

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
August 11, 2011

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 August 11, 2011. Mr. Schilz called the meeting to order at 7:31 pm. 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 S Hansen
James Meisner
Robert L Petersen
Bob Peterson
Dennis Schilz
Douglas L Stack
Joe Wahlgren
Jerry Weaver
Robert Wiseman

BOARD MEMBERS ABSENT

Shane Storer
John W Williams

NRCS PERSONNEL PRESENT

None

STAFF PRESENT

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

OTHERS PRESENT

Jared Abraham, USGS
James Cannia, USGS
Bart Nichols, Sargent Irrigation
Jim Schneider, DNR
Jeff Shafer, NPPD

ANNOUNCEMENTS

Nebraska Open Meeting Act – Mr. Schilz reported that the Nebraska Open Meeting Act requires public bodies to make available at least one current copy of the Open Meeting Act which may be 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. Schilz reported that the current Open Meeting Act was on the wall in

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the back of the meeting room and accessible to members of the public.

Report of Directors Excused – Mr. Schilz 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. Schilz reported that Mr. Storer and Mr. Williams notified the office they would be absent and are therefore excused.

Information Packet and Notebook available for the Public – Mr. Schilz reported that on the shelf in the back of the room is a copy of the Board Meeting Notebook and the Board Meeting Information Packet that each Board member has that are available for viewing by the public attending the Board of Directors meeting.

Other Announcements – None presented.

PUBLIC FORUM

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

AGENDA MODIFICATION

None presented.

GENERAL INFORMATION

None presented.

BOARD OF DIRECTORS MEETINGS

Minutes for July 14, 2011 Meeting – Mr. Schilz reported that the Minutes for the July 14, 2011 Board of Directors meeting was available for the Directors' and he asked if there were any corrections or additions.

Mr. Meismer moved that the Minutes of the July 14, 2011 Board of Directors meeting be approved. Mr. Stack seconded the motion. The motion carried. (Motion #1)

Aye: Hansen, Meismer, Petersen, Peterson, Schilz, Stack, Wahlgren,
Weaver, Wiseman

Nay: None

Absent & Excused: Storer, Williams

REQUESTS FOR ASSISTANCE

None presented.

COOPERATING AGENCIES REPORT

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USDA Natural Resources Conservation Service (NRCS) – District Conservationist Report –
No report presented.

SUBCOMMITTEE MEETINGS REPORT
Land Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT
Water Resources Subcommittee

Mr. Meismer, Water Resources Subcommittee Chairman, presented a report for the Subcommittee meeting held on August 11, 2011.

Aerial Geophysical Mapping – Report - Mr. Meismer reported that James Cannia & Jared Abraham from the US Geological Survey were present to report on the Aerial Geophysical Mapping in the TPNRD.

Mr. Cannia and Mr. Abraham presented a report on the Aerial Geophysical Mapping in the TPNRD.

Integrated Management Plan – Offset Water – Mr. Meismer reported that Jim Schneider, Deputy Director, NE Department of Natural Resources, reported to the Subcommittee on the J2 Re-regulating Reservoir that is planned to be built by the Platte River Recovery Implementation Program for water for habitat in the Platte River.

Mr. Schneider reported that Nebraska has reserved up to 25% of the water which would be 10,000 ac-ft of water annually to the river. Mr. Schneider reported that through 2019, the TPNRD required offset to return to 1997 flow conditions in the Platte River are due to flow requirements in the Platte River and that the water available for Nebraska from the J2 Re-regulating Reservoir could provide water for the TPNRD required offset to return to 1997 flow conditions in the Platte River through 2019. Mr. Schneider reported that the NE DNR has estimated that 5,000 ac-ft of water annually to the river could be available for the TPNRD at approximately \$60.00/ac-ft annually. Mr. Schneider reported that of the \$60.00/ac-ft annual cost, the TPNRD would pay 40% and State of Nebraska funds and Nebraska Environmental Trust funds would pay 60% as provided for in Legislative Bill 229 enacted during the 2011 Legislative Session.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve the TPNRD entering into an agreement with the Nebraska Department of Natural Resources for 5,000 ac-ft of water annually available for Nebraska in the Platte River Recovery Implementation Program J2 Re-regulating Reservoir for 2012-2019 at an estimated cost for the TPNRD of \$320,000.00 in Fiscal Year 2011-2012, \$320,000.00 in Fiscal Year 2012-2013, and \$320,000.00 in Fiscal Year 2013-2014 for a total estimated cost for the TPNRD of \$960,000.00 and to authorize the General Manager to execute the

