

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting  
March 8, 2001

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 March 8, 2001. Mr. Rubenthaler called the meeting to order at 3:06 p.m. CST (2:06 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  
Eric Hansen  
Todd Kramer  
Jim Meisner  
Robert Petersen  
Jim Rubenthaler  
Dennis Schilz  
Douglas Stack  
Jerry Weaver  
Joe Wahlgren  
Robert Wiseman

BOARD MEMBERS

ABSENT & EXCUSED

BOARD MEMBERS

ABSENT

NRCS PERS PRESENT

Mary Reece, D Cons  
Traci Bates

OTHERS PRESENT

STAFF PRESENT

Glen Bowers, Water P Coor  
Bill Carhart, Range P Coor  
Ann Fisher, Water P Tech  
Ardis Lehmkuhler, Adm Asst  
Kent O. Miller, Gen Mgr

ANNOUNCEMENTS

Report of Directors Excused - Mr. Rubenthaler reported that all Directors were present.

AGENDA MODIFICATION

Mr. Rubenthaler distributed for information a revised agenda. Mr. Rubenthaler reported that the agenda was revised March 5, 2001 which was more than 24 hours prior to the Board of Directors meeting and that no action was required.

DISTRIBUTION OF INFORMATION TO BOARD OF DIRECTORS

Directors Notebooks Containing Information Items Available for Handout - Mr. Rubenthaler reported that each Director has a notebook containing information items that are available for handouts for others attending the meeting. Mr. Rubenthaler 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 - Mr. Rubenthaler

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reported that a notebook of the USDA Natural Resources Conservation Service Conservation Plans for the Conservation Reserve Program was available for information, that the notebook would be passed around the Board table for review by each member of the Board of Directors present, and that later in the meeting the Conservation Plans would be considered for approval.

PUBLIC FORUM

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

GENERAL INFORMATION

No report presented.

BOARD OF DIRECTORS MEETINGS

Minutes for February 8, 2001 Meeting - Mr. Rubenthaler reported that the Minutes for the February 8, 2001 Board of Directors meeting were in the Directors' packet and he asked if there were corrections or additions to the Minutes.

Mr. Weaver moved that the Minutes of the February 8, 2001 Board of Directors meeting be approved. Mr. Petersen seconded the motion, and it carried. (Motion #1)

AYE: Baldridge, Hansen, Kramer, Meismer, Petersen Rubenthaler, Schilz, Stack, Wahlgren, Weaver, Wiseman

NAY: None

ABSENT: None

COOPERATING AGENCIES REPORTS

USDA Natural Resources Conservation Service - Monthly Report – Mrs. Reece distributed for information a narrative report and she reviewed the report. Mrs. Reece distributed for information a document titled “USDA Natural Resources Conservation Service, 2000 Nebraska Report, Natural Resources Conservation Activities”.

USDA Natural Resources Conservation Service - Programs - Environmental Quality Incentive Program – Mrs. Reece reported that the Local Work Group is scheduled to meet March 28, 2001 in Sutherland, NE. Mr. Miller reported that the District’s policy provides that the Local Work Group be 4 representatives of the USDA Farm Service Agency County Committees, one representing each of the 4 Counties within the Twin Platte Natural Resources District and 4 representatives of the Twin Platte Natural Resources District Board of Directors, the Chairperson and a member of the Land Resources Subcommittee and the Chairperson and a member of the Water Resources Subcommittee and that Mary Reece is the non-voting Chairperson. Mr. Rubenthaler reported that the 4

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representatives of the Twin Platte Natural Resources District Board of Directors are Mr. Baldrige, Chairperson and Mr. Hansen, a member of the Land Resources Subcommittee and Mr. Meismer, Chairperson and Mr. Petersen, a member of the Water Resources Subcommittee

USDA Natural Resources Conservation Service - Programs - Conservation Reserve Program – Mr. Rubenthaler reported that each member of the Board of Directors present had reviewed the notebook containing the Conservation Plans for the Conservation Reserve Program.

