

TWIN PLATTE NATURAL RESOURCES DISTRICT  
Board of Directors Meeting  
September 14, 2017

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 14, 2017. Mr. Schilz called the meeting to order at 7:36 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  
Robert L Petersen  
Dennis Schilz  
Douglas L Stack  
Jerry Weaver

BOARD MEMBERS ABSENT

Judy Pederson  
Shane Storer  
Joe Wahlgren  
Robert Wiseman

NRCS PERSONNEL PRESENT

Mary Reece, District Conservationist

STAFF PRESENT

Bill Carhart, Grasslands Stewardship Coordinator  
Ann Dimmitt, IMP Coordinator  
Kent Miller, General Manager  
Amy Oberst, Administrative Assistant  
Dave Slattery, Conservation Coordinator

OTHERS PRESENT

None

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 to 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 Mrs. Pederson, Mr. Storer, Mr. Wahlgren, and Mr. Wiseman all notified the office they would be absent and are therefore excused.

Board Meeting Information 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 also available on the TPNRD website, and internet access is available in the room.

Other Announcements – None presented.

PUBLIC HEARING - Budget

Open Proceedings – Dennis Schilz, Chairperson of the TPNRD Board of Directors and Presiding Officer, opened the Public Hearing at 7:37 pm.

Appointment of Hearing Examiner - Mr. Schilz appointed Kent Miller, General Manager of the TPNRD, Hearing Examiner.

Review of Purpose by Hearing Examiner – Mr. Miller reported 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 TPNRD 2017-2018 Fiscal Year Budget. Mr. Miller reported copies of an informational packet for the proposed 2017-2018 Fiscal Year Budget were available for the public in the back of the meeting room and had been provided to the Board of Directors. Mr. Miller reported the proposed 2017-2018 Fiscal Year Budget has been available for the public to view in the TPNRD office. Mr. Miller reported a legal notice was published in the North Platte Telegraph on August 25, 2017, and copy of the proof of publication was on file and available to view by the public and the Board of Directors.

Mr. Miller reported that the final tax request and levy is down from last year as follows:

Tax Request	\$ 2,004,850.00	- 23.84 %	- \$ 627,450.00
Levy	\$ 0.031386	- 26.97 %	- \$ 0.011592

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Mr. Miller reviewed the following for the proposed 2017-2018 Fiscal Year Budget:

2015-2016 Actual Disbursements & Transfers	\$ 3,364,793.34
2016-2017 Actual Disbursements & Transfers	\$ 8,651,528.44
2017-2018 Proposed Budget of Disbursements & Transfers	\$ 23,329,382.91
2017-2018 Necessary Cash Reserve	\$ 200,000.00
2017-2018 Total Resources Available	\$ 23,529,382.91
Total 2017-2018 Personal & Real Property Tax Requirement	\$ 2,004,850.00
Unused Budget Authority Created For Next Year	\$ 622,953.76

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 7:41 pm.

PUBLIC HEARING - Setting Final Tax Request

Open Proceedings – Dennis Schilz, Chairperson of the TPNRD Board of Directors and Presiding Officer, opened the Public Hearing at 7:41 pm.

Appointment of Hearing Examiner - Mr. Schilz appointed Kent Miller, General Manager of the TPNRD Hearing Examiner.

Review of Purpose by Hearing Examiner – Mr. Miller reported 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 TPNRD 2017-2018 Fiscal Year Budget. Mr. Miller reported copies of an informational packet for the proposed 2017-2018 Fiscal Year Budget were available for the public in the back of the meeting room and had been provided to the Board of Directors. Mr. Miller reported the proposed 2017-2018 Fiscal Year Budget has been available for the public to view in the TPNRD office. Mr. Miller reported a legal notice was published in the North Platte Telegraph on August 25, 2017, and a copy of the proof of publication was on file and available to view by the public and the Board of Directors.