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agreement for the TPNRD. Mr. Wahlgren seconded the motion. The motion carried. (Motion #2)

Aye: Hansen, Meismer, Petersen, Schilz, Stack, Wahlgren, Weaver, Wiseman
Nay: Peterson
Absent & Excused: Storer, Williams

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

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve granting a variance to Steve Scholz to transfer of 67.62 certified irrigated acres from the NE¼ Section 11, Township 16 North, Range 29 West, Lincoln County, Nebraska to the TPNRD Water Bank. Mr. Wiseman seconded the motion. The motion carried. (Motion #3)

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

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

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve granting a variance to Lydic Brothers to transfer a total of 40.74 certified ground water irrigated acres from two locations: 10.86 acres from the NW¼ Section 25, Township 13 North, Range 28 West, Lincoln County, Nebraska; and 29.88 acres from the NE¼ Section 12, Township 12 North, Range 28 West, Lincoln County; to be relocated in NW¼ Section 25, Township 13 North, Range 28 West, Lincoln County, Nebraska. Mr. Stack seconded the motion. The motion carried. (Motion #4)

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

Ground Water Management – Violations – Irrigated Acres – No report presented.

Ground Water Management – Violations – Chemigation – Mr. Meismer reported that there is a possible Chemigation violation that the staff is working on.

Brule Watershed – Maintenance - No report presented.

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Legislature - Legislative Resolution 314 Interim Study – Mr. Meismer reported on the status of the Legislative Resolution 314 interim study.

Annual Meeting Related to the Basin-Wide Plan for Joint Integrated Water Resources Management of over appropriated Portions of the Platte River Basin, July 21, 2011 - Mr. Miller reported on the Annual Meeting Related to the Basin-Wide Plan for Joint Integrated Water Resources Management of over appropriated Portions of the Platte River Basin held on July 21, 2011 in Grand Island, Nebraska.

SUBCOMMITTEE MEETINGS REPORT
Wildlife Habitat & Urban Affairs Subcommittee

Mr. Stack, Wildlife Habitat & Urban Affairs SubCommittee Chairman, presented a report for the Subcommittee meeting held on August 11, 2011.

Urban Forestry Program - Program Report - Mr. Stack reported that Mr. Slattery presented a report on the TPNRD's Urban Forestry Program to the Subcommittee. Mr. Stack reported that in the Directors' Board meeting notebook was information for the TPNRD's Urban Forestry Program.

Urban Forestry Program - Approved Community Programs & Applications for Community Programs

Mr. Stack reported that the current three-year program for North Platte began July 1, 2009 and continues to June 30, 2012. Mr. Stack reported that the current three-year program for Ogallala began July 1, 2009 and continues to June 30, 2012. Mr. Stack reported that the current three-year program for Sutherland began July 1, 2008 and expired June 30, 2011. Mr. Stack reported that Sutherland has submitted a written request for a new three-year program.

Mr. Stack moved the Wildlife Habitat & Urban Affairs Subcommittee recommendation to the Board of Directors to authorize \$1,000.00 for funding the North Platte Urban Forestry Program July 1, 2011 through June 30, 2012, to authorize \$1,000.00 for funding the Ogallala Urban Forestry Program July 1, 2011 through June 30, 2012, and to approve a new Sutherland Urban Forestry Program for fiscal years 2012, 2013 and 2014 and to authorize \$2,000.00 for funding the Sutherland Urban Forestry Program July 1, 2011 through June 30, 2012. Mr. Petersen seconded the motion. The motion carried. (Motion #5)

Aye: Hansen, Meismer, Petersen, Peterson, Schilz, Stack, Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: Storer, Williams

Urban Forestry Program - Communities Considering Programs – Mr. Stack reported that no other communities in the TPNRD are considering urban forestry programs at this time.

SUBCOMMITTEE MEETINGS REPORT

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Executive Subcommittee

No report presented.

HAZARD MITIGATION PLAN

Final Approval – No report presented.

OFFICE FACILITIES

Lease – Mr. Miller reported that the current lease for the TPNRD office ends November 30, 2011.

