

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
July 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 July 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
Douglas Stack
Joe Wahlgren
Jerry Weaver

BOARD MEMBERS ABSENT

Jeff Baldrige
Todd Kramer
Robert Wiseman

OTHERS PRESENT

Brad Johnson, Sargent Irrigation

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. Wiseman 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.

Other Items - Mr. Rubenthaler reported that notebooks containing the USDA Natural Resources Conservation Service Conservation Plans signed by the General Manager as

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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 June 5, 2003 Meeting - Mr. Rubenthaler reported that the Minutes for the June 5, 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 June 5, 2003 Board of Directors meeting be approved. Mr. Meismer seconded the motion, and it carried. (Motion #1)

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

NAY: None

ABSENT: Baldrige, Kramer, 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 presented a detailed report utilizing a power point presentation.

Mrs. Reece reported that the Environmental Quality Incentive Program guidelines have been changed to require that the membership of the local work group include a representative from the local conservation district, the USDA Farm Service Agency, the University of Nebraska Cooperative Extension, the Nebraska Game & Parks Commission, and the USDA Natural Resources Conservation Service. Mrs. Reece reported that the current local work group, established by the Twin Platte Natural Resources District Board of Directors, was made up of the Chairperson of the Twin Platte Natural Resources District Water Resources Subcommittee and another member of the Water Resources Subcommittee, the Chairperson of the Twin Platte Natural Resources District Land Resources Subcommittee and another member of the Land Resources

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Subcommittee, and one USDA Farm Service Agency County Committeeman from each of the four counties of the Twin Platte Natural Resources District with the USDA Natural Resources Conservation Service District Conservationist for the Twin Platte Natural Resources District serving as a non-voting chairperson for the local work group. Mrs. Reece reported that representatives from the University of Nebraska Cooperative Extension and the Nebraska Game & Parks Commission had been invited to participate as advisors for the local work group.

Mr. Petersen moved that the Twin Platte Natural Resources District Board of Directors recommend that the membership for the Environmental Quality Incentive Program local work group for the Twin Platte Natural Resources District be a representative from the Twin Platte Natural Resources District Board of Directors, a representative from the USDA Farm Service Agency, a representative from the University of Nebraska Cooperative Extension, a representative from the Nebraska Game & Parks Commission, and the USDA Natural Resources Conservation Service District Conservationist for the Twin Platte Natural Resources District, that the USDA Natural Resources Conservation Service District Conservationist for the Twin Platte Natural Resources District serve as chairperson for the local work group, and that a representative of the Water Resources Subcommittee and the Land Resources Subcommittee of the Twin Platte Natural Resources District Board of Directors be invited to participate as advisors during meetings of the local work group. Mr. Weaver seconded the motion, and it carried. (Motion #2)

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

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

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Executive Subcommittee

No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for June 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 June 2003 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on July 10, 2003 in the amount of \$13,077.86. Mr. Stack seconded the motion, and it carried. (Motion #3)

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

NAY: None

ABSENT: Baldrige, Kramer, Wiseman

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 August 14, 2003 Board of Directors Meeting – Mr. Miller reported that no bids/proposals were scheduled to be presented for consideration during the August 14, 2003 Board of Directors meeting.

Audit – Mr. Miller reported that the auditor has reported to the staff that the District needs to have on file the U.S. Department of Justice, Immigration and Naturalization Service, “Employment Eligibility Verification” form “I-9” for all employees, full-time and temporary, and for each Director due to Director’s receipt of Per Diem payments. Mr. Miller reported that the form requires the employer to review and verify certain documents for each employee and that the District would need to review and verify the driver’s license and Social Security cards for each employee and Director.

DIRECTORS REPORTS

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 June 16, 2003 and he reported on the meeting.

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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. Mr. Meismer reported that in the Directors' packet for information were the minutes of Task Force meetings held on June 9-10, 2003.

Platte River Citizens Advisory Council – No report presented.

