

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
April 10, 2003

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 April 10, 2003. Mr. Rubenthaler called the meeting to order at 7:37 p.m. CDT (6:37 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
James Meismer
Robert Petersen
Jim Rubenthaler
Dennis Schilz
Joe Wahlgren
Jerry Weaver
Robert Wiseman

BOARD MEMBERS ABSENT

Jeff Baldrige
Todd Kramer
Douglas Stack

OTHERS PRESENT

Brad Johnson, Sargent Irrigation – Grant, NE
Dean Edson, Executive Director – Nebraska Association of Resources Districts
Mike Kelly, Lake Maloney Home Owners Association
Sam Perry, Lake Maloney Home Owners Association
Eric Seacrest, Executive Director – Mid-Nebraska Community Foundation

NRCS PERSONNEL PRESENT

Mary Reece, District Conservationist

STAFF PRESENT

Amy Mapes, Administrative Assistant
Kent O Miller, General Manager

ANNOUNCEMENTS

Report of Directors Excused – Mr. Rubenthaler reported that Mr. Baldrige, Mr. Kramer and Mr. Stack 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

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are available for handouts for others attending the meeting.

Other Items - Mr. Rubenthaler reported that notebooks containing the USDA Natural Resources Conservation Service Conservation Plans signed by the General Manager as the Twin Platte Natural Resources District representative 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 Forum was closed.

AGENDA MODIFICATION

None presented.

GENERAL INFORMATION

No report presented.

BOARD OF DIRECTORS MEETINGS

Minutes for March 13, 2003 Meeting - Mr. Rubenthaler reported that the Minutes for the March 13, 2003 Board of Directors meeting were in the Directors' packet and he asked if there were corrections or additions to the Minutes.

Mr. Petersen moved that the Minutes of the March 13, 2003 Board of Directors meeting be approved. Mr. Schilz seconded the motion, and it carried. (Motion #1)

AYE: Hansen, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver,
Wiseman

NAY: None

ABSENT: Baldrige, Kramer, Stack

REQUESTS FOR ASSISTANCE

Lake Maloney Home Owners Association – Mr. Miller reported that the Lake Maloney Home Owners Association is developing a Master Plan for a hiking and biking trail around Lake Maloney. Mr. Miller reported that he has been working with the Association in developing the Master Plan and determining alternatives for funding.

Mr. Miller introduced Sam Perry and Mike Kelly who were representing the Lake Maloney Home Owners Association and Eric Seacrest, Executive Director of the Mid-Nebraska Community Foundation.

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Dr. Perry and Mr. Kelly thanked the Board of Directors for their assistance in developing the Master Plan. Dr. Perry and Mr. Kelly reported that the Master Plan for a hiking and biking trail around Lake Maloney will have several segments and the Lake Maloney trail system will connect to the North Platte trail system and they showed where the trail would be on a map of the Lake Maloney area. Dr. Perry and Mr. Kelly requested that the Twin Platte Natural Resources District be the sponsor for a grant application for federal funds and state funds for the first segment, the South Maloney Trail, of the Lake Maloney trail system and they requested that the Twin Platte Natural Resources District contribute funds for the South Maloney Trail. Dr. Perry and Mr. Kelly reported that the preliminary estimate of cost for the South Maloney Trail is \$440,195.04 and that Federal Funds may be available for 80% (\$352,156.03) with a local match required of 20% (\$88,039.01). Dr. Perry and Mr. Kelly reported that there may also be funds available through the Nebraska Game & Parks Commission. Dr. Perry and Mr. Kelly reported that the Mid-Nebraska Community Foundation would hold funds collected for development of the Lake Maloney trail system.

Mr. Miller reported that the Nebraska Public Power District is the owner of the property upon which the trail will be proposed. Mr. Miller reported that the Nebraska Public Power District is supportive of a trail that can be routed in areas off road right-of-way that will enable the Nebraska Public Power District to continue proper operation and maintenance of Lake Maloney, it's roads and the surrounding area.

