

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting  
December 14, 2010

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 14, 2010. Mr. Rubenthaler called the meeting to order at 4:37 pm MST (5:37 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

Roger Hammer  
Howard Main  
Mary Reece  
Brock Shouldis

STAFF PRESENT

Ann Dimmitt, Water Programs Regulatory Coordinator  
Justin Lemmer, TSP Technician  
Amy Mapes, Administrative Assistant  
Kent Miller, General Manager

OTHERS PRESENT

Bob Peterson, Director-Elect

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

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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 that Mr. Stack notified the office 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

Mr. Meisner presented appreciation plaques to Mr. Rubenthaler for 16 years of service as a member of the Board of Directors and Mr. Margritz for 4 years of service as a member of the Board of Directors.

BOARD OF DIRECTORS MINUTES

Minutes for November 18, 2010 Meeting – Mr. Rubenthaler reported that the Minutes for the November 18, 2010 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 18, 2010 Board of Directors meeting be approved. Mr. Margritz seconded the motion. The motion carried. (Motion #1)

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

Nay: None

Absent & Excused: Stack

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Agenda and Minutes – Mr. Miller reported that the agenda for Board of Directors meetings is available on the TPNRD website a week prior to each Board meeting and the minutes for Board of Directors meetings are available on the TPNRD website following approval of the minutes by the Board of Directors. Mr. Miller reported that currently, the agenda for Board of Directors meetings are also emailed to a distribution list a week prior to each Board meeting and the minutes for Board of Directors meetings are also emailed to a distribution list. Mr. Miller reported that a few years ago, emailing replaced the mailing of agendas and minutes to a distribution list. Mr. Miller reported that the TPNRD office use to receive by mail and then email the agendas and minutes of all the NRDs surrounding the TPNRD. Mr. Miller reported that currently, we only receive agendas and minutes by email from the North Platte NRD and the Middle Republican NRD and we do not receive any agendas and minutes by mail. Mr. Miller recommended that the TPNRD stop the emailing of agendas and minutes to a distribution list. The Board of Directors had no objections to the recommendation and agreed that the TPNRD could stop the emailing of agendas and minutes to a distribution list.

Mr. Miller reported that each of the current recipients of emails would be notified by email that the agenda for Board of Directors meetings is available on the TPNRD website a week prior to each Board meeting and the minutes for Board of Directors meetings are available on the TPNRD website following approval of the minutes by the Board of Directors.

REQUESTS FOR ASSISTANCE

None presented.

COOPERATING AGENCIES REPORT

USDA Natural Resources Conservation Service (NRCS) – District Conservationist Report – Mrs. Reece introduced the NRCS personnel present. Mrs. Reece distributed and reviewed a report.

Nebraska Natural Resources Commission – South Platte River Basin Caucus – Mr. Miller reported that the current Nebraska Department of Natural Resources was the result of a merger between the agencies named the 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 Natural Resources Districts directors to represent Nebraska's river basins. Mr. Miller reported participants in the basin caucuses are the seated Natural Resources District Directors within the River Basin. Mr. Miller reported that in the Directors' packet for information was a map of river basins and NRD boundaries and a listing of current Natural Resources Commission members as of July 11, 2010. Mr. Miller reported that the TPNRD is within the South Platte, North Platte, and Middle Platte Basins and that the Natural Resources Commission's South Platte Basin representative's term expires in January 2011.

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Mr. Miller reported that a South Platte Basin Caucus needs to be held in early January to select a representative for the South Platte River Basin. Mr. Miller reported that the TPNRD Directors residing in the South Platte River Basin (Mr. Schilz and Mr. Wiseman) are eligible to participate in the South Platte Basin Caucus. Mr. Miller reported that the current representative for the South Platte Basin is Keith Rexroth, who is a current member of the South Platte Natural Resources District Board of Directors. Mr. Miller reported that Mr. Rexroth would like to serve another term. Mr. Miller reported that candidates eligible are any resident in the South Platte Basin of majority age of 19. Mr. Miller asked if there were any candidates from within the TPNRD and there were none indicated. The Directors residing in the South Platte River Basin indicated that they support Mr. Rexroth to be re-elected to serve another term representing the South Platte River Basin on the Nebraska Natural Resources Commission. The Directors residing in the South Platte River Basin indicated that they did not plan to attend a caucus and recommended that the Commission schedule the South Platte River Basin caucus at a time and location desired by the South Platte Natural Resources District Board of Directors. The Directors residing in the South Platte River Basin indicated that their non-attendance is simply to save time and expenses, as they support the re-election of Mr. Rexroth and appreciate the representation Mr. Rexroth has provided for the South Platte River Basin.

