

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
June 5, 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 June 5, 2003. Mr. Rubenthaler called the meeting to order at 7:36 p.m. CDT (6:36 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 Baldridge
Eric Hansen
Todd Kramer
James Meisner
Robert Petersen
Jim Rubenthaler
Douglas Stack
Joe Wahlgren
Jerry Weaver
Robert Wiseman

BOARD MEMBERS ABSENT

Dennis Schilz

OTHERS PRESENT

Richard Reimer, Nebraska Department of Environmental Quality
Brad Johnson, Sargent Irrigation

NRCS PERSONNEL PRESENT

Kristen Miller, Range Management Specialist
Jeff Nichols, Range Management Specialist
Marji Patz, Range Management Specialist
Mary Reece, District Conservationist

STAFF PRESENT

Bill Carhart, Range Programs Coordinator
Amy Mapes, Administrative Assistant
Kent O. Miller, General Manager
David Slattery, Conservation Programs Coordinator

ANNOUNCEMENTS

Report of Directors Excused – Mr. Rubenthaler reported that Mr. Schilz was excused.

DISTRIBUTION OF INFORMATION TO BOARD OF DIRECTORS

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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.

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 May 8, 2003 Meeting - Mr. Rubenthaler reported that the Minutes for the May 8, 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 May 8, 2003 Board of Directors meeting be approved. Mr. Stack seconded the motion, and it carried. (Motion #1)

AYE: Baldridge, Hansen, Kramer, Meisner, Petersen, Rubenthaler, Stack,
Wahlgren, Weaver

NAY: None

ABSENT: Schilz, Wiseman

COOPERATING AGENCIES REPORTS

USDA Natural Resources Conservation Service - District Conservationist Report – Mrs. Reece distributed a written report and she reviewed the report.

Mrs. Reece reported on the Environmental Quality Incentive Program Local Work Group meeting held on May 14, 2003. Mrs. Reece reported that Local Work Groups can recommend the transfer of up to 20% of the Environmental Quality Incentive Program

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funds received in the General category to the Ground Water / Surface Water funds in a Natural Resource District. Mrs. Reece reported that the preliminary estimate for the Twin Platte Natural Resources District is \$352,000.00 for the General funds and \$124,000.00 for the Ground Water / Surface Water funds. Mrs. Reece reported that if 20% of the funds received in the General category were transferred to the Ground Water / Surface Water funds, there would be \$281,600.00 for the General funds and \$194,400.00 for the Ground Water / Surface Water funds based on the preliminary estimate.

Mr. Meisner moved that the Twin Platte Natural Resources District recommend the transfer of 20% of the Twin Platte Natural Resources District General Conservation Environmental Quality Incentive Program funds to the fund for Ground Water / Surface Water Conservation. Mr. Wahlgren seconded the motion, and it carried. (Motion #2)

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

Mrs. Reece reported that she would contact the remaining Local Work Group members by phone of this recommendation.

Mrs. Reece reported that Jeff Nichols, the current Range Management Specialist in the Ogallala Field Office, would be re-assigned to the North Platte Field Office. Mrs. Reece reported that Mr. Nichols has a GS-11 pay grade and that the vacant position in the Ogallala Field Office will continue to be a Range Management Specialists position with a GS-11 pay grade.

Mrs. Reece and Mr. Miller reported on the proposal being developed that may allow Natural Resources District's to receive federal funds to provide technical service providers in the Natural Resources Conservation Service field offices which would allow the Natural Resources Conservation Service personnel more time to assist with Natural Resources District programs.

Mrs. Reece reported that the Natural Resources Conservation Service personnel and Ms. Mapes did an outstanding effort to maximize the opportunity for producers within the District in expending the Nebraska Soil & Water Conservation Program funds available. Mrs. Reece presented a plaque and a letter to Ms. Mapes, prepared by Lee Morse, Civil Engineering Technician in the North Platte Field Office.

USDA Natural Resources Conservation Service - Otter Creek – Ms. Patz, Mr. Nichols and Mr. Carhart reported on the work being done in the Otter Creek Watershed to control sediment entering the creek.

