

**North Platte Natural Resources  
District Board of Directors Meeting**

**November 12, 2020**

The regular meeting of the North Platte Natural Resources District (NRD) Board of Directors was called to order at 3:00 p.m. MST, November 12, 2020, by Kent Andreas per phone call to the conference line at the North Platte NRD Conference room, 100547 Airport Road, Scottsbluff, Nebraska (Agenda item #1). Notice of the meeting was given to the public by publishing a legal notice in the November 5, 2020, Scottsbluff *Star-Herald*. Andreas informed meeting attendees that this meeting would be conducted in accordance with the Open Meetings Act, a copy of which is posted in the meeting room for public inspection (Agenda item #2).

In accordance with the Governor's Executive Order No. 20-34 (attached), board members are attending telephonically due to orders to quarantine or isolate.

Board members present per phone call to the conference line: Kent Andreas, Gary Darnall, Dave Deines, Roger Eirich, Chuck Henkel, Pete Lapaseotes, Ryan Reuter, and Mark Westphal.

Board members absent: Danny Weinreis

Chairman Andreas called for a motion to excuse Weinreis from the meeting. Motion made by Westphal, seconded by Lapaseotes to excuse board member Weinreis from the meeting.

Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Henkel, Lapaseotes, Reuter, Westphal

Nay: none

Abstain: none

Absent: Weinreis

Others present in person: John Berge, Barb Cross, Danielle Schafer, NPNRD Staff; Lex Larson, J.G. Elliot Co.

Others present by phone: Thad Kuntz, Adaptive Resources, Inc; Megan Dockery, Simmons Olsen Law Firm; Sarah Gray, NRCS.

The following items of informational material were made available to the Directors electronically prior the Board Meeting and were final:

1. Agenda
2. Minutes, North Platte Natural Resources District, October 8, 2020
3. Treasurer's Report
4. Manager's Report

### **3. Approval of Minutes of Previous Meeting**

The Board reviewed the minutes of the October 8, 2020, regular Board meeting.

Moved by Darnall, seconded by Henkel, to approve the minutes of the October 8, 2020 regular Board meeting. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Henkel, Lapaseotes, Reuter, Westphal

Nay: none

Abstain: none

Absent: Weinreis

### **4. Treasurer's Report and Accounts Payable**

Ryan Reuter reviewed the Treasurer's report with the Board. Moved by Eirich, seconded by Westphal, to accept the Treasurer's report and pay the bills as listed. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Henkel, Lapaseotes, Reuter, Westphal

Nay: none

Abstain: none

Absent: Weinreis

## **5. Comments from the Public**

None

## **6. Manager's Report**

General Manager John Berge reviewed the following items from his report:

### **Administrative:**

\* Health Insurance – As you know, we have been working with a local insurance broker on the potential of health benefits cost savings, and have recently submitted materials in that vein to determine actual cost savings potentials if we were to change coverages from our current Association insurance to a group insurance purchased from a local broker. Upon reviewing our employees' health histories and medical needs, the companies that JG Elliot represented declined to offer quotes. Ryan and I are discussing potential next steps.

\*Garden County Field Clerk – I have interviewed two candidates for Garden County Field Clerk position that is being vacated by Karen Davis. I hope to fill the position by Friday.

\* Past Due Balances – Susie Kaufman and Danielle Schafer are working on a strategy for collection of our sizeable past due balances. We have had \$60,000 - \$110,000 out in receivables. An internal review has been done as to why they are late. About 50% are related to cost share reimbursements. Some are related to invoicing issues and these are being reviewed and corrected by staff. This NRD is not going to keep carrying debt related to cost share. Producers will need to pay their bills and then submit paid invoices for cost share.

\*Annual Audit Update – Doug Millay of Dana Cole was out at the office for a good portion of the week this week completing our audit and it should be able to be presented to the Board at the December Board meeting and issued to the State Auditor by the December 31 deadline.

Projects and Programs:

\*Flowmeter Update – we have read 1701 meters this year and have maintained 214. Meter reads are complete, and a few meters will still require maintenance.

\*Tech Discussion/Grand Plan – I will be attending a discussion with the Expanded Technical Committee of the Platte Basin Coalition and the Grand Plan Principals on Monday (virtually). I have also enumerated a list of questions on the Grand Plan and proposed agreement to DNR for their review and response and will communicate that back to you once I receive it.

\*Nutrient Management Program/Rule Implementation – We are working with UNL's Water for Food Institute, Futerra, Land o' Lakes Cooperative, and Westco on potential incentivizing of cover crops and stabilizers for nitrogen application in the event that we identify and declare additional management areas after implementation of the rule after the first of the year.