Mr. Miller reported the final tax request and levy is down from last year as follows:

Tax Request	\$ 2,004,850.00	- 23.84 %	- \$ 627,450.00
Levy	\$ 0.031386	- 26.97 %	- \$ 0.011592

Mr. Miller reviewed the following for the proposed 2017-2018 Fiscal Year Budget:

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2016-2017 Property Tax Request	\$ 2,632,300.00
2016 Tax Rate	0.042978
Property Tax Rate (2016-2017 Request/2017 Valuation)	0.041209
2017-2018 Proposed Property Tax Request	\$ 2,004,850.00
Proposed 2017 Tax Rate	0.031386

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 7:43 pm.

2017-2018 FISCAL YEAR BUDGET

Final Approval

Mr. Meisner moved to approve the following resolution:

Resolution 1-091417

WHEREAS, a legal notice of budget hearing and budget summary was published in the North Platte Telegraph on August 25, 2017, for a hearing scheduled for September 14, 2017 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 14, 2017 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, the Twin Platte Natural Resources District Board of Directors approves the 2017-2018 Fiscal Year Budget as presented for public hearing.

Mr. Colvin 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: Colvin, Hansen, Meisner, Petersen, Schilz, Stack  
Nay: None  
Out of Room: Weaver  
Absent & Excused: Pederson, Storer, Wahlgren, Wiseman

2017-2018 FISCAL YEAR BUDGET

Set Property Tax Request for General Fund Budget

Mr. Meismer moved to approve the following resolution:

Resolution 2-091417

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 August 25, 2017, for a hearing scheduled for September 14, 2017 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 14, 2017 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 2017-2018 Fiscal Year Budget; and

WHEREAS, the 2016-2017 Fiscal Year property tax request for the Twin Platte Natural Resources Districts was \$2,632,300.00 and the 2017-2018 Fiscal Year Budget requires a property tax request for the Twin Platte Natural Resources Districts of \$2,004,850.00.

NOW THEREFORE BE IT RESOLVED, the Twin Platte Natural Resources District Board of Directors sets the final property tax request for the Twin Platte Natural Resources District for the 2017-2018 Fiscal Year Budget at \$2,004,850.00.

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

2017-2018 FISCAL YEAR BUDGET

Restricted Funds Authority

No action occurred.

2017-2018 FISCAL YEAR BUDGET

Set Occupation Tax for N-CORPE Project

Mr. Meismer moved to approve the following resolution:

Resolution No. 4-091417

WHEREAS, Nebraska Revised Statute 2-3226.05 provides 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 (TPNRD) 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 TPNRD 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 TPNRD IMP; and

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

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the TPNRD by a majority vote, that:

1. The 2017 occupation tax is set at \$10.00 per irrigated acre.
2. A copy of this resolution be certified and forwarded to the County Clerks within the TPNRD on or before October 13, 2017.

Mr. Weaver seconded the motion. The motion carried. (Nebraska Statutes requires a majority vote of the Board of Directors present to set an occupation tax.) (Motion #3)

Aye: Colvin, Hansen, Meismer, Petersen, Schilz, Stack, Weaver

Nay: None

Absent & Excused: Pederson, Storer, Wahlgren, Wiseman

PUBLIC FORUM

Mr. Schilz opened the public forum. There were no comments. Mr. Schilz closed the public forum.

REQUESTS FOR ASSISTANCE

None requested.

COOPERATING AGENCIES REPORT

USDA Natural Resources Conservation Service (NRCS) – District Conservationist Report – Mrs. Reece presented a report.

GENERAL INFORMATION

No information presented.

BOARD OF DIRECTORS MINUTES

Minutes for the August 10, 2017 Meeting – Mr. Schilz reported the Minutes for the August 10, 2017 Board of Directors meeting were available for the Directors and he asked if there were any corrections or additions.

Mr. Petersen moved the Minutes of the August 10, 2017 Board of Directors meeting be approved. Mr. Meismer seconded the motion. The motion carried. (Motion #4)

Aye: Colvin, Hansen, Meismer, Petersen, Schilz, Stack, Weaver

Nay: None

Absent & Excused: Pederson, Storer, Wahlgren, Wiseman

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported the Financial Statement for August 2017 was available for the Directors.

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

Mr. Meismer moved the Financial Statement for August 2017 be received and placed on file for audit and to approve payment of the invoices presented on September 14, 2017 in the amount of \$561,745.17. Mr. Stack seconded the motion. The motion carried. (Motion #5)

Aye: Colvin, Hansen, Meismer, Petersen, Schilz, Stack, Weaver

Nay: None

Absent & Excused: Pederson, Storer, Wahlgren, Wiseman

Budget Status – No report available.