Mr. Wahlgren moved that the Twin Platte Natural Resources District be the sponsor for a grant application for federal funds and state funds for the first segment, South Maloney Trail, of the Lake Maloney trail system provided that the Lake Maloney Home Owners Association commits in writing that they can successfully secure the required local matching funds, that the Lake Maloney Home Owners Association will acquire Nebraska Public Power District approval of a detailed plan that is all inclusive for the any of the trail system occupying Nebraska Public Power District property at Lake Maloney prior to beginning construction, and that the Lake Maloney Home Owners Association enters into a written agreement with the Twin Platte Natural Resources District that the Association will provide full maintenance and the Twin Platte Natural Resources District will contribute \$3,500.00, provided funds are available, for the first segment, South Maloney Trail, of the Lake Maloney trail system. Mr. Petersen seconded the motion, and it carried.

(Motion #2)

AYE: Hansen, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver,
Wiseman

NAY: None

ABSENT: Baldrige, Kramer, Stack

COOPERATING AGENCIES REPORTS

USDA Natural Resources Conservation Service – Mrs. Reece reported that in the Directors' packet for information was a written report and she reviewed the report.

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Mrs. Reece reported that the EQIP Local Work Group needs to meet. Mr. Rubenthaler reported that Mrs. Reece was the non-voting chairperson of the Local Work Group, that the Twin Platte Natural Resources District representatives on the Local Work Group are Mr. Meismer, Mr. Petersen, Mr. Baldrige and Mr. Kramer and that there is a Farm Service Agency representative from each of the counties within the Twin Platte Natural Resources District on the Local Work Group. The Twin Platte Natural Resources District members of the Local Work Group agreed that a meeting of the Local Work Group could be held on May 14, 2003 at 1:00 p.m. CDT in Sutherland, NE.

Mrs. Reece showed pictures of the Western Irrigation District Emergency Watershed Protection Project.

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 Statement for March 2003 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 March 2003 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts

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Payable report on April 10, 2003 in the amount of \$51,525.80. Mr. Weaver seconded the motion, and it carried. (Motion #3)

AYE: Hansen, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver,
Wiseman

NAY: None

ABSENT: Baldrige, Kramer, Stack

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 May 8, 2003 Board of Directors Meeting – Mr. Miller reported that no bids/proposals were scheduled to be presented for consideration during the May 8, 2003 Board of Directors meeting.

DIRECTORS REPORTS

Mr. Meismer introduced Dean Edson, Executive Director – Nebraska Association of Resources Districts.

Nebraska Association of Resources Districts – Water Policy Task Force – Mr. Meismer reported on recent activities of the Water Policy Task Force.

Nebraska Association of Resources Districts – Board of Directors Meeting – Mr. Meismer reported that in the Directors' packet for information were the minutes for the Board of Directors meeting held on March 10, 2003.

Nebraska Association of Resources Districts – Budget – Mr. Meismer reported that in the Directors' packet for information was the second draft of a budget for the Nebraska Association of Resources Districts for Fiscal Years 2003-2004 and 2004-2005. Mr. Edson reviewed the draft budget.

Nebraska Association of Resources Districts – Executive Director's Report – Mr. Edson reported on activities of the Nebraska Association of Resources Districts. Mr. Edson distributed for information a memo to the Twin Platte Natural Resources Districts dated April 9, 2003 in regard to the Nebraska Association of Resources Districts Legislative issues.

Mr. Edson reported that the University of Nebraska is considering eliminating the Nebraska Forest Service from the University of Nebraska due to reduced State funds available for the University of Nebraska. Mr. Edson reported that the Nebraska Association of Resources Districts is exploring the possibility of the Nebraska Association of Resources Districts and Nebraska's Natural Resources Districts assuming the responsibilities of the Nebraska Forest Service if the University of Nebraska should

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choose to eliminate the Nebraska Forest Service from the University of Nebraska.

