

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
August 14, 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 August 14, 2003. Mr. Rubenthaler called the meeting to order at 5:07 p.m. CDT (4:07 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
James Meisner
Robert Petersen
Jim Rubenthaler
Douglas Stack
Joe Wahlgren
Robert Wiseman

BOARD MEMBERS ABSENT

Todd Kramer
Dennis Schilz
Jerry Weaver

OTHERS PRESENT

Mike Wheeler, Sargent Irrigation

NRCS PERSONNEL PRESENT

Mary Reece, District Conservationist
Jay Rezek, Engineer

STAFF PRESENT

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

ANNOUNCEMENTS

Report of Directors Excused – Mr. Rubenthaler reported that Mr. Kramer, Mr. Schilz and Mr. Weaver 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.

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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.

Mr. Miller passed around the Board table for review by each member of the Board of Directors present a listing of the attendees and pictures of the District's Enfield Ranch Tour held on August 14, 2003.

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 July 10, 2003 Meeting - Mr. Rubenthaler reported that the Minutes for the July 10, 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 July 10, 2003 Board of Directors meeting be approved. Mr. Stack seconded the motion, and it carried. (Motion #1)

AYE: Hansen, Petersen, Rubenthaler, Stack, Wahlgren, Wiseman

NAY: None

ABSENT: Baldrige, Kramer, Meismer, Schilz, Weaver

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 that in the Directors' notebook was a report of the Environmental Quality Incentive Program funds distribution in Nebraska and she reviewed the report.

Mrs. Reece reported that a proposal has been developed to allow the Twin Platte Natural

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Resources District 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 the District's programs. Mrs. Reece distributed a proposed "Contribution Agreement (Section 714)" by and between the Twin Platte Natural Resources District and the U.S. Department of Agriculture Natural Resources Conservation Service for the purpose to deliver the conservation technical assistance and conservation cost-share programs of the Natural Resources Conservation Service that are of mutual interest to the Twin Platte Natural Resources District and the Natural Resources Conservation Service. Mrs. Reece reported that for the Twin Platte Natural Resources District and the U.S. Department of Agriculture Natural Resources Conservation Service to enter into the proposed "Contribution Agreement (Section 714)", that the District and the Service would need to amend the Cooperative Working Agreement in place between the District and the Service. Mrs. Reece distributed a proposed Amendment Number 1 for the Cooperative Working Agreement in place between the Twin Platte Natural Resources District and the U.S. Department of Agriculture Natural Resources Conservation Service.

Mr. Petersen moved to approve Amendment Number 1 for the Cooperative Working Agreement in place between the Twin Platte Natural Resources District and the U.S. Department of Agriculture Natural Resources Conservation Service and to authorize the General Manager to sign the amendment for the Twin Platte Natural Resources District. Mr. Meismer seconded the motion, and it carried. (Motion #2)

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

Mr. Stack moved to approve the "Contribution Agreement (Section 714)" by and between the Twin Platte Natural Resources District and the U.S. Department of Agriculture Natural Resources Conservation Service for the purpose to deliver the conservation technical assistance and conservation cost-share programs of the Natural Resources Conservation Service that are of mutual interest to the Twin Platte Natural Resources District and the Natural Resources Conservation Service, to authorize the General Manager to sign the agreement for the Twin Platte Natural Resources District, to authorize the Conservation Aide position to implement and carry out the agreement and to authorize funding in the District's 2004 Fiscal Year Budget as provided for in the agreement. Mr. Wahlgren seconded the motion, and it carried. (Motion #3)

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

Other Agencies - No report presented.

SUBCOMMITTEE MEETINGS REPORT
Land Resources Subcommittee

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No report presented.

SUBCOMMITTEE MEETINGS REPORT
Water Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT
Wildlife Habitat & Urban Affairs Subcommittee

Urban Forestry Program - Mr. Stack, Wildlife Habitat & Urban Affairs Subcommittee member, reported that the Wildlife Habitat & Urban Affairs Subcommittee met prior to the Board of Directors meeting and he presented a report.

Mr. Stack reported the Mr. Slattery reviewed with the Subcommittee the status of the Urban Forestry programs in Brady, Sutherland, North Platte and Ogallala.

