

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting  
February 8, 2018

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 February 8, 2018. Mr. Schilz called the meeting to order at 3:04 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

David Colvin  
Eric S Hansen  
James Meisner  
Judy Pederson  
Robert L Petersen  
Dennis Schilz  
Douglas L Stack  
Shane Storer  
Joe Wahlgren  
Jerry Weaver  
Robert Wiseman

BOARD MEMBERS ABSENT

None

NRCS PERSONNEL PRESENT

None

STAFF PRESENT

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

OTHERS PRESENT

George Bayer, RJ Meyer & Associates  
Marvin Knoll, Producer  
Delbert McKeag, Producer  
Mike Wheeler, Sargent Irrigation

ANNOUNCEMENTS

Nebraska Open Meeting Act – Mr. Schilz reported 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 the current Open Meeting Act was on the wall in the front of

the meeting room which is accessible to members of the public.

Report of Directors Excused – Mr. Schilz reported Operating Policy Number 4: BOARD OF DIRECTORS ABSENCES provides a Director will be considered excused if the Director notifies the office prior to the meeting he will be absent and the minutes will reflect whether an absent Director is excused or unexcused. Mr. Schilz reported all Directors were present.

Information Packet and Notebook available for the Public – Mr. Schilz reported on the table along the north wall of the meeting room is a notebook containing information each Board member has electronically. Mr. Schilz reported the notebook is available for viewing by the public attending the Board of Directors meeting, this information is available on the TPNRD website, and internet access is available in the room.

Other Announcements – None presented.

### PUBLIC FORUM

Mr. Schilz opened the Public Forum.

Mr. Schilz stated that the public is provided an opportunity to speak to the Board during the public forum at the beginning of each Board meeting and the public is only allowed to speak during the Public Forum. Mr. Schilz stated that the Chairman may limit the time for each person speaking to the Board.

There were no comments.

Mr. Schilz closed the Public Forum.

### REQUESTS FOR ASSISTANCE

None presented.

### AUDIT

2017 Fiscal Year – Mr. Miller reported the Audit for the TPNRD 2017 Fiscal Year was available to each member of the Board of Directors prior to the Board meeting, RJ Meyer Associates prepared the Audit, and George Bayer was present. Mr. Bayer reviewed the Audit and answered questions from the Board members.

Mr. Wahlgren moved the Audit for the 2017 Fiscal Year be received. Mr. Petersen seconded the motion. The motion carried. (Motion #1)

Aye: Colvin, Hansen, Meismer, Pederson, Petersen, Schilz, Stack, Storer,  
Wahlgren, Weaver, Wiseman

Nay: None

Absent & Excused: None

COOPERATING AGENCIES REPORT

USDA Natural Resources Conservation Service (NRCS) – District Conservationist Report – Mr. Miller reported that a written report from the NRCS was available for the Directors.

USDA Natural Resources Conservation Service (NRCS) – Brule Watershed – No report presented

GENERAL INFORMATION

No report presented.

BOARD OF DIRECTORS MEETINGS

Minutes for the January 11, 2018 Meeting – Mr. Schilz reported the Minutes for the January 11, 2018 Board of Directors meeting were available and he asked if there were any corrections or additions.

Mr. Petersen moved the Minutes of the January 11, 2018 Board of Directors meeting be approved. Mrs. Pederson seconded the motion. The motion carried. (Motion #2)

Aye: Colvin, Hansen, Meisner, Pederson, Petersen, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman  
Nay: None  
Absent & Excused: None

FINANCIAL REPORT

Financial Statement - Mr. Meisner reported the Financial Statement for January 2018 was available for the Directors.

Accounts Payable - Mr. Meisner reported the Accounts Payable report was available and he reviewed the report and found it to be in order.

Mr. Meisner moved the Financial Statement for January 2018 be received and placed on file for audit and to approve payment of the invoices presented on February 8, 2018 in the amount of \$339,925.96. Mrs. Pederson seconded the motion. The motion carried. (Motion #3)

Aye: Colvin, Hansen, Meisner, Pederson, Petersen, Schilz, Stack, Storer, Wahlgren, Weaver, Wiseman  
Nay: None  
Absent & Excused: None

Budget Status – Mr. Meisner reported the Budget Status report was available.

Bids/Proposals Scheduled to be Presented for Consideration during the March 8, 2018 Board of Directors Meeting – Mr. Miller reported the District Policy provides “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 no bids/proposals would be presented for the March 8, 2018 Board of Directors meeting.

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 February 8, 2018.

Variances – Mrs. Dimmitt reported on variance request TP-TRANS-18.02.