Mr. Edson reported on the movement within the Natural Resources Conservation Service to implement Competitive Sourcing. Mr. Edson reported that this movement is being mandated by the Bush administration with a goal of reducing the federal work force. Mr. Edson reported that the Natural Resources Conservation Service has approximately 12,000 employees nationwide and that approximately 8,400 of the positions will be designated for Competitive Sourcing over the next five years. Mr. Edson reported that it is estimated that half of the 8,400 positions will be replaced through Competitive Sourcing.

Central Nebraska Public Power & Irrigation District Water Conservation Task Force - No report presented.

Platte River Citizens Advisory Council – Mr. Meisner reported on recent activities of the Platte River Citizens Advisory Council.

Sandhills Resources, Conservation & Development Council - Mr. Hansen reported on recent activities of the Sandhills Resources, Conservation & Development Council.

Requests for Authorization to Travel - No requests were presented.

POLICIES

Operating Policy Number 14 – Mr. Miller reported that the Current Operating Policy Number 14: BOARD OF DIRECTORS COMPENSATION AND EXPENSES provides that “Directors' compensation shall be at a per diem rate not to exceed the amount authorized by law and approved by the Board” and “effective March 1, 2000, the rate shall be \$50.00 per day, with a maximum of \$2,000 per calendar year”. Mr. Miller reported that Nebraska Statutes Section 2-3218 was revised by the Legislature in 2001 to provide that:

Board members shall be compensated for their actual and necessary expenses incurred in connection with their duties. Each board may provide a per diem payment for directors of not to exceed seventy dollars for each day that such director attends meetings of the board or is engaged in matters concerning the district, but no director shall receive more than two thousand eight hundred dollars in any one year. Such per diem payments shall be in addition to and separate from compensation for expenses.

Mr. Miller reported that to date, no Director has exceeded the maximum of \$2,000.00 per calendar year, but with all of the current activities required of Mr. Meisner with his service on the Water Policy Task Force, Governor Johanns Platte Basin Advisory Council and the Nebraska Association of Resources District Board of Directors, he could exceed the maximum this calendar year.

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Mr. Petersen moved that the Board of Directors approve the following revisions for Operating Policy Number 14: BOARD OF DIRECTORS COMPENSATION AND EXPENSES (additions are underlined and deletions are lined through):

Directors' compensation shall be at a per diem rate not to exceed the amount authorized by law and approved by the Board. Effective April 10, 2003 ~~March 1, 2000~~, the rate shall be \$50.00 per day, with a maximum of \$2,800.00 ~~\$2,000~~ per calendar year.

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

AYE: Hansen, Meisner, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver, Wiseman

NAY: None

ABSENT: Baldrige, Kramer, Stack

DISTRICT REPORT

Requests for Assistance – No requests for assistance were presented.

Cost-Share Programs - No report presented.

Tree Program – Mr. Miller reported that the District personnel began tree planting in the District April 9, 2003. Mr. Miller showed pictures of the tree planting equipment.

Range Programs – No report presented.

Soil Conservation Programs – No report presented.

Wildlife Habitat Programs – Mr. Miller reported that the current Corners for Wildlife program funding period is the third out of three for the Environmental Trust grant that provides the Corners for Wildlife program annual payments. Mr. Miller reported that materials cost sharing is provided by local Pheasants Forever chapters and the Twin Platte Natural Resources District staff works with landowners to get projects enrolled and coordinated, as well as providing the machine planting for trees and shrubs on Corners for Wildlife sites. Mr. Miller reported that there are 30 existing Corners for Wildlife program sites in the District. Mr. Miller reported that previous Board of Directors action has allowed District staff to proceed in signing up corners in the Corners for Wildlife program as funds become available. Mr. Miller reported that in the Directors' packet for information was a memo dated April 2, 2003 to Jerry Weaver, Chair, Wildlife Habitat & Urban Affairs Subcommittee from Bill Carhart, Range Programs Coordinator listing 2 additional new Corners for Wildlife program projects to be enrolled in 2003