Mr. Stack moved the Wildlife Habitat & Urban Affairs Subcommittee recommendation to the Board of Directors to authorize \$452.00 for funding the Brady Urban Forestry Program July 1, 2003 through June 30, 2004, to authorize \$1,619.04 for funding the Sutherland Urban Forestry Program July 1, 2003 through June 30, 2004, to approve a new North Platte Urban Forestry Program for fiscal years 2004, 2005 and 2006 and to authorize \$2,000.00 for funding the North Platte Urban Forestry Program July 1, 2003 through June 30, 2004 and to approve a new Ogallala Urban Forestry Program for fiscal years 2004, 2005 and 2006 and to authorize \$2,0002.00 for funding the Ogallala Urban Forestry Program July 1, 2003 through June 30, 2004. Mr. Wiseman seconded the motion, and it carried. (Motion #4)

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

NAY: None

ABSENT: Kramer, Schilz, Weaver

Wildlife Habitat Programs – WILD Nebraska Program – Mr. Stack reported that the staff recommended to the Subcommittee that the District provide a Special Practice Option in the WILD Nebraska program. Mr. Carhart explained how this Special Practice Option would function compared to the Special Practice in the previous program, the Wildlife Habitat Improvement Program (WHIP). Mr. Carhart said the option had been popular in WHIP because it allowed producers to receive more benefit up front and not burden the District administratively, especially on small tracts of land where the annual payments would have been small.

Mr. Stack moved the Wildlife Habitat & Urban Affairs Subcommittee recommendation to the Board of Directors to approve the following Special Practice Option in the WILD Nebraska program:

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Contract Terms: 10 years with both grass and trees/shrubs, 5 years with grass only
Minimum Size: 1 acre
Maximum Reimbursement: Up to \$2,500.00 for **MATERIALS ONLY**
Payment Rate: NO TRANSITION PAYMENTS

Cost Share Rates:

100 Percent cost-share on the following:

1. Trees/shrubs and planting.
2. Grass seed and drilling.

Other Cost Share

1. Fencing - based on 50% of the County Average Cost.
2. Weed barrier with appropriate ground preparation - \$0.30/linear foot.
Installation of fence and weed barrier will be at the cooperators expense.

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

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

Wildlife Habitat Programs – Corners for Wildlife Program – Mr. Stack reported that the staff recommended to the Subcommittee that the District authorize a proposal to recognize the two Pheasants Forever chapters in the District and show appreciation for their steady support of key habitat initiatives in the District, including the Corners for Wildlife program. Mr. Stack reported that the proposal was that the Twin Platte Natural Resources District would donate 200 shrubs to the Cody Ringnecks Chapter of Pheasants Forever which serves Lincoln & McPherson County areas and would donate 200 shrubs to the Tri-County Chapter of Pheasants Forever which serves Keith & Arthur County areas for use in the District at a cost of \$216.00 for the 400 shrubs, which will be made available in the Spring of 2004. Mr. Stack reported that recipient landowners or the Pheasants Forever Chapters would provide the planting costs.

Mr. Stack moved the Wildlife Habitat & Urban Affairs Subcommittee recommendation to the Board of Directors that the Twin Platte Natural Resources District donate 200 shrubs to the Cody Ringnecks Chapter of Pheasants Forever which serves Lincoln & McPherson County areas and donate 200 shrubs to the Tri-County Chapter of Pheasants Forever which serves Keith & Arthur County areas for use in the District which will be made available in the Spring of 2004. Mr. Wiseman seconded the motion, and it carried. (Motion #6)

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

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SUBCOMMITTEE MEETINGS REPORT
Executive Subcommittee

No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meisner reported that the Financial Statement for July 2003 was in the Directors' notebook and available as a handout for information.

Accounts Payable - Mr. Meisner 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. Meisner moved that the Financial Statement for July 2003 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on August 14, 2003 in the amount of \$17,982.58. Mr. Petersen seconded the motion, and it carried. (Motion #7)

AYE: Baldrige, Hansen, Meisner, Petersen, Rubenthaler, Stack, Wahlgren,
 Wiseman

NAY: None

ABSENT: Kramer, Schilz, Weaver

Budget Status – No report presented.

Bids/Proposals – None were presented.

Bids/Proposals Scheduled To Be Presented for Consideration During the September 11, 2003 Board of Directors Meeting – Mr. Miller reported that no bids/proposals were scheduled to be presented for consideration during the September 11, 2003 Board of Directors meeting.

DIRECTORS REPORTS

Nebraska Association of Resources Districts – Board of Directors Meeting – No report presented.

