

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting  
June 4, 2009

The Twin Platte Natural Resources District (TPNRD) Board of Directors meeting was held at the TierOne Bank Center Meeting Room, Second Floor, 111 South Dewey Street, North Platte, Nebraska on June 4, 2009. Mr. Rubenthaler called the meeting to order at 7:55 pm CDT (6:55 pm 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

Dale Margritz  
Jim Meisner  
Bob Petersen  
Jim Rubenthaler  
Dennis Schilz  
Doug Stack  
Shane Storer  
Joe Wahlgren  
Jerry Weaver  
Bob Wiseman

BOARD MEMBERS ABSENT

Eric Hansen

NRCS PERSONNEL PRESENT

Shelly Arendt, NRCS Technician

STAFF PRESENT

Bill Carhart, Range Programs Coordinator  
Ann Dimmitt, Water Programs Regulatory Coordinator  
Kent Miller, General Manager  
Dave Slattery, Conservation Programs Coordinator

OTHERS PRESENT

Neil Betty, West Central Water Coalition  
Brad Johnson, Sargent Irrigation

ANNOUNCEMENTS

Nebraska Open Meeting Act – Mr. Rubenthaler reported that the Nebraska Open Meeting Act requires public bodies to make available at least one current copy of the Open Meeting Act posted in the meeting room at a location accessible to members of the public, and at the beginning of the meeting the public shall be informed about the location of the posted information. Mr. Rubenthaler reported that the current Open Meeting Act was in the back of the meeting room and accessible to members of the public.

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Report of Directors Excused – Mr. Rubenthaler reported that Operating Policy Number 4: BOARD OF DIRECTORS ABSENCES provides that a Director will be considered excused if the Director notifies the office prior to the meeting that he will be absent and that the minutes will reflect whether an absent Director is excused or unexcused. Mr. Rubenthaler reported that both Mr. Hansen and Mr. Petersen were present earlier for the Sub-Committee meetings, but had prior commitments during the Board meeting and would therefore be excused. Mr. Rubenthaler reported that Mr. Petersen may be returning at some point during the Board meeting.

Distribution of Information – Mr. Rubenthaler reported that handouts were available for the public in the back of the meeting room.

Other Announcements – Mr. Rubenthaler reported that the monthly summary report of Natural Resources Conservation Service conservation plans was available for information and that the report would be passed around the Board table for review by each member of the Board of Directors present.

PUBLIC FORUM

Mr. Rubenthaler opened the Public Forum. There were no comments. Mr. Rubenthaler closed the Public Forum.

AGENDA MODIFICATION

None presented.

GENERAL INFORMATION

Programs Information Reports - Information Program - Web Page – No report presented.

Programs Information Reports – Ground Water Program – Ground Water Monitoring – Levels/Quality – No report presented.

BOARD OF DIRECTORS MEETING

Minutes for May 14, 2009 Meeting – Mr. Rubenthaler reported that the Minutes for the May 14, 2009 meeting were in the Directors’ packet and he asked if there were any corrections or additions.

Mr. Margritz moved that the Minutes of the May 14, 2009 Board of Directors meeting be approved. Mr. Wiseman seconded the motion. The motion carried. (Motion #1)

Aye: Margritz, Meismer, Rubenthaler, Schilz, Stack, Storer, Wahlgren,  
Weaver, Wiseman

Nay: None

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Absent & Excused: Hansen  
Out of Room: Petersen

REQUESTS FOR ASSISTANCE

None presented.

COOPERATING AGENCIES REPORT

USDA Natural Resources Conservation Service – District Conservationist Report – Shelly Arendt, NRCS Technician, distributed and reviewed a written report for information.

Other Agencies – No reports presented.

SUBCOMMITTEE MEETINGS REPORT

Land Resources Subcommittee

Mr. Storer, Land Resources Sub-Committee member, presented a report for the meeting held on June 4, 2009.

Awards Program – Conservation Award for 2009 – Mr. Storer reported that the Subcommittee agreed to select James R. Fleecs to receive the 2009 Conservation Award for Lincoln / McPherson Counties.

Awards Program – Grassland Award for 2009 – Mr. Storer reported that the Subcommittee agreed to select KM Lute Trust Ranch – Mike Krab, Manager to receive the 2009 Grassland Conservation Award for Keith / Arthur Counties.

Awards Program – Educator of the Year Award for 2009 - No report presented.

Cost-Share Programs – Nebraska Soil & Water Conservation Program – Eligible Practices – Mr. Storer reported that in the Directors' packet for information was a listing of the Nebraska Soil and Water Conservation Program eligible practices in which is shown the Twin Platte Natural Resources District Eligible Practices for July 1, 2007 – June 30, 2008. Mr. Storer reported that the current policy of the District provides that the following practices are not available for cost-share in the District:

- Practice NC-12, Windbreaks, parts F & G
- Practice NC-14, Planned Grazing Systems, part C
- Practice NC-16, Windbreak Renovation
- Practice NC-17, Irrigation Water Management, selected components in part B and part D
- Practice NC-19, Repair of Practices

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Mr. Storer reported that the Land Resources Subcommittee recommendation was to continue the current policy. Mr. Storer reported that Board of Directors action is not needed to continue the current policy.

