

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
September 12, 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 September 12, 2013. Mr. Schilz called the meeting to order at 7:30 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

None

STAFF PRESENT

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

OTHERS PRESENT

Jared Abraham, XRI GEO
Jim Cannia, XRI GEO
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 HEARING - Budget

Open Proceedings – Dennis Schilz, Chair of the Twin Platte Natural Resources District Board of Directors and Presiding Officer, opened the Public Hearing at 7:32 pm.

Appointment of Hearing Examiner - Mr. Schilz appointed Kent O. Miller, General Manager of the Twin Platte Natural Resources District, Hearing Examiner.

Review of Purpose by Hearing Examiner – Mr. Miller reported that the purpose of the public hearing was for hearing testimony in regard to support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed Twin Platte Natural Resources District 2013-2014 Fiscal Year Budget.

Mr. Miller reported that copies of an informational packet for the proposed 2013-2014 Fiscal Year Budget were available for the public in the back of the meeting room and had been mailed to the Board of Directors. Mr. Miller reported that the proposed 2013-2014 Fiscal Year Budget has been available for the public to view in the Twin Platte Natural Resources District office.

Mr. Miller reported that a legal notice was published in the North Platte Telegraph on September 1, 2013 and he reported that a copy of the proof of publication was on file and available to view by the public and the Board of Directors.

Mr. Miller reviewed the following for the proposed 2013-2014 Fiscal Year Budget:

2011-2012 Actual Disbursements & Transfers	\$ 1,179,037.75
2012-2013 Actual Disbursements & Transfers	\$ 4,859,748.78
2013-2014 Proposed Budget of Disbursements & Transfers	\$ 15,303,058.50
2013-2014 Necessary Cash Reserve	\$ 200,000.00
2013-2014 Total Resources Available	\$ 15,503,058.50

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Total 2013-2014 Personal & Real Property Tax Requirement	\$	3,162,300.00
Unused Budget Authority Created For Next Year	\$	578,474.50

Breakdown of Property Tax:

Personal and Real Property Tax Required for Non-Bond Purposes	\$	3,162,300.00
Personal and Real Property Tax Required for Bonds	\$	-

Public Testimony - Mr. Miller opened the Hearing for Public Testimony.

No testimony was offered.

Informal Questions – Mr. Miller asked if there were questions in regard to the Budget.

There were no questions.

Close Proceedings - Mr. Miller turned the Hearing back to the Presiding Officer, Mr. Schilz.

Mr. Schilz declared the hearing closed at 7:35 pm.

PUBLIC HEARING - Setting Final Tax Request for General Fund Budget

Open Proceedings – Dennis Schilz, Chair of the Twin Platte Natural Resources District Board of Directors and Presiding Officer, opened the Public Hearing at 7:35 pm.

Appointment of Hearing Examiner - Mr. Schilz appointed Kent O. Miller, General Manager of the Twin Platte Natural Resources District Hearing Examiner.

Review of Purpose by Hearing Examiner – Mr. Miller reported that the purpose of the public hearing was for hearing testimony in regard to support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request to fund the proposed Twin Platte Natural Resources District 2013-2014 Fiscal Year Budget.

Mr. Miller reported that copies of an informational packet for the proposed 2013-2014 Fiscal Year Budget were available for the public in the back of the meeting room and had been mailed to the Board of Directors. Mr. Miller reported that the proposed 2013-2014 Fiscal Year Budget has been available for the public to view in the Twin Platte Natural Resources District office.

Mr. Miller reported that a legal notice was published in the North Platte Telegraph on September 1, 2013 and he reported that a copy of the proof of publication was on file and available to view by the public and the Board of Directors.

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Mr. Miller reviewed the following for the proposed 2013-2014 Fiscal Year Budget:

2012-2013 Property Tax Request	\$	2,918,293.15
2012 Tax Rate		0.069101
Property Tax Rate (2012-2013 Request/2013 Valuation)		0.063769
2013-2014 Proposed Property Tax Request	\$	3,162,300.00
Proposed 2013 Tax Rate		0.069101

Public Testimony - Mr. Miller opened the Hearing for Public Testimony.

