

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting  
October 11, 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 October 11, 2001. Mr. Rubenthaler called the meeting to order at 7:30 p.m. CDT (6:30 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

Eric Hansen  
Todd Kramer  
James Meisner  
Robert Petersen  
Jim Rubenthaler  
Dennis Schilz  
Douglas Stack  
Jerry Weaver  
Robert Wiseman

BOARD MEMBERS

ABSENT & EXCUSED

Jeff Baldrige  
Joe Wahlgren

BOARD MEMBERS

ABSENT

NRCS PERS PRESENT

Mary Reece, D Cons  
Kristen Miller, Range M Sp

OTHERS PRESENT

STAFF PRESENT

Bill Carhart, Range P Coor  
Ardis Lehmkuhler, Adm Asst  
Kent O Miller, Gen Mgr  
Dave Slattery, Cons P Coor

ANNOUNCEMENTS

Report of Directors Excused - Mr. Rubenthaler reported that Mr. Baldrige and Mr. Wahlgren were excused.

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.

Other Items - Mr. Rubenthaler reported that notebooks containing the USDA Natural Resources Conservation Service Conservation Plans were available for information and that the notebooks would be passed around the Board table for review by each member of the Board of Directors present.

PUBLIC FORUM

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

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Forum was closed.

AGENDA MODIFICATION

None presented.

GENERAL INFORMATION

No report presented.

BOARD OF DIRECTORS MEETINGS

Minutes for September 13, 2001 Meeting - Mr. Rubenthaler reported that the Minutes for the September 13, 2001 Board of Directors meeting were in the Directors' Board meeting notebook and available as a handout and he asked if there were corrections or additions to the Minutes.

Mr. Petersen moved that the Minutes of the September 13, 2001 Board of Directors meeting be approved. Mr. Stack seconded the motion, and it carried. (Motion #1)

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

NAY: None

ABSENT: Baldrige, Wahlgren, Weaver, Wiseman

COOPERATING AGENCIES REPORTS

USDA Natural Resources Conservation Service - Monthly Report – Mrs. Reece reported that her report was in the Directors' notebook and available as a handout for information and she reviewed the report. Mrs. Reece reported that in the Directors' notebook and available as a handout for information was a report of the expansion of the Nebraska Natural Resources Conservation Service workload and she reviewed the report. Mrs. Reece reported that in the Directors' notebook and available as a handout for information was the 2002 Business Plan for the North Platte and Ogallala Natural Resources Conservation Service offices that was prepared following consultation with the Twin Platte Natural Resources District personnel.

USDA Natural Resources Conservation Service – Programs Report – Mrs. Reece reported that in the Directors' packet for information was the project summary for the “Lower South Platte Project” which is the priority area selected by the Local Work Group for 2002 for the Environmental Quality Incentive Program in the Twin Platte Natural Resources District. Mrs. Reece reported that the project summary has been submitted with funding requested for five years beginning in 2002.

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

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Other Agencies - No report presented.

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 Statements for September 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 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 September 2001 be received and placed on file for audit and to approve payment of the invoices for October 2001 in the amount of \$10,868.52. Mr. Kramer seconded the motion, and it carried. (Motion #2)

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

NAY: None

ABSENT: Baldrige, Wahlgren

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.

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Bids/Proposals Scheduled To Be Presented for Consideration During the November 8, 2001 Board of Directors Meeting - Mr. Miller reported that no bids/proposals were scheduled to be presented for consideration during the November 8, 2001 Board of Directors meeting.