Cost-Share Programs – Nebraska Soil & Water Conservation Program – Funding - Mr. Storer reported that there were fewer tree planting cooperators this year in part due to quickly running out of NSWCP cost-share, as well as reduced funding through Federal programs. Mr. Storer reported that the policy approved last year to raise limits on trees and the feet of water conservation mulch allowed per cooperator has contributed to having fewer tree planting opportunities in 2009.

Mr. Storer moved the Land Resources Subcommittee’s recommendation to the Board of Directors to set the cost-share limits in the tree program at 200 trees and 2,000 feet of water conservation mulch per cooperator per year. Mr. Wahlgren seconded the motion. The motion carried. (Motion #2)

Aye: Margritz, Meismer, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman  
 Nay: None  
 Absent & Excused: Hansen  
 Out of Room: Petersen

SUBCOMMITTEE MEETINGS REPORT  
Water Resources SubCommittee

Mr. Meismer, Water Resources Sub-Committee Chairperson, presented a report for the meeting held on June 4, 2009.

Integrated Management Plan (IMP) – Timeline - Mr. Meismer reviewed the following timeline for approval of a TPNRD IMP by the September 15, 2009 deadline:

**Twin Platte Natural Resources District**  
**Integrated Management Plan (IMP)**  
**Approval / Implementation**

<u>Task</u>	<u>Dates</u>
<b>Water Subcomm. - IMP</b>	<b>Feb 19</b>
<b>Stakeholder’s Mtg.</b>	<b>Feb. 23</b>
<b>Water Subcomm. - IMP</b>	<b>Mar. 12</b>
<b>Stakeholder’s Mtg. – Final Recommendation</b>	<b>Mar. 16</b>
<b>Special Bd. Mtg. - IMP</b>	<b>Apr 2</b>
<b>Water Subcomm./Bd. Mtg. - IMP</b>	<b>Apr. 9</b>
<b>Stakeholder’s Mtg. - Final Recommendation (if needed)</b>	<b>Apr. 20</b>

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<b>Water Subcomm./Bd. Mtg. – Approve IMP to submit DNR</b>	<b>May 14</b>
<b>Joint NRD/DNR Mtg. (If needed)</b>	<b>May 21 or 28</b>
<b>Exchange Letters – NRD/DNR agreement</b>	<b>May 15 – June 3</b>
<b>Water Subcomm./Bd. Mtg. – Approve IMP for Pub. Hearing</b>	<b>June 4 *</b>
Water Subcomm. – Rules & Reg. Rev.	June 4 *
<b>Publish Legal Notice in NP Telegraph</b>	<b>June 9, 16, 23</b>
<b>Public Hearing - IMP</b>	<b>July 2</b>
<b>Water Subcomm./Bd. Mtg.–Approve IMP to submit to DNR</b>	<b>July 9</b>
Water Subcomm. – Rules & Reg. Rev.	July 9
<b>Exchange Letters – Implement the plan</b>	<b>July 10 – Aug 12</b>
<b>Water Subcomm./Bd. Meeting – Approve IMP &amp; Adopt Order</b>	<b>Aug 13</b>
Water Subcomm./Bd. Mtg.–Approve Rules & Reg. Rev. for Pub. Hearing	Aug 13
<i>Water Subcomm. – Offsets Options</i>	<i>Aug 13</i>
Publish Legal Notice in NP Telegraph	Aug 18, 25, Sept.1
<b>Publish Order in NP Telegraph</b>	<b>Aug 18, 25 ,Sept.1</b>
Public Hearing - Rules & Reg. Rev.	Sept. 10
Water Subcomm./Bd. Meeting – Approve Rules & Reg. Rev.	Sept. 10
<i>Water Subcomm./Bd. Mtg. – Approve Offsets Options</i>	<i>Sept. 10</i>
<b>Effective Date of IMP</b>	<b>Sept. 15</b>
Effective Date for Rules & Reg. Rev.	Sept. 15
<i>Water Subcomm./Bd. Mtg. – Additional Offsets Options</i>	<i>Oc. 8, Nov 12</i>

\* Denotes a change in the regularly scheduled Board Meeting dates.

Integrated Management Plan (IMP) – Twin Platte Natural Resources District – Mr. Meismer reported that in the Directors’ Board meeting packet was the latest draft of a TPNRD IMP.

