

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
June 10, 2010

The Twin Platte Natural Resources District (TPNRD) Board of Directors meeting was held at the Great Western Bank Meeting Room, Second Floor, 111 South Dewey Street, North Platte, Nebraska on May 13, 2010. Mr. Rubenthaler called the meeting to order at 7:34 pm CDT (6:34 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

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

BOARD MEMBERS ABSENT

Bob Petersen

NRCS PERSONNEL PRESENT

Mary Reece

STAFF PRESENT

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

OTHERS PRESENT

Frank Kwapnioski
Randy Zach, NPPD

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

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meeting room and accessible to members of the public.

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 Mr. Petersen notified the office that he would be absent and is therefore excused.

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 – Awards Program – Mr. Slattery and Mr. Carhart presented a power point report on the Awards Program.

BOARD OF DIRECTORS MINUTES

Minutes for May 13, 2010 Meeting – Mr. Rubenthaler reported that the Minutes for the May 13, 2010 meeting were in the Directors' packet and he asked if there were any corrections or additions.

Mr. Meismer moved that the Minutes of the May 13, 2010 Board of Directors meeting be approved. Mr. Margritz seconded the motion. The motion carried. (Motion #1)

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

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REQUESTS FOR ASSISTANCE

None presented.

COOPERATING AGENCIES REPORT

USDA Natural Resources Conservation Service (NRCS) – District Conservationist Report – Mary Reece, District Conservationist, distributed and reviewed a report.

Other Agencies – No reports presented.

SUBCOMMITTEE MEETINGS REPORT

Land Resources SubCommittee

Mr. Hansen, Land Resources Subcommittee Chairperson, presented a report for the subcommittee meeting held on June 10, 2010.

Awards Program – Grassland Award for 2010 – Mr. Hansen reported that the Subcommittee agreed to select the Sundstrom Ranch of Brady to receive the 2010 Grassland Conservation Award for Lincoln / McPherson Counties.

Awards Program – Tree Award for 2010 – Mr. Hansen reported that the Subcommittee agreed to select Dave Krajewski to receive the 2010 Tree Award for Keith / Arthur Counties.

Cost-Share Programs - Nebraska Soil & Water Conservation Program - Eligible Practices – Mr. Hansen 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 2010 FY (July 1, 2009 – June 30, 2010).

Mr. Hansen reported that 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, two sets, based on Natural Resources Commission Advisory No. 26 (copy attached), are allowed per year per landowner, and the landowner is required to submit an end of season report to the Twin Platte Natural Resources District for year one, at a cost-share rate of 50% up to \$300.00 per set.

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Mr. Hansen reported that the Land Resources Subcommittee agreed to recommend to the Board of Directors to continue the current policy.

Mr. Meisner reported that the Water Resources Subcommittee also agreed to recommend to the Board of Directors to continue the current policy.

Mr. Miller reported that no Board of Directors action is needed to continue the current policy.

No action occurred.

Cost-Share Programs - Nebraska Soil & Water Conservation Program - Funding – Mr. Hansen reported that the TPNRD allocation for the 2011 Fiscal Year has not been received, but we hope it will be similar to the allocation for the 2010 Fiscal Year. Mr. Hansen reported that the TPNRD allocation for the 2010 Fiscal Year, after the Legislature’s special session, was \$76,629.00.

Mr. Hansen reported that for the 2010 FY (July 1, 2009 – June 30, 2010), the Board of Directors approved the following:

- For Practice NC-12, Windbreaks, that 30% of available funds be reserved from July 1, 2000 to January 30, 2010
- For Practice NC-14, Planned Grazing Systems, that 30% of available funds be reserved from July 1, 2000 to January 30, 2010
- For Practice NC-17, Irrigation Water Management, that 30% of available funds be reserved from July 1, 2000 to January 30, 2010
- For the other eligible practices that 10% of available funds be reserved from July 1, 2000 to January 30, 2010
- Any funds available after January 30, 2010 may be used for any eligible practice.

