

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
May 11, 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 May 11, 2000. The meeting was called to order by Mr. Boyer at 7:35 p.m. CDT (6:35 p.m. MDT). 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 Baldrige
Kent Boyer
Robert Petersen
Jim Rubenthaler
Douglas Stack
Frank Svoboda
Joe Wahlgren
Jerry Weaver

BOARD MEMBERS

ABSENT & EXCUSED

Todd Kramer
Roric Paulman

BOARD MEMBERS

ABSENT

James Meisner

NRCS PERS PRESENT

Mary Reece, D Cons

OTHERS PRESENT

STAFF PRESENT

Kent O Miller, Gen Mgr
Bill Carhart, Range P Coor

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. Kramer and Mr. Paulman were excused.

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

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None presented.

GENERAL INFORMATION

No report presented.

BOARD OF DIRECTORS MEETINGS

Minutes for April 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.

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

AYE: Baldridge, Boyer, Petersen, Rubenthaler, Stack, Svoboda, Wahlgren,
Weaver

NAY: None

ABSENT: Kramer, Meismer, Paulman

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 distributed for information a USDA-NRCS publication titled “Protecting the Good Life through PL-566 – The Watershed Protection and Flood Prevention Act – Across Nebraska”.

USDA Natural Resources Conservation Service - Programs - Environmental Quality Incentive Program – No report presented.

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

USDA Natural Resources Conservation Service - Programs - Highly Erodible Lands Requirements - Mrs. Reece 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' packet for information was the organization structure for the Nebraska Department of Natural Resources. Mr. Miller reported that in the Directors' notebook and available as a handout for information was the NACD publication “The District Leader” for April 2000.

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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
PROGRAMS

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Executive Subcommittee

No report presented.

FINANCIAL REPORT

Mr. Boyer reported that Mr. Meisner was absent and he asked Mr. Miller to present the financial report.

Financial Statement - Mr. Miller reported that the Financial Statements for April 2000 was in the Directors' notebook and available as a handout for information.

Accounts Payable - Mr. Miller 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. Stack moved that the Financial Statement for April 2000 be received and placed on file for audit and that the Accounts Payable in the amount of \$34,465.55 be paid. Mr. Petersen seconded the motion, and it carried. (Motion #2)

AYE: Baldridge, Boyer, Petersen, Rubenthaler, Stack, Svoboda, Wahlgren,
Weaver

NAY: None

ABSENT: Kramer, Meisner, Paulman

Budget Status - Mr. Miller 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.

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Bids/Proposals - None were presented.

Bids/Proposals Scheduled To Be Presented for Consideration During the June 8, 2000 Board of Directors Meeting - Mr. Miller reported that no bids/proposals were scheduled to be presented for consideration during the June 8, 2000 Board of Directors meeting.

Policy Revisions – Operating Policy Number 26: BANKING - Mr. Miller reported that in the Directors' packet were draft revisions for Operating Policy Number 26: BANKING.

Mr. Stack moved that Operating Policy Number 26: BANKING be revised as follows (additions are underlined and deletions have a strikethrough line):

Operating Policy Number 26: BANKING

The following financial institutions shall be designated as depositories of the funds of the District: ~~United Nebraska Bank - North Platte; First National Bank & Trust Company - North Platte; Western Nebraska National Bank - North Platte; Adams Bank & Trust - Ogallala, Brule, North Platte, Sutherland; First National Bank – Ogallala; Bank of Gothenburg State Bank Brady Branch - Brady; and Bank of Keystone – Keystone; Nebraskaland National Bank – North Platte; Pinnacle Bank – Ogallala; and Valley Bank and Trust - Ogallala,~~ and all checks, drafts or other orders for payment of money may be endorsed for deposit by stamp or personal endorsement of any officer or employee and deposited in said accounts. The District Chairman or Treasurer is authorized to draw checks, drafts or other orders for payment of money on said accounts and that these banks are authorized to honor the same including checks and drafts payable to this District or to the bearer or to the order of the person signing the same.

