

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
February 10, 2000

The Twin Platte Natural Resources District Board of Directors meeting was held at the United Nebraska Bank Center Meeting Room, Second Floor, West Wing, 111 South Dewey Street, North Platte, Nebraska on February 10, 2000. The meeting was called to order by Mr. Boyer at 3:05 p.m. CST (2:05 p.m. MST). 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
Kent Boyer
Todd Kramer
James Meisner
Robert Petersen
Douglas Stack
Frank Svoboda
Joe Wahlgren
Jerry Weaver

BOARD MEMBERS

ABSENT & EXCUSED

Roric Paulman
Jim Rubenthaler

BOARD MEMBERS

ABSENT

NRCS PERS PRESENT

Mary Reece, D Cons

OTHERS PRESENT

STAFF PRESENT

Kent O Miller, Gen Mgr
Glen Bowers, Water P Coor

OATH OF OFFICE FOR APPOINTMENT TO BOARD

Mr. Boyer reported that Robert Petersen, who was appointed to the Board of Directors to represent Sub-District 2, was presented with a written Oath of Office that was read and signed by Mr. Petersen and that Mrs. Lehmkuhler will notarize the Oath of Office. Mr. Boyer reported that Joe Wahlgren, who was appointed to the Board of Directors to represent Sub-District 2, was presented with a written Oath of Office that was read and signed by Mr. Wahlgren and that Mrs. Lehmkuhler will notarize the Oath of Office.

PUBLIC FORUM

The Public Forum of the meeting was opened. There were no comments, and the Public Forum was closed.

ANNOUNCEMENTS

Report of Directors Excused - Mr. Boyer reported that Mr. Paulman and Mr. Rubenthaler were excused.

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DISTRIBUTION OF INFORMATION TO BOARD OF DIRECTORS

Directors Notebooks Containing Information Items Available for Handout - Mr. Boyer reported that each Director has a notebook containing information items that are available for handouts for others attending the meeting. Mr. Boyer reported that the handouts are on a table at the back of the room.

Documents for Review Prior to Action Scheduled Later on the Agenda - None presented.

AGENDA MODIFICATION

None presented.

GENERAL INFORMATION

No report presented.

SUBCOMMITTEE APPOINTMENTS

Chairperson's Report – Mr. Boyer announced the following appointments for the Subcommittees for 2000:

Water Resources Subcommittee

James Meisner - Chairperson
Kent Boyer
Roric Paulman
Joe Wahlgren

Land Resources Subcommittee

Jeff Baldrige - Chairperson
Todd Kramer
Jim Rubenthaler
Frank Svoboda

Wildlife Habitat & Urban Affairs Subcommittee

Jerry Weaver - Chairperson
Robert Petersen
Doug Stack

BOARD OF DIRECTORS MEETINGS

Minutes for January 13, 2000 Meeting - Mr. Boyer reported that the Minutes were in the Directors' packet, and he asked if there were corrections or additions to the Minutes.

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Mr. Meismer moved that the Minutes of the January 13, 2000 Board of Directors meeting be approved. Mr. Kramer seconded the motion, and it carried. (Motion #1)

AYE: Baldridge, Boyer, Kramer, Meismer, Petersen, Stack, Svoboda, Wahlgren,
Weaver

NAY: None

ABSENT: Paulman, Rubenthaler

COOPERATING AGENCIES REPORTS

USDA Natural Resources Conservation Service - Monthly Report – Mrs. Reece reported that in the Directors' Packet for information was a narrative report prepared by her and she reviewed her report. Mrs. Reece reported that Nathan McCaleb, State Soil Scientist, is scheduled to attend the April 13, 2000 Twin Platte Natural Resources District Board meeting and will give a presentation on Carbon Sequestration. Mrs. Reece distributed pictures of the Natural Resources Conservation Service booth and the Twin Platte Natural Resources District Booth at the North Platte Ag Expo held on February 9th and 10th.

USDA Natural Resources Conservation Service - Programs - Environmental Quality Incentive Program – Mrs. Reece reported on the Environmental Quality Incentive Program funding for Fiscal Year 2000. Mrs. Reece reported that \$192,500.00 was available for cost-share contracts and \$2,100.00 was available for educational programs within the priority area within the District located in all of Arthur County and in Keith County north of the South Platte River. Mrs. Reece reported that \$30,615.00 was available for cost-share contracts within the District outside of the priority area. Mrs. Reece reported that the local work group met on February 3, 2000 in Sutherland, NE.