Nebraska Association of Resources Districts – Water Policy Task Force – No report presented.

Nebraska Association of Resources Districts – Annual Conference – Mr. Meisner reported that the Nebraska Association of Resources Districts annual conference would be held September 22-23, 2003 in Kearney, Nebraska and that in the Directors' notebook and available as a handout for information was the tentative program for the conference.

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Platte River Citizens Advisory Council – No report presented.

Sandhills Resources, Conservation & Development Council - Mr. Hansen reported that the formation and funding of the Sandhills Resources, Conservation & Development Council had been approved by Congress. Mr. Hansen reported that the office would be located in Mullen, NE.

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 – No report presented.

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 a report for information. Mr. Miller reported that 5 contracts have been approved for a total cost-share allocation of \$900.00 and that \$4,100.00 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 during the July 10, 2003 Board meeting, the Board approved that the Twin Platte Natural Resources District participate in the Nebraska Water Well Decommissioning Fund and to authorize budgeting \$10,000.00 annually for the Twin Platte Natural Resources District Water Well Decommissioning program. Mr. Miller reported that the Twin Platte Natural Resources District program provides for the following:

Cost-share assistance is 65% of the actual cost up to the maximum cost-share as follows:

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<u>Well Diameter</u>	<u>Maximum Cost-share</u>
Less than 6”	\$100
6” to 12”	\$150
Over 12” to 18”	\$300
Over 18”	\$400

Mr. Miller reported that the current Twin Platte Natural Resources District program does not provide for a hand-dug water well category. Mr. Miller reported that during the discussion at the July 10th Board meeting, the Board discussed the section (d) in the Nebraska Water Well Decommissioning Program agreement and certification which states that “The district’s program provides at least 60 percent of the eligible cost of decommissioning water wells up to any maximum cost-share amount established by the district.” And “Any such maximum is no less than \$700 for hand-dug wells and no less than \$300 for all other water wells” in which you requested that the staff provide clarification in regard to hand-dug water wells. Mr. Miller reported that Gayle Starr and Jim Cook of the Nebraska Department of Natural Resources have both reviewed the Twin Platte Natural Resources District Water Well Decommissioning program and they feel that there is one significant problem and that is that the maximum cost-share can be no less than \$300 for any well and no less than \$700 for hand dug wells.

Mr. Wahlgren moved that the following revisions be made for the Twin Platte Natural Resources District Water Well Decommissioning program (additions are shown underscored and deletions are shown with a strikethrough):

9. Cost-share assistance is 65% of the actual cost up to the maximum cost-share as follows:

<u>Well Diameter</u>	<u>Maximum Cost-share</u>
Less than 6”	\$100
6” to 12”	\$150
Over 12” <u>0”</u> to 18”	\$300
Over 18”	\$400
<u>Hand-dug</u>	<u>\$700</u>

Mr. Petersen seconded the motion, and it carried. (Motion #8)

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

NAY: None

ABSENT: Kramer, Schilz, Weaver

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

Tree Program – No report presented.

Range Programs – No report presented.

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Soil Conservation Programs – No report presented.

Wildlife Habitat Programs – No report presented.

Water Programs – Ground Water Program – District Programs – Mr. Miller reported that in the Directors' packet for information was a chart showing irrigation wells registered in the Twin Platte Natural Resources District 1997 to current and a graph showing the Total Irrigated Acres and the New Irrigated Acres in the Twin Platte Natural Resources District for the well registrations 1997 to current and he reviewed the information.

Mr. Miller reported on a meeting the District hosted for Congressman Tom Osborne on August 20th.

Water Programs – Ground Water Program – 319 Project – Mr. Miller reported that in the Directors' packet for information was the Quarterly Report.

