

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting  
August 9, 2012

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 9, 2012. Mr. Schilz called the meeting to order at 7:34 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

James Meisner  
Robert L Petersen  
Bob Peterson  
Dennis Schilz  
Shane Storer  
Joe Wahlgren  
John W Williams

BOARD MEMBERS ABSENT

Eric S Hansen  
Douglas L Stack  
Jerry Weaver  
Robert Wiseman

NRCS PERSONNEL PRESENT

Mary Reece, District Conservationist

STAFF PRESENT

Phil Heimann, GIS Coordinator  
Amy Mapes, Administrative Assistant  
Kent O Miller, General Manager  
Landon Shaw, Hydrologist

OTHERS PRESENT

Bart Nichols, Sargent Irrigation  
Sam Perry  
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 counter in 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

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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. Stack, Mr. Weaver, and Mr. Wiseman had notified the office that they would be absent and are therefore excused. Mr. Hansen was unexcused.

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.

Sam Perry, representing the Lake Maloney Property Association, reported on plans to build a concrete trail at Lake Maloney for safety of people currently walking and riding bicycles on the roads. Mr. Perry requested the TPNRD to provide \$25,000.00 cost share assistance for the trail planned at Lake Maloney.

Mr. Schilz closed the Public Forum.

AGENDA MODIFICATION

None presented.

GENERAL INFORMATION

None presented.

BOARD OF DIRECTORS MINUTES

Minutes for the July 12, 2012 Meeting – Mr. Schilz reported that the Minutes for the July 12, 2012 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 12, 2012 Board of Directors meeting be approved. Mr. Petersen seconded the motion. The motion carried. (Motion #1)

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

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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, presented a report.

USDA Natural Resources Conservation Service (NRCS) – District Conservationist Report - LiDAR – Mr. Miller reported that available for the Directors’ was an agreement for LiDAR data acquisition in several NRDs including the TPNRD. Mr. Miller reported that the cost for the TPNRD would be \$11,000.00 which has been included in the draft 2012-2013 Budget. Mr. Miller reported that LiDAR (Light Detection and Ranging) is an optical remote sensing technology that can measure the distance to, or other properties of a target to create detailed topographical maps. Mr. Miller reported that the data is very useful for many of the joint programs with the NRCS for conservation practices design and for the TPNRD hydrologic modeling. Mr. Miller reported that he hopes over time, the TPNRD can acquire LiDAR data for all of the TPNRD

Mr. Wahlgren moved to approve the Reimbursable Agreement for LiDAR Data Acquisition and authorize the General Manager to execute the agreement for the TPNRD. Mr. Meismer seconded the motion. The motion carried. (Motion #2)

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

SUBCOMMITTEE MEETINGS REPORT

Land Resources Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Water Resources Subcommittee

Mr. Meismer, Water Resources Subcommittee Chairperson, presented a report for the Subcommittee meeting held on August 9, 2012.

Ground Water Management – Variances – Geraldine McKain – Mr. Meismer reported that the TPNRD received a request for a variance from Geraldine McKain. Mr. Meismer asked Mr. Heimann to report on the request.

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Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve granting a variance to Geraldine McKain to modify her certified irrigated acres, and to certify an additional 25.0 irrigated acres in the NE¼ Section 12, Township 13 North, Range 31 West, Lincoln County. Mr. Williams seconded the motion.

The motion carried. (Motion #3)

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

Ground Water Management – Variances – Dale & Patti Jo Haynes – Mr. Meismer reported that the TPNRD received a request for a variance from Dale & Patti Jo Haynes. Mr. Meismer asked Mr. Heimann 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 Dale & Patti Jo Haynes to transfer certified irrigated acres from the S½ Section 4, Township 17 North, Range 38 West, Arthur County, to be re-located to the NW¼ Section 32, Township 16 North, Range 27 West, Lincoln County, and the water bank. Mr. Wahlgren seconded the motion. The motion carried. (Motion #4)

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

Ground Water Management – Variances – Dale & Patti Jo Haynes – Mr. Meismer reported that the TPNRD received a request for another variance from Dale & Patti Jo Haynes. Mr. Meismer asked Mr. Heimann to report on the request.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve granting another variance to Dale & Patti Jo Haynes to drill a new irrigation well on the NW¼ Section 32, Township 16 North, Range 27 West, Lincoln County which is the location of the transferred acres from TP-TRANS-12.57. Mr. Williams seconded the motion. The motion carried. (Motion #5)

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

Ground Water Management – Variances – Craig Halstead – Mr. Meismer reported that the TPNRD received a request for a variance from Craig Halstead. Mr. Meismer asked Mr. Heimann 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 Craig Halstead to drill a new irrigation well in the

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NW¼ Section 3, Township 16 North, Range 27 West, Lincoln County. Mr. Wahlgren seconded the motion. The motion carried. (Motion #6)

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

Ground Water Management – Violations – No report presented.

Integrated Management Plan – Industrial Reporting – No report presented.

Integrated Management Plan – Offset Water – No report presented.

SUBCOMMITTEE MEETINGS REPORT  
Wildlife Habitat & Urban Affairs Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT  
Executive Subcommittee

No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for July 2012 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 2012 be received and placed on file for audit and to approve payment of the invoices presented on August 9, 2012 in the amount of \$35,745.04. Mr. Petersen seconded the motion. The motion carried. (Motion #7)

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

Budget Status – No report presented.