Mr. Schilz moved to approve the Conservation Plans for the USDA Conservation Reserve Program presented to and reviewed by each member of the Board of Directors present and to authorize the General Manager to sign the Conservation Plans as the District representative. Mr. Wahlgren seconded the motion and it carried. (Motion #2)

AYE: Baldrige, Hansen, Kramer, Meismer, Petersen Rubenthaler, Schilz, Stack, Wahlgren, Weaver, Wiseman  
NAY: None  
ABSENT: None

USDA Natural Resources Conservation Service - Programs - Highly Erodible Lands Requirements – Mrs. Reece reported that in the Directors’ notebook and available as a handout was the February listing of completed Highly Erodible Lands determinations.

USDA Natural Resources Conservation Service - Programs – Wildlife Habitat Incentives Program - No report presented.

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

Other Agencies - No report presented.

SUBCOMMITTEE MEETINGS REPORT  
Land Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT  
Water Resources Subcommittee

Mr. Meismer, Water Resources Subcommittee Chairperson, presented the report.

Ground Water Program - Target Areas – Southwestern Keith County – Information Meeting for Producers – February 27, 2000 – Mr. Meismer reported that in the Directors’ packet for information was the agenda and information in regard to the information

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meeting held February 27, 2001 in Brule, NE for producers south of the South Platte River within the Target Areas located in southwestern Keith County. Mr. Meismer reported that the information meeting provided for a report by the Twin Platte Natural Resources District of the authorities of Natural Resources Districts, a report of the Districts Ground Water Management Plan and a report of the options of voluntary actions or management for the area and information of how to reduce the application of nitrogen through the use of best management practices and the economic benefits of providing best management practices. Mr. Meismer reported that in the Directors' notebook and available as a handout was a draft letter and a draft reporting form for the producers south of the South Platte River within the Target Areas located in southwestern Keith County. Mr. Meismer reported that in the Directors' notebook and available as a handout was a brochure in regard to the service offered by the District for measuring flow rates in irrigation systems utilizing a portable Ultrasonic Flow Meter. Mr. Meismer reported that the District charges a service fee of \$50.00 for the first site measured and \$25.00 for each additional site measured for the producer per visit. Discussion occurred in regard to the service fee.

Mr. Meismer moved to waive the service fee for the service offered by the District for measuring flow rates in irrigation systems utilizing a portable Ultrasonic Flow Meter and to prioritize the availability of the service in Target Areas. Mr. Petersen seconded the motion and it carried. (Motion #3)

AYE: Baldridge, Hansen, Kramer, Meismer, Petersen Rubenthaler, Schilz, Stack, Wahlgren, Weaver, Wiseman  
NAY: None  
ABSENT: None

SUBCOMMITTEE MEETINGS REPORT  
Wildlife Habitat & Urban Affairs Subcommittee

Mr. Weaver, Wildlife Habitat & Urban Affairs Subcommittee Chairperson, presented the report.

Wildlife Habitat Programs - WILD Nebraska Program - Program Review - Mr. Weaver reported that the District staff provided the Subcommittee a program review, which included a description of the practices that can be enrolled in the WILD Nebraska program as compared with the previous Wildlife Habitat Improvement Program (WHIP). Mr. Weaver reported that in the Directors' notebook and available as a handout for information was a listing of current WHIP contract sites and a map showing their locations within the District.

Wildlife Habitat Programs - WILD Nebraska Program - Funds Available - Mr. Weaver reported that the District staff provided the Subcommittee a report of funds available and that in the Directors' notebook and available as a handout for information was the information provided to the Subcommittee. Mr. Weaver reported that a total of

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\$29,333.00 was available, of which 75% or \$22,000.00 were funds from the Nebraska Game & Parks Commission and the remaining \$7,333.00 were the District's 25% contribution. Mr. Weaver reported that of the total funds, \$17,348.00 was committed to annual payments for existing contracts and \$1,337.00 would be utilized for replanting on existing sites. Mr. Weaver reported that another \$108.00 in program funds would go toward finishing a tree/shrub planting, since the shrubs were unavailable the previous year. Mr. Weaver reported that \$10,540.00 was available for new contracts and that all but \$181.00 was proposed to be allocated.