USDA Natural Resources Conservation Service - Competitive Sourcing – Mr. Miller reported that during the April 10, 2003 Board of Directors meeting, Dean Edson, Executive Director, Nebraska Association of Resources Districts, reported on the

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movement within the Natural Resources Conservation Service to implement Competitive Sourcing and that during the May 8, 2003 Board of Directors meeting, that the Board authorize the Chairperson to send a letter to each member of the Nebraska Congressional Delegation requesting them to stop the restructuring of the Natural Resources Conservation Service through Competitive Sourcing. Mr. Miller reported that in the Directors' packet for information was the letter from the Twin Platte Natural Resources District to Senator Nelson and that the same letter was also sent to Senator Hagel, Congressman Osborne, Congressman Terry and Congressman Bereuter.

Other Agencies - No report presented.

SUBCOMMITTEE MEETINGS REPORT
Land Resources Subcommittee

Mr. Baldrige, Land Resources Subcommittee Chairperson, reported that the Land Resources Subcommittee met prior to the Board of Directors meeting and he presented a report.

Range Program - Interseeding Program – Mr. Baldrige reported that the Subcommittee meeting began at the District Warehouse to view and discuss the condition and merits of the Buffalo Range Interseeder. Mr. Baldrige reported that the Subcommittee considered a variety of options concerning the Interseeder service provided by the District and on finding a way to provide the Interseeding service without tying up District machinery and manpower extensively.

Mr. Baldrige moved the Land Resources Subcommittee recommendation to the Board of Directors that the District offer the Buffalo Range Interseeder for rent to interested cooperators at \$3 per acre with a delivery charge of \$75, that the District reserved the right to not fix the machine at a point when repairs become prohibitively expensive, under which circumstances the \$75 delivery charge may be waived if the machine is in the possession of a cooperator, that the General Manager be directed to develop guidelines for the rental of the machine which shall be reported to the Board of Directors and that the District may perform the Interseeding service at \$20 per acre for cooperators who request the service provided the staff has the time and the District owned equipment is available. Mr. Meismer seconded the motion, and it carried. (Motion #3)

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

NAY: None

ABSENT: Schilz

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Range Program - District Range Tour - Mr. Baldrige reported that Mr. Carhart and Mr. Nichols reported to the Subcommittee the plans being made for a District range tour to be conducted on July 10th in conjunction with an Enfield Ranch reunion. Mr. Baldrige reported that the tour was the same day as the July Board meeting and that after some discussion, the Subcommittee saw no need to move the tour date.

Awards Program - Grassland Award for 2003 - Mr. Baldrige reported that the Subcommittee agreed to select Krab, Inc. to receive the 2003 Grassland Conservation Award for Keith/Arthur Counties.

Awards Program - Conservation Award for 2003 - Mr. Baldrige reported that the Subcommittee agreed to select Larry & Phyllis Kracman to receive the 2003 Conservation Picture Award for Lincoln/McPherson Counties.

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

Mr. Rubenthaler, Executive Subcommittee Chairperson, reported that the Executive Subcommittee met prior to the Board of Directors meeting and he presented a report.

Personnel Salaries for 2004 Fiscal Year – Mr. Rubenthaler reported that the Subcommittee reviewed the authorized positions, reviewed the salary schedules, reviewed the cost-of-living, and reviewed the General Managers salary.

Mr. Stack moved the Executive Subcommittee recommendation to the Board of Directors that for the authorized temporary positions, to increase the number of Conservation Aides for the Tree Program from 3 to 5 and to decrease the number of Tree Planting Aides for the Tree Program from 4 to 2. Mr. Meismer seconded the motion, and it carried. (Motion #4)

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

NAY: None

ABSENT: Schilz

Mr. Stack moved the Executive Subcommittee recommendation to the Board of Directors

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that the salary schedule steps for each position be increased 2.0% for the 2004 Fiscal Year in recognition of the cost-of-living to maintain the value of the salary compensation.