No testimony was offered.

Informal Questions – Mr. Miller asked if there were questions in regard to the Budget.

There were no questions.

Close Proceedings - Mr. Miller turned the Hearing back to the Presiding Officer, Mr. Schilz.

Mr. Schilz declared the hearing closed at 7:37 pm.

2013-2014 FISCAL YEAR BUDGET

Final Approval

Mr. Wahlgren moved to approve the following resolution:

Resolution No. 1-091213

WHEREAS, a legal notice of budget hearing and budget summary was published in the North Platte Telegraph on September 1, 2013, for a hearing scheduled for September 12, 2013 by the Board of Directors of the Twin Platte Natural Resources District; and

WHEREAS, the Board of Directors of the Twin Platte Natural Resources District on September 12, 2013 held a public hearing for the purpose of hearing support, opposition, criticism, suggestions and observations of taxpayers relating to the proposed budget;

NOW THEREFORE BE IT RESOLVED, that the Twin Platte Natural Resources District Board of Directors approves the 2013-2014 Fiscal Year Budget as presented for public hearing.

Mr. Petersen seconded the motion. The motion carried. (Nebraska Statutes requires a majority vote of the Board of Directors present to approve the budget.) (Motion #1)

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

Nay: None

Absent & Excused: Storer

2013-2014 FISCAL YEAR BUDGET

Set Property Tax Request for General Fund Budget

Mr. Meismer moved to approve the following resolution:

Resolution No. 2-091213

WHEREAS, Nebraska Statutes provide that the property tax request for the prior year shall be the property tax request for the current year unless the Board of Directors passes by a majority vote a resolution setting the tax request at a different amount; and

WHEREAS, a legal notice of special hearing to set final tax request was published in the North Platte Telegraph on September 1, 2013, for a hearing scheduled for September 12, 2013 by the Board of Directors of the Twin Platte Natural Resources District; and

WHEREAS, the Board of Directors of the Twin Platte Natural Resources District on September 12, 2013 held a public hearing for the purpose of hearing testimony in regard to support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request to fund the proposed Twin Platte Natural Resources District 2013-2014 Fiscal Year Budget; and

WHEREAS, the 2012-2013 Fiscal Year property tax request for the Twin Platte Natural Resources Districts was \$2,918,293.15 and the 2013-2014 Fiscal Year Budget requires a property tax request for the Twin Platte Natural Resources Districts of \$3,162,300.00.

NOW THEREFORE BE IT RESOLVED, that the Twin Platte Natural Resources District Board of Directors sets the final property tax request for the Twin Platte Natural Resources District for the 2013-2014 Fiscal Year Budget at \$3,162,300.00.

Mr. Wahlgren seconded the motion. The motion carried. (Nebraska Statutes requires that the Board of Directors passes by a majority vote a resolution setting the tax request at a different amount from the property tax request for the prior year. The State Auditor's office has interpreted a majority vote to be a majority of the Board of Directors which would require 6 affirmative votes.) (Motion #2)

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

Nay: None

Absent & Excused: Storer

2013-2014 FISCAL YEAR BUDGET

Restricted Funds Authority

No action occurred.