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

No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for November 2010 was in the Directors' notebook and available as a handout.

Accounts Payable - Mr. Meismer reported that the Accounts Payable report was in the

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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 2010 be received and placed on file for audit and to approve payment of the invoices presented on December 14, 2010 in the amount of \$39,119.59. Mr. Petersen seconded the motion. The motion carried. (Motion #2)

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

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

Bids/Proposals - ATV – Mr. Miller reported that during the November 18, 2010 Board meeting, the General Manager reported, per TPNRD policy, that bids/proposals would be presented for consideration during the December 14, 2010 Board of Directors meeting for the purchase of an All Terrain Vehicle (ATV). Mr. Miller reported that the ATV would be use in the Chemigation Program, Ground Water Monitoring Program, Range Program, Wildlife Habitat Program, and the Tree Program. Mr. Miller reported that the Budget provides for this purchase. Mr. Miller reported that currently, the TPNRD does not have an ATV. Mr. Miller reported that most of the NRDs have ATVs, and several have more than one ATV, which they have found to save time and reduces some use of the pickups. Mr. Miller reported that to minimize liability, a helmet will be required to be worn at all times including loading and unloading in the pickups, only TPNRD employees will be allowed to use the ATV, and no passengers will be allowed at any time, with zero tolerance if these rules are not abided by. Mr. Miller reported that in the Directors' packet for information was the letter requesting bids, the bid specifications, and a report of Bids received. Mr. Miller reported that the low bid received from Budke Power Sports, North Platte, NE, for a 2011 Polaris Sportsman 500 HO, met the specifications, and he recommended that the Board approve the bid from Budke Power Sports, North Platte, NE, for a 2011 Polaris Sportsman 500 H.O. f.

Mr. Schilz moved to approve the low bid from Budke Power Sports, North Platte, NE, for a 2011 Polaris Sportsman 500 H.O. for a total cost for the TPNRD of \$5,999.00. Mr. Meismer seconded the motion. The motion carried. (Motion #3)

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

Bids/Proposals Scheduled to be Presented for Consideration during the January 13, 2011 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

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at which bids will be presented for consideration”. Mr. Miller reported that no bids/proposals would be presented for the January 13, 2011 Board of Directors meeting.

DIRECTORS REPORTS

Nebraska Association of Resources Districts (NARD) – Board of Directors Meeting – Mr. Meismer reported on the NARD Board of Directors meeting held on November 8, 2010.

Nebraska Association of Resources Districts (NARD) – Legislative Conference, January 25-26, 2011 – Mr. Meismer reported that the NARD annual Legislative Conference will be held January 25-26, 2011 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 TPNRD 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. Miller reported that the TPNRD needs to select a voting representative for the business session. Mr. Miller reported that Mr. Meismer is chair of the NARD Legislative Committee and he will be chairing the business session.

Mr. Rubenthaler appointed Mr. Wahlgren to be the TPNRD Voting Delegate and Mr. Weaver to be the TPNRD Alternate Voting Delegate for the NARD Legislative Conference January 25-26, 2011.