Integrated Management Plan (IMP) – Twin Platte Natural Resources District – Approval for Public Hearing

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve a motion that the Twin Platte Natural Resources District and the Nebraska Department of Natural Resources have notified each other in writing that the Twin Platte Natural Resources District and the Nebraska Department of Natural Resources have reached an agreement related to the following items: (1) the proposed goals and objectives of the Integrated Management Plan for the Twin Platte Natural

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Resources District; (2) the proposed geographic area subject to the controls; and (3) the surface water and ground water controls and incentive programs that are identified in the Integrated Management Plan and proposed for adoption and implementation. Mr. Stack seconded the motion. The motion carried. (Motion #3)

Aye: Margritz, Meismer, Rubenthaler, Schilz, Stack, Storer, Wahlgren,  
Weaver, Wiseman  
Nay: None  
Absent & Excused: Hansen  
Out of Room: Petersen

Integrated Management Plan (IMP) – Twin Platte Natural Resources District – Public Hearing

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve a motion that the Twin Platte Natural Resources District and the Nebraska Department of Natural Resources have notified each other in writing that the Twin Platte Natural Resources District and the Nebraska Department of Natural Resources have reached an agreement to schedule a joint hearing on the proposed Twin Platte Natural Resources District Integrated Management Plan, that such hearing be held in North Platte, Nebraska on July 2, 2009 at 7:30 p.m. CDT, and that such hearing should coincide with the joint hearing on the Basin-Wide Plan. Mr. Schilz seconded the motion. The motion carried. (Motion #4)

Aye: Margritz, Meismer, Rubenthaler, Schilz, Stack, Storer, Wahlgren,  
Weaver, Wiseman  
Nay: None  
Absent & Excused: Hansen  
Out of Room: Petersen

Integrated Management Plan (IMP) – Platte River Basin – Mr. Meismer reported that in the Directors’ Board meeting packet was the latest draft of a Basin-Wide Plan for Joint Integrated Water Resources Management of Overappropriated Portions of the Platte River Basin, Nebraska.

Integrated Management Plan (IMP) – Platte River Basin – Approval for Public Hearing

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve a motion that the Twin Platte Natural Resources District and the Nebraska Department of Natural Resources have notified each other in writing that the Twin Platte Natural Resources District and the Nebraska Department of Natural Resources have reached an agreement related to the proposed Basin-Wide Plan for the over appropriated portion of the Platte River Basin. Mr. Stack seconded the motion. The motion carried. (Motion #5)

Aye: Margritz, Meismer, Rubenthaler, Schilz, Stack, Storer, Wahlgren,  
Weaver, Wiseman  
Nay: None

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Absent & Excused: Hansen  
Out of Room: Petersen

Integrated Management Plan (IMP) – Platte River Basin – Public Hearing

Mr. Meisner moved the Water Resources Subcommittee's recommendation to the Board of Directors to approve a motion that the Twin Platte Natural Resources District and the Nebraska Department of Natural Resources have notified each other in writing that the Twin Platte Natural Resources District and the Nebraska Department of Natural Resources have reached an agreement to schedule a joint hearing on the proposed Basin-Wide Plan for the over appropriated portion of the Platte River Basin, that such hearing be held in North Platte, Nebraska on July 2, 2009 at 7:30 p.m. CDT, and that such hearing should coincide with the joint hearing on the proposed Twin Platte Natural Resources District Integrated Management Plan. Mr. Schilz seconded the motion. The motion carried. (Motion #6)

Aye: Margritz, Meisner, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: Hansen

Out of Room: Petersen

Integrated Management Plan (IMP) – Rules and Regulations – Mr. Meisner reported that the Subcommittee continued their review of the Rules and Regulations.

Ground Water Management – Variances – Requests – Marty Keller – Mr. Meisner reported that the TPNRD has received a request for a variance from Marty Keller. Mr. Meisner asked Mrs. Dimmitt to report on the request.

Mrs. Dimmitt reported that the TPNRD received a variance request from Marty Keller to transfer his already certified 19.22 ground water irrigated acres in the SE $\frac{1}{4}$  Section 6, Township 13 North, Range 35 West, Keith County, Nebraska to the Twin Platte Natural Resources District water bank under Neil Williams name. Mrs. Dimmitt reported that Mr. Keller has sold his irrigated water rights to Mr. Williams. Mrs. Dimmitt reported that the land is in the process of being sold for a housing development on the outskirts of Paxton, Nebraska. Mrs. Dimmitt reported that Mr. Williams would like to bank his water rights so that he does not lose his certified irrigated acres while the housing development gets under way. Mrs. Dimmitt reported that in the Directors' Board meeting notebook was an aerial photo of the area.

Mrs. Dimmitt reported that during the May 14, 2009 Water Resources Subcommittee meeting, that she brought a variance request from Marty Keller to transfer 24.79 ground water irrigated acres in the SE $\frac{1}{4}$  Section 6, Township 13 North, Range 35 West, Keith County, Nebraska to the Twin Platte Natural Resources District water bank under Neil Williams name. Mrs. Dimmitt reported that Mr. Keller only owned 19.22 of the 24.79 ground water irrigated acres.