Water Programs – Ground Water Program – District Programs – Mr. Miller reported that the staff has completed the spring ground water levels data collection and analysis. Mr. Miller reported that in the Directors notebook and available as a handout for information was a map showing the Twin Platte Natural Resources District Major Land Resources Areas, a map showing the Twin Platte Natural Resources District Ground Water Levels

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Target Areas (Quantity), the Ground Water Management Plan Table 10-2, Summary for Management Areas, the Ground Water Management Plan Table 10-1, Summary for Target Areas and Ground Water Management Plan data (Appendix B-1, B-2, B-2.1, B-3, B-4, B-5, B-5.1, B-6, B-6.1, B-7, B-7.1). Mr. Miller reported that the District's Ground Water Management Plan provides that Management Areas will be initiated if the average declines for a Major Land Resources Area is 10 feet from the 1983 baseline year and that the District's Ground Water Management Plan provides that Target Areas will be established in townships if average declines for a township is 5 feet from the 1983 baseline year. Mr. Miller reported that Strategic Subareas management for a Target Area is required when there are additional declines greater than 50% of a decline, which initiated a Target Area. Mr. Miller reported that the staff has been working with Jim Goeke, University of Nebraska Conservation & Survey Division, to determine if 1983 is an appropriate year for a baseline and at this time Mr. Goeke believes that it may not and he and the staff are continuing to determine what may be a more appropriate year for a baseline. Mr. Miller reported that for the Central High Tablelands Major Land Resources Area, the average change from the 1983 baseline year to 2001 was -0.43 feet, to 2002 was -1.10 feet, and to 2003 was -2.39 feet. Mr. Miller reported that for the Sandhills Major Land Resources Area, the average change from the 1983 baseline year to 2001 was +2.06 feet, to 2002 was +1.63 feet and to 2003 was +1.18 feet. Mr. Miller reported that the District initiated 2 Target Areas in 1996 (T11R34 Lincoln County, T12R36 Keith County), initiated 1 Target Area in 1997 (T12R40 Keith County), initiated 3 Target Areas in 1998 (T12R35 Keith County, T12R37 Keith County, T12R39 Keith County), dissolved 1 Target Area in 1998 (T12R40 Keith County) and that no additional Target Areas have been initiated since 1998. Mr. Miller reported that 1 additional Target Area needs to be initiated in 2003 (T12R40 Keith County). Mr. Miller reported that this Target Area was initiated in 1997 and dissolved in 1998. Mr. Miller reported that for the Target Areas, the change from 2000 to 2001 ranged from +0.62 to -1.33 feet, the change from 2001 to 2002 ranged from +0.08 to -1.82 feet and the change from 2002 to 2003 ranged from -0.44 to -2.20 feet.

Mr. Meismer moved that a Target Area be initiated for Ground Water Quantity for T12R40 in Keith County. Mr. Wahlgren seconded the motion, and it carried. (Motion #5)

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

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

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

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

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Water Programs – Watershed Program – No report presented.

Water Programs – Platte River Activities - Cooperative Agreement – 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 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.

Water Programs – Platte River Activities – Nebraska Habitat Conservation Coalition – No report presented.

Water Programs – Platte River Activities – Economic Coalition – Mr. Miller reported on the status of the Economic Coalition. Mr. Miller reported that he participates in the meetings of the sponsors as the representative for the District.

Water Programs – Platte River Activities – North Platte River – Mr. Miller reported on the status of discussions in regard to the flow restrictions on the North Platte River at North Platte. Mr. Miller reported that he continues to participate in local meetings and Platte River Cooperative Agreement Governance Committee meetings in regard to the flow restrictions. Mr. Miller showed a power point presentation prepared by the Central Nebraska Public Power and Irrigation District titled a “Proposed for Pilot Project to Investigate the Effects of Phragmites Control on Channel Capacity in the North Platte River” that will be presented to the Platte River Cooperative Agreement Governance Committee on April 14, 2003.