Mr. Meismer moved to approve an addendum to the TPNRD lease agreement as proposed by Great Western Bank which provides for extending the current lease agreement commencing on December 1, 2011 and terminating November 30, 2016, setting the lease rate at \$1,860.00 per month effective December 1, 2011, and authorize the General Manager to sign the addendum to the TPNRD lease agreement for the TPNRD. Mr. Stack seconded the motion. The motion carried. (Motion #6)

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

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for July 2011 was available for the Directors’.

Accounts Payable - Mr. Meismer reported that the Accounts Payable report was available for the Directors’ and that he had reviewed the Accounts Payable and found the report to be in order.

Mr. Meismer moved that the Financial Statement for July 2011 be received and placed on file for audit and to approve payment of the invoices presented on August 11, 2011 in the amount of \$33,016.62. Mr. Petersen seconded the motion. The motion carried. (Motion #7)

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

Budget Status – No report presented.

Bids/Proposals – None presented.

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Bids/Proposals Scheduled to be Presented for Consideration during the September 15, 2011 Board of Directors Meeting – Mr. Miller reported that the District Policy provides that “The staff will notify the Board during the Board meeting immediately prior to the Board meeting at which bids will be presented for consideration”. Mr. Miller reported that no bids/proposals would be presented for the September 15, 2011 Board of Directors meeting.

DIRECTORS REPORTS

Nebraska Association of Resources Districts (NARD) – Board of Directors – No report presented.

Nebraska Association of Resources Districts (NARD) – Annual Conference, September 26-27, 2011, Kearney - Schedule – Mr. Meisner reported that the NARD annual conference would be held September 26-27, 2011 in Kearney.

NARD – Annual Conference, September 26-27, 2011, Kearney – Voting Delegate – Mr. Meisner reported that a voting delegate and alternate needed to be determined for the conference. Mr. Meisner reported that he would be chairing the Business Session during the conference when the votes are taken which makes it difficult for him to be a voting delegate.

Mr. Schilz appointed Mr. Petersen the voting delegate and himself the alternate voting delegate for the Nebraska Association of Resources Districts 2011 Annual Conference.

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

Requests for Authorization to Travel – No requests were presented.

DISTRICT REPORT

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

Cost-Share Programs – District Conservation Programs – Mr. Miller reported that a report was available for the Directors’ and \$10,000.00 was available for new contracts.

Tree Program – 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.

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Information & Education Programs – No report presented.

Brule Watershed – No report presented.

Interlocal Cooperation Agreements – No report presented.

Requests for Authorization to Travel – No requests presented.

Legislature – No report presented.

Meetings and Dates of Interest – Mr. Miller reported that various items of information were available for the Directors’.

Miscellaneous Information – Mr. Miller reported that various items of information were available for the Directors’.

BUDGET FOR 2012 FISCAL YEAR

Preparation Schedule – Mr. Miller reported that a schedule for preparing the 2012 Fiscal Year Budget for the TPNRD was available for the Directors’. 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 #3 – Mr. Miller reported that the third draft of a budget for the 2012 Fiscal Year was available for the Directors’. Mr. Miller reviewed the information for the proposed budget for the 2012 Fiscal Year.

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

Mr. Meismer moved to approve for Public Hearings a 2011-2012 Fiscal Year Budget for the Twin Platte Natural Resources District as proposed in Draft #3 with a property tax requirement levy of \$0.069101 for the 2011-2012 Fiscal Year which is the same property tax levy for the 2009-2010 Fiscal Year and for the 2010-2011 Fiscal Year and to set the Public Hearings for the 2011-2012 Fiscal Year Budget for September 15, 2011 to be held at 3:00 pm CDT in the W.W. Wood Building, Room 200, on the North Platte Community College North Campus located at 1101 Halligan Drive in North Platte, Nebraska for the Board of Directors to hear and consider public comments prior to action for approval of a 2011-2012 Fiscal Year Budget and for setting the final property tax request for the Twin Platte Natural Resources District for the 2011-2012 Fiscal Year. Mr. Wahlgren seconded the motion. The motion carried. (Motion #8)

Aye: Hansen, Meismer, Petersen, Peterson, Schilz, Stack, Wahlgren,
Weaver, Wiseman

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Nay: None
Absent & Excused: Storer, Williams

OTHER BUSINESS

There was no other business.

ADJOURNMENT

The meeting adjourned at 9:09 pm.

Jerry Weaver, Secretary