Wildlife Habitat Programs – WILD Nebraska Program - Contracts - Mr. Weaver reported that the District staff provided the Subcommittee a report that listed the FY 2002 program applicants that were in "Primarily Farmland Areas" and "Primarily Rangeland Areas" per District policy to ensure that funds are made available to each area and that in the Directors' notebook and available as a handout for information was the information provided to the Subcommittee. Mr. Weaver reported that there were no applicants eligible for WILD funds falling under the "Rangeland Area" designation, so that all proposed projects fall within the "Farmland Area" designation. Mr. Weaver reported that the District staff provided the Subcommittee a report for each proposed contract and that in the Directors' notebook and available as a handout for information was the information provided to the Subcommittee.

Mr. Stack moved the Wildlife Habitat & Urban Affairs Subcommittee's recommendation to the Board of Directors to approve the following new 10-year contracts for the WILD Nebraska Program:

<b>Contract #</b>	<b>Cooperator</b>	<b>Co.</b>	<b>Acres</b>	<b>Payments (Materials)</b>
TP0101	3E Ranch	LN	30	\$4,320.00 (\$2,143.13)
TP0102	Barry Hauser	LN	10	\$300.00 (\$797.60)
TP0103	Michael Holscher	KE	5	\$600.00 (\$662.25)
TP0104	George Huebner	LN	9	\$1,296.00 (\$1,949.17)
TP0105	Conrad Smith	KE	13	\$0 (\$863.53)
TP0106	David Krajewski	KE	20	\$0 (\$2,225.00)
TP0107	Neil Williams	KE	7	\$840.00 (\$1,717.57)

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

AYE: Baldrige, Hansen, Kramer, Meismer, Petersen Rubenthaler, Schilz, Stack,  
 Wahlgren, Wiseman

NAY: None

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ABSTAIN: Weaver  
ABSENT: None

Wildlife Habitat Programs – Corners for Wildlife Program - Program Report – Mr. Weaver reported that the District staff provided the Subcommittee a program review and that in the Directors’ notebook and available as a handout for information was the information provided to the Subcommittee.

Wildlife Habitat Programs – Corners for Wildlife Program – Funds Available – Mr. Weaver reported that the program functions with funding provided by the Environmental Trust, Pheasants Forever and with services provided by the District. Mr. Weaver reported that the year 2001 is the first year of the current Environmental Trust grant, which had just recently been announced. Mr. Weaver reported that prior Board of Directors action allowed the District staff to proceed in signing up corners in this program since funds were allocated statewide on a first-come, first-served basis until the funds were gone. Mr. Weaver reported

Wildlife Habitat Programs – Corners for Wildlife Program - Contracts – Mr. Weaver reported that in the Directors’ notebook and available as a handout was a summary of the 3 corners proposed for enrollment in the program for the year 2001, as well as separate site sheet plans for each project.

Mr. Weaver reported that the following contracts were prepared for enrollment in the Year 2001 Corners for Wildlife Program:

<u>Cooperator</u>	<u>Co</u>	<u>Acres</u>	<u>Trees/Shrubs</u>	<u>Annual Payments (Planting Charges)</u>
Neil Williams	KE	7.0	293/200	\$2,625.00 (\$221.85)
Tom Miller	LN	6.4	293/125	\$2,400.00 (\$181.10)
Guy Jones	KE	7.5	508/320	\$2,812.50 (\$372.60)

SUBCOMMITTEE MEETINGS REPORT  
Executive Subcommittee

No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statements for February 2001 was in the Directors' notebook and available as a handout for information.