POLICIES

Chemigation Program Policy Number : Over Flowing Waters of the State – Mr. Miller reported that the District's current policy is to deny an application for a chemigation permit for an irrigation system in which any portion of the equipment passes directly over flowing waters of the state. Mr. Miller reported that producers have requested chemigation permits for irrigation systems in which a portion of the equipment passes directly over flowing waters of the state that have been denied. Mr. Miller reported that in the Directors' packet for information was a draft policy considered by the Board during the June 14, 2001 Board of Directors meeting in regard to revising the current policy to take into consideration irrigation systems, which have the capability of mechanically, electrically, manually, or some other means to prevent the chemical from coming in contact with the flowing waters of the state. Mr. Miller reported that no action was taken June 14, 2001 to revise the current policy. Mr. Miller reported that during the July 12, 2001 Board of Directors meeting, Scott McPheeters addressed the Board in regard to the District's policy to deny an application for a chemigation permit for an irrigation system in which any portion of the equipment passes directly over flowing waters of the state and that the Board agreed to consider Mr. McPheeters request at a future meeting. Mr. Miller reported that in the Directors' packet was a letter and pictures from Mr. McPheeters to the Board of Directors, dated August 9, 2001, in which Mr. McPheeters requests the Board to consider revising the District's policy as was considered during the June 14, 2001 Board of Directors meeting. Mr. Miller reported that during the September 13, 2001 Board of Directors meeting, the Board considered the request submitted by Mr. McPheeters and that following discussion, the Board agreed to consider revision of the current policy again during the October 11, 2001 Board of Directors meeting. Mr. Miller reported that in the Directors' packet was a letter to Nebraska Natural Resources Districts and the responses received for information. No action was taken to change the District's current policy and the Board agreed to direct Mr. Miller to notify Mr. McPheeters that the Board of Directors has chosen to not change the District's policy, which provides that "The Twin Platte Natural Resources District shall deny an application for a Chemigation permit for an irrigation system in which any portion of the equipment passes directly over flowing waters of the state".

2000 Census

Election Sub-Districts – Mr. Miller reported that the District's Operating Policy provides that "The District shall have equally populated sub-districts and the members of the Board shall be elected by sub-districts." and that "The ten members of the Board of Directors representing sub-districts shall be elected by the voters in the sub-district and

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the one at-large member of the Board of Directors shall be elected by the voters of the District.” Mr. Miller reported that the Board of Directors is required to revise the election sub-district boundaries based on the 2000 census at least 6 months prior to the primary election to maintain substantially equal populated sub-districts. Mr. Miller reported that when the District chose to nominate and elect candidates from sub-districts of substantially equal population that the Board of Directors considered, as required by Nebraska statues, all factors including, but not limited to the location of works of improvements, the distribution of population and taxable values. Mr. Miller reported that the District’s current election sub-districts take into consideration the land use and follow city and county election precincts. Mr. Miller reported that in the Directors’ notebooks, and available as a handout, were four options for consideration by the Board of Directors.

Mr. Stack moved to approve Option #4 for the election sub-district boundaries for the Twin Platte Natural Resources District based on the 2000 census and to approve the following revisions for the Operating Policies (Deletions have a strikethrough line. Additions are underlined):

**Operating Policy Number 3: BOARD OF DIRECTORS ELECTION SUB-DISTRICTS**

The District shall have equally populated sub-districts and the members of the Board shall be elected by sub-districts. The ten members of the Board of Directors representing sub-districts shall be elected by the voters in the sub-district and the one at-large member of the Board of Directors shall be elected by the voters of the District.

The election sub-district boundaries for the Twin Platte Natural Resources District are:

Sub-District 1 (Population ~~1990~~ 2000 Census - ~~8,003~~ 8,605)

VOTING PRECINCT

McPherson County

McPherson County (Part)

The precinct area west of the Twin Platte Natural Resources District eastern boundary (west of the township line between Range 31 West and Range 32 West)

Arthur County

Arthur County

Lincoln County

Garfield

Hall

Rosedale

Antelope

North Platte - 1, 2, 12, ~~15, 16~~

Keith County

Whitetail

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~~Loneragan~~

Sub-District 2 (Population ~~1990~~ 2000 Census - ~~8,003~~ 8,785)

VOTING PRECINCT

Lincoln County

~~Antelope~~

Brady

Peckham (Part)

The precinct area north of the Twin Platte Natural Resources District southern boundary (north of the north border of Sections 22, 23 and 24, Township 9 North, Range 26 West; east of the east border of Sections 4, 9 and 16, Township 9 North, Range 26 West; and north of the north border of Sections 4, 5 and 6, Township 9 North, Range 26 West)

Gaslin (Part)

The precinct area north of the Twin Platte Natural Resources District southern boundary (north of the north border of Sections 19, 20, 21, 22, 23 and 24, Township 10 North, Range 27 West; east of the east border of Sections 1, 12, and 13, Township 10 North, Range 28 West; east of the east border of Sections 24, 25 and 36, Township 11 North, Range 28 West; and north of the north border of Sections 23 and 24, Township 11 North, Range 28 West)

