

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
December 16, 2009

The Twin Platte Natural Resources District (TPNRD) Board of Directors meeting was held at the Figure Four Traditions located at the Haythorn Ranch in Keith County, Nebraska, on December 16, 2009 (Mailing address is Haythorn Ranch, 193 Haythorn Drive, Arthur, Nebraska). Mr. Rubenthaler called the meeting to order at 4:34 pm MST (5:34 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
Doug Stack
Shane Storer
Joe Wahlgren
Jerry Weaver
Bob Wiseman

BOARD MEMBERS ABSENT

None

NRCS PERSONNEL PRESENT

Traci Bates
Carol Eakins
Roger Hammer
Lee Morse
Howard Main
Jeff Nichols
Shelly Taylor

STAFF PRESENT

Ann Dimmitt, Water Programs Regulatory Coordinator
Amy Mapes, Administrative Assistant
Kent Miller, General Manager

OTHERS PRESENT

None

ANNOUNCEMENTS

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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 that the minutes will reflect whether an absent Director is excused or unexcused. Mr. Rubenthaler reported all directors were present.

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 present.

PUBLIC FORUM

Mr. Rubenthaler opened the Public Forum. There were no comments. Mr. Rubenthaler closed the Public Forum.

AGENDA MODIFICATION

None presented.

BOARD OF DIRECTORS MEETING

Minutes for November 12, 2009 Meeting – Mr. Rubenthaler reported that the Minutes for the November 12, 2009 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 12, 2009 Board of Directors meeting be approved. Mr. Margritz seconded the motion. The motion carried.(Motion #1)

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

Nay: None

Excused: None

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REQUESTS FOR ASSISTANCE

None presented.

COOPERATING AGENCIES REPORT

USDA Natural Resources Conservation Service – District Conservationist Report – Mrs. Eakins distributed and reviewed a written report for information.

Nebraska Natural Resources Commission - North Platte River Basin Caucus – Mr. Miller reported that the election of members of the Nebraska Natural Resources Commission is by Natural Resources District board members residing in each of the twelve designated river basins within Nebraska and for the filling of any vacancy that might occur. Mr. Miller reported that the TPNRD includes a portion of the North Platte River Basin, a portion of the South Platte River Basin, and a part of the Middle Platte River Basin. Miller reported that due to the relocation of Commission member Myron Lembke’s residence outside of the North Platte River Basin, it was necessary to select a replacement to complete the remainder of Mr. Lembke’s term, which expires on January 13, 2013. Mr. Miller reported that a caucus was held on December 10, 2009, at the North Platte Natural Resources District office in Scottsbluff, NE. Mr. Miller reported that Dave Deines was selected to serve the remainder of the unexpired term for the North Platte River Basin. Mr. Miller reported that Mr. Deines is a director of the North Platte Natural Resources District.

Other Agencies – No reports presented.

SUBCOMMITTEE MEETINGS REPORT

Land Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Water Resources Subcommittee

Mr. Meismer, Water Resources Sub-Committee Chairperson, presented a report for the meeting held on December 16, 2009.

Water Banking Software & Certified Irrigated Acres on Web Site - Applied Data Consultants Proposal – Mr. Meismer asked Mrs. Dimmitt to report on the proposal. Mrs. Dimmitt reported that in the Directors’ Board meeting packet was a proposal received from Applied Data Consultants for Water Banking software and providing information for certified irrigated acres on the TPNRD web site. Mrs. Dimmitt reviewed the proposal which would provide for a database conversion, a calculator, water bank account management, ARCGIS 9.3.1 software upgrade, and certified acreage web mapping.

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Mr. Meismer moved to approve that the proposal received from Applied Data Consultants of \$23,050.00 for Water Banking software and providing information for certified irrigated acres on the Twin Platte Natural Resources District web site. Mr. Wahlgren seconded the motion. The motion carried. (Motion #2)

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

SUBCOMMITTEE MEETINGS REPORT
Wildlife Habitat & Urban Affairs

No report presented.