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 February 2001 be received and placed on file for audit and that the Accounts Payable in the amount of \$8,025.39 be paid. Mr. Hansen seconded the motion, and it carried. (Motion #5)

AYE: Baldridge, Hansen, Kramer, Meismer, Petersen, Rubenthaler, Schilz,  
Stack, Wahlgren, Weaver, Wiseman

NAY: None

ABSENT: None

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

Bids/Proposals - None were presented.

Bids/Proposals Scheduled To Be Presented for Consideration During the April 12, 2001 Board of Directors Meeting - Mr. Miller reported that bids/proposals were scheduled to be presented for consideration during the April 12, 2001 Board of Directors meeting for the purchase of Computer equipment. Mr. Miller reported that proposals would be presented for a desktop computer budgeted for the Water Programs Technician provided written approval is received for the new federal funded 319 Project. Mr. Miller reported that the District has been told verbally that the new 319 Project has been approved. Mr. Miller reported that the Cooperative Hydrology Study has a used Computer for sale for \$500.00 and that if the specifications meet our needs for a new computer, that he planned to purchase the used Computer and that the bids/proposals scheduled to be presented for consideration during the April 12, 2001 Board of Directors meeting for the purchase of Computer equipment would be suspended.

Operating Policy Number 14 Revisions – Mr. Miller reported that during the July 8, 1999 Board of Directors meeting, he had reported to the Board that the Budget provided funds to replace the District vehicle utilized by the General Manager which had 108,000 miles at the time and that he had requested to discontinue the use of a District vehicle and to be reimbursed for mileage driven for business of the District utilizing a personal vehicle, which was approved. Mr. Miller reported that he continues to prefer to utilize a personal vehicle for mileage driven for business of the District, but that in consideration of the experience of the last 19 months, that he was requesting to be paid a flat rate of \$700.00/month for mileage driven for business of the District utilizing a personal vehicle rather than being reimbursed for the actual mileage driven. Mr. Miller reported that he believed that an established monthly rate will allow for better cash flow for his ownership and maintenance of a personal vehicle owned and operated for District business, that an established monthly rate will allow for better budgeting for the District, that the monthly rate requested is less than the cost of the District owning and operating a full-size sedan, and that the monthly rate requested is less than the cost of his ownership and maintenance

of a personal vehicle owned and operated for District business.

Mr. Meismer moved to approve the following revisions for the Operating Policies  
(Deletions have a strikethrough line. Additions are underlined):

**Operating Policy Number 14: BOARD OF DIRECTORS COMPENSATION  
AND EXPENSES**

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

2. Directors and employees shall receive reimbursement for their actual and necessary expenses incurred in connection with their duties, including but not limited to, at educational workshops, conferences, training programs, official functions, hearings, or meetings, whether incurred within or outside the boundaries of the District. Board authorization is required for all staff or Director expenses for travel outside a 300-mile radius of the District or for travel that requires the individual to be out of the District more than three successive nights. Authorized expenses may include:

- Mileage at the rate allowed by the State of Nebraska for state employees or actual travel expense if travel is authorized by commercial or charter means, provided however that for out-of-state meetings, reimbursement shall be the lesser of actual mileage or the commercial costs for those directors or employees who elect to drive for which the compensation provided shall not increase as a result of driving
- ~~Reimburse the General Manager for mileage driven for business of the District utilizing a personal vehicle. Reimbursement shall be for mileage driven for District business to points outside of a 4 mile radius of the District's offices.~~

The General Manager shall be paid \$700.00/month for mileage driven for business of the District utilizing a personal vehicle.

Mr. Wahlgren seconded the motion. (Motion #6)

Mr. Stack moved to table Motion #6 to the April 12, 2001 Board of Directors meeting.

Mr. Weaver seconded the motion, and it carried. (Motion #7)

AYE: Baldrige, Hansen, Kramer, Rubenthaler, Schilz, Stack, Weaver, Wiseman

NAY: Meismer, Petersen, Wahlgren

ABSENT: None

DIRECTORS' REPORTS

Nebraska Association of Resources Districts

Board of Directors Meetings – Mr. Meismer reported that in the Directors' packet for



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information were the minutes for the January 24, 2001 meeting of the Nebraska Association of Resources Districts Board of Directors and he reported on the meeting.