USDA Natural Resources Conservation Service - Programs - Conservation Reserve Program - No report presented.

USDA Natural Resources Conservation Service - Programs - Highly Erodible Lands Requirements - Mr. Boyer reported that in the Directors' packet for information were the listings of completed Highly Erodible Lands determinations.

Nebraska Board of Educational Lands and Funds - Cooperative Agreements - No report presented.

Other Agencies - Mr. Miller reported that in the Directors' notebook and available as a handout for information was the National Association of Conservation District's newsletter "The District Leader" for January 2000.

SUBCOMMITTEE MEETINGS REPORT

Land Resources Subcommittee

No report presented.

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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. Meisner reported that the Financial Statements for January 2000 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 January 2000 be received and placed on file for audit and to approve payment of the invoices up to February 10, 2000 in the amount of \$18,344.71. Mr. Kramer seconded the motion, and it carried. (Motion #2)

- AYE: Baldrige, Boyer, Kramer, Meisner, Petersen, Stack, Svoboda, Wahlgren,
 Weaver
NAY: None
ABSENT: Paulman, Rubenthaler

Budget Status - Mr. Meisner reported that the Budget Status report was in the Directors' notebook and available as a handout. Mr. Meisner reported that there were no new or additional overruns.

Bids/Proposals - None were presented.

Bids/Proposals Scheduled To Be Presented for Consideration During the March 9, 2000 Board of Directors Meeting - Mr. Miller reported that no bids/proposals were scheduled to be presented for consideration during the March 9, 2000 Board of Directors meeting.

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DIRECTORS' REPORTS
Nebraska Association of Resources Districts

Board of Directors Meetings – Mr. Meismer reported on the Board of Directors meeting held on January 26, 2000. Mr. Miller reported that in the Directors' packet for information was the Nebraska Association of Resources Districts January 28th Legislative Update and in the Directors' notebook and available as a handout for information was the Nebraska Association of Resources Districts February 4th Legislative Update. Mr. Meismer reported that during the Legislative Conference held on January 25th and 26th Jim Cook, Legal Counsel for the Nebraska Natural Resources Commission presented a program on Responsibilities & Authorities of Natural Resources Districts. Mr. Meismer reported that in the Directors' packet for information was a copy of Mr. Cook's presentation. Mr. Meismer commented on Mr. Cook's presentation.

Legislative Conference, January 25-26, 2000 – Mr. Miller reported that in the Directors' packet for information was a report prepared by the Nebraska Association of Resources Districts on Legislation considered by the Natural Resources Districts during the Legislative Conference and the positions on Legislation enacted during the Business Session. Mr. Boyer, Mr. Meismer, Mr. Weaver and Mr. Miller attended the Legislative Conference.

DIRECTORS' REPORTS
Central Nebraska Public Power & Irrigation District Water Conservation Task Force

No report presented.

DIRECTORS' REPORTS
Platte River Citizens Advisory Council

Mr. Boyer reported on the activities of the Platte River Citizens Advisory Council appointed by Governor Johanns to monitor the activities of the Platte River Cooperative Agreement and to prepare reports and recommendations for the Governor.

DIRECTORS' REPORTS
Western Irrigation District Board Meeting

Mr. Boyer and Mr. Meismer reported on the meetings they and the staff have had with the Western Irrigation District Board of Directors to discuss the Platte River Cooperative Agreement. Mr. Bowers reported on the District's data collection programs in southwestern Keith County and on the status of studies underway in cooperation with the University of Nebraska Conservation & Survey Division.

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DIRECTORS' REPORTS
Directors Per Diem

Mr. Meismer reported that he continues to believe that the Twin Platte Natural Resources District should increase the Directors' Per Diem from the current \$20.00 per day to the statutory authorized maximum of \$50.00 per day. Mr. Meismer reported that he had requested the staff to include in the Directors' packet copy of the Nebraska Statute Section 2-3218 authorizing Per Diem for Natural Resources District Directors and the District's current policy for Per Diem for Twin Platte Natural Resources District Directors and to provide for an action item on the agenda to allow him to offer a motion to increase the Directors' Per Diem from the current \$20.00 per day to the statutory authorized maximum of \$50.00 per day.