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 Department of Natural Resources notified Districts that the cutoff this year for submitting claims was June 6th to ensure that claims get paid 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 following the June 5, 2003 Board meeting that additional funds become available and that he had approved one additional contract for which the work could be completed such that claims could be submitted by June 30, 2003. Mr. Miller reported that in the Directors' notebook and available as a handout was the final monthly report for the 2003 Fiscal Year.

Mr. Miller reported that in the Directors' notebook and available as a handout was the first monthly report for the 2004 Fiscal Year. Mr. Miller reported that \$77,962.02 was available.

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Mr. Wahlgren moved to approve the July 2003 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:				
04-001	NC-1	Terraces	\$ 2,148.00	\$ 2,148.00
04-002	NC-1	Terraces	\$ 4,464.00	\$ 4,464.00
04-003	NC-10	Pasture Planting	\$ 849.00	\$ 849.00
04-005	NC-14	Planned Grazing Systems	\$ 793.13	\$ 793.13
04-007	NC-14	Planned Grazing Systems	\$ 3,318.00	\$ 3,318.00
Total Amount Of New Contracts				\$ 11,572.13
FUNDS AVAILABLE: Practice NC-12, Windbreaks				\$ 23,388.61
Practice NC-14, Planned Grazing				\$ 19,277.48
Practice NC-17, Irrigation				\$ 23,388.61
Other available practices				\$ 335.19

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

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

Cost-Share Programs - District Conservation Program – Sealing Abandoned Wells – Mr. Miller reported that in the Directors' notebook and available as a handout for information was the final report for the 2003 Fiscal Year. Mr. Miller reported that 10 contracts were approved for a total cost-share allocation of \$1,750.00.

Mr. Miller reported that in the Directors' notebook and available as a handout for information was the first report for the 2004 Fiscal Year. Mr. Miller reported that 2 contracts have been approved for a total cost-share allocation of \$400.00 and that \$4,600.00 was available for additional contracts.

Mr. Miller reported that the Nebraska Water Well Decommissioning Fund was established by the 1994 Nebraska Legislature and is administered by the Department of Natural Resources at the state level. Mr. Miller reported that the fund provides state tax dollars for cost-share assistance through the state's Natural Resources Districts to help encourage the proper decommissioning of water wells that are no longer needed or used. Mr. Miller reported that there are minimum requirements for the Natural Resources Districts to qualify for state cost-share assistance. Mr. Miller reported that the district's program must provide cost-share assistance for all types of water wells and make assistance available for at least 30 wells per-year along with providing at least 60% of the cost of decommissioning the well. Mr. Miller reported that the Districts also must budget at least \$10,000.00 for its water well decommissioning cost-share program. Mr. Miller reported that in 1994 the Twin Platte Natural Resources District Board of Directors chose not to participate in the Water Well Decommissioning fund as they objected to the requirement that Districts must budget at least \$10,000.00 for its water well

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decommissioning cost-share program. Mr. Miller reported that beginning in the 1994 FY, the Twin Platte Natural Resources District established a water well decommissioning program, which met most all the requirements of the state program with the exception of budgeting \$10,000.00. Mr. Miller reported that through the 2002 FY, the Twin Platte Natural Resources District budgeted \$3,000.00 each year, which was adequate to meet the demand except for the 2002 FY when the demand was greater. Mr. Miller reported that during the 2002 FY, the Board made available an additional \$1,000.00 to meet the demand and that for the 2003 FY, \$5,000.00 was budgeted and \$1,750.00 was allocated. Mr. Miller reported that the Nebraska Water Well Decommissioning Fund provides reimbursement for Natural Resources District's programs of up to the amount of the local programs cost-share and if there are not adequate funds available to fully reimburse Districts, the funds available are shared. Mr. Miller reported that for the 2003 FY, the Nebraska Water Well Decommissioning Fund had \$175,000.00, which was used for approximately 1,000 wells. Mr. Miller reported that in the Directors' packet for information, were the Twin Platte Natural Resources District brochure for the District's water well decommissioning program and a Water Well Decommissioning Fund Agreement and Certification for the Nebraska program for the 2004 Fiscal Year. Mr. Miller recommended that the Twin Platte Natural Resources District participate in the Nebraska Water Well Decommissioning program and to budget \$10,000.00 annually. Mr. Miller reported that the Nebraska Water Well Decommissioning Fund would be reimbursing the District for all or a portion of the funds already being cost-shared. Mr. Miller reported that to date the budgeted and/or spent has never exceeded \$4,000.00 in any year and in all but the 2002 FY, never exceeded \$3,000.00 and that the District's limitation of one well per producer per year will continue to limit the risk for providing a greater amount of funds for cost-share than has occurred to date.

