

North Platte Natural Resources District
Board of Directors Regular Monthly Meeting
100547 Airport Road, Scottsbluff, Nebraska
May 12, 2022

1. Call Meeting to Order

This meeting was called to order at 3:00 p.m. by Roger Eirich. Notice of the meeting was given to the public by publishing a legal notice on May 5, 2022, in the Scottsbluff Star Herald.

2. Inform Public of Open Meetings Act

Eirich informed the meeting attendees that this meeting would be conducted in accordance with the Open Meetings Act, which is posted by the door for public inspection.

Attendance

Board of Directors Present: Gary Darnall, Ryan Reuter, Roger Eirich, Chuck Henkel, Pete Lapaseotes, Dan Weinreis, Kent Andreas

Board of Directors Absent: Dave Deines, Mark Westphal

Eirich called for a motion to excuse the absences.

A motion was made by Henkel, seconded by Reuter, to excuse the absences of Deines and Westphal. Motion passed.

Aye: Darnall, Reuter, Eirich, Henkel, Lapaseotes, Weinreis, Andreas

Nay: None

Abstain: None

Absent: Deines, Westphal

Others Present:

North Platte NRD Staff: Scott Schaneman, Danielle Schafer, Travis Preston, Craig Uhrig, Kyle Ann Hopkins

Simmons Olsen Law Firm: Megan Dockery, Steve Smith

Adaptive Resources, Inc. (ARI): Thad Kuntz

NRCS: Georgette Jordening

JG Elliot: Lex Larson

Documentation Provided

The following documents were made available at the meeting for the Board of Directors and public review:

1. Meeting Notice
2. Agenda
3. Minutes of the April 14, 2022, Board of Directors Meeting
4. Treasurer's Report
5. Manager's Report
6. 2022 NRD Basin Tour Itinerary
7. North Platte NRD General Manager/Assistant Manager/Office Manager Grant of Authorities
8. North Platte NRD Greener Gardens Greenhouse Plant Sale Flyer

3. Approval of Minutes of Previous Meeting

The Board reviewed the minutes of the April 14, 2022, regular monthly meeting.

A motion was made by Reuter, seconded by Darnall, to approve the minutes of the March 10, 2022, regular monthly meeting. Motion passed.

Aye: Darnall, Reuter, Eirich, Henkel, Lapaseotes

Nay: None

Abstain: Andreas, Weinreis

Absent: Deines, Westphal

4. Treasurer's Report and Accounts Payable

Reuter reviewed the monthly expenses from the Treasurer's Report with the Board. Lapaseotes brought up concerns about the consolidation of banking without board approval and the possibility of a lack in insurance above FDIC. Gary Darnall also expressed concern about insurance. Scott Schaneman explained how John Berge had previous conversations with the board about reducing the number of banks the NRD uses. Danielle explained how money above FDIC insurance limits is covered by Pledge Securities. Dan Weinreis, Roger Eirich, and Kent Andreas recalled having conversations with John Berge about consolidating NRD bank accounts into less banks.

A motion was made by Darnall, seconded by Reuter, to accept the Treasurer's Report and pay the bills as listed. Motion passed.

Aye: Andreas, Darnall, Eirich, Henkel, Reuter, Weinreis

Nay: None

Abstain: Lapaseotes

Absent: Deines, Westphal

5. Comments from the Public

Georgette Jordening (NRCS) gave an update about current programs and the hiring of a new Resources Conservationist at the Morrill County office.

6. Manager's Report

Scott Schaneman highlighted the following items from his Manager's Report for the Board:

As most of you are aware Travis Preston has accepted the new role as Assistant Manager. Travis began his new position on April 26th. As a result of Travis accepting the Assistant Managers position, it left a vacancy in his old position which was GIS Coordinator. Lydia Hendrickson will now be the new GIS Coordinator and has started her new duties on the 26th of April as well. Amanda Shepperd our Community Educator has accepted the position Lydia left and will begin her duties as the Community Educator/Data Analyst at the beginning of the new fiscal year. The last change in Departments and Staff is the combining of the Information and Education (I&E) Department with the Database Department. Kyle Ann Hopkins will now be the coordinator for both Departments. Kyle Ann will begin her new position at the beginning of the new fiscal year as well.

We along with South Platte NRD and Upper Niobrara White NRD are hosting the NARD Basin tour which is scheduled for June 6th and 7th. The NPNRD will have the opportunity to showcase several of the projects we have built or sponsored. We will be showing the group the Enterprise Recharge Project, The Minatare River Return Project, The Greenhouse, as well as the Nine Mile Rehabilitation Project. We will also take some time and visit Chimney Rock, Lake Minatare, and Farmers Irrigation Diversion to discuss surface water operations in the District. A copy of the Itinerary is attached to my report.

This office will be discontinuing the last of the Covid policies that were put in place to protect the staff and the public from Covid 19. These protocols will no longer