\*StreamNet – We are working with a group from UNL on an NET funded grant to monitor specific nutrients in surface water systems in the North Platte River basin around Scottsbluff/Gering. We are helping them with placement in the hopes that collection of this data will help us better understand and manage nutrients, not just from production agriculture, but also from the two cities.

Outreach:

\*Drought Management Presentation – I provided a zoom presentation to over 300 participants on drought planning during the online version of the NWRA/NSIA conference this month.

\*University of Wyoming Presentation – I provided a presentation to the University of Wyoming School of Natural Resources on Collaborative Conservation this month.

\*NWC Advisory Board Meeting – I attended the NWC Advisory Board meeting this month.

## **7. Adjourn**

There being no further business, the Chairman called for a motion to adjourn.

Moved by Henkel, seconded by Reuter to adjourn at 3:20 pm., MST. Motion passed.

Ayes: Andreas, Darnall, Deines, Eirich, Henkel, Lapaseotes, Reuter, Westphal

Nay: none

Abstain: none

Absent: Weinreis



STATE *of* NEBRASKA

OFFICE OF THE GOVERNOR

LINCOLN

EXECUTIVE ORDER No. 20-34

**CORONAVIRUS – PUBLIC MEETINGS REQUIREMENT LIMITED  
WAIVER FOR ALTERNATIVE PARTICIPATION FOR ELECTED  
OFFICIALS**

**WHEREAS**, a state of emergency was declared in Nebraska on March 13, 2020, to control the spread of the coronavirus known as COVID-19;

**WHEREAS**, recommendations to slow the spread of this disease include social distancing and avoiding large public gatherings;

**WHEREAS**, state and local governmental boards, commissions and other public bodies must comply with the Open Meetings Act to provide Nebraskans the opportunity to exercise their democratic privilege of participating in meetings of public bodies; and

**WHEREAS**, the requirement to isolate or quarantine is immediate and can prevent attendance at public meetings preventing a quorum of elected officials attending.

**WHEREAS**, continued participation by elected officials that have been ordered to isolate or quarantine by the local public health agency is beneficial to ensure continued government operations and continued representation of constituents.

**NOW THEREFORE**, I Pete Ricketts, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of Nebraska, hereby issue this limited waiver of certain requirements of the Nebraska Open Meetings Act.

Pursuant to this declaration, I hereby order the following:

1. This executive order applies to public bodies as defined in Neb. Rev. Stat. §84-1409(1) that are elected and to public meetings as defined in Neb. Rev. Stat. §84-1409(2).
2. Elected officials who have been ordered to quarantine or isolate by the local public health agency due to exposure to COVID-19, in conformance with guidance from the Nebraska Department of Health and Human Services, may fully participate, vote, and be counted as part of a quorum in meetings when attending by videoconference or by telephonic conferencing or by conferencing by other electronic communication without having the meeting site where that elected official is located open to the public as required in §84-

1411 so long as the public body has at least one physical location that provides access to members of the public and to members of the media.

3. For any videoconference location, telephonic conference location, or a conference location held by other electronic communication that is used solely for an elected official ordered to quarantine or isolate the following requirements are hereby waived:
  - a. Neb. Rev. Stat. §84-1411(2)(a) and Neb. Rev. Stat. §84-1411(3)(b) which requires reasonable advance publicized notice of the conference location.
  - b. Neb. Rev. Stat. §84-1411(3)(c) that requires a telephone conference meeting sites must be in a public building.
  - c. Neb. Rev. Stat. §84-1411(2)(c) and Neb. Rev. Stat. §84-1411(3)(e) which require the public body to provide at least one copy of all documents being considered to the public.
  - d. Neb. Rev. Stat. §84-1411(3)(g) which requires that a telephone conference call can last no more than five hours.
4. For purposes of §84-1413(2), votes by videoconference or by telephonic conferencing or by conferencing by other electronic communication shall be recorded in the minutes. Such minutes shall reflect the method of voting if the individual is not physically present.
5. Public meetings of an elected public body where one or more elected officials participate by videoconference, telephone conference, or conference by other electronic communication solely due to orders to isolate or quarantine shall not be subject to the one-half limitation contained in §84-1411(2)(e)(i) or §84-1411(3)(h).
6. The advanced publicized notice and the agenda requirements for meetings that are set forth in Neb. Rev. Stat. §84-1411 and the remaining provisions of Nebraska's Open Meetings Act shall continue to be complied with by all public bodies and are not waived by this executive order.
7. This waiver shall apply to all public governing body meetings that occur from today through December 31, 2020.

**IN WITNESS THEREOF**, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 30th day of October, 2020.

**ATTEST:**



Pete Ricketts, Governor

Robert B. Evnen, Secretary of State