River Recovery Implementation Program – Mr. Miller reported that in the Directors' packet for information was a report on the history, description, first increment goals, and program costs for the Platte River Recovery Implementation Program and a report on the Water Plan for the Platte River Recovery Implementation

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – December 9, 2008

Program. Mr. Miller reported that in the Directors' notebook for information were copies of slides presented by the U.S. Fish and Wildlife Service to the Governance Committee on December 3, 2008 in regard to the Environmental Account in Lake McConaughy.

Water Programs – Watersheds - Brule – No report presented.

Water Programs – Watersheds – Western Irrigation – No report presented.

Water Programs – Interlocal Cooperation Agreements - Cooperative Hydrology Study – Mr. Miller reported that the Cooperative Hydrology Study sponsors were discussing what the future should be for the model.

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

Water Programs – Interlocal Cooperation Agreements – South Platte Coalition – Mr. Miller reported that the South Platte Coalition sponsors would be meeting on December 10, 2008 in Kearney, NE and he reviewed the agenda for the meeting which was in the Directors' notebook for information. Mr. Miller reported that the sponsors will be considering the use of the funds the Nebraska Natural Resources Commission has approved in the amount of \$36,000.00 that are available for the remainder of the current fiscal year ending June 30, 2009 to do additional hydrologic analysis.

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

Water Programs – South Platte River Compact – 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.

Hazard Mitigation Plans – No report presented.

Information & Education Programs – 2008 Awards Program – Mr. Miller reported that the District's 2008 Conservation Award for Keith / Arthur Counties will be presented after the Board meeting to Paul and Janet Heinrich of Paxton during the District's Awards Banquet at the Haythorn Ranch.

Requests for Authorization to Travel – NARD Washington D.C. Meetings, March 23-25, 2009 – Mr. Miller reported that the District Policy provides that Board authorization is required for all staff or Director expenses for travel outside a 300-mile radius of the District. Mr. Miller reported that he was requesting authorization for the General

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting Minutes – December 9, 2008

Manager to participate in the 2009 Nebraska Association of Resources Districts annual meetings in Washington, D.C. March 23-25, 2009.

Mr. Schilz moved to authorize Kent O. Miller, General Manager, to participate in the Nebraska Association of Resources Districts meetings in Washington D.C. March 23-25, 2009. Mr. Margritz seconded the motion. The motion carried. (Motion #4)

Aye: Hansen, Margritz, Meisner, Petersen, Rubenthaler, Schilz, Storer,  
Wahlgren, Wiseman

Nay: Weaver

Absent & Excused: Stack

Meetings and Dates of Interest – Mr. Miller reported that various items of information were in the Directors’ packet.

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

OTHER BUSINESS

There was no other business.

NEXT MEETING

Mr. Rubenthaler reported that the next Board of Directors meeting would be held on Thursday, January 8, 2009 at 3:00 pm CST (2:00 pm MST) at the TierOne Bank Center Meeting Room, 111 South Dewey Street, Second Floor, North Platte, Nebraska.

AWARDS DINNER

The District’s 2008 Conservation Award for Keith/Arthur Counties was presented to Paul and Janet Heinrich of Paxton during the District’s Awards Banquet at the Haythorn Ranch.

ADJOURNMENT

The meeting adjourned at 8:06 pm MST (9:06 pm CST).

---

Jerry Weaver, Secretary