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 during the October 10, 2002 Board of Directors meeting, that he presented an Interlocal Cooperation Agreement for the Ground Water Management Coalition and reported that the Twin Platte Natural Resources District has been invited to participate in the coalition. Mr. Miller reported that the need for a Ground Water Management Coalition is for Natural Resources Districts to be prepared, have legal advise and participate as needed in court cases currently filed or being considered that threaten the Ground Water Management Act authorities of Natural Resources District's. Mr. Miller reported that the Interlocal Cooperation Agreement proposed a contribution for the Twin Platte Natural Resources District during the 2003 Fiscal Year of \$6,000.00 and that the 2003 Fiscal Year Budget provided \$6,000.00 for the District to participate in the coalition. Mr. Miller reported that on October 10, 2002, the Board of Directors approved that the Twin Platte Natural Resources District participate in the Ground Water Management Coalition, to authorize an initial contribution of \$2,000.00, to authorize the General Manager to sign the Interlocal Cooperation Agreement for the Ground Water Management 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 Ground Water Management Coalition. Mr. Miller reported that during the 2003 Fiscal Year, the Ground Water Management Coalition was not initiated and there were no Twin Platte Natural Resources District funds spent. Mr. Miller reported that the sponsors held an organizational meeting on July 11, 2003 and have executed the Interlocal Cooperation Act Agreement. Mr. Miller reported that the current sponsors are the Central Platte Natural Resources District, Upper Big Blue Natural Resources District, Twin Platte Natural Resources District, Upper Elkhorn Natural Resources District, Little Blue Natural Resources District, Lower Big Blue Natural Resources District, Upper

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Niobrara-White Natural Resources District, Lower Niobrara Natural Resources District and Lewis & Clark Natural Resources District and that other Natural Resources Districts are considering joining the coalition. Mr. Miller reported that the sponsors have agreed to utilize Don Blankenau of the Fennemore Craig Law firm for legal counsel. Mr. Miller reported that the sponsors have agreed to request that each sponsor pay their initial contribution and that the proposed initial contribution for the Twin Platte Natural Resources District is \$6,000.00. Mr. Miller reported that the Twin Platte Natural Resources District 2004 Fiscal Year Budget provides for contributions during the 2004 Fiscal Year of \$6,000.00.

Mr. Meismer moved to authorize an initial contribution by the Twin Platte Natural Resources District of \$6,000.00 for the Ground Water Management Coalition. Mr. Wahlgren seconded the motion, and it carried. (Motion #9)

AYE: Hansen, Meismer, Rubenthaler, Stack, Wahlgren, Wiseman
NAY: Baldrige
ABSTAIN: Petersen
ABSENT: Kramer, Schilz, Weaver

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. Mr. Miller reported that in the Directors' packet for information were the draft minutes for the Platte River Governance Committee meeting July 15, 2003 and a report of the prioritized issues for resolution.

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.

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

Water Programs – Platte River Activities – South Platte River – Mr. Miller reported on

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meetings and discussions in regard to the South Platte River Compact.

Regulatory Programs - Chemigation – No report presented.

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

Regulatory Programs – Ground Water Runoff – Mr. Carhart reported on a recent inquiry.

Information & Education Programs – 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 third draft of the Budget during the August Board meeting and provides the Board four opportunities to review and discuss the Budget prior to final approval.

Review Draft #3 - Mr. Miller reported that in the Directors' notebook and available as a handout was the third draft of a budget for the 2004 fiscal year. Mr. Miller reviewed the information for the proposed budget for the 2004 fiscal year.

Approval for Public Hearings and Set Public Hearing Dates, Times and Location -

Mr. Petersen moved to approve for Public Hearings a 2003-2004 Fiscal Year Budget for the Twin Platte Natural Resources District as proposed in Draft #3 with a property tax requirement of \$359,928.00 and a total requirement of \$932,841.59 plus the addition of the funds to carry out the “Contribution Agreement (Section 714)” by and between the Twin Platte Natural Resources District and the U.S. Department of Agriculture Natural Resources Conservation Service approved in Motion #3, and that the Board of Directors set the Public Hearings for the 2003-2004 Fiscal Year Budget for September 11, 2003 to be held at 7:30 p.m. CDT (6:30 p.m. MDT) in the United Nebraska Bank Center Meeting Room located at 111 South Dewey Street in North Platte, Nebraska for the Board of Directors to hear and consider public comments prior to action for approval of a 2003-2004 Fiscal Year Budget and for setting the final property tax request for the Twin Platte Natural Resources District for the 2003-2004 Fiscal Year. Mr. Wahlgren seconded the motion and it carried. (Motion #10)

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

OTHER BUSINESS

There was no other business.

TOUR AND DINNER

A tour and dinner was held at the Jim and Marilyn Rubenthaler ranch.

ADJOURNMENT

The meeting adjourned at 10:00 p.m. CDT (9:00 p.m. MDT).

Jerry Weaver, Secretary

KOM:Minutes:Bmin0803