Mr. Meismer moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve variance TP-TRANS-18.02. Mr. Wiseman seconded the motion. The motion carried. (Motion #4)

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

Violations – No report presented.

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) – Mr. Meismer reported that available for the Directors were the following:

- TPNRD letter to landowners with irrigated acres - October 2013
- Attachment to TPNRD letter to landowners with irrigated acres - October 2013 - NCORPE FACT SHEET November 8, 2012
- Attachment to TPNRD letter to landowners with irrigated acres - October 2013 – Integrated Management Plan Timeline 2002 through 2013
- TPNRD Newsletter - October 2012
- TPNRD Newsletter – December 2014
- TPNRD Newsletter – December 2017

Mr. Meismer reported that the items are for information to remind the Board what occurred when NCORPE began as well as the recent approval by the Board for water use restrictions at NCORPE effective January 2018.

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Mr. Meismer reported that the TPNRD staff has been discussing that they need to do a better job of updating folks on the status of NCORPE. Mr. Meismer reported that to do that, they plan to mail a letter to landowners with irrigated acres, who are funding NCORPE through the occupation tax, every two years beginning this winter/early spring. Mr. Meismer reported that assembling the information for this mailing will provide the TPNRD Board members and staff information to share with all tax payers within the TPNRD. Mr. Meismer reported that this information could be used for news releases, presentations to organizations and service clubs, articles in the TPNRD Newsletters, or simply information for sharing with neighbors and friends.

Mr. Meismer reported that the TPNRD Board originally intended a \$4.00 to \$6.00 occupation tax. Mr. Meismer reported that the Board chose a \$10.00 occupation tax, which has continued to the current time, to allow paying cash for the construction of the North Pipeline which saved millions of dollars in financing costs. Mr. Meismer reported that as the Board knows from developing the TPNRD Budget for the 2018 Fiscal Year, Mr. Miller is projecting that the TPNRD could reduce the Occupation Tax needed for the NCORPE Project to \$6.50 for the 2019 Fiscal Year.

Mr. Meismer reported that the TPNRD has received, or has been approved to receive, \$5,072,606.71 from the State of NE Water Resources Cash fund of which \$922,500.00 was for the land purchase and \$4,150,106.71 was for construction of the North Pipeline.

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) - Sale of Land – Mr. Meismer reported that available for the Directors were the following:

- NCORPE letter to Landowners for a Common Purpose – January 17, 2018
- Letter - Kendra Strommen to TPNRD – January 23, 2018
- Memo - Stephen Mossman to TPNRD, URNRD, MRNRD, and LRNRD – January 17, 2018
- Senator Groene email to TPNRD Board members – February 4, 2018 (Same email was sent by Senator Groene to MRNRD Board members)
- Attachment to Senator Groene email - #1705521 v9 Ameritas NCORPE Official Statement POS Series 2017 Bonds (Ref Series 2013A)
- Attachment to Senator Groene email - Statement of intent for LB 1123

Mr. Meismer reported that the TPNRD is listening to the folks requesting that the NCORPE land be sold and returned to private ownership. Mr. Meismer reported that the Subcommittee is seeking information from the bond holders regarding limitations by the mortgage backing the bonds and the Subcommittee is considering the issues regarding separating the land and the water.

Mr. Meismer reported that the Subcommittee has requested Don Blankenau, NCORPE Legal Counsel, to meet with the Board on March 8, 2018 to discuss the legal issues regarding selling the NCORPE land.

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Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) – Land Taxes – Mr. Meisner reported that Senator Hughes has introduced Legislative Bill 758 that would allow NCORPE to pay in lieu of taxes. Mr. Meisner reported that available for the Directors were the following:

- Legislative Bill 758
- Amendments to LB 758 – The amendments replaced all of the original bill
- NCORPE testimony presented during the public hearing on January 17, 2018

Mr. Meisner reported that the Legislature advanced LB 758 to Select File last week on a 47-0-2 vote after adopting the committee amendment on a 46-1-2 vote.

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) – North Pipeline – Mr. Meisner reported that available for the Directors was the final construction report for the plunge pool structure at the NCORPE North Pipeline outlet structure at the NPPD canal

Mr. Meisner reported on the funds the TPNRD has received or will receive from the NE Water Resources Cash Fund for the NCORPE Project. Mr. Meisner reported that the Water Resources Cash Fund is a 60% grant. Mr. Meisner reviewed the total funds for the TPNRD from the Water Resources Cash fund.