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Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to rescind Motion #4 from the May 14, 2009 Board of Directors meeting which approved granting a variance to transfer Marty Keller’s certified 24.79 ground water irrigated acres in the SE¼ Section 6, Township 13 North, Range 35 West, Keith County, Nebraska to the Twin Platte Natural Resources District water bank under Neil Williams name. Mr. Margritz seconded the motion. The motion carried. (Motion #7)

Aye: Margritz, Meismer, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman  
Nay: None  
Absent & Excused: Hansen  
Out of Room: Petersen

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve granting a variance to transfer Marty Keller’s certified 19.22 ground water irrigated acres in the SE¼ Section 6, Township 13 North, Range 35 West, Keith County, Nebraska to the Twin Platte Natural Resources District water bank under Neil Williams name. Mr. Schilz seconded the motion. The motion carried. (Motion #8)

Aye: Margritz, Meismer, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman  
Nay: None  
Absent & Excused: Hansen  
Out of Room: Petersen

Ground Water Management – Variances – Requests – Bill McNerney – Mr. Meismer reported that the TPNRD has received a request for a variance from Bill McNerney. Mr. Meismer asked Mrs. Dimmitt to report on the request.

Mrs. Dimmitt reported that the TPNRD received a variance request from Bill McNerney to transfer his already certified 36.77 ground water irrigated acres in the NE¼ Section 1, Township 12 North, Range 39 West, Keith County, Nebraska to the TPNRD water bank under Richard Beckler’s name. Mrs. Dimmitt reported that Mr. McNerney has sold his irrigated water rights off the corners to Mr. Beckler. Mrs. Dimmitt reported that the land currently has a pivot on it and will remain irrigated while the corners will be dry land farmed. Mrs. Dimmitt reported that Mr. Beckler would like to bank his water rights until he can add more acres and move them to a better suited location. Mrs. Dimmitt reported that in the Directors’ Board meeting notebook was an aerial photo of the area.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve granting a variance to transfer Bill McNerney’s certified 36.77 ground water irrigated acres in the NE¼ Section 1, Township 12 North, Range 39 West, Keith County, Nebraska to the Twin Platte Natural Resources District water bank under Richard Beckler’s name. Mr. Wiseman seconded the motion. The motion carried. (Motion #9)

Aye: Margritz, Meismer, Rubenthaler, Schilz, Stack, Storer, Wahlgren,



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Weaver, Wiseman  
Nay: None  
Absent & Excused: Hansen  
Out of Room: Petersen

Ground Water Management – Variances – Requests – Nebraska Public Power District (NPPD) – Mr. Meismer reported that the TPNRD has received a request for a variance from NPPD. Mr. Meismer asked Mrs. Dimmitt to report on the request.

Mrs. Dimmitt reported that the TPNRD received a variance request from NPPD for a total of 10 new well permits for 10 de-watering wells and four monitoring wells. Mrs. Dimmitt reported that the monitoring wells do not need permits. Mrs. Dimmitt reported that these wells are located in and around the Sutherland Dam Outlet in Section 16, Township 13 North, Range 33 West, Lincoln County, Nebraska. Mrs. Dimmitt reported that in April of 2007, NPPD came to the TPNRD and requested a permit to drill two de-watering wells drilled by Downey Drilling. Mrs. Dimmitt reported that the TPNRD approved those two wells. Mrs. Dimmitt reported that since that time the project needed more wells, and a different contractor drilled eight more de-watering wells at this location. Mrs. Dimmitt reported that the project was putting baffles down and doing some work on the Sutherland Dam Outlet. Mrs. Dimmitt reported that these de-watering wells have a capacity to pump between 400-450 gpm. Mrs. Dimmitt reported that NPPD would now like to register these de-watering wells. Mrs. Dimmitt reported that the Nebraska Department of Natural Resources has returned NPPD's request to register these wells since they did not receive permits prior to the work being done. Mrs. Dimmitt reported that NPPD is requesting permits for these eight de-watering wells that were not previously approved. Mrs. Dimmitt reported that in the Directors' Board meeting notebook was a map of the area.

Mr. Meismer moved the Water Resources Subcommittee's recommendation to the Board of Directors to approve granting well permits to NPPD for the eight wells in Section 16, Township 13 North, Range 33 West, Lincoln County, Nebraska with a condition that the wells may only be used for de-watering, that the wells are properly capped, that NPPD shall provide the Twin Platte Natural Resources District prior notification of any use of these wells in the future, and that the letter to NPPD notifying them of this action point out the failure of NPPD to first obtain a permit as required and that a copy of the letter be provided to the well driller. Mr. Schilz seconded the motion. The motion carried. (Motion #10)

Aye: Meismer, Rubenthaler, Schilz, Stack, Storer, Wiseman  
Nay: Margritz, Wahlgren, Weaver  
Absent & Excused: Hansen  
Out of Room: Petersen

Ground Water Management – Variances – Requests – Steve Scholz – Mr. Meismer reported that the TPNRD has received a request for a variance from Steve Scholz. Mr. Meismer asked Mrs. Dimmitt to report on the request.

