

TWIN PLATTE NATURAL RESOURCES DISTRICT
Board of Directors Meeting
December 8, 2016

The Twin Platte Natural Resources District (TPNRD) Board of Directors meeting was held at the Figure Four Traditions, Haythorn Ranch, 193 Haythorn Drive, located four miles north of the intersection of Highways 61 & 92, Keith County, Nebraska on December 8, 2016. Mr. Schilz called the meeting to order at 4:37 pm MT. 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
James Meisner
Judy Pederson
Robert L Petersen
Dennis Schilz
Douglas L Stack
Shane Storer
Joe Wahlgren
Jerry Weaver
Robert Wiseman

BOARD MEMBERS ABSENT

Dale Margritz

NRCS PERSONNEL PRESENT

Miles Anderson, Range Technician
Jan Brestel, District Secretary
Carol Eakins, Ogallala NRCS
Nick Giger, Ogallala NRCS
Tim Griffin, Ogallala NRCS
Eryn Rapp, Ogallala Secretary
Mary Reece, District Conservationist

STAFF PRESENT

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

OTHERS PRESENT

Kyle Shepherd, NCORPE
Mike Wheeler, Sargent Irrigation

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 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 that the current Open Meeting Act was on a table in the meeting room which is accessible to members of the public.

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/she will be absent and that the minutes will reflect whether an absent Director is excused or unexcused. Mr. Schilz reported that Mr. Margritz had notified the office that he would be absent and is therefore excused.

Information Available for the Public – Mr. Schilz reported that on a table in the meeting room is a notebook containing information that each Board member has that is available for viewing by the public. Mr. Schilz reported that this information is also available on the TPNRD website.

Other Announcements – None presented.

PUBLIC FORUM

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

REQUESTS FOR ASSISTANCE

None presented.

COOPERATING AGENCIES REPORT

USDA Natural Resources Conservation Service – District Conservationist Report – Mrs. Reece reported that a written report was available for the Directors’ and she presented a report.

USDA Natural Resources Conservation Service – Brule Watershed – No report presented.

GENERAL INFORMATION

None presented.

BOARD OF DIRECTORS MEETINGS

Minutes for November 10, 2016 – Mr. Schilz reported that the Minutes for the November 10, 2016 Board of Directors meeting were available for the Directors and he asked if there were any corrections or additions.

Mr. Meismer moved that the Minutes of the November 10, 2016 Board of Directors meeting be approved. Mr. Petersen seconded the motion. The motion carried. (Motion #1)

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

FINANCIAL REPORT

Financial Statement - Mr. Meismer reported that the Financial Statement for December 2016 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 November 2016 be received and placed on file for audit and to approve payment of the invoices presented on December 8, 2016 in the amount of \$212,297.50. Mr. Wahlgren seconded the motion. The motion carried. (Motion #2)

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

Budget Status – Mr. Meismer reported that the Budget Status report was available for the Directors.

Bids/Proposals – None presented.

Bids/Proposals Scheduled to be Presented for Consideration during the January 12, 2017 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 bids will be presented during the January 12, 2017 Board of Directors meeting for construction of the NCORPE North Pipeline. Mr. Miller reported that bids will be opened at the Miller & Associates Offices in Kearney, NE on January 11, 2017 at 2:00 pm and a report on the bids received and a recommendation for awarding a contract will be presented by Chris Miller during the January 12, 2017 Board meeting.

DIRECTORS REPORTS

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

Nebraska Association of Resources Districts (NARD) – Legislative Conference, January 24-25, 2017 – Mr. Meisner reported that the NARD annual Legislative Conference will be held January 24-25, 2017 in Lincoln, Nebraska. Mr. Meisner reported that a tentative agenda was available for the Directors’.

All of the Directors present indicated that they planned to attend the Legislative Conference. Mr. Miller reported that Mr. Margritz also plans to attend the Legislative Conference.

Mr. Schilz appointed Mr. Wahlgren to be the TPNRD Voting Delegate and Mrs. Pederson to be the TPNRD Alternate Voting Delegate for the conference.

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

Sandhills Task Force – Mr. Hansen presented a report.

Board of Director’s Elections 2016 – Mr. Schilz reported that the following Directors were re-elected on November 8, 2016 for a four year term.

- Subdistrict 1 Shane Storer
- Subdistrict 2 Robert L. Petersen
- Subdistrict 3 Jerry Weaver
- Subdistrict 4 Robert Wiseman
- Subdistrict 5 Dennis Schilz

Requests for Authorization to Travel – No requests presented.