Maxwell (Part)

The precinct area north of the Twin Platte Natural Resources District southern boundary (north of the north border of Sections 19, 20, 21 and 22, Township 11, North, Range 28 West)

Payne (Part)

The precinct area north of the Twin Platte Natural Resources District southern boundary (north of the north border of Sections 22, 23 and 24, Township 11 North, Range 29 West)

Well (Part)

The precinct area north of the Twin Platte Natural Resources District southern boundary (north of the north border of Sections 19, 20 and 21, Township 11 North, Range 29 West; and north of the north border of Sections 21, 22, 23 and 24, Township 11 North, Range 30 West)

Sellers (Part)

The precinct area north of the Twin Platte Natural Resources District southern boundary (north of the north border of Sections 19 and 20, Township 11 North, Range

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30 West; and north of the north border of Sections 19, 20, 21, 22, 23, and 24, Township 11 North, Range 31 West)

Osgood

~~Dickens (Part)~~

~~The precinct area north of the Twin Platte Natural Resources District southern boundary (north of the north border of Sections 19, 20, 21, 22, 23 and 24, Township 11 North, Range 32 West)~~

~~Wallace (Part)~~

~~The precinct area north of the Twin Platte Natural Resources District southern boundary (north of the north border of Sections 19, 20, 21, 22, 23 and 24, Township 11 North, Range 33 West; and north of the north border of Sections 19, 20, 21, 22, 23 and 24, Township 11 North, Range 34 West)~~

North Platte - 7A, 7B, 8, 10

Sub-District 3 (Population ~~1990~~ 2000 Census - ~~8,003~~ 8,425)

VOTING PRECINCT

Lincoln County

North Platte - ~~2,~~ 3, 4, ~~4A,~~ 5, 6, 11, 15, 16

Sub-District 4 (Population ~~1990~~ 2000 Census - ~~8,003~~ 8,733)

VOTING PRECINCT

Lincoln County

Hinman

Hershey

Sutherland

Miller

Wallace (Part)

The precinct area north of the Twin Platte Natural Resources District southern boundary (north of the north border of Sections 19, 20, 21, 22, 23 and 24, Township 11 North, Range 33 West; and north of the north border of Sections 19, 20, 21, 22, 23 and 24, Township 11 North, Range 34 West)

North Platte - 9, 13, 14

Sub-District 5 (Population ~~1990~~ 2000 Census - ~~8,003~~ 8,549)

VOTING PRECINCT

Keith County

Ogallala ~~First Ward~~ 1, 2, 3, 4, 5

~~Ogallala Second Ward~~

~~Ogallala Third Ward~~

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~~Ogallala Fourth Ward~~  
Rural Ogallala  
Paxton  
Brule  
Logan  
Lonegan

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

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

NAY: None

ABSENT: Baldrige, Wahlgren

DIRECTORS' REPORTS

Nebraska Association of Resources Districts

Annual Conference - Program – Mr. Meismer reported that Mr. Rubenthaler, Mr. Miller, and he had participated in the Nebraska Association of Resources Districts annual conference held September 24-25, 2001. Mr. Meismer reported that in the Directors' packet for information were the resolutions and policy actions approved during the business session.

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

Sandhills Resources, Conservation & Development Council

No report presented.

DIRECTORS' REPORTS

Requests for Authorization to Travel

No requests were presented.

DISTRICT REPORT

Requests for Assistance – No requests for assistance were presented.

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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 the Nebraska Legislature has scheduled a special session due to lower than anticipated revenue and the state's budget may need to be reduced. Mr. Miller reported that the funds available for the Nebraska Soil & Water Conservation Program could be reduced and that it is anticipated that the funds could be reduced between 3% and 8%. The Board of Directors agreed that no additional contracts should be approved at this time if the balance in a category would be less than 8% of the funds allocated in the category.