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Mrs. Dimmitt reported that the TPNRD received a variance request from Steve Scholz for a new well permit for his livestock operation located in the NW¼ Section 11, Township 16 North, Range 29 West, Lincoln County, Nebraska. Mrs. Dimmitt reported that Mr. Scholz purchased Darrell Heiss's feedlot north of North Platte. Mrs. Dimmitt reported that the Nebraska Department of Environmental Quality just approved his plan to expand the holding capacity of this feedlot from 5,000 to 25,000 head. Mrs. Dimmitt reported that Mr. Scholz has experienced well problems with the existing livestock well that pumps less than 50 gpm. Mrs. Dimmitt reported that Mr. Scholz would like to plan for the future, and is requesting a larger capacity well than what is currently there. Mrs. Dimmitt reported that Mr. Scholz would like to have a livestock well capable of pumping 400 gpm to help accommodate the future expansion. Mrs. Dimmitt reported that due to the expansion of the existing operation, Mr. Scholz will be responsible for offsetting all of the new growth. Mrs. Dimmitt reported that construction is going on now at the location so that by the end of 2009 they will be able to double their holding capacity to 10,000 head of cattle. Mrs. Dimmitt reported that Mr. Scholz is aware that he will have to offset his growth by purchasing irrigated acres, and is working with some neighbors. Mrs. Dimmitt reported that due to the unreliability of his existing well, he would like to put down the bigger well so that he does not have the expense of putting down several smaller wells as he expands. Mrs. Dimmitt reported that Mr. Scholz will be working with the staff to determine what needs to be offset. Mrs. Dimmitt reported that in the Directors' Board meeting notebook was an aerial photo of the area.

Mr. Meisner moved the Water Resources Subcommittee's recommendation to the Board of Directors to approve granting the request for a new livestock operation well permit with a maximum pumping capacity of 400 gpm be granted for Steve Scholz for a feedlot located in the NW¼ Section 11, Township 16 North, Range 29 West, Lincoln County, Nebraska, and conditioned that Steve Scholz obtain a variance for offset water for new consumptive use prior to any expansion of the feedlot, with the consumptive use determined from procedures and calculations developed for livestock by the Twin Platte Natural Resources District and the Nebraska Department of Natural Resources. Mr. Schilz seconded the motion. The motion carried. (Motion #11)

Aye: Margritz, Meisner, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman  
Nay: None  
Absent & Excused: Hansen  
Out of Room: Petersen

Ground Water Management – Violations – No report presented.

Ground Water Management – Certified Irrigated Acres – Mr. Meisner asked Mrs. Dimmitt to report on the status for obtaining a required signature on the certification form. Mrs. Dimmitt reported on the status.

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Cost-Share Programs - Nebraska Soil & Water Conservation Program - Eligible Practices  
– Mr. Meisner reported that in the Directors’ Board meeting packet was the Nebraska Soil and Water Conservation Program eligible practices showing the TPNRD Eligible Practices approved for the 2009 FY (July 1, 2008 – June 30, 2009).

Mr. Meisner reported that in the current policy of the TPNRD provides that the following are not available for cost-share in the TPNRD:

- Practice NC-12, Windbreaks, parts F & G
- Practice, NC-14, Planned Grazing Systems, part C
- Practice NC-16, Windbreak Renovation
- Practice NC-17, Irrigation Water Management, selected components in part B and part D
- Practice NC-19, Repair of Practices

and the current policy of the TPNRD provides the following limitation:

- Practice NC-17, Irrigation Water Management, part B  
For soil moisture sensors and data readers, three applications, based on Natural Resources Commission Advisory No. 26 (copy attached), are allowed per year per producer and the producer is required to submit an end of season report to the Twin Platte Natural Resources District for ten years.

Mr. Meisner moved the Water Resources Subcommittee’s recommendation to the Board of Directors to continue the current policy of the Twin Platte Natural Resources District which provides that the following are not available for cost-share in the Twin Platte Natural Resources District:

- Practice NC-12, Windbreaks, parts F & G
- Practice, NC-14, Planned Grazing Systems, part C
- Practice NC-16, Windbreak Renovation
- Practice NC-17, Irrigation Water Management, selected components in part B and part D
- Practice NC-19, Repair of Practices

and to revise the current policy of the Twin Platte Natural Resources District which provides the following limitation: (Deletions have a strikethrough line and additions are underscored)

- Practice NC-17, Irrigation Water Management, part B  
For soil moisture sensors and data readers, two sets ~~three applications~~, based on Natural Resources Commission Advisory No. 26 (copy attached), are allowed per year per landowner ~~producer~~ and the landowner ~~producer~~ is required to submit an end of season report to the Twin Platte Natural Resources District for year one ~~ten years~~ at a cost-share rate of 50% up to \$300.00 per set.

Mr. Schilz seconded the motion. The motion carried. (Motion #12)

Aye: Margritz, Meisner, Petersen, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman

Nay: None

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Absent & Excused: Hansen

Cost-Share Programs - Nebraska Soil & Water Conservation Program - Funding – Mr. Meismer reported that the District’s allocation for the 2010 Fiscal Year has not been received, but it should be similar to the allocation for the 2009 Fiscal Year which would be approximately \$78,000.00.