Mr. Meismer moved to waive the provision in the District's Operating Policy "that any proposed change must be in writing and may not be approved unless the full text of the proposed change has been furnished to the Directors no less than five days before the meeting where the changes will be proposed" and that Operating Policy Number 14: BOARD OF DIRECTORS COMPENSATION AND EXPENSES be revised as follows (additions are underlined and deletions have a strikethrough line):

Directors shall receive compensation and directors and employees shall be reimbursed for expenses in the following manner:

1. Directors' compensation shall be at a per diem rate not to exceed the amount authorized by law and approved by the Board. Effective ~~September 13, 1996~~ March 1, 2000, the rate shall be ~~\$20.00~~ \$50.00 per day, with a maximum of \$2,000 per calendar year.

Mr. Svoboda seconded the motion, and it carried. (Motion #3)

AYE: Kramer, Meismer, Petersen, Stack, Svoboda, Wahlgren, Weaver

NAY: Baldrige, Boyer

ABSENT: Paulman, Rubenthaler

DIRECTORS' REPORTS
Board of Directors Election

Mr. Boyer reported on the seats on the Board of Directors that are up for election this year. Mr. Boyer reported that the filing deadlines were February 15, 2000 for incumbents and March 1, 2000 for non-office holders and that the filing forms must be in the Secretary of State's office in Lincoln, NE by 5:00 p.m. on the filing deadline.

DIRECTORS' REPORTS
Requests for Authorization to Travel

No requests were presented.

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DISTRICT REPORT

Requests for Assistance - No requests were presented.

Cost-Share Programs - Nebraska Soil & Water Conservation Program - Contracts - Mr. Miller reported that in the Directors' notebook and available as a handout was the monthly report. Mr. Miller reported that \$8,722.77 was available.

Mr. Stack moved to approve the February 2000 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</u>
<u>Fund</u>				
PROPOSED NEW CONTRACTS:				
00-068	NC-17	Irrigation Water Mgm	\$ 2,261.00	\$ 0.00
00-069	NC-1	Terrace System	\$ 975.00	\$ 0.00
00-070	NC-12	Windbreaks	\$ 864.25	\$ 864.25
00-071	NC-12	Windbreaks	\$ 242.50	\$ 242.50
00-072	NC-12	Windbreaks	\$ 87.30	\$ 87.30
00-073	NC-12	Windbreaks	\$ 631.05	\$ 631.05
00-074	NC-12	Windbreaks	\$ 757.50	\$ 757.50
00-075	NC-12	Windbreaks	\$ 640.98	\$ 640.98
00-076	NC-12	Windbreaks	\$ 1,396.91	\$ 1,396.91
00-077	NC-12	Windbreaks	\$ 2,012.38	\$ 2,012.38
00-078	NC-12	Windbreaks	\$ 771.25	\$ 771.25
00-079	NC-12	Windbreaks	\$ 155.00	\$ 155.00
00-080	NC-12	Windbreaks	\$ 546.70	\$ 546.70
00-081	NC-12	Windbreaks	\$ 616.95	\$ 616.95
Total Amount Of New Contracts				\$ 8,722.77
FUNDS AVAILABLE				\$ 0.00

Mr. Meismer seconded the motion, and it carried. (Motion #4)

AYE: Baldridge, Boyer, Kramer, Meismer, Petersen, Stack, Svoboda, Wahlgren, Weaver

NAY: None

ABSENT: Paulman, Rubenthaler

Cost-Share Programs - District Conservation Program – Contracts for Approved Programs for Fiscal Year 2000 – Sealing Abandoned Wells - Mr. Miller reported that in the Directors' notebook and available as a handout for information was the monthly report.

Cost-Share Programs - District Conservation Program - Contracts for Approved Programs for Fiscal Year 2000 – Soil Testing - No report presented.

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Cost-Share Programs - District Conservation Program - Contracts for Approved Programs for Fiscal Year 2000 – Demonstrations for Buffer Areas at Irrigation Well - No report presented.