Mr. Hansen reported that the Land Resources Subcommittee agreed to recommend 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, 2010 – June 30, 2011:

- For Practice NC-12, Windbreaks, that 30% of available funds be reserved from July 1, 2010 to January 30, 2011
- For Practice NC-14, Planned Grazing Systems, that 30% of available funds be reserved from July 1, 2010 to January 30, 2011
- For Practice NC-17, Irrigation Water Management, that 30% of available funds be reserved from July 1, 2010 to January 30, 2011
- For the other eligible practices that 10% of available funds be reserved from July 1, 2010 to January 30, 2011
- Any funds available after January 30, 2011 may be used for any eligible practice.

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Mr. Meismer reported that the Water Resources Subcommittee also agreed to the same recommendation presented by the Land Resources Subcommittee.

Mr. Hansen moved the Land 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, 2010 – June 30, 2011:

- For Practice NC-12, Windbreaks, that 30% of available funds be reserved from July 1, 2010 to January 30, 2011
- For Practice NC-14, Planned Grazing Systems, that 30% of available funds be reserved from July 1, 2010 to January 30, 2011
- For Practice NC-17, Irrigation Water Management, that 30% of available funds be reserved from July 1, 2010 to January 30, 2011
- For the other eligible practices that 10% of available funds be reserved from July 1, 2010 to January 30, 2011
- Any funds available after January 30, 2011 may be used for any eligible practice.

Mr. Stack seconded the motion. The motion carried. (Motion #2)

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

Nay: None

Absent & Excused: Petersen

SUBCOMMITTEE MEETINGS REPORT
Water Resources SubCommittee

Mr. Meismer, Water Resources Subcommittee Chairperson, presented a report for the subcommittee meeting held on June 10, 2010.

Ground Water Management – Variances – No report presented.

Ground Water Management – Violations – No report presented.

Ground Water Management – Certified Irrigated Acres – Web Site – Mr. Meismer reported that information for certified irrigated acres in the TPNRD is now on the TPNRD web site.

Meetings – Mr. Meismer reported that the NE Department of Natural Resources has scheduled a meeting related to the Basin-Wide Plan for Joint Integrated Water Resources Management of Overappropriated Portions of the Platte River Basin, Nebraska for July 27, 2010. Mr. Meismer reported that the meeting would be at 1:00 p.m. CDT, at the Gothenburg Water Utilization Learning Center (Monsanto), 76268 Highway 47, Gothenburg, Nebraska. Mr. Meismer reported that in the Directors’ Board meeting packet was the public notice for the meeting.

Cost-Share Programs - Nebraska Soil & Water Conservation Program - Eligible Practices – No report presented.

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Cost-Share Programs - Nebraska Soil & Water Conservation Program - Funding – No report presented.

Aerial Geophysical Mapping - Status / Funding – Mr. Meismer asked Mr. Miller to present a report.

Mr. Miller reported that Rod Horn, General Manager, SPNRD, and he met with the Assistant Secretary of the Interior, Ann Castle, on June 1, 2010 to seek funding for Aerial Geophysical Mapping in the Platte River Basin with specific projects in the SPNRD, the NPNRD, and the TPNRD. Mr. Miller reported that Jim Cannia – Hydrologist - USGS and other Department of Interior and USGS personnel also participated in the meeting. Mr. Miller reported that Rod Horn and he also met with Eric Lutt - Legislative Assistant - Senator Ben Nelson, on June 1, 2010 to seek funding for Aerial Geophysical Mapping in the Platte River Basin with specific projects in the SPNRD, the NPNRD, and the TPNRD.

Mr. Miller reported that the Danish company should be doing data acquisition in late June in the panhandle, to determine if they meet the requirements of the USGS.

Integrated Management Plan (IMP) - Timeline – Mr. Meismer reported that the current timeline for developing and implementing revised Rules & Regulations is follows:

| Task | Dates |
|--|------------------------------|
| Effective Date of IMP | Sept. 15th |
| Water Subcomm./Board – Develop Rules & Reg. | Apr. 8 |
| Process Variances – Current Rules & Reg. (plus other conditions) | Apr. 8 |
| <i>Water Subcomm. – Offsets Options</i> | <i>Apr. 8</i> |
| NE DNR - Submit Preliminary Draft for Review | Apr. 9 |
| Water Subcomm./Board – Develop Rules & Reg. | May 13 |
| Process Variances – Current Rules & Reg. (plus other conditions) | May 13 |
| <i>Water Subcomm. – Offsets Options</i> | <i>May 13</i> |
| NE DNR – Comments Deadline | June 1 |
| Water Subcomm./Board – Develop Rules & Reg. | June 10 |
| Process Variances – Current Rules & Reg. (plus other conditions) | June 10 |
| <i>Water Subcomm. – Offsets Options</i> | <i>June 10</i> |
| NE DNR - Submit Current Draft w/Rev for Review | June 11 |
| NE DNR – Comments Deadline (Rev only) | July 1 |
| Water Subcomm./Board – Rules & Reg. – Review NE DNR Comments | July 8 |
| Process Variances – Current Rules & Reg. (plus other conditions) | July 8 |
| <i>Water Subcomm. – Offsets Options</i> | <i>July 8</i> |
| Legal Counsel - Submit Current Draft for Review | July 9 |

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| | |
|--|-----------------|
| Legal Counsel – Comments Deadline | Aug 2 |
| Water Subcomm./Board – Approve Rules & Reg. for Pub. Hearing | Aug 12 |
| Process Variances – Current Rules & Reg. (plus other conditions) | Aug 12 |
| <i>Water Subcomm. – Offsets Options</i> | <i>Aug 12</i> |
| Legal Counsel – Request to Prepare Draft Order for Rules & Reg. | Aug 13 |
| Legal Counsel – Draft Order Deadline | Sept 1 |
| Public Hearing - Rules & Reg. | Sept 9 |
| Board – Approve Rules & Reg. Order | Sept 9 |
| Process Variances – Current Rules & Reg. (plus other conditions) | Sept 9 |
| <i>Water Subcomm. – Offsets Options</i> | <i>Sept 9</i> |
| Publish Rules & Reg. Order in NP Telegraph | Sept 16, 23, 30 |
| Effective Date for Rules & Reg. Rev. | October 8 |
| Process Variances – New Rules & Reg. | October 8 |
| <i>Water Subcomm. / Bd. Mtg. – Offsets Options</i> | <i>On Going</i> |

Integrated Management Plan (IMP) - Rules and Regulations – Mr. Meismer reported that the latest draft for revisions of the Rules and Regulations discussed by the Subcommittee on May 13, 2010 were included with the Directors’ Board meeting packet.

Mr. Meismer reported that the Subcommittee continued their review of the Rules and Regulations.

Mr. Meismer reported that the Subcommittee agreed to report to the Board of Directors that they would continue to provide to the full Board drafts of the Rules and Regulations prior to approval of the Rules and Regulations to take to a public hearing.

Integrated Management Plan (IMP) - Offset Water – Mr. Meismer reported that the Subcommittee did not have time continue discussion of potential options for offset water.

SUBCOMMITTEE MEETINGS REPORT
Wildlife Habitat & Urban Affairs Subcommittee

Mr. Schilz, a member of the Wildlife Habitat & Urban Affairs Subcommittee, presented a report for the subcommittee meeting held on June 10, 2010.

Wildlife Habitat Programs – WILD Nebraska Program – Mr. Schilz asked Mr. Carhart to present a report.

Mr. Carhart reported that information for the TPNRD WILD Nebraska Program was in the Directors’ Board meeting notebook. Mr. Carhart reported on the addition of a new project since three earlier projects were brought to the Board in recent months. Mr. Carhart reported that this

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enrollment opportunity was put together in cooperation with the Nebraska Game and Parks Commission (NGPC) through WILD Nebraska, along with a U.S. Fish and Wildlife Service program dollars to match \$2,500.00 in WILD Nebraska dollars. Mr. Carhart reported that NGPC staff support this project to remove invasive trees along the South Platte River since their earlier initiative was focused primarily on using NE Environmental Trust (NET) dollars to clear trees along the North Platte River. Mr. Carhart reported that the funding provided by the NGPC for this project comes with the understanding that these are carryover NET funds that will not affect the WILD Nebraska distribution for the upcoming fiscal year. Mr. Carhart reviewed the one proposed new WILD Nebraska agreement with no annual payments and \$2,500.00 to be expended for materials which includes \$625.00 of TPNRD funds to cover 25 % of the cost while a NGPC NET grant picks up the other 75%, or \$1,875.00.