SUBCOMMITTEE MEETINGS REPORT
Executive Subcommittee

No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for November 2009 was in the Directors' notebook and available as a handout.

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 November 2009 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on December 16, 2009 in the amount of \$49,125.85. Mr. Margritz seconded the motion. The motion carried. (Motion #3)

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

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

Bids/Proposals – None presented.

Bids/Proposals Scheduled to be Presented during the January 14, 2010 Board of Directors Meeting – Mr. Miller reported that no bids/proposals were scheduled to be presented during the January 14, 2010 Board meeting.

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DIRECTORS REPORTS

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

Nebraska Association of Resources Districts (NARD) – Legislative Conference, January 26-27, 2010 – Mr. Meismer reported that the NARD annual Legislative Conference will be held January 26-27, 2010 in Lincoln, Nebraska. Mr. Meismer reported that in the Directors' packet was the tentative agenda. Mr. Meismer reported that Senator Tom Hansen and Senator Ken Schilz will be invited to have a private dinner with representatives of the Twin Platte Natural Resources District attending the conference. Mr. Meismer reported that the Loup River Basin Natural Resources Districts have a formal dinner, which Senator Deb Fischer traditionally participates.

Mr. Hansen, Mr. Margritz, Mr. Meismer, Mr. Petersen, Mr. Rubenthaler, Mr. Schilz, Mr. Stack, Mr. Storer, Mr. Wahlgren, Mr. Weaver, and Mr. Wiseman indicated that they plan 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. Meismer 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 TPNRD Voting Delegate and Mr. Wiseman to be the TPNRD Alternate Voting Delegate for the (NARD) Legislative Conference January 26-27, 2010.

Nebraska Association of Resources Districts (NARD) – Natural Resources Districts Water Management Summary – Mr. Miller reported that in the Directors' notebooks was the Natural Resources Districts Water Management Summary compiled by the NARD for information.

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

Board of Directors Elections 2010 – Mr. Rubenthaler reported that the deadline for Incumbents filing for re-election is February 15 and the deadline for Non-Office Holders filing for election is March 1. Mr. Rubenthaler reported that the Twin Platte Natural Resources District Directors seats up for election in 2010 are Subdistrict 1 (Eric Hansen), Subdistrict 2 (Joe Wahlgren), Subdistrict 3 (Doug Stack), Subdistrict 4 (Dale Margritz), Subdistrict 5 (Jim Meismer), and At Large (Jim Rubenthaler). Mr. Rubenthaler reported that in the Directors' packet for information were a Twin Platte Natural Resources District map, a City of North Platte map, and Operating Policy Number 3: Board of Directors Election Sub-Districts.

Requests for Authorization to Travel – No requests were presented.

DISTRICT REPORT

Cost-Share Programs – NE Soil & Water Conservation Program (NSWCP) - Funding –

Mr. Miller reported that on June 4, 2009, the Board of Directors approved the following:

- For Practice NC-12, Windbreaks, that 30% of available funds be reserved from July 1, 2009 to January 30, 2010
- For Practice NC-14, Planned Grazing Systems, that 30% of available funds be reserved from July 1, 2009 to January 30, 2010
- For Practice NC-17, Irrigation Water Management, that 30% of available funds be reserved from July 1, 2009 to January 30, 2010
- For the other eligible practices that 10% of available funds be reserved from July 1, 2009 to January 30, 2010
- Any funds available after January 30, 2010 may be used for any eligible practice.

Mr. Miller reported that effective July 1, 2009, the allocation for FY 2009-2010 was:

- NC-12 – Trees: \$22,594.70
- NC-14 – Planned Grazing Systems: \$22,594.70
- NC-17 – Irrigation Water Management: \$22,594.70
- Other Practices: \$7,531.57

Mr. Miller reported that on November 12, 2009, he reported to the Board that the Governor has recommended that all state agencies reduce spending 2.5% in FY 2009-2010 and 5.0% in FY 2010-2011.