DIRECTORS' REPORTS

Central Nebraska Public Power & Irrigation District Water Conservation Task Force

No report presented.

DIRECTORS' REPORTS

Platte River Citizens Advisory Council

No report presented.

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 no funds were available. 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 30<sup>th</sup> 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 15<sup>th</sup> 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' packet was a report of the contracts approved for this year along with the contracts expiration date for information.

Cost-Share Programs - District Conservation Program – No report presented.

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

Tree Program – No report presented.

Range Programs – No report presented.

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Soil Conservation Programs – No report presented.

Wildlife Habitat Programs - No report presented.

Water Programs – Ground Water Program – No report presented.

Water Programs –Watershed Program – No report presented.

Water Programs – Platte River Activities - Cooperative Agreement –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 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. 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 sponsors as the representative for the District. Mr. Miller reported that the Nebraska Environmental Trust has preliminarily approved the application submitted to continue the Cooperative Hydrology Study for three additional years.

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 for information was Legislative reports prepared by the Nebraska Association of Resources Districts and the Nebraska Department of Natural Resources.

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 presented information on Otter Creek, which is located north of Lake McConaughy in Keith County.

Mr. Stack moved to authorize the staff to contact the landowners along Otter Creek to determine their interest in a restoration project and that the Wildlife Habitat & Urban Affairs Subcommittee prepare a recommendation for the Board of Directors in regard to

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submitting an application to the Nebraska Environmental Trust Fund for an Otter Creek Restoration Project. Mr. Wahlgren seconded the motion, and it carried. (Motion #8)

AYE: Baldridge, Hansen, Kramer, Petersen, Rubenthaler, Schilz, Stack,  
Wahlgren, Wiseman

NAY: None

ABSENT: Meismer, Weaver

Mr. Miller reported that in the Directors' packet was information in regard to the Nebraska Environmental Trust Fund Natural Nebraska Campaign as the first venture in funding the Nebraska Environmental Endowment. Mr. Miller reported that the Nebraska Environmental Trust has provided the District with flyers about the campaign and they have requested that the flyers be placed in the District's next newsletter. The Board agreed that the flyers about the campaign could be placed in the District's next newsletter.

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.

NORTH PLATTE RIVER DECREE

Nebraska v. Wyoming Status Report – Mr. Rubenthaler recommended that the Board of Directors go in Executive Session to hear a report and discuss the Nebraska v. Wyoming litigation.

Mr. Petersen moved that the Board of Directors go into Executive Session to hear a report and discuss the Nebraska v. Wyoming litigation. Mr. Meismer seconded the motion, and it carried. (Motion #9)

AYE: Baldridge, Hansen, Kramer, Meismer, Petersen Rubenthaler, Schilz, Stack,  
Wahlgren, Wiseman

NAY: None

ABSENT: Weaver

Mr. Rubenthaler requested that Mr. Miller participate in the Executive Session.

The Board of Directors went into Executive Session at 4:52 p.m. CST (3:52 p.m. MST).

Mr. Rubenthaler opened the meeting room at 5:59 p.m. CST (4:59 p.m. MST).

Mr. Petersen moved that the Board of Directors return to regular session. Mr. Wahlgren seconded the motion, and it carried. (Motion #10)

AYE: Baldridge, Hansen, Kramer, Meismer, Petersen Rubenthaler, Schilz, Stack,

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Wahlgren, Weaver, Wiseman  
NAY: None  
ABSENT: None

The Board of Directors returned to regular session at 6:00 p.m. CST (5:00 p.m. MST).

ADJOURNMENT

The meeting adjourned at 6:01 p.m. CST (5:01 p.m. MST).

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Jerry Weaver, Secretary

KOM:MSOMIN3:Bmin0301