Bids/Proposals – None presented.

Bids/Proposals Scheduled to be Presented for Consideration during the October 12, 2017 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 October 12, 2017 Board of Directors meeting.

SUBCOMMITTEE MEETINGS REPORT  
Land Resources SubCommittee

No report presented.

SUBCOMMITTEE MEETINGS REPORT  
Water Resources SubCommittee

Mr. Meisner, Water Resources Subcommittee Chairperson, presented a report for the Subcommittee meeting held on September 14, 2017. Mr. Meisner asked Mrs. Dimmitt to report on the requests for variances.

Variance Request – TP-TRANS-17.21 – Mrs. Dimmitt reported on variance request TP-TRANS-17.21.

Mr. Meisner moved the Water Resources Subcommittee’s recommendation to the Board of Directors to approve variance TP-TRANS-17.21. Mr. Petersen seconded the motion. The motion carried. (Motion #6)

Aye: Colvin, Hansen, Meisner, Petersen, Schilz, Stack, Weaver

Nay: None

Absent & Excused: Pederson, Storer, Wahlgren, Wiseman

Violations – No report presented.

Ground Water Management Area and Integrated Management Sub-Area Rules & Regulations (Ground Water Management Plan / Integrated Management Plan) – Mr. Meisner reported that the Subcommittee reviewed a memorandum and recommendations for amendments to the TPNRD Rules & Regulations prepared by Harriet Hageman, TPNRD Legal Counsel, for an allocation for the wells in the TPNRD at NCORPE. Mr. Meisner reported that the Subcommittee reviewed a draft schedule for implementing the amendments to the Rules & Regulations. Mr. Meisner reported that actions will be needed by the Board on October 12, 2017 to approve amendments to the Rules & Regulations for Public Hearing on November 9, 2017 and on November 9, 2017 to approve amended Rules & Regulations. Mr. Meisner reported that the amendments to the Rules & Regulations could be effective January 1, 2018.



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Mr. Meismer reported that the Middle Republican NRD will have a hearing for amending their Rules & Regulations on November 14, 2017 and are planning an effective date of January 1, 2018 for an allocation for the wells in the MRNRD at NCORPE.

Offset Water – Irrigation Districts – K&L – Mr. Meismer reported that K & L Irrigation District has requested that the TPNRD fund additional pits which the TPNRD staff plans to approve. Mr. Meismer reported that this has been occurring with the some of the other Irrigation Districts within the TPNRD.

Offset Water – Irrigation Districts – Western – No report presented.

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

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

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

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) – North Pipeline – Mr. Meismer reported that construction of the North Pipeline began April 4, 2017 and is nearing completion. Mr. Meismer reported that all the pipe is in the ground, the air relief valves are completed, and the pipe is connected to the outlet structure. Mr. Miller showed a time lapse video of the construction.

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) – Wind / Solar Energy – No report presented.

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) – Wellfield Operation – Mr. Meismer reported that pumping of water to the Republican River is not presently occurring.

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) – Ground Water Levels – Mr. Meismer 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) – Model – No report presented.

Offset Water - Nebraska Cooperative Republican Platte Enhancement Project (NCORPE) – Board Meetings – Mr. Weaver reported on the last NCORPE Board meeting held on August 16, 2017. Mr. Weaver reported that the next NCORPE Board meeting would be on October 18, 2017 at Curtis, NE.

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Offset Water – Non-Irrigated Certified Acres – Mr. Meisner reported that as of June 30, 2017, 1,815.61 acres enrolled in the temporarily not irrigate program and that the payout will be \$20,389.18 in October. Mr. Meisner reported that 13 landowners chose short term for 1 year at \$10/ac for 704.57 acres with 11.18 to 193.83 acres for each landowner. Mr. Meisner reported that 25 landowners chose long term for 4 years at \$12/ac for 1,111.04 acres with 2.00 to 124.32 acres for each landowner.

Offset Water – J2 Project – No report presented.

Offset Water – CPNRD Agreement – No report presented.