	60%	40%
Years 1-3	\$ 922,500.00	\$ 615,000.00 (Land purchase)
Years 4-6	\$2,595,106.66	\$1,730,071.10 (North Pipeline)
Year 7 (2018FY)	<u>\$1,555,000.05</u>	<u>\$1,099,754.91</u> (North Pipeline)
TOTAL	\$5,072,606.71	\$3,444,826.01

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) – Wellfield Operation – Mr. Meisner reported that pumping of water to the Republican River is not presently occurring. Mr. Meisner reported that Kansas will not call for water before October 2018 and pumping may not be needed in 2018.

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) – Ground Water Levels – Mr. Meisner reported that available for the Directors was an aerial photo of the NCORPE property showing the locations of ground water monitoring wells, and graphs for the monitoring wells.

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) – Board Meetings – Mr. Weaver reported on the NCORPE Board meetings held on January 16, 2018 and on January 31, 2018. Mr. Weaver reported that the next NCORPE Board meeting would be on April 18, 2018 at Curtis, NE. Mr. Weaver reported that the NCORPE Board has determined to meet every other month alternating between NRDs and Curtis, NE.

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Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) – Newsletter – Mr. Weaver reported that available for the Directors was the NCORPE Newsletter, Issue 1, January 2018.

Offset Water - Integrated Management Plan (IMP) Second Increment – TPNRD Stakeholders – Mr. Meismer reported that for the TPNRD IMP first increment, categories were determined and representatives for each category were invited to participate in the Stakeholders meetings. Mr. Meismer reported that the Subcommittee is using the same categories for Stakeholders for the TPNRD IMP second increment and has identified representatives for each category to invite to participate.

Mr. Meismer reported that the Subcommittee agreed that the TPNRD Stakeholders meetings for the TPNRD IMP second increment should be facilitated by a professional facilitator, as was done for the TPNRD IMP first increment. Mr. Meismer reported that the Subcommittee agreed the facilitator should be Stephanie White, HDR, who has been facilitating the Platte Basin Stakeholders meetings.

Offset Water – Irrigation Districts – Western Pilot Project – Mr. Meismer reported that available for the Directors was a summary and details for a payment to the Western Irrigation District (WID) as provided for in the agreement the TPNRD has with WID.

Offset Water – Irrigation Districts – Cody-Dillon Instream Flows – No report presented.

Offset Water – Irrigation Districts – K&L, Paxon-Hershey, Platte Valley, Suburban – Model – No report presented.

Offset Water – Irrigation Districts – Excess Flows – No report presented.

Offset Water – Irrigation Districts – Engineering Analysis – No report presented.

Offset Water – Non-Irrigated Certified Acres – Mrs. Dimmitt reported that the program will continue to be offered and that she has received 6 new contracts.

Offset Water – J2 Project – No report presented.

Offset Water – CPNRD Agreement – No report presented.

Offset Water – Conservation Tillage Measures – Mr. Meismer reported that a presentation on conservation tillage measures will be presented during the Platte Basin OA Plan Stakeholders meeting on March 21, 2018.

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Subcommittee Priorities – Mr. Meisner reported that the following is the current list of the Subcommittee priorities for offset water.

- 1 Irrigation Districts in TPNRD (2016FY Budget)
- 2 N-CORPE Project (2016FY Budget)
- 3 CPNRD Agreement (2016FY Budget)
- 4 J-2 Project (2016FY Budget)
5. Non-Irrigated Certified Acres (2016FY Budget)
- 6 Conservation tillage measures (2016FY Budget)
- 7 South Platte River Compact Coalition (2016FY Budget)

Mr. Meisner reported that available for the Directors was the IMP accounting shown on a graph and a chart.

Regulations - No report presented.

Platte Basin Over-Appropriated Plan – Mr. Wahlgren reported on the last stakeholders meeting held on January 17, 2018. Mr. Wahlgren reported that the next stakeholders meeting will be March 21, 2018 at 10:30 am at the Holiday Inn Express in North Platte, Nebraska.

Platte River Recovery Implementation Program – No report presented.

South Platte River Compact Coalition – No report presented.

Brule Watershed – NRCS Design / Construction – Mr. Miller reported that available for the Directors were the following:

- NRCS Conservation Update - Report to NRD Managers – 012218
- Final Agreement
- Brule Watershed Work Plan - May 1965

Mr. Miller reported that he was notified February 6, 2018 that the Brule agreement has been signed/uploaded and is now active. Mr. Miller reported that in the 2017 Fiscal Year, the Nebraska NRCS received funding for Watershed and Flood Prevention Operations. Mr. Miller reported that the Nebraska NRCS will fund \$2,268,550 for design/construction for the Brule Watershed. Mr. Miller reported that this will be 100% NRCS funding for both design and construction. Mr. Miller reported that the NRCS will select a private contractor for both the design and construction. Mr. Miller reported that the NRCS will pay the contractor for the design directly and the TPNRD will pay the contractor for the construction and the NRCS will reimburse the TPNRD. Mr. Miller reported that the Brule Site 1-A is a high hazard structure and the Brule Watershed contains 13.58 square miles or 6,640 acres. Mr. Miller reported that the Brule Watershed structure was built in 1965. Mr. Miller reported that the NRCS in 2015 prepared a Site Assessment of the Brule Watershed. That assessment showed a need for a full rehabilitation as the structure has structural cracks that formed in the embankment.



