

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
August 8, 2013

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 8, 2013. Mr. Schilz called the meeting to order at 3:08 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
Dale Margritz
James Meisner
Robert L Petersen
Dennis Schilz
Douglas L Stack
Joe Wahlgren
Jerry Weaver
John W Williams
Robert Wiseman

BOARD MEMBERS ABSENT

Shane Storer

NRCS PERSONNEL PRESENT

Mary Reece, District Conservationist

STAFF PRESENT

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

OTHERS PRESENT

Brad Johnson, Sargent Irrigation
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 the back of the meeting room which is accessible to members of the public.

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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 notified the office that he would be absent and is 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 MINUTES

Minutes for the July 11, 2013 Meeting – Mr. Schilz reported that the Minutes for the July 11, 2013 Board of Directors meeting was available for the Directors' and he asked if there were any corrections or additions.

Mr. Petersen moved that the Minutes of the July 11, 2013 Board of Directors meeting be approved. Mr. Margritz seconded the motion. The motion carried. (Motion #1)

Aye: Hansen, Margritz, Meismer, Petersen, Schilz, Stack, Wahlgren,
Weaver, Williams, Wiseman

Nay: None

Absent & Excused: Storer

REQUESTS FOR ASSISTANCE

None presented.

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COOPERATING AGENCIES REPORT

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

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 8, 2013.

Ground Water Management – Variances – Aleda Bell Peterson – Mr. Meismer reported that the TPNRD received a request for a variance from Aleda Bell Peterson. 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 Aleda Bell Peterson for a new well permit in the NWNW Section 10, Township 13 North, Range 26 West, Lincoln County. Mr. Weaver seconded the motion. The motion carried. (Motion #2)

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

Ground Water Management – Variances – Dewey Schaffer & Mark Flaming – Mr. Meismer reported that the TPNRD received a request for a variance from Dewey Schaffer & Mark Flaming. 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 for the second request from Dewey Schaffer and Mark Flaming to transfer 15.20 acres from the NW¼ Section 17, Township 13 North, Range 31 West, and to transfer 6.28 acres that Dewey Schaffer has in the TPNRD water bank that were originally de-certified from the NW¼ of this section, and transfer those acres to the SW¼ Section 4, Township 13 North, Range 31 West, Keith County. Mr. Wahlgren seconded the motion. The motion carried. (Motion #3)

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

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Ground Water Management – Violations – No report presented.

Ground Water Management - Certified Irrigated Acres – No report presented.

Integrated Management Plan - Rules & Regulations - Revisions Effective August 8, 2013 – Mr. Meismer reported that the revisions for the Rules and Regulations approved on July 11, 2013 became effective on August 8, 2013.

Integrated Management Plan - Rules & Regulations - Guidelines – Mr. Meismer reported that the revised Rules and Regulations has the following section in regard to Closed Area:

3.4.2.3.7 The Board of Directors will determine by July 1 of each year those areas that will be designated as “closed” for the upcoming calendar year. The criteria used by the Board to designate closed areas shall be contained in the District’s Guidelines for Considering Closed Areas. The District will not allow a transfer of certified irrigated acres into a closed area.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve the following guidelines for determining a closed area:

Considerations for Designation of a Closed Area

- Ground Water level changes
 - The District shall gather data in the spring of each year on an annual basis
 - The data gathered by the District shall be used to determine whether a certain area or areas should be closed to transfers
 - The District’s data shall be compared to the average ground water levels of 2006, 2007, 2008 (based on no additional increases in certified irrigated acres as required by the TPNRD Integrated Management Plan)
 - Most recent year ground water levels
 - Average of the ground water levels for the most recent three years
 - Comparison of Annual changes
 - Ground water levels for last five years
 - Density
 - Percentage of irrigated acres developed
 - Declines
 - Rates of decline compared to historical information
 - Percentage of decline compared to aquifer thickness
- Areas
 - Hydrologic boundaries
 - Surface Water
 - Ground Water
 - Survey boundaries
 - Section, Township, Range

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Mr. Wahlgren seconded the motion. The motion carried. (Motion #4)

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

Integrated Management Plan - Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (N-CORPE) – Mr. Meismer reported that information was available for the Directors’.

Mr. Weaver reported on the bids received for the Well Field wells, the Well Field pipelines, and the South pipeline. Mr. Weaver reported that the engineers will be reviewing the bids and the N-CORPE Board will consider awarding contracts for construction on August 14, 2013. Mr. Weaver reported on the land development and the cover crops that have been planted.

Mr. Weaver reported that the N-CORPE Board was requesting each NRD to authorize funds for Operating Expenses up to \$150,000.00 and Interim Financing Interest up to \$200,000.00 that will need to be paid prior to the September 12, 2013 TPNRD Board meeting.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve payment of TPNRD funds for N-CORPE Operating Expenses up to \$150,000.00 and Interim Financing Interest up to \$200,000.00. Mr. Weaver seconded the motion. The motion carried. (Motion #5)

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

Mr. Miller reported that the Platte Basin Coalition (PBC) has approved the TPNRD request for PBC funding for the N-CORPE Project from years four, five, and six budgets subject to the availability of funds. Mr. Miller reported that the request is for \$2,632,100.00. Mr. Miller reported that the TPNRD previously requested and was approved to receive PBC funding in the amount of \$900,000.00 for the N-CORPE Project from years one, two, three budgets.

Integrated Management Plan – Offset Water – TPNRD Variance Application – No report presented.

Integrated Management Plan – Offset Water – Conjunctive Management of Ground Water & Surface Water – No report presented.