The following list of securities shall be acceptable for pledging by the financial institutions designated as depositories of the funds of the District as it relates to deposits made by the District in excess of \$100,000.00:

- (a) Bonds or obligations fully and unconditionally guaranteed both as to principal and interest by the United States Government;
- (b) United States Government notes; certificates of indebtedness or treasury bills of any issues;
- (c) United States Government bonds;
- (d) United States Government guaranteed bonds or notes;
- (e) Bonds or notes of United States Government agencies;
- (f) Bonds of any state or political subdivision which are fully defended as to principal and interest by any combination of bonds or notes authorized in subdivision (c), (d) or (e) above;
- (g) Bonds or obligations, including mortgage-backed obligations, issued by the Federal Home Loan Mortgage Corporation, the Federal farm credit system, the Federal Home Loan Bank Board or the Federal National

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- Mortgage Association;
- (h) Securities issued under the authority of the Federal Farm Loan Act;
 - (i) Loan participation's which carry the guarantee of the Commodity Credit Corporation, an instrumentality of the United States Department of Agriculture;
 - (j) Guaranty agreements of the Small Business Administration of the United States Government;
 - (k) Bonds or obligations of any county, city, village, metropolitan utilities district, public power and irrigation district, sewer district, fire protection district, rural water district, or school district in this state which have been issued and registered as required by law or which have been issued under the direction and with the approval of the Auditor of Public Accounts;
 - (l) Bonds of the State of Nebraska or of any other state which are purchased by the Board of Educational Lands and Funds of this state for investment in the permanent school fund or which are purchased by the state investment officer of this state for investment in the permanent school fund;
 - (m) Bonds or obligations of another state, or a political subdivision of another state, which are rated within the two highest classifications of prime by at least one of the standard rating services;
 - (n) Warrants of the State of Nebraska; and
 - (o) Warrants of any county, city, village, local hospital district, or school district in this state.

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

AYE: Baldrige, Boyer, Petersen, Rubenthaler, Stack, Svoboda, Wahlgren,
Weaver

NAY: None

ABSENT: Kramer, Meismer, Paulman

DIRECTORS' REPORTS

Nebraska Association of Resources Districts

No report presented.

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

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appointed by Governor Johanns to monitor the activities of the Platte River Cooperative Agreement and to prepare reports and recommendations for the Governor. A lengthy discussion occurred in regard to the Platte River Cooperative Agreement.

DIRECTORS' REPORTS
Requests for Authorization to Travel

No requests were presented.

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 there were no new contracts to present. Mr. Miller reported that the District's policy provides that "If an application for cost share through the Nebraska Soil and Water Conservation Program is approved by the Board of Directors after September 30th of any fiscal year beginning July 1, 1999, the applicant must complete the practice and submit the paper work required for the payment in sufficient time and no later than June 15th for the Nebraska Natural Resources Commission to process the completed application before the end of the fiscal year", that "An applicant's failure may result in the loss of all or part of the cost share" and that "Applicants will be required to sign a document stating their knowledge of this policy and agreeing to the terms thereof". Mr. Miller reported that in the Directors' notebook and available as a handout was a report of the contracts approved for this year along with the contracts expiration date for information.

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 a report for contracts approved.

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

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 – Policy Revisions - Cost-Share Programs Policy Number : NEBRASKA BUFFER STRIP PROGRAM – Mr. Miller reported that the District has received the first applications for the Nebraska Buffer Strip

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Program. Mr. Miller reported that in the Directors' packet was information for the Nebraska Buffer Strip Program. Mr. Miller reported that in the Directors' packet were draft revisions for Cost-Share Programs Policy Number __: NEBRASKA BUFFER STRIP PROGRAM.

Mr. Stack moved that Cost-Share Programs Policy Number __: NEBRASKA BUFFER STRIP PROGRAM be revised as follows (additions are underlined and deletions have a strikethrough line):

Cost-Share Programs Policy Number __: NEBRASKA BUFFER STRIP PROGRAM

AGREEMENTS

Nebraska Department of Agriculture

- An agreement between the Nebraska Department of Agriculture shall be approved by the Board of Directors and shall be kept on file in the District's offices.

PROGRAM

Purpose

- The program is intended to encourage landowners to establish buffer strips along vulnerable surface water resources as a means of reducing levels of sediments and other pollutants in surface water.