SUBCOMMITTEE MEETINGS REPORT  
Wildlife Habitat & Urban Affairs Subcommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT  
Executive Subcommittee

No report presented.

DIRECTORS REPORTS

Nebraska Association of Resources Districts – Board of Directors – Mr. Meisner reported on the NARD Board meeting held on January 24, 2018

Nebraska Association of Resources Districts (NARD) – Legislative Conference, January 23-24, 2018 – Mr. Meisner reported on the NARD annual Legislative Conference that was held January 23-24, 2018 in Lincoln, Nebraska.

Sandhills Resources, Conservation & Development Council – Mr. Hansen reported that he does not attend these meeting.

Sandhills Task Force – Mr. Hansen presented a report.

Board of Director’s Elections 2018 – Mr. Schilz reported that the following TPNRD Directors seats are up for election in 2018:

Subdistrict 1	Eric S Hansen
Subdistrict 2	Joe Wahlgren
Subdistrict 3	Douglas L Stack
Subdistrict 4	David Colvin
Subdistrict 5	James Meisner
At Large	Judy Pederson

Mr. Schilz reported that the deadline for Incumbents filing for re-election is February 15, 2018 and the deadline for Non-Incumbents filing for election is March 1, 2018. Mr. Schilz reported that information for the election sub-districts was available for the Directors.

Requests for Authorization to Travel – No requests presented.

DISTRICT REPORT

Cost-Share Programs – NE Soil & Water Conservation Program – Mr. Miller reported the monthly report was available for the Directors, \$45,335.77 was available, and there were 12 new applications to present.

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Mr. Wiseman moved to approve the February 8, 2018 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>
18.017	NC-12	Trees	\$ 1,400.00	\$ 1,400.00
18.018	NC-12	Trees	\$ 1,400.00	\$ 1,400.00
18.019	NC-12	Trees	\$ 1,400.00	\$ 1,400.00
18.020	NC-12	Trees	\$ 1,400.00	\$ 1,400.00
18.021	NC-12	Trees	\$ 1,400.00	\$ 1,400.00
18.022	NC-12	Trees	\$ 1,400.00	\$ 1,400.00
18.023	NC-12	Trees	\$ 1,400.00	\$ 1,400.00
18.024	NC-12	Trees	\$ 1,400.00	\$ 1,400.00
18.025	NC-12	Trees	\$ 1,400.00	\$ 1,400.00
18.026	NC-12	Trees	\$ 1,400.00	\$ 1,400.00
18.027	NC-12	Trees	\$ 1,400.00	\$ 1,400.00
18.028	NC-12	Trees	\$ 1,400.00	\$ 1,400.00
Total Amount of New Contracts				\$ 16,800.00

FUNDS AVAILABLE \$ 28,535.77

Mrs. Pederson seconded the motion. The motion carried. (Motion #5)

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

Cost-Share Programs – District Conservation Programs – Mr. Miller reported the monthly report was available for the Directors, and \$6,045.37 was available.

February 2019 Board Meeting – Request Changing to February 7 – Mr. Miller requested that the February 2019 Board of Directors meeting be changed from February 14 to February 7. There were no objections. Mr. Schilz reported that the February 2019 Board of Directors meeting would be held on February 7, 2019.

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

SUBCOMMITTEE APPOINTMENTS

Mr. Schilz announced the following appointments for the Subcommittees for 2018:

Water Resources Subcommittee

James Meisner – Chairperson  
Dennis Schilz  
Joe S Wahlgren  
Jerry Weaver  
Robert Wiseman

Land Resources Subcommittee

Eric S Hansen – Chairperson  
David Colvin  
Shane Storer

Wildlife Habitat & Urban Affairs Subcommittee

Robert L Petersen – Chairperson  
Douglas L Stack  
Judy Pederson

OTHER BUSINESS

There was no other business.

NEXT MEETING

Mr. Schilz reported the next Board of Directors meeting would be held on Thursday, March 8, 2018 at 3:00 pm.

ADJOURNMENT

The meeting adjourned at 4:05 pm.

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Jerry Weaver, Secretary