Mr. Schilz moved the Wildlife Habitat & Urban Affairs Subcommittee’s recommendation to the Board of Directors to approve the following 2010 WILD Nebraska agreement:

| <u>Agreement #</u> | <u>Cooperator</u> | <u>County</u> | <u>Acres</u> | <u>Materials Cost</u> |
|--------------------|-------------------|---------------|--------------|-----------------------|
| TP1004 | White | Lincoln | 30 | \$2,500.00 |

Mr. Wahlgren seconded the motion. The motion carried. (Motion #3)

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

Nay: None

Absent & Excused: Petersen

SUBCOMMITTEE MEETINGS REPORT
Executive Subcommittee

Mr. Stack, Executive Subcommittee Vice-Chairperson, presented a report for the subcommittee meeting held on June 10, 2010.

Personnel Salaries for 2011 Fiscal Year – Mr. Stack 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. Stack moved the Executive Sub-Committees recommendation to the Board of Directors to add an additional step (Step 11) to the Administrative Assistant Salary Schedule, that the Salary Schedule steps for each position be increased 2.0% for the 2011 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 \$78,000 for the 2011 Fiscal Year. Mr. Meismer seconded the motion. The motion carried. (Motion #4)

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

Nay: None

Absent & Excused: Petersen

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FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for May 2010 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 2010 be received and placed on file for audit and to approve payment of the invoices presented on June 10, 2010 in the amount of \$61,260.27. Mr. Schilz seconded the motion. The motion carried. (Motion #5)

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

Nay: None

Absent & Excused: Petersen

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

Bids/Proposals – None presented.

Bids/Proposals Scheduled to be Presented for Consideration during the July 8, 2010 Board of Directors Meeting – Mr. Miller reported that no bids/proposals were scheduled to be presented during the July 8, 2010 board meeting.

DIRECTORS REPORTS

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

Nebraska Association of Resources Districts – Basin Tour – Mr. Meismer reported that in the Directors' packet for information was an invitation, the tentative agenda, and the registration form for the eighth annual NRD Basin Tour is June 21 – 22, beginning and ending in Lincoln. Mr. Meismer reported that the Nemaha NRD, the Lower Platte South NRD and the Nebraska Association of Resources Districts are jointly hosting the tour.

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

Requests for Authorization to Travel – No requests were presented.

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DISTRICT REPORT

Cost-Share Programs - NSWCP – Eligible Practices – Mr. Miller reported that in the Directors' notebook was a report and that \$2,828.73 was available for funding contracts.

Mr. Meismer moved to approve the June 10, 2010 contracts 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> |
|-------------------------------|-----------------|------------------------|----------------|-------------------------|
| 10.050 | NC-14 | Planned Grazing System | \$ 1,657.50 | \$ 1,657.50 |
| 10.051 | NC-17 | Soil Moisture Probes | \$ 300.00 | \$ 300.00 |
| Total Amount of New Contracts | | | | \$ 1,957.50 |

| | | |
|------------------|---------------------------------|-----------|
| FUNDS AVAILABLE: | Practice NC-12, Windbreaks | \$ 355.49 |
| | Practice NC-14, Planned Grazing | \$ 390.38 |
| | Practice NC-17, Irrigation | \$ 31.20 |
| | Other available practices | \$ 94.16 |

Mr. Margritz seconded the motion. The motion carried. (Motion #6)

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

Cost-Share Programs – District Conservation Programs – Mr. Miller reported that in the Directors' Board notebook was a report, and that \$1,122.25 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.

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Interlocal Cooperation Agreements – No report presented.

Hazard Mitigation Plan – No report presented.

Requests for Authorization to Travel – None 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.

BUDGET FOR 2011 FISCAL YEAR

Preparation Schedule – Mr. Miller reported that in the Director's packet was a schedule for preparing the 2011 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 2011 Fiscal Year. Mr. Miller reviewed the information for the proposed budget for the 2011 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 8, 2010 at 7:30 pm CDT (6:30 pm MDT) at the Great Western Bank Meeting Room, 111 South Dewey Street, Second Floor, North Platte, Nebraska.

ADJOURNMENT

The meeting adjourned at 8:57 pm CDT (7:57 pm MDT).

Jerry Weaver, Secretary