Nebraska Association of Resources Districts (NARD) – Employee Benefits Program – Mr. Miller reported that in the Directors’ Board meeting packet was a resolution for Natural Resources Districts Board of Directors to adopt, for the employees Flex Spending Program and a resolution of the Board of Directors of the NARD for the employees Flex Spending Program adopted on November 8, 2010. Mr. Miller reported that the Flex Spending Program of the NARD was originally adopted on September 26, 2006. The TPNRD has participated in the Flex Spending Program for the employees. Mr. Miller reported that this is an optional program for Natural Resources District employees to voluntarily participate in. Mr. Miller reported that this Flex Spending Program does not provide for any TPNRD funds to employees and that participating employees are allowed to have up to \$2,400.00 deducted annually from their pay checks for this program. Mr. Miller reported that because of changes in federal law, two changes have been made to the plan, effective January 1, 2011. Mr. Miller reported that the first is that an over the counter item that is considered a drug or medicine will require a prescription written by a doctor in order to be reimbursed from the flexible spending account and the second change is a change in dependent's age. Mr. Miller reported that a dependent will include any child of a Participant who as of the end of the taxable year has not attained age 27.

Mr. Meismer moved to approve the following resolution:

On November 8, 2010, the Nebraska Association of Resource Districts (the “Sponsoring

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Employer”) adopted an Amendment #1 (the “Amendment”) to the Nebraska Association of Resource Districts Flexible Benefits Plan (the “Plan), originally adopted on September 26, 2010.

Twin Platte Natural Resources District, as a member of the Nebraska Association of Resource Districts and a participating employer in the Plan, hereby agrees to and adopts the Amendment.

IN WITNESS OF THE FOREGOING, the parties have signed this Participation Agreement evidencing their consent to the adoption of the Amendment to the Plan and their agreement that the Plan will be administered in accordance with the terms of the Amendment.

and to authorize the General Manager to execute the resolution for the Twin Platte Natural Resources District. Mr. Wahlgren seconded the motion. The motion carried. (Motion #4)

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

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

Requests for Authorization to Travel – No requests were presented.

DISTRICT REPORT

Cost-Share Programs – NE Soil & Water Conservation Program – Mr. Miller reported that in the Directors' notebook was a report and \$41,152.84 was available for funding contracts.

Mr. Petersen moved to approve the December 14, 2010 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>
11.011	NC-12	Trees	\$ 1,107.00	\$ 1,107.00
11.012	NC-12	Trees	\$ 553.50	\$ 553.50
11.013	NC-12	Trees	\$ 1,107.00	\$ 1,107.00
11.014	NC-12	Trees	\$ 1,107.00	\$ 1,107.00
11.015	NC-12	Trees	\$ 608.85	\$ 608.85
Total Amount of New Contracts				\$ 4,483.35

FUNDS AVAILABLE:	Practice NC-12, Windbreaks	\$ 17,735.72
	Practice NC-14, Planned Grazing	\$ 2,732.78
	Practice NC-17, Irrigation	\$ 15,077.49
	Other available practices	\$ 5,606.85

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

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

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Excused & Excused: Stack

Cost-Share Programs – District Conservation Programs – Mr. Miller reported that in the Directors' Board notebook was a report and \$6,739.45 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.

Wildlife Habitat Programs – No report presented.

Regulatory Programs – No report presented.

Information & Education Programs – 2010 Awards – Presentation, December 14, 2010 – Mr. Miller reported that the TPNRD 2010 Tree Planting Award for Keith/Arthur Counties will be presented tonight to the Krajewski Family Farm (Dave Krajewski) of Ogallala, NE, during the District's Awards Banquet following the Board meeting.

Brule Watershed – No report presented.

Interlocal Cooperation Agreements – No report presented.

Hazard Mitigation Plan – No report presented.

Requests for Authorization to Travel – No requests presented.

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 13, 2011 at 3:00 pm CST (2:00 pm MST) at the Great Western Bank Center Meeting Room, 111 South Dewey Street, Second Floor, North Platte, Nebraska.

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AWARDS DINNER

The District's 2010 Tree Planting Award for Keith/Arthur Counties was presented to Krajewski Family Farms during the District's Awards Banquet at the Haythorn Ranch.

ADJOURNMENT

The meeting adjourned at 7:40 pm MST (8:40 pm CST).

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Jerry Weaver, Secretary