Mr. Meismer reported that for the 2009 FY, the Board of Directors approved the following:

- For Practice NC-12, Windbreaks, that 30% of available funds be reserved from July 1, 2007 to January 30, 2009
- For Practice NC-14, Planned Grazing Systems, that 30% of available funds be reserved from July 1, 2008 to January 30, 2009
- For Practice NC-17, Irrigation Water Management, that 30% of available funds be reserved from July 1, 2008 to January 30, 2009
- For the other eligible practices that 10% of available funds be reserved from July 1, 2008 to January 30, 2009
- Any funds available after January 30, 2009 may be used for any eligible practice.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve the following allocation of the funds for the Nebraska Soil & Water Conservation Program in the Twin Platte Natural Resources District for July 1, 2009 – June 30, 2010:

- For Practice NC-12, Windbreaks, that 30% of available funds be reserved from July 1, 2009 to January 30, 2010
- For Practice NC-14, Planned Grazing Systems, that 30% of available funds be reserved from July 1, 2009 to January 30, 2010
- For Practice NC-17, Irrigation Water Management, that 30% of available funds be reserved from July 1, 2009 to January 30, 2010
- For the other eligible practices that 10% of available funds be reserved from July 1, 2009 to January 30, 2010
- Any funds available after January 30, 2010 may be used for any eligible practice.

Mr. Wiseman seconded the motion. The motion carried. (Motion #13)

Aye: Margritz, Meismer, Petersen, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: Hansen

Cost-Share Programs – Nebraska Soil & Water Conservation Program – Cost-Share Rate - Mr. Slattery reported that the cost-share rate for Practice NC-12 Windbreaks used to be 50%. Mr. Slattery reported that the Board of Directors changed the cost-share rate for Practice NC-12 Windbreaks to 65% on July 10, 2008. Mr. Slattery recommended that the cost-share rate for Practice NC-12 Windbreaks be 50%.

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Mr. Storer moved that the Twin Platte Natural Resources District cost-share rate for Practice NC-12 Windbreaks be 50%. Mr. Schilz seconded the motion. The motion carried. (Motion #14)

Aye: Margritz, Meismer, Petersen, Rubenthaler, Schilz, Stack, Storer,  
Wahlgren, Weaver, Wiseman  
Nay: None  
Absent & Excused: Hansen

Interlocal Cooperation Agreements - Platte Basin Habitat Enhancement Project – Mr. Meismer asked Mr. Miller to present the Subcommittee’s recommendation.

Mr. Miller reported that in the Directors’ Board meeting packet was a draft Interlocal Cooperation Agreement for the Platte Basin Habitat Enhancement Project. Mr. Miller reported that the parties for the Interlocal Agreement are the South Platte Natural Resources District, the Twin Platte Natural Resources District, the North Platte Natural Resources District, the Tri-Basin Natural Resources District, the Central Platte Natural Resources District, the Nebraska Department of Natural Resources, and the Nebraska Game and Parks Commission. Mr. Miller reported that the agreement is a joint and cooperative undertaking to jointly administer, develop, manage and maintain the requirements imposed upon the parties pursuant to the terms and conditions of the Platte Basin Habitat Enhancement Project grants received from the Nebraska Environmental Trust Fund, to work with partners, including, but not limited to, the Nature Conservancy, the Platte River Whooping Crane Maintenance Trust, Inc., and the Nebraska Farm Bureau Federation in accomplishing the requirements imposed pursuant to the terms and conditions of the Platte Basin Habitat Enhancement Project grant and to undertake jointly other programs to satisfy the terms of the Platte River Recovery Implementation Program and requirements of the Ground Water Management and Protection Act.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve the Twin Platte Natural Resources District participating as a party to the Interlocal Cooperation Agreement for the Platte Basin Habitat Enhancement Project, authorize the General Manager to sign the Interlocal Cooperation Agreement for the Twin Platte Natural Resources District, and designate Kent O. Miller as the administrator and Ann Dimmitt as the alternate administrator to represent the Twin Platte Natural Resources District. Mr. Petersen seconded the motion. The motion carried. (Motion #15)

Aye: Margritz, Meismer, Petersen, Rubenthaler, Schilz, Stack, Storer,  
Wahlgren, Weaver, Wiseman  
Nay: None  
Absent & Excused: Hansen

SUBCOMMITTEE MEETINGS REPORT  
Wildlife Habitat & Urban Affairs Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT  
Executive Subcommittee

Mr. Rubenthaler, Executive Sub-Committee Chairperson, presented a report for the meeting held on June 4, 2009.

Personnel Salaries for 2010 Fiscal Year – Mr. Rubenthaler reported that the Sub-Committee reviewed the authorized positions, reviewed the salary schedules, reviewed the cost-of-living, and reviewed the General Manager’s salary.