Mr. Stack moved that the Twin Platte Natural Resources District participate in the Nebraska Water Well Decommissioning Fund, to authorize budgeting \$10,000.00 annually for the Twin Platte Natural Resources District Water Well Decommissioning program and to authorize the General Manager to sign the Water Well Decommissioning Fund Agreement and Certification for the Twin Platte Natural Resources District required by the Nebraska Department of Natural Resources as the Twin Platte Natural Resources District representative. Mr. Schilz seconded the motion, and it carried. (Motion #5)

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

NAY: None

ABSENT: Baldrige, Kramer, Wiseman

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

Tree Program – No report presented.

Range Programs – Mr. Miller reported that in the Directors' notebook and available as a handout was the brochure for the District's Enfield Ranch Tour being held today. Mr.

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Miller reported that the District had received 72 registrations.

Soil Conservation Programs – No report presented.

Wildlife Habitat Programs – No report presented.

Water Programs – Ground Water Program – District Programs – Mr. Miller reported that in the Directors' packet for information was a Nebraska Department of Environmental Quality letter to the Village of Brule in regard to the Wellhead Protection Area for the Village and maps of the Wellhead Protection Areas for each of the communities within the Twin Platte Natural Resources District that have designated Wellhead Protection Areas.

Mr. Miller reported that cards have been mailed to the producers in the target areas in southwestern Keith County reminding them to take water samples this summer.

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.

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 – 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.

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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 – Mr. Miller reported that in the Directors' packet for information was a report on the USDA Natural Resources Conservation Service Emergency Watershed Protection (EWP) project that provided cost-share assistance for the Western Irrigation District for repair of damages from the July 6, 2002 storm. Mr. Miller reported that the program required the District, who was the local sponsor, to contribute a 25% local share of the project costs in cash or in-kind services provided by the sponsor or its partners. Mr. Miller reported that the forms have been submitted to the Natural Resources Conservation Service requesting reimbursement of \$41,196.30 which is the total paid by the Twin Platte Natural Resources District to the contractor, Korty Land and Improvement. Mr. Miller reported that the total cost of the project was \$58,431.79 with the local costs (cash and in-kind) for the Twin Platte Natural Resources District and the Western Irrigation District being \$17,235.49, which is 29.5% of the total project cost.

Regulatory Programs - Chemigation – Mr. Miller reported that the District currently has 980 active Chemigation permits and another 187 former permits that are currently inactive. Mr. Miller reported that the District has issued 115 new Chemigation permits in 2003.

Regulatory Programs – Erosion and Sediment Control – No report presented.

Regulatory Programs – Ground Water Runoff – No report presented.

Information & Education Programs – Scholarships – No report presented.

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.

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 second draft of the Budget during the July Board meeting and provides the Board four opportunities to review and discuss the Budget prior to final approval.

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Review Draft #2 - Mr. Miller reported that in the Directors' notebook and available as a handout was the second 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. Miller reminded the Board that 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 14, 2003 Board meeting and that the District and Natural Resources Conservation Service personnel would be coordinating a tour of the conservation measures installed and utilized by Mr. Rubenthaler. Mr. Rubenthaler reported that the Board of Directors meeting would begin at 5:00 p.m. CST (4:00 p.m. MDT) at the United Nebraska Bank Center, the tour would begin at 6:30 p.m. CST (5:30 p.m. MDT) and the dinner would be following the tour.

ADJOURNMENT

The meeting adjourned at 9:48 p.m. CDT (8:48 p.m. MDT).

KOM:Minutes:Bmin0703

Jerry Weaver, Secretary