Funding

- Funding for the program is administered by the Nebraska Department of Agriculture and is derived from a fee assessed on all pesticides registered for use in Nebraska.

General Rules

- The District will administer the Program in accordance with the Buffer Strip Act and the Buffer Strip Regulations.
- The District will accept applications. The District will in conjunction with the NRCS, assist the landowner in completing the application form to enroll in the Program and provide technical assistance necessary to meet the requirements of the Program.
- The District will review the applications submitted under the Program to determine compliance with the Act and the rules and regulations adopted under it. Applications approved by the District shall be forwarded to the Department within 30 days. Applications not approved shall be returned to the applicant within 30 days with an explanation stating why they are not approved.
- The District will enter into an agreement with those landowners whose application to establish a buffer strip under the Program is approved by the Department.
- The District will at least once during the term of the agreement with the landowner, perform an on-site inspection of the land enrolled in the Program to determine compliance.

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- The District will provide the Department a quarterly report of the number of new contracts entered into and the payment amount due under those contracts.
- The District will provide the Department an annual summary of:
 - a) Number of applications
 - b) Number of approved applications
 - c) Number of active contracts
 - d) Total amount of land in the District enrolled in the Program. (Description should include both the number of acres and miles of land adjacent to streams and permanent water bodies, which are enrolled)
 - e) Number of inspections completed
- The District will notify the Department when land enrolled in the Program is being removed from the Program prior to the scheduled termination of its Agreement with the landowner.

DISTRICT PROVISIONS

Guidelines

- The District will utilize the Cooperative Contract for the Buffer Strip Program provided by the Nebraska Department of Agriculture
- A signed application from the producer must be submitted and approved by the District Staff and the Nebraska Department of Agriculture.
- Establishment and maintenance of a Buffer Strip will be according to the NRCS Field Office Technical Guide.
- The District staff will prepare a summary report that will be submitted to the Board of Directors.

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

AYE: Baldridge, Boyer, Petersen, Rubenthaler, Stack, Svoboda, Wahlgren,
Weaver

NAY: None

ABSENT: Kramer, Meismer, Paulman

Cost-Share Programs – NE Buffer Strip Program - Contracts - Mr. Miller reported that in the Directors' notebook and available as a handout for information was a report for contracts approved.

Tree Program – No report presented.

Range Programs – No report presented.

Soil Conservation Programs - No report presented.

Wildlife Habitat Programs - No report presented.

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Water Programs – Ground Water Program – 319 Project – Mr. Miller distributed the District's spring 2000 newsletter that is funded by the 319 Project. Mr. Miller reported that the District's newsletters are now available on the District's Web site.

Water Programs – Ground Water Program – District Programs –Mr. Miller reported that in the Directors' notebook and available as a handout was information in regard to the Nebraska Department of Environmental Quality actions for the liner reconstruction at the Enterprise Partners Livestock Operation in Arthur County.

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.

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. Mr. Miller reported that he participates in the meetings of the sponsor as the representative for the District.

Regulatory Programs – No report presented.

Information & Education Programs – No report presented.

Legislation – Mr. Miller reported that in the Directors' packet and in the Directors' notebook and available as a handout were the final reports from the Nebraska Association of Resources Districts and the Nebraska Natural Resources Commission for the 2000 session of the Nebraska Legislature. Mr. Miller reported that in the Directors' packet was a report in regard to the meeting he participated in with Governor Johanns to discuss the prohibition for drilling new irrigation wells on Brady Island.

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. The Board of Directors agreed to schedule the June 8, 2000 Board of Directors meeting at 4:00 p.m. CDT (3:00 p.m. MDT) to allow the members of the Board of Directors the opportunity to attend the Public Information meeting on the Platte River Cooperative

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Agreement that will be held in North Platte on June 8th at 7:00 p.m. CDT (6:00 p.m. MDT). The Board of Directors agreed that the Subcommittee meetings on June 8th would be scheduled for 3:00 p.m. CDT (2:00 p.m. MDT).

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.

ADJOURNMENT

The meeting adjourned at 9:10 p.m. CDT (8:10 p.m. MDT).

Douglas Stack, Secretary

KOM:MSOMIN2:Bmin0500