Mr. Meismer seconded the motion, and it carried. (Motion #5)

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

NAY: None

ABSENT: Schilz

Mr. Stack moved the Executive Subcommittee recommendation to the Board of Directors that the General Manager's salary be set at \$62,000.00 for the 2004 Fiscal Year. (Motion #6)

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

NAY: Baldridge

ABSENT: Schilz

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for May 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 May 2003 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on June 5, 2003 in the amount of \$68,552.86. Mr. Wiseman seconded the motion, and it carried. (Motion #7)

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

NAY: None

ABSENT: Schilz

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 July 10, 2003 Board of Directors Meeting – Mr. Miller reported that no bids/proposals were scheduled to be presented for consideration during the July 10, 2003 Board of Directors meeting.

DIRECTORS REPORTS

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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 – No report presented.

Platte River Citizens Advisory Council – Mr. Meismer 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.

DISTRICT REPORT

Requests for Assistance – No requests for assistance were presented.

Cost-Share Programs - Nebraska Soil & Water Conservation Program - Mr. Miller reported that District guidelines provide that from January 31 – June 30, the funds from each reserved category shall be merged and applications on file shall be considered for funding in the order they are signed by the producer and only one application may be approved for partial funding at any time.

Mr. Miller reported that the Nebraska Natural Resources Commission in 1999 enacted a policy that if the amount of Nebraska Soil & Water Conservation Program funds obligated but not spent exceeded \$1,000,000.00 on July 1st, that the allocation for Natural Resources Districts with obligated but not spent funds would be reduced to \$1,000,000.00 in the next Fiscal Year and each District shall be apportioned a percentage of its obligated but not spent funds with the percentage determined by dividing \$1,000,000.00 by the total of obligated but not spent funds. Mr. Miller reported that the Twin Platte Natural Resources District Board of Directors on July 8, 1999 approved the following policy:

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. An applicant's failure may result in the loss of all or part of the cost share. Applicants will be required to sign a document stating their knowledge of this policy and agreeing to the terms thereof.

Mr. Miller reported that the Nebraska Department of Natural Resources notified Districts that the cutoff this year for submitting claims was June 6th to ensure that claims get paid

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in June. Mr. Miller reported that the Board of Directors during the May 8, 2003 Board meeting approved a motion that if additional funds become available following the May 8, 2003 Board meeting and if the work can be completed such that claims could be submitted by June 6, 2003, to authorize the General Manager to approve contracts during this time frame and report any such contracts approved to the Board of Directors during the June 5, 2003 Board meeting.

Mr. Miller reported that in the Directors' notebook and available as a handout was the monthly report.

Mr. Miller reported that the Natural Resources Conservation Service personnel, and in particular Lee Morse, Civil Engineering Technician in the North Platte Field Office, kept in contact with the Twin Platte Natural Resources District office to maximize the opportunity for producers within the District in expending the funds available.

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

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

Tree Program – Mr. Slattery reported on the status of tree planting.

Range Programs – Mr. Miller reported that the Board of Directors during the March 13, 2003 Board meeting authorize up to 4 - \$125.00 scholarships for the 2003 Nebraska Ranch Practicum. Mr. Miller reported that the Nebraska Ranch Practicum is conducted at the University of Nebraska West Central Research and Extension Center in North Platte and at the Gudmunsen Sandhills Lab. Mr. Miller reported that the District has received two applications.

Soil Conservation Programs – No report presented.

Wildlife Habitat Programs – WILD Nebraska Program – No report presented.

Wildlife Habitat Programs – Corners for Wildlife Program – 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 33 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 May 29, 2003 to Jerry Weaver, Chair, Wildlife Habitat & Urban Affairs Subcommittee from Bill Carhart,

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Range Programs Coordinator listing two additional new Corners for Wildlife program project to be enrolled in 2003.

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

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

Water Programs – Ground Water Program – Ground Water Management Coalition – Mr. Miller reported on the status of the Ground Water Management Coalition. Mr. Miller reported that he participates in the meetings of the sponsors as the representative for the District.