Bids/Proposals – None presented.

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Bids/Proposals Scheduled to be Presented for Consideration during the September 13, 2012 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 13, 2012 Board of Directors meeting.

DIRECTORS REPORTS

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

Nebraska Association of Resources Districts (NARD) – NARD Retirement Plan for NRD Employees –

Mr. Miller reported that available for the Directors’ were resolutions the TPNRD needs to adopt to update the NARD 414(h) and 457 Retirement Plans.

Mr. Petersen moved to approve the following resolution for the NARD 414(h) Plan and to authorize the General Manager to execute the resolution for the TPNRD:

RESOLVED, that the District Office, as a Participating Employer in the Plan, hereby consents to the adoption of Amendment No. Two of the Nebraska Association of Resources Districts 414(h) Plan (the "Amendment No. Two") to bring the Plan into compliance with the Heroes Earnings Assistance and Relief Tax Act of 2008 and Worker, Retiree, and Employer Recovery Act of 2008, other applicable law and guidance and to make certain other adjustments, is hereby authorized and approved; RESOLVED FURTHER, that the officers and management of the District office be, and they hereby are, authorized and directed to take whatever actions may be necessary to effectuate the foregoing Resolutions including, but not limited to, execution of the restated Plan and the Consent to the Amendment No. Two, notification of employees and participants of the Plan, and the preparation and distribution of explanatory booklets and materials as necessary; and RESOLVED FURTHER, that any and all action taken and documentation executed by management or the officers of the District Office to effectuate the foregoing Resolutions and the transactions described therein be, and they hereby are, approved and ratified.

and to approve the following resolution for the NARD 457 Deferred Compensation Plan and to authorize the General Manager to execute the resolution for the TPNRD:

RESOLVED, that the District Office, as a Participating Employer in the Plan, hereby consents to the adoption of Amendment No. Two of the Nebraska Association of Resources Districts 457 Deferred Compensation Plan (the "Amendment No. Two") to

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bring the Plan into compliance with the Heroes Earnings Assistance and Relief Tax Act of 2008 and Worker, Retiree, and Employer Recovery Act of 2008, other applicable law and guidance and to make certain other adjustments, is hereby authorized and approved;

RESOLVED FURTHER, that the officers and management of the District office be, and they hereby are, authorized and directed to take whatever actions may be necessary to effectuate the foregoing Resolutions including, but not limited to, execution of the restated Plan and the Consent to the Amendment No. Two, notification of employees and participants of the Plan, and the preparation and distribution of explanatory booklets and materials as necessary; and

RESOLVED FURTHER, that any and all action taken and documentation executed by management or the officers of the District Office to effectuate the foregoing Resolutions and the transactions described therein be, and they hereby are, approved and ratified.

Mr. Meisner seconded the motion. The motion carried. (Motion #8)

Aye: Meisner, Petersen, Peterson, Schilz, Storer, Wahlgren, Williams

Nay: None

Absent & Excused: Stack, Weaver, Wiseman

Unexcused: Hansen

Nebraska Association of Resources Districts (NARD) – Annual Conference, September 24-25, 2012, Kearney, NE - Schedule – Mr. Meisner reported that the NARD annual conference would be held September 24-25, 2012 in Kearney, NE and available for the Directors' was an invitation letter and a tentative agenda.

Nebraska Association of Resources Districts (NARD) – Annual Conference, September 24-25, 2012, Kearney, NE – 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 2012 Annual Conference.

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

Requests for Authorization to Travel – No requests presented.

#### DISTRICT REPORT

Water Programs – Integrated Management Plan – No report presented.

Water Programs – Regulatory – No report presented.





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

BUDGET FOR 2013 FISCAL YEAR

Preparation Schedule – Mr. Miller reported that a schedule for preparing the 2013 Fiscal Year Budget for the TPNRD was available for the Directors’. Mr. Miller reported that the schedule 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 2013 Fiscal Year was available for the Directors’. Mr. Miller reviewed the information for the proposed budget for the 2013 Fiscal Year.

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

Mr. Williams moved to approve for Public Hearings a 2012-2013 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 2012-2013 Fiscal Year which is the same property tax levy for the 2009-2010 Fiscal Year, for the 2010-2011 Fiscal Year, and for the 2011-2012 Fiscal Year and to set the Public Hearings for the 2012-2013 Fiscal Year Budget for September 13, 2012 to be held at 7:30 pm in the Great Western 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 2012-2013 Fiscal Year Budget and for setting the final property tax request for the Twin Platte Natural Resources District for the 2012-2013 Fiscal Year. Mr. Meismer seconded the motion. The motion carried. (Motion #10)

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

OTHER BUSINESS

There was no other business.

NEXT MEETING

Mr. Schilz reported that the next Board of Directors meeting would be held on Thursday, September 13, 2012 at 7:30 pm at the Great Western Bank Center Meeting Room, 111 South Dewey Street, Second Floor, North Platte, Nebraska.

ADJOURNMENT

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The meeting adjourned at 8:32 pm.

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Jerry Weaver, Secretary