Mr. Miller reported on a meeting organized by Congressman Tom Osborne on March 28, 2003 in which he was invited to participate. Mr. Miller reported that other participants at the meeting in Kearney, Nebraska were representatives from Keith County, Central Nebraska Public Power and Irrigation District, Nebraska Public Power District, Nebraska Game & Parks Commission, Nebraska Department of Natural Resources and U.S. Fish & Wildlife Service. Mr. Miller reported that the meeting was organized to discuss the effects of the drought on Lake McConaughy and if there were alternatives available for keeping water in Lake McConaughy. Mr. Miller reported that Congressman Osborne concluded that it was too late this year to implement alternatives to keep water in Lake McConaughy, which is to be used for irrigation and habitat flows. Mr. Miller reported that Congressman Osborne requested Roger Patterson, the Director of the Nebraska Department of Natural Resources, to convene another meeting late in the summer of 2003 for discussion of alternatives for keeping water in Lake McConaughy during droughts.

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Water Programs – Platte River Activities – South Platte River – Mr. Miller and Mr. Schilz reported on meetings and discussions in regard to the South Platte River Compact.

Water Programs – Irrigation Districts – Western Irrigation District – Mr. Miller reported that the construction for the Western Irrigation District Emergency Watershed Protection Project has been completed and on April 4, 2003, a final inspection of the work was performed by the Natural Resources Conservation Service, the Western Irrigation District, area landowners, the Contractor and the Twin Platte Natural Resources District during which the work was found to have met the design and specifications. Mr. Miller reported that during the inspection, the Western Irrigation District expressed concern with the amount of slope protection specified on site #2 and site #3 as the amount of debris removed left a portion of the canal banks unprotected and they felt the stability of the side slopes were in jeopardy. Mr. Miller reported that the Natural Resources Conservation Service State Office Engineering staff was investigating if additional slope protection was needed on site #2 and site #3 to protect the stability of the canal side slopes and if additional Emergency Watershed Protection funds could be available and a modification to the contract could occur. Mr. Miller reported that on April 10, 2003, the Twin Platte Natural Resources District issued a check in the amount of the bid, \$32,854.00, to Korty Land Improvement.

Regulatory Programs – No report presented.

Information & Education Programs – Nebraska State Envirothon – Mr. Miller reported that a team from Ogallala High School has qualified to participate in the 2003 Nebraska State Envirothon. Mr. Miller reported that qualification is based on the results of the competition at the Regional Envirothons. Mr. Miller reported that historically, when a team from within the District has qualified to participate in the State Envirothon, the District has paid the team's registration fee for the Nebraska State Envirothon. Mr. Miller reported that the Ogallala High School Team is the only team from within the Twin Platte Natural Resources District to qualify. Mr. Miller reported that the 2003 Nebraska State Envirothon is May 3, 2003 at Niobrara State Park and that the registration fee is \$100.00 per team. Mr. Miller reported that the Nebraska State Envirothon is coordinated and sponsored by the Nebraska Association of Resources Districts.

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Mr. Meismer moved that the District provide the \$100.00 registration fee for the Ogallala High School Envirothon Team to participate in the 2003 Nebraska State Envirothon. Mr. Schilz seconded the motion, and it carried. (Motion #6)

AYE: Hansen, Meismer, Petersen, Rubenthaler, Schilz, Wahlgren, Weaver,
Wiseman

NAY: None

ABSENT: Baldrige, Kramer, Stack

Information & Education Programs – Scholarships – Mr. Miller reported that the District’s policy provides for seven scholarships annually for the Nebraska Range Youth Camp and three scholarships annually for the Nebraska Sandhills Academy for Youth. Mr. Miller reported that in the Directors’ packet was information provided to the schools within the District and a news release about the scholarships available.

Requests for Authorization to Travel – No requests were presented.

Legislation – No report 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 9:46 p.m. CDT (8:46 p.m. MDT).

Jerry Weaver, Secretary

KOM:Minutes:Bmin0403