Mr. Rubenthaler reported that the Sub-Committee reviewed consumer price index historical and forecast information that is obtained each year from the Nebraska Legislatures Fiscal Office.

Mr. Stack moved the Executive Sub-Committees recommendation to the Board of Directors that the Salary Schedule steps for each position be increased 2.0% for the 2010 Fiscal Year in recognition of the cost-of-living to maintain the value of the salary compensation and to set the General Manager’s salary at \$74,000 for the 2010 Fiscal Year. Mr. Weaver seconded the motion. The motion carried. (Motion #16)

Aye: Margritz, Meismer, Petersen, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman  
Nay: None  
Absent & Excused: Hansen

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for May 2009 was in the Directors' notebook and available as a handout.

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 2009 be received and placed on file for audit and to approve payment of the invoices presented on the Accounts Payable report on June 4, 2009 in the amount of \$57,131.01. Mr. Schilz seconded the motion. The motion carried. (Motion #17)

Aye: Margritz, Meismer, Petersen, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman  
Nay: None  
Absent & Excused: Hansen

Budget Status – Mr. Meismer reported that the Budget Status report was in the Directors’ notebook and available as a handout.

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Bids/Proposals – None presented.

Bids/Proposals Scheduled to be Presented for Consideration during the July 9, 2009 Board of Directors Meeting – Mr. Miller reported that no bids/proposals were scheduled to be presented for consideration during the July 9, 2009 Board of Directors meeting.

Audit for 2009 Fiscal Year – Mr. Miller reported that the District has received a proposal from the account firm of McChesney, Martin, Sagehorn to audit the financial statements of the TPNRD for the 2009 Fiscal Year, which ends June 30, 2009. Mr. Miller reported that the audit would be performed by Glen Waltemath. Mr. Miller reported that the audit of financial statements of the District is required by Nebraska Statutes. Mr. Miller reported that the firm had prepared the audit for the District in previous years, the estimated fee in previous proposals had never been exceeded, and the estimated fee in the proposal for the 2009 Fiscal Year is \$3,525.00.

Mr. Petersen moved that the proposal received from the accounting firm of McChesney, Martin, Sagehorn to perform an audit of the financial statements of the Twin Platte Natural Resources District for the 2009 Fiscal Year which ends June 30, 2009 be accepted, to authorize the General Manager to sign the proposal as the District representative, and to appoint Kent O. Miller, General Manager, and Amy Mapes, Administrative Assistant, as the individuals to be responsible and accountable for overseeing the services outlined in the engagement letter. Mr. Margritz seconded the motion. The motion carried. (Motion #18)

Aye: Margritz, Meisner, Petersen, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: Hansen

Operating Policy Number 23 – Mr. Miller reported that in the Directors’ Board meeting packet were draft revision for Operating Policy Number 23.

Mr. Stack moved to approve the following revisions for Operating Policy Number 23: PROCEDURES AND CONTROLS FOR OBLIGATION AND EXPENDITURE OF DISTRICT FUNDS: (Deletions have a strikethrough line. Additions are underlined)

1. District funds which are to be expended for any purpose may not be obligated, committed or expended unless they are included in the annual budget of the District which has been submitted to the State Auditor pursuant to the Nebraska Budget Act.
2. Once District funds have been properly included and approved in the annual budget, then the General Manager is authorized to expend for the purposes and in the amounts identified in the budget, ~~and for programs and projects also identified in the long range plans,~~ without further authorization or approval of the Board, if the amount of each expenditure is ~~\$500.00~~ \$1,000.00 or less for new items, \$2,500.00 or less for the ~~except for emergency purchases per District Policy and~~

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- ~~payroll expenses and deductions. The General Manager is also authorized to expend for the purposes of repair, maintenance or replacement of an existing item, or is for payroll expenses and deductions in the amounts identified in the budget, without further authorization or approval of the Board, if the amount of each expenditure is greater than \$500.00 and less than \$1,000.00 and if the Chairperson of the Board authorizes the expenditure.~~
- ~~3. If the amount for each expenditure is in excess of \$1,000, then District funds shall not be expended unless post budget approval of the Board is granted before such funds are obligated or committed.~~
  3. If the amount of any expenditure is in excess of ~~\$1,000~~ \$2,500.00, but not greater than \$35,000, then the procedure for informal competitive bids shall be required pursuant to Policy before post-budget authorization or approval of the Board is granted. The staff will notify the Board during the Board meeting immediately prior to the Board meeting at which bids will be presented for consideration.
  4. If the amount of any expenditure is in excess of \$35,000, then the procedure for formal competitive bids shall be required pursuant to before post-budget authorization or approval is granted. The staff will notify the Board during the Board meeting immediately prior to the Board meeting at which bids will be presented for consideration.
  5. The requirements of Paragraphs 2, 3, and 4, ~~and 5~~ above may be waived or suspended by the Board for good cause. Good cause shall mean an unforeseen situation, or circumstance where the enforcement of the requirements of these paragraphs would not be prudent or reasonable considering the unforeseen situation or circumstance, or would create a hardship for the District.
  6. Whenever during the current fiscal year it becomes apparent to the Board that due to unforeseen emergencies there is temporarily insufficient money in the general fund to meet that fund, the Board may by majority vote, unless otherwise provided by state law, transfer money from other funds to the general fund. No expenditure during any fiscal year shall be made in excess of the amount indicated in the adopted budget statement for the general fund, except as authorized in Section 13-511, or by state law. Whenever an account within the general fund exceeds the expenditures budgeted for the account, the staff will present a report of the expenditures in the account during the next regularly scheduled meeting of the Board.
  7. Unless otherwise provided by state law, whenever during the current fiscal year it becomes apparent to the Board that there is an emergency and that because of unforeseen circumstances either the revenue of the current fiscal year for any fund thereof shall be insufficient or additional expenses are to be incurred which could not reasonably have been anticipated at the time the budget for the current year was adopted, the Board may propose to supplement the previously adopted budget statement and shall conduct a public hearing on such proposal.
  8. The staff is authorized to participate in the State/Federal Property Assistance Program.
  9. In the case of warrants to the County Treasurer, the Treasurer or the Chairperson of the Board and the General Manager shall sign the warrants.