Offset Water – Conservation Tillage Measures – No report presented.

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.

Platte Basin Over-Appropriated Plan – Mr. Meisner reported that the last stakeholders meeting was held on July 19, 2017. Mr. Meisner reported that the next stakeholders meeting will be September 20, 2017 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 – Mr. Meisner reported that all the sponsors have approved the Budget and all the sponsors have agreed to pay the dues.

Brule Watershed – NRCS Request for Funds for Remediation - Mr. Meisner reported that the NRCS in 2015 prepared a Site Assessment of the Brule Watershed and that the assessment showed a need for a full rehabilitation. Mr. Meisner reported that the NRCS funds available at the national level, were not approved for remediation of the Brule Watershed. Mr. Meisner reported that the NRCS Nebraska State Office has requested that Mrs. Reece and he meet with them to continue the discussions for looking for funding options for remediation.

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 September 14, 2017.

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

Urban Forestry Program - Approved Community Programs & Applications for Community Programs – Mr. Petersen reported the current three-year program for Sutherland began July 1, 2014 and expired June 30, 2017. Mr. Petersen reported the current three-year program for North Platte and Ogallala began July 1, 2015 and continues to June 30, 2018.

Mr. Petersen 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, 2017 through June 30, 2018, to authorize \$1,000.00 for funding the Ogallala Urban Forestry Program July 1, 2017 through June 30, 2018, and to approve a new Sutherland Urban Forestry Program for fiscal years 2018, 2019 and 2020 and to authorize \$1,284.00 for funding the Sutherland Urban Forestry Program July 1, 2017 through June 30, 2018. Mr. Meisner seconded the motion. The motion carried. (Motion #7)

Aye: Colvin, Hansen, Meisner, Petersen, Schilz, Stack, Weaver

Nay: None

Absent & Excused: Pederson, Storer, Wahlgren, Wiseman

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

Wildlife Habitat Programs - Corners for Wildlife Program - Mr. Petersen reported information was available for the Directors for the TPNRD Corners for Wildlife Program.

Wildlife Habitat Programs - WILD Nebraska Program - Mr. Petersen reported information was available for the Directors for the TPNRD WILD Nebraska Program.

Natural Legacy Project – Mr. Petersen reported information was available for the TPNRD participation in the Natural Legacy Projects in the Loess Canyons in southeastern Lincoln County. Mr. Carhart reported on the status of the Natural Legacy projects.

SUBCOMMITTEE MEETINGS REPORT  
Executive Subcommittee

No report presented.

DIRECTORS REPORTS

Nebraska Association of Resources Districts (NARD) – Board of Directors – Mr. Meismer presented a report.

Nebraska Association of Resources Districts (NARD) – Annual Conference – Mr. Meismer reported the NARD Annual Conference will be held in Kearney, NE on September 25-26, 2017, and information was available for the Directors. Mr. Meismer reported a voting delegate needs to be determined for the conference. Mr. Schilz appointed Mr. Petersen the voting delegate and Mr. Meismer the alternate.

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

Sandhills Task Force – Mr. Hansen presented a report.

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, \$61,520.64 was available, and there was one new application to present.

Mr. Petersen moved to approve the September 14, 2017 report and to approve the following new contract:

<u>Cont#</u>	<u>Practice</u>	<u>Description</u>	<u>App Amt</u>	<u>Prop Amt to Fund</u>
18.001	NC-14	Planned Grazing	\$ 2,612.03	\$ 2,612.03
		Total Amount of New Contracts		\$ 2,612.03

FUNDS AVAILABLE \$ 58,908.61

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

Aye: Colvin, Hansen, Meismer, Petersen, Schilz, Stack, Weaver

Nay: None

Absent & Excused: Pederson, Storer, Wahlgren, Wiseman

Cost-Share Programs – District Conservation Programs – Mr. Miller reported the monthly report was available for the Directors, and \$8,391.40 was available.

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

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OTHER BUSINESS

There was no other business.

NEXT MEETING

Mr. Schilz reported the next Board of Directors meeting would be held on Thursday, October 12, 2017 at 7:30 pm.

ADJOURNMENT

The meeting adjourned at 8:40 pm.

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Jerry Weaver, Secretary