Cost-Share Programs – NE Buffer Strip Program - No report presented.

Tree Program – No report presented.

Range Programs – No report presented.

Soil Conservation Programs - No report presented.

Wildlife Habitat Programs - No report presented.

Water Programs – Ground Water Program – 319 Project – Mr. Miller reported that in the Directors' notebook and available as a handout for information was a final accounting of the equipment authorized by the Board during the January 13th Board meeting to purchase for the ground water program. Mr. Bowers showed some of the equipment purchased. Mr. Miller distributed the District's winter 2000 newsletter that is funded by the 319 Project.

Water Programs – Ground Water Program – Cooperative Agreement with US Bureau of Reclamation – Mr. Miller reported that in the Directors' notebook and available as a handout for information was the signed Cooperative Agreement with the US Bureau of Reclamation approved by the Board during the January 13th Board meeting for a Canal Trash Screening Demonstration Project. Mr. Miller reported that the cooperative agreement provides that the US Bureau of Reclamation will provide funds up to \$5,000.00 for the purchase of or the construction of canal screening devices.

Water Programs –Watershed Program – No report presented.

Water Programs – Platte River Activities - Cooperative Agreement Relating to Endangered Species – Mr. Miller reported that in the Directors' notebook and available as a handout was information for meetings of the Governance Committee. Mr. Miller reported that he attends meetings of the Governance Committee, the Water Action Plan Committee and the Water Management Committee as his schedule allows with a priority for attending meetings of the Water Management Committee which he is a member and the Water Action Plan Committee. Mr. Miller reported that he is participating in meetings in Nebraska about the issues within Nebraska. Mr. Miller reported that the Basin meeting of Platte River Natural Resources Districts scheduled for February 16th has been cancelled. Mr. Miller reported that the next Basin meeting of Platte River Natural Resources Districts would be held on March 29th.

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Water Programs – Platte River Activities - Cooperative Hydrology Study – Mr. Miller reported that in the Directors' notebook and available as a handout was information for meetings of the sponsors for the Cooperative Hydrology Study.

Regulatory Programs - Chemigation – Mr. Miller reported that in the Directors' packet for information was a copy of letters sent to Chemigation permit holders in the District.

Regulatory Programs – Erosion and Sediment Control – Mr. Miller reported that in the Directors' packet for information was a copy of a letter from the District in regard to a soil erosion and sediment accumulation concern.

Regulatory Programs – Ground Water Runoff – No report presented.

Information & Education Programs – Mr. Miller reported on the District's staff participation at the North Platte Ag Expo held February 9th and 10th.

Legislation – Mr. Miller reported that in the Directors' packet was information in regard to Legislative Bill 903. Mr. Miller reported that Legislative Bill 902 was introduced by Senator Schrock for the NE Department of Water Resources which includes a provision in regard to irrigation wells within 50 feet of the bank of a natural stream. Mr. Miller reported that LB 902 would not alter the language of the current law and would grandfather from the provisions of the current law wells drilled after September 9, 1993, the first date wells were subject to the 50 foot provision, and before the effective date of LB 902 which would likely be in July of this year. Mr. Miller reported that LB 902 has been amended on LB 900, which is a priority bill that is expected to be enacted this year. Mr. Miller reported that like LB 902, Legislative Bill 903 would grandfather all wells installed prior to the effective date of the bill. Mr. Miller reported that LB 903 was introduced by Senator Schrock and would also change the statute so that it would apply only to wells located within 50 feet of a "perennially flowing channel" rather than a "bank" of any natural stream. Mr. Miller reported that he presented testimony on January 19, 2000 before the Legislature's Natural Resources Committee supporting LB 902 and LB 903 due to the current law's impact on Brady Island. Mr. Miller reported that he and Dale Wahlgren, a producer on Brady Island, have met once with Senator Schrock and plan to meet with him again to urge him to find a way to enact the provisions of LB 903 this year.

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' 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.

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OTHER BUSINESS

There was no other business.

ADJOURNMENT

The meeting adjourned at 5:05 p.m. CST (4:05 p.m. MST).

Douglas Stack, Secretary

KOM:MSOMIN2:Bmin0200