Mr. Miller reported that On November 12, 2009, the Board of Directors approved a reduced allocation by 2.5% for FY 2009-2010 as follows:

- NC-12 – Trees: \$22,029.83
- NC-14 – Planned Grazing Systems: \$22,029.83
- NC-17 – Irrigation Water Management: \$22,029.83
- Other Practices: \$7,343.28

Mr. Miller reported that in the Directors' notebook was a December 2, 2009 email from the NE Department of Natural Resources and a revised NSWCP Fund Distribution FY 2009-2010.

Mr. Wiseman moved to approve the following for the \$76,629.00 allocation of the funds for the Nebraska Soil & Water Conservation Program in the Twin Platte Natural Resources District for July 1, 2009 – June 30, 2010:

- NC-12 – Trees: \$22,988.70
- NC-14 – Planned Grazing Systems: \$22,988.70
- NC-17 – Irrigation Water Management: \$22,988.70

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- Other Practices: \$7,662.90

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

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

Cost-Share Programs – NE Soil & Water Conservation Program - Contracts – Mr. Miller reported that in the Director’s notebook was a report and \$53,679.91 was available for funding contracts.

Mr. Petersen moved to approve the December 16, 2009 report 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> |
|-------------------------------|-----------------|--------------------|----------------|-------------------------|
| 10.014 | NC-12 | Trees | \$ 939.25 | \$ 939.25 |
| 10.015 | NC-12 | Trees | \$ 1,105.00 | \$ 1,105.00 |
| 10.016 | NC-12 | Trees | \$ 1,105.00 | \$ 1,105.00 |
| 10.017 | NC-12 | Trees | \$ 1,105.00 | \$ 1,105.00 |
| 10.018 | NC-12 | Trees | \$ 1,105.00 | \$ 1,105.00 |
| Total Amount of New Contracts | | | | \$ 5,359.25 |

| | | |
|------------------|---------------------------------|--------------|
| FUNDS AVAILABLE: | Practice NC-12, Windbreaks | \$ 22,029.83 |
| | Practice NC-14, Planned Grazing | \$ 10,895.06 |
| | Practice NC-17, Irrigation | \$ 13,397.53 |
| | Other available practices | \$ 7,357.49 |

Mr. Wiseman seconded the motion. The motion carried. (Motion #5)

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

Cost-Share Programs – District Conservation Programs – Mr. Miller reported that in the Directors' notebook was a report and \$5,077.10 was available for new contracts.

Tree Programs – No report presented.

Range Programs – No report presented.

Water Programs – No report presented.

Soil Conservation Programs – No report presented.

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Wildlife Habitat Programs – No report presented.

Regulatory Programs – No report presented.

Information & Education Programs – 2009 Awards – Presentation, December 16, 2009 – Mr. Miller reported that the TPNRD’s 2009 Grassland Award for Keith / Arthur Counties will be presented later in the Board meeting to KM Lute Trust Ranch, Mike Krab, Manager.

Brule Watershed – No report presented.

Interlocal Cooperation Agreements - No report presented.

Hazard Mitigation Plan – No report presented.

Requests for Authorization to Travel – NARD Washington D.C. Meetings, March 8-10, 2010 – 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 to participate in the 2010 NARD annual meetings in Washington, D.C. March 8-10, 2010.

Mr. Schilz moved to authorize Kent O. Miller, General Manager, to participate in the NARD meetings in Washington, D.C. March 8-10, 2010. Mr. Meisner seconded the motion. The motion carried. (Motion #6)

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

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 notebook.

BASIN-WIDE PLAN FOR JOINT INTEGRATED WATER RESOURCES
MANAGEMENT OF OVERAPPROPRIATED PORTIONS OF THE PLATTE RIVER
NEBRASKA

Petition and Request for Contested Case Hearing filed by Central Nebraska Public Power & Irrigation District (CNPPID) – No report presented and no discussion occurred.

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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 14, 2010 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 2009 Grassland Award for Keith / Arthur Counties was presented to KM Lute Trust Ranch, Mike Krab, Manager, during the District's Awards Banquet at the Haythorn Ranch.

ADJOURNMENT

The meeting adjourned at 7:58 pm MST (8:58 pm CST).

Jerry Weaver, Secretary