DISTRICT REPORT

Offset Water - Nebraska Cooperative Republican Platte Enhancement (NCORPE) Project Project - Update - Kyle Shepherd, NCORPE Manager, reported on the status of activities.

Offset Water - Nebraska Cooperative Republican Platte Enhancement (NCORPE) Project Project - Financing - Amendment to Prior Resolution authorizing the issuance of Limited Obligation Occupation Tax Supported River Flow Enhancement Refunding Bonds in the maximum principal amount not to exceed \$23,750,000 for the purpose of refunding some or all of the outstanding Series 2013 Limited Obligation Occupation Tax Supported River Flow Enhancement Refunding Bonds previously issued by the NRD to NCORPE – Mr. Miller reported that available for the Directors’ was Resolution NO. 1-101316 approved by the Board of Directors on October 13, 2016 that concerned permanent financing for a portion of the river flow enhancement project of the NCORPE Project through the refunding of bonds previously issued by each NCORPE NRD and the corresponding refunding of a bond issued by the each NCORPE NRD to support such NCORPE bond.

Mr. Miller reported that available for the Directors’ was a proposed amendment, that each of the NCORPE NRDs are considering in December, as each of the NCORPE Member Districts want to prepay or restructure principal on its respective Member District Bonds supporting the NCORPE Agency Bonds. Mr. Miller reported that the resolutions approved by each of the NRDs in October contemplated the same structure as the 2013 Agency Bonds being refunded. Mr. Miller reported that the attached proposed amending resolution will permit the TPNRD to restructure principal over time. Mr. Miller reported that the TPNRD Board on October 13, 2016 approved “to continue the current annual payments for the Series 2013A/B bonds and complete payments for the Series 2016 Bonds in 2035”. Mr. Miller reported that the proposed amendment will allow the TPNRD to do this.

Mrs. Pederson moved to approve the following resolution:

RESOLUTION NO. 1-120816

A RESOLUTION OF THE TWIN PLATTE NATURAL RESOURCES DISTRICT, IN THE STATE OF NEBRASKA, MODIFYING AND AMENDING A RESOLUTION PASSED AND APPROVED BY THE DISTRICT ON OCTOBER 13, 2016 (THE “PRIOR RESOLUTION”), AND OTHERWISE RATIFYING AND AFFIRMING THE TERMS OF THE PRIOR RESOLUTION, AS MODIFIED.

BE IT RESOLVED by the Board of Directors (the “Board”) of the Twin Platte Natural Resources District, in the State of Nebraska (the “District”), as follows:

Section 1. The Board hereby finds and determines as follows:

(a) At a meeting of the Board duly called and conducted on October 13, 2016, the Board passed and approved a resolution (the “Prior Resolution”; capitalized terms used herein and not otherwise defined shall have the meanings provided in the Prior Resolution) authorizing the issuance by the District of its Limited Obligation Occupation Tax Supported River Flow Enhancement Refunding Bond, Series 2016, in the maximum stated principal amount of Twenty-Three Million Seven Hundred Fifty Thousand Dollars (\$23,750,000) (the “2016 District Bond”); and

(b) Under the Prior Resolution, the terms of the 2016 District Bond are required to call for payments which correspond with and provide for payment of Twenty-Five Percent (25.0%) of the amount required on each payment date to provide for payment in full (taking into consideration the final terms of bonds to be issued by the other Member Districts, hereinafter the “Member District Bonds”) of the 2016 Agency Bonds; and

(c) One or more of the Members desires to prepay or otherwise restructure the principal falling due on its Member District Bond such that the periodic principal and interest payments on the various Member District Bonds

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may be other than Twenty-five Percent of the corresponding periodic payment on the 2016 Agency Bonds; and

(d) The Board desires to approve this resolution amending the Prior Resolution to provide flexibility in setting the terms of the 2016 District Bond to be issued by the District.

Section 2. To effect the desired amendment to the Prior Resolution, Section 2(a) of the Prior Resolution is hereby amended and restated in its entirety as follows:

(a) One or more of the officers of the District identified in Section 15 of this resolution (each, an “Authorized Officer”) is hereby authorized to approve the final principal amounts, interest rates, taxable status, maturity schedule, principal installments and other terms of the 2016 District Bond, including the allocation of the payment obligations contemplated herein, consistent with the terms of this resolution (such approval to be conclusively evidenced by the execution and delivery of 2016 District Bond by any Authorized Officer). The aggregate principal amount of the 2016 District Bond shall fall due in separate principal installments each bearing interest at a stated rate of interest in accordance with the schedule provided in the 2016 District Bond. The stated principal amount of the 2016 District Bond, together with any funds provided by the District at the closing and delivery of the Agency Bonds to prepay and redeem the 2013 District Bond (and therefore reduce the principal amount of the 2016 District Bond) shall total Twenty-five Percent (25.0%) of the stated principal amount necessary to refund the 2013 Agency Bonds. The terms of the 2016 District Bond shall be approved and designated by one or more Authorized Officers in order to provide funds which, together with payments falling due under the other Member District Bonds, will be equal in the aggregate to One Hundred Percent (100.0%) of the corresponding amount of principal and interest on the 2016 Agency Bonds required on each corresponding payment date. Notwithstanding the foregoing, in no event shall (a) the aggregate stated principal amount of the 2016 District Bond exceed \$23,750,000; or (b) the average interest rate payable on all principal installments of the 2016 District Bond exceed Four and Twenty-Five Hundredths Percent (4.25%); or (c) the longest maturity of any 2016 District Bond extend beyond December 15, 2038.

Section 3. This resolution shall be in force and take effect from and after its adoption as provided by law. Except as expressly modified hereby, the Prior Resolution is hereby ratified and affirmed in all respects as of the date of this resolution.

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

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

Nay: None

Absent & Excused: Margritz

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Offset Water - Nebraska Cooperative Republican Platte Enhancement (NCORPE) Project North Pipeline – Mr. Miller reported that the construction of the structure at the NPPD canal has been completed. Mr. Miller reported that bids will be presented during the January 12, 2017 Board of Directors meeting for construction of the pipeline. Mr. Miller reported that bids will be opened at the Miller & Associates Offices in Kearney, NE on January 11, 2017 at 2:00 pm and a report on the bids received and a recommendation for awarding a contract will be presented by Chris Miller during the January 12, 2017 Board meeting. Mr. Miller reported that construction is scheduled to begin during February 2017 and to be completed by September 30, 2017.

Offset Water - Nebraska Cooperative Republican Platte Enhancement (NCORPE) Project – Ground Water Levels – Mr. Miller 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 – TPNRD Ground water Management Summary – Mr. Miller reported that each year, the NARD compiles a Ground Water Management Summary for each NRD to share with Senators and Legislative Staff. Mr. Miller reported that available for the Directors’ was the TPNRD Ground Water Management Summary.

Cost-Share Programs – NE Soil & Water Conservation Program – Mr. Miller reported that the monthly report was available for the Directors. Mr. Miller reported that \$67,567.16 was available, and there were nine new applications to present.

Mr. Wahlgren moved to approve the December 8, 2016 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>
17.003	NC-12	Trees	\$ 1,380.00	\$ 1,380.00
17.004	NC-12	Trees	\$ 1,380.00	\$ 1,380.00
17.005	NC-12	Trees	\$ 897.00	\$ 897.00
17.006	NC-12	Trees	\$ 1,380.00	\$ 1,380.00
17.007	NC-14	Planned Grazing	\$ 5,224.05	\$ 5,224.05
17.008	NC-12	Trees	\$ 1,380.00	\$ 1,380.00
17.009	NC-12	Trees	\$ 1,380.00	\$ 1,380.00
17.010	NC-12	Trees	\$ 1,380.00	\$ 1,380.00
17.011	NC-17	Irrig Water Mgt	\$ 1,364.60	\$ 1,364.60
Total Amount of New Contracts				\$ 15,765.65
FUNDS AVAILABLE				\$ 51,801.51

Mrs. Pederson seconded the motion. The motion carried. (Motion #4)

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

Cost-Share Programs – District Conservation Programs – Mr. Miller reported that the monthly report was available for the Directors’. Mr. Miller reported that \$7,480.00 was available.

Miscellaneous Information – Grassland Award – Mr. Miller reported that the TPNRD Grassland Award was presented by Mr. Schilz to the Watts Ranch of Tryon, NE on November 14, 2016.

Miscellaneous Information – Tree Award – Mr. Miller reported that the TPNRD Tree Award will be presented later this evening.

Miscellaneous Information – Newsletter – Mr. Miller reported that available for the Directors’ was the TPNRD December 2016 Newsletter.

Miscellaneous Information - Other – 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, January 12, 2017 at 3:00 pm at the TPNRD offices.

AWARDS DINNER

The TPNRD 2016 Tree Award for Keith/Arthur Counties was presented to Armstrong Family Farms of Paxton during the TPNRD Awards Banquet at the Haythorn Ranch.

ADJOURNMENT

The meeting adjourned at 7:30 pm MT (8:30 pm CT).

Jerry Weaver, Secretary