Mr. Miller reported that on October 10, 2002, the Board of Directors approved that the Twin Platte Natural Resources District participate in the Nebraska Ground Water Coalition, to authorize an initial contribution of \$2,000.00, to authorize the General Manager to sign the Interlocal Cooperation Agreement for the Nebraska Ground Water Coalition as the Twin Platte Natural Resources District representative, and to designate the General Manager as the District representative on the Board of Directors of the Nebraska Ground Water Coalition. Mr. Miller reported that the Nebraska Ground Water Management Coalition is for Nebraska's Natural Resources Districts to jointly be prepared and have legal advise, in case some of the court cases currently filed or being considered/rumored threaten the Ground Water Management Act authorities of Natural Resources District's. Mr. Miller reported that the sponsors are in the process of executing the Interlocal Cooperation Act Agreement and have agreed to utilize Don Blankenau of the Fennemore Craig Law firm for legal counsel. Mr. Miller reported that the Twin Platte Natural Resources District 2003 FY Budget includes the \$2,000.00 and that these funds will be carried forward to the 2004 FY Budget.

Mr. Miller reported that in the Directors' notebook and available as a handout for information was a resolution approved by the Central Nebraska Public Power and Irrigation District on June 2, 2003 and a news article in regard to the approval of the resolution. Mr. Miller reported that the resolution authorizes the Central Nebraska Public Power and Irrigation District's staff to pursue administrative actions to protect Central's surface water rights and, at the appropriate time, to participate in legal proceedings to address impacts to surface water rights.

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.

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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 – Mr. Miller reported on the status of the Nebraska Habitat Conservation Coalition. Mr. Miller reported that he participates in the meetings of the sponsors as the representative for the District.

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.

Mr. Miller reported that the sponsors are in the process of executing the Interlocal Cooperation Act Agreement and have agreed to utilize the consulting firm, ECONorthwest, for the study. Mr. Miller reported that in the Directors' packet for information was the scope for the economic study, the request for proposals from potential consultants, an organizational chart for ECONorthwest, ECONorthwest Scope of Work and ECONorthwest Proposed Schedule. Mr. Miller reported that the Twin Platte Natural Resources District 2003 FY Budget includes \$10,000.00 for the District's contribution and that these funds will be carried forward to the 2004 FY Budget.

Water Programs – Platte River Activities – North Platte River – No report presented.

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

Water Programs – Irrigation Districts – Western Irrigation District – No report presented.

Regulatory Programs – No report presented.

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 the District has not received any applications. Mr. Miller reported that the staff in early April distributed a news release and an E-Mail to Schools within the District with information about the scholarships available and on May 6th, the staff distributed another E-Mail to Schools within the District with information about the scholarships available.

Requests for Authorization to Travel – No requests were presented.

Legislation – Mr. Miller reported that in the Directors' notebook and available for handout for information was the Nebraska Association of Resources Districts final report

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for the 2003 Legislative Session, which adjourned May 30, 2003, and a 2003 interim studies report.

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.

BUDGET FOR 2004 FISCAL YEAR

Preparation Schedule - Mr. Miller reported that in the Directors' packet was a schedule for preparing the 2004 Fiscal Year Budget for the District. Mr. Miller reported that the schedule provides for Board review of the first draft of the Budget during the June Board meeting and provides the Board four opportunities to review and discuss the Budget prior to final approval.

Review Draft #1 - Mr. Miller reported that in the Directors' notebook and available as a handout was the first draft of a budget for the 2004 fiscal year. Mr. Miller reviewed the information for the proposed budget for the 2004 fiscal year.

OTHER BUSINESS

Mr. Rubenthaler invited the Board of Directors, the District personnel and the Natural Resources Conservation Service personnel to have dinner at their ranch in conjunction with the August or September Board meetings. The Board agree that they would like to accept the invitation for the August 14, 2003 Board meeting and agree to request that the District and Natural Resources Conservation Service personnel coordinate a tour of the conservation measures installed and utilized by Mr. Rubenthaler. The Board agreed to schedule the August 14, 2003 Board of Directors meeting to begin at 5:00 p.m. CST (4:00 p.m. MDT) at the United Nebraska Bank Center and to schedule a tour at Mr. Rubenthaler's to begin at 6:30 p.m. CST (5:30 p.m. MDT)

ADJOURNMENT

The meeting adjourned at 9:30 p.m. CDT (8:30 p.m. MDT).