2013-2014 FISCAL YEAR BUDGET

Set Occupation Tax for N-CORPE Project

Mr. Weaver moved to approve the following resolution:

Resolution No. 4-091213

WHEREAS, Nebraska Revised Statute 2-3226.05 provides that a district with an integrated management plan as described in subsection (1) of section 2-3226.01 may levy an occupation tax upon the activity of irrigation of agricultural lands within such district on an annual basis, not to exceed ten dollars per irrigated acre, the proceeds of which may be used for (a) repaying principal and interest on any bonds or refunding bonds issued pursuant to section 2-3226.01 for one or more projects under section 2-3226.04, (b) the repayment of financial assistance received by the district pursuant to section 2-3226.07, or (c) payment of all or any part of the costs and expenses of one or more qualified projects described in section 2-3226.04; and

WHEREAS, the Twin Platte Natural Resources District has an approved Integrated Management Plan (IMP) that requires water to offset depletions to stream flows in the North Platte River, the South Platte River, and the Platte River; and

WHEREAS, the Twin Platte Natural Resources District has entered into an Interlocal Cooperation Agreement with the Upper Republican Natural Resources District, the Middle Republican Natural Resources District, and the Lower Republican Natural Resources District, as provided by Nebraska Revised Statutes 13-801 through 13827 to create the Nebraska Cooperative Republican Platte Enhancement Project (N-CORPE) to assist with implementation of the Twin Platte Natural Resources District IMP; and

WHEREAS, the Twin Platte Natural Resources District is obligated (1) to repay the Twin Platte Natural Resources District share of financial assistance received for the N-CORPE Project, (2) to repay the Twin Platte Natural Resources District share of the principal and interest on bonds financing the N-CORPE Project, and (3) to pay the Twin Platte Natural Resources District share of the costs and expenses of the N-CORPE Project.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Twin Platte Natural Resources District by a majority vote, that:

1. The 2013 occupation tax is set at \$10.00 per irrigated acre.
2. A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2013.

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

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

Nay: Stack

Absent & Excused: Storer

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 August 8, 2013 Meeting – Mr. Schilz reported that the Minutes for the August 8, 2013 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 August 8, 2013 Board of Directors meeting be approved. Mr. Petersen seconded the motion. The motion carried. (Motion #4)

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

REQUESTS FOR ASSISTANCE

None presented.

COOPERATING AGENCIES REPORT

USDA Natural Resources Conservation Service (NRCS) – District Conservationist Report – Mr. Miller distributed a report prepared by Mary Reece, District Conservationist.

SUBCOMMITTEE MEETINGS REPORT

Land Resources SubCommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT

Water Resources SubCommittee

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Mr. Meismer, Water Resources Subcommittee Chairperson, presented a report for the Subcommittee meeting held on September 12, 2013.

Data and Modeling - Airborne Data for NPNRD, SPNRD, & TPNRD - Report of Work Done & Results - Jared Abraham, XRI GEO and Jim Cannia, XRI GEO presented a report on the USGS Airborne project for the NPNRD, SPNRD, & TPNRD.

Data and Modeling - Airborne Data for CPNRD & TPNRD – XRI GEO Proposal - Jared Abraham, XRI GEO and Jim Cannia, XRI GEO presented a report on the XRI GEO Airborne project proposal for the CPNRD & the TPNRD.

Data and Modeling - Airborne Data for CPNRD & TPNRD – NET Grant Application - Advanced Hydrogeologic Frameworks for Aquifer Management in Critical Sections of the Platte River Basin - Jared Abraham, XRI GEO and Jim Cannia, XRI GEO presented a report on the CPNRD & TPNRD NET Grant Application titled “Advanced Hydrogeologic Frameworks for Aquifer Management in Critical Sections of the Platte River Basin”. Mr. Cannia reported that the NET Grant Application is for the Airborne project proposal for the CPNRD & the TPNRD.

Data and Modeling - North Platte River below Lake McConaughy – XRI GEO Proposal - No report presented.