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10 In case a quorum could not convene for any reason, the General Manager shall have the authority to approve normal monthly bills and salaries and forward to the Treasurer for his or her signature as funds are available.

Mr. Margritz seconded the motion. The motion carried. (Motion #19)

Aye: Margritz, Meisner, Petersen, Rubenthaler, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman  
Nay: None  
Absent & Excused: Hansen

DIRECTORS REPORTS

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

Nebraska Association of Resources Districts – Legislation – Mr. Meisner reported that in the Directors’ Board meeting packet and the Directors’ Board meeting notebook were NARD Legislative Update reports.

Nebraska Association of Resources Districts – Public Relations – Mr. Meisner reported on plans the NARD has for public relations.

Nebraska Association of Resources Districts – Basin Tour – Mr. Meisner reported that in the Directors’ Board meeting packet was information for the NARD Basin Tour June 22-23, 2009.

Water Policy Task Force – No report presented.

Sandhills Resources, Conservation & Development Council – No report presented.

Requests for Authorization to Travel – No requests were presented.

DISTRICT REPORT

Cost-Share Programs – Nebraska Soil & Water Conservation Program - Mr. Miller reported that in the Directors' notebook was a report and that \$15.52 was available for funding contracts.

Mr. Wiseman moved to approve the June 4, 2009 report as presented and previously approved by the General Manager as follows:

Cont#	Practice	Description	App Amt	Prop Amt to Fund
9.045	NC-17	Irrigation Water Mgt	\$ 600.00	<u>\$ 600.00</u>

Total Amount of New Contracts:

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FUNDS AVAILABLE	Practice NC-12, Windbreaks	\$	0.00
	Practice NC-14, Planned Grazing	\$	0.00
	Practice NC-17, Irrigation	\$	15.52
	Other Available Practices	\$	0.00

Mr. Petersen approved the motion. The motion carried. (Motion #20)

Aye: Margritz, Meismer, Petersen, Rubenthaler, Schilz, Stack, Storer,  
Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: Hansen

Cost-Share Programs – District Conservation Programs – Mr. Miller reported that in the Directors' Board meeting notebook was a report, and that \$3,101.45 was available for new contracts.

Tree Programs – No report presented.

Range Programs – No report presented.

Water Programs – No report presented.

Soil Conservation Programs – No report presented.

Wildlife Habitat Programs – No report presented.

Regulatory Programs – No report presented.

Information & Education Programs – No report presented.

Brule Watershed – No report presented.

Interlocal Cooperation Agreements – No report presented.

Hazard Mitigation Plan – No report presented.

Requests for Authorization to Travel – No requests for authorization to travel were presented.

Meetings and Dates of Interest – Mr. Miller reported that various items of information were in the Directors' packet.

Miscellaneous Information – Mr. Miller reported that various items of information were in the Directors' packet and in the Directors' notebook.

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BUDGET FOR 2010 FISCAL YEAR

Preparation Schedule – Mr. Miller reported that in the Director’s packet was a schedule for preparing the 2010 Fiscal Year Budget for the TPNRD. 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 Director’s notebook and available as a handout was the first draft of a budget for the 2010 Fiscal Year. Mr. Miller reviewed the information for the proposed budget for the 2010 Fiscal Year.

OTHER BUSINESS

There was no other business.

NEXT MEETING

Mr. Rubenthaler reported that the next Board of Directors meeting would be held on Thursday, July 9, 2009 at 7:30 pm CDT (6:30 pm MDT) at the TierOne Bank Center Meeting Room, 111 South Dewey Street, Second Floor, North Platte, Nebraska.

ADJOURNMENT

The meeting adjourned at 10:14 pm CDT (9:14 pm MDT).

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Jerry Weaver, Secretary