Mr. Meismer moved to approve the October 2001 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 Fund</u>
PROPOSED NEW CONTRACTS:				
02-016	NC-1	Terrace Systems	\$ 3,280.00	\$ 3,280.00
Total Amount Of New Contracts				\$ 3,280.00
FUNDS AVAILABLE:				
		Practice NC-12, Windbreaks		\$ 26,453.68
		Practice NC-14, Planned Grazing		\$ 2,615.00
		Practice NC-17, Irrigation		\$ 2,168.24
		Other available practices		\$ 1,279.64

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

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

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

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

Tree Program – Mr. Miller reported that in the Directors' packet for information were the tree stock prices established for 2002 for bare root stock (\$0.54/tree) and potted stock (\$1.15/tree). Mr. Miller reported that during the July 12, 2001 Board of Directors meeting, the Board approved that the District's tree stock and handling charges be those set by the nursery and that the District's machine planting charges be set at \$.45 per tree for 2002.

Mr. Miller reported that the Twin Platte Natural Resources District has annually purchased tree stock from the US Forest Service nursery located at Halsey NE and from the Colorado State Forest Service from a nursery located near Ft Collin CO. Mr. Miller reported that in the past, the Nebraska Forest Service has operated the nursery at Halsey and coordinated the distribution of the tree stock and that the Nebraska Forest Service

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during the last year has chosen to discontinue the operation and distribution of the tree stock from the US Forest Service nursery located at Halsey NE. Mr. Miller reported that the US Forest Service will operate the nursery at Halsey and the US Forest Service is in the process of negotiating an agreement with the Nebraska Association of Resources District for coordination of the distribution of the tree stock from the US Forest Service nursery located at Halsey NE. Mr. Miller reported that in the Directors' notebook and available as a handout was an "Interlocal Agreement for Obtaining Seedling Trees and Shrubs between Participating Natural Resources Districts and the Nebraska Association of Resources Districts" and a "Collection Agreement between USDA Forest Service Nebraska National Forest and the Nebraska Association of Resources Districts". Mr. Miller reported the interlocal agreement provides that "Each participating NRD designates the NARD its agent to act on their behalf for the purposes of acquiring trees and shrubs from the Forest Service and agrees to order, pay for, and accept delivery of the seedling trees and shrubs obtained by NARD from the Forest Service, in accordance with the provisions of this Agreement." Mr. Miller reported that for the Twin Platte Natural Resources District to continue to purchase tree stock from the US Forest Service nursery located at Halsey NE, it is necessary for the District to execute the interlocal agreement.

Mr. Stack moved to approve the Interlocal Agreement for Obtaining Seedling Trees and Shrubs between the Twin Platte Natural Resources Districts and the Nebraska Association of Resources Districts and to authorize the General Manager to sign the interlocal agreement as the District representative. Mr. Hansen seconded the motion, and it carried. (Motion #5)

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

Range Programs – No report presented.

Soil Conservation Programs – No report presented.

Wildlife Habitat Programs - No report presented.

Water Programs – Ground Water Program – District Programs – No report presented.

Water Programs – Ground Water Program – 319 Project – No report presented.

Water Programs –Watershed Program – No report presented.

Water Programs – Platte River Activities - Cooperative Agreement Relating to Endangered Species – Mr. Miller reported on the status of the Cooperative Agreement. 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

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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 on the status of the Cooperative Hydrology Study. Mr. Miller reported that he participates in the meetings of the sponsors as the representative for the District.

Regulatory Programs – No report presented.

Information & Education Programs – 2001 Awards Program – Presentation, November 19, 2001 – Mr. Miller reported that the District's 2001 Grassland Conservation Award for Lincoln/McPherson Counties will be presented November 19, 2001 to the Fear Ranch during the North Platte Chamber Farmer/Rancher Appreciation Banquet and that the Board Chairperson, Mr. Rubenthaler, and the District and NRCS staff will participate in the award presentation.

Information & Education Programs – 2001 Awards Program – Presentation, December 11, 2001 – Mr. Miller reported that the District's 2001 Tree Planting Award for Keith/Arthur Counties would be presented December 11, 2001 to R.W. Newman during the District's Awards Banquet. Mr. Miller reported that the Board of Directors meeting will be on December 11, 2001 at 4:30 pm MST (5:30 pm CST) at the Lake McConaughy Visitors Center and the Awards Banquet would be at 6:00 pm MST (7:00 pm CST) at the Haythorn Ranch.

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.

### OTHER BUSINESS

There was no other business.

### ADJOURNMENT

The meeting adjourned at 8:45 p.m. CDT (7:45 p.m. MDT).

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Jerry Weaver, Secretary