Data and Modeling - Oil & Gas Commission Wells in the NPNRD, SPNRD, & TPNRD - NET Grant Application - Hydrogeology of Western Nebraska – Mr. Miller presented a report on the NPNRD, SPNRD, & TPNRD NET Grant Application titled Hydrology of Western Nebraska. Mr. Miller reported that the NET Grant Application is for the collection of data from Oil & Gas Commission well records.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve the TPNRD participating in the Nebraska Environmental Trust grant application for Hydrogeology of Western Nebraska. Mr. Williams seconded the motion. The motion carried. (Motion #5)

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

Ground Water Management – Variances – Geraldine McKain – Mr. Meismer reported that the TPNRD received a request for a variance from Geraldine McKain. 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 Geraldine McKain for a new well permit in the NENE Section 12, Township 13 North, Range 31 West, Lincoln County. Mr. Wahlgren

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

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

Ground Water Management – Variances – Ron Kalkowski - Mr. Meismer reported that the TPNRD received a request for a variance from Ron Kalkowski. 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 Ron Kalkowski for a new well permit in the center of the SW¼ Section 33, Township 13 North, Range 39 West, Keith County. Mr. Weaver seconded the motion. The motion carried. (Motion #7)

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

Ground Water Management – Variances – Darrell Armstrong - Mr. Meismer reported that the TPNRD received a request for a variance from Darrell Armstrong. 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 Darrell Armstrong to transfer 4.0 acres from the SW¼ Section 35, Township 13 North, Range 41 West, Keith County, to under a pivot within the same section. Mr. Wiseman seconded the motion. The motion carried. (Motion #8)

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

Ground Water Management – Violations – No report presented.

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

Ground Water Management – Management Plan – No report presented.

Integrated Management Plan - Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (N-CORPE) – Mr. Weaver reported the contract for the well field wells was approved for Sargent. Mr. Weaver reported the contract for the well field pipelines and for the pipeline south was approved for Merrymen. Mr. Weaver reported that the bond funds for the land purchase and development of the land have been received.

Mr. Meisner reported on the land development and the cover crops that have been planted.

Mrs. Dimmitt reported on the procedure for obtaining the occupation tax.

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 initial payment by the TPNRD has been made.

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

Integrated Management Plan – Offset Water – Platte Basin Coalition Conservation Study – 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

No report presented.

SUBCOMMITTEE MEETINGS REPORT
Executive Subcommittee

No report presented.

FINANCIAL REPORT

Financial Statement - Mr. Meisner reported that the Financial Statement for August 2013 was available for the Directors’.

Accounts Payable - Mr. Meisner 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. Meisner moved that the Financial Statement for August 2013 be received and placed on file for audit and to approve payment of the invoices presented on September 12, 2013 in the amount of \$27,366.30. Mr. Margritz seconded the motion. The motion carried. (Motion #9)

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

Budget Status – No report presented.

Bids/Proposals – None presented.

Bids/Proposals Scheduled to be Presented for Consideration during the October 10, 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 October 10, 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.

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.

Brule Watershed – No report presented.

Conservation Programs - Trees – No report presented.

Conservation Programs - Regulatory – No report presented.

Cost-Share Programs – NE Soil & Water Conservation Program – Mr. Miller reported that the monthly report was available for the Directors’. Mr. Miller reported that \$66,002.27 was available for funding contracts.

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Mr. Wiseman moved to approve the September 12, 2013 report 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>
14.002	NC-17	Irrig Water Mgt	\$ 7,007.00	<u>\$ 7,007.00</u>
		Total Amount of New Contracts		\$ 7,007.00
		FUNDS AVAILABLE		\$ 58,995.27

Mr. Margritz seconded the motion. The motion carried. (Motion #10)

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

Cost-Share Programs – District Conservation Programs – Mr. Miller reported that a report was available for the Directors’. Mr. Miller reported that \$7,734.28 was available for new contracts.

Habitat Programs – No report presented.

Information & Education Programs – No report presented.

Personnel – 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’.

OTHER BUSINESS

There was no other business.

NEXT MEETING

Mr. Schilz reported that the next Board of Directors meeting would be held on Thursday, October 10, 2013 at 7:30 pm at the Great Western Bank Center Meeting Room, 111 South Dewey Street, Second Floor, North Platte, Nebraska.

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ADJOURNMENT

The meeting adjourned at 8:56 pm.

Jerry Weaver, Secretary