Integrated Management Plan – Offset Water – J2 Re-regulating Reservoir – Mr. Miller reported on the status of the J2 Re-regulating Reservoir. Mr. Miller reported that the PRRIP Governance Committee has voted to approve the project. Mr. Miller reported that estimated costs have increased from \$60M to \$75M. Mr. Miller reported that the TPNRD has

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previously entered into an agreement with the State of Nebraska for 5,000 AF of offset water from the project for the first IMP Increment through 2019. Mr. Miller reported that the original cost estimate for the TPNRD was \$934,800.00 which is \$23.37 per Acre-Foot. Mr. Miller reported that the current cost estimate for the TPNRD is \$1,257,329 which is \$31.43 per Acre-Foot. Mr. Miller reported that the initial payment by the TPNRD would be \$317,444.00 and is anticipated to be prior to September 15, 2013. Mr. Miller reported that the second payment by the TPNRD would be \$469,942.00 during the summer of 2014 and the final payment by the TPNRD would be \$469,942.00 during the winter of 2015.

Integrated Management Plan – Offset Water – CPNRD – No report presented.

Integrated Management Plan – Offset Water – Platte Basin Coalition Conservation Study – No report presented.

Data and Modeling - N-CORPE Regional Model - No report presented.

Water Funding Task Force - Mr. Meisner reported on the status of the Water Funding Task Force.

SUBCOMMITTEE MEETINGS REPORT
Wildlife Habitat & Urban Affairs Subcommittee

Mr. Petersen, Wildlife Habitat & Urban Affairs Subcommittee Chairperson, presented a report for the Subcommittee meeting held on August 8, 2013.

Urban Forestry Program - Program Report – Mr. Petersen reported that information was available for the Directors’ for TPNRD Urban Forestry Program.

Urban Forestry Program - Approved Community Programs & Applications for Community Programs – Mr. Petersen reported that the current three-year program for Sutherland began July 1, 2011 and continues to June 30, 2014. Mr. Petersen reported that the current three-year programs for Ogallala and North Platte began July 1, 2012 and continues to June 30, 2015.

Mr. Petersen moved the Wildlife Habitat & Urban Affairs Subcommittee recommendation to the Board of Directors to authorize \$1,882.65 for funding the Sutherland Urban Forestry Program July 1, 2013 through June 30, 2014, to authorize \$2,000.00 for funding the Ogallala Urban Forestry Program July 1, 2013 through June 30, 2014, and to authorize \$2,000.00 for funding the North Platte Urban Forestry Program July 1, 2013 through June 30, 2014. Mr. Williams seconded the motion. The motion carried. (Motion #6)

Aye: Hansen, Margritz, Meisner, Petersen, Schilz, Stack, Wahlgren, Weaver, Williams, Wiseman

Nay: None

Absent & Excused: Storer

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SUBCOMMITTEE MEETINGS REPORT
Executive Subcommittee

No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for July 2013 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 2013 be received and placed on file for audit and to approve payment of the invoices presented on August 8, 2013 in the amount of \$44,355.08. Mr. Petersen seconded the motion. The motion carried. (Motion #7)

Aye: Hansen, Margritz, Meismer, Petersen, Schilz, Stack, Wahlgren,
Weaver, Williams

Nay: None

Absent & Excused: Storer

Out of Room: Wiseman

Budget Status – No report presented.

Bids/Proposals – None presented.

Bids/Proposals Scheduled to be Presented for Consideration during the September 12, 2013 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 12, 2013 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 23-24, 2013, Kearney, NE - Schedule – Mr. Meismer reported that the NARD annual conference would be held September 23-24, 2013 in Kearney, NE. Mr. Meismer reported that information was available for the Directors’.

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Information & Education Programs – No report presented.

Requests for Authorization to Travel – No requests 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 2014 FISCAL YEAR

Preparation Schedule – Mr. Miller reported that a schedule for preparing the 2014 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.

General Fund Budget - Review Draft #3 – Mr. Miller reported that the third draft of a General Fund Budget for the 2014 Fiscal Year was available for the Directors’. Mr. Miller reviewed the information for the proposed General Fund Budget for the 2014 Fiscal Year.

N-CORPE Project Budget - Review Draft #2 – Mr. Miller reported that the second draft of a N-CORPE Project Budget for the 2014 Fiscal Year was available for the Directors’. Mr. Miller reviewed the information for the proposed N-CORPE Project Budget for the 2014 Fiscal Year.

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

Mr. Meismer moved to approve for Public Hearings a 2013-2014 Fiscal Year Budget for the TPNRD General Fund as proposed in Draft #3 with a property tax requirement levy of \$0.069101 for the 2013-2014 Fiscal Year which is the same property tax levy for the 5th year, to approve for Public Hearings a 2013-2014 Fiscal Year Budget for the TPNRD N-CORPE Project as proposed in Draft #2 with an occupation tax levy of \$10.00 per irrigated acre for the 2013-2014 Fiscal Year, and to set the Public Hearings for the 2013-2014 Fiscal Year Budgets for September 12, 2013 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 2013-2014 Fiscal Year Budget for the General Fund, for approval of a 2013-2014 Fiscal Year Budget for the N-CORPE Project, for setting the final property tax for the TPNRD for the 2013-2014 Fiscal Year, and for setting the final occupation tax for the TPNRD for the 2013-2014 Fiscal Year. Mr. Weaver seconded the motion. The motion carried. (Motion #9)

Aye: Hansen, Margritz, Meismer, Petersen, Schilz, Stack, Wahlgren,
Weaver, Williams, Wiseman

Nay: None

Absent & Excused: Storer

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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 12, 2013 at 7:30 pm at the Great Western Bank Center Meeting Room, 111 South Dewey Street, Second Floor, North Platte, Nebraska.

ADJOURNMENT

The meeting adjourned at 4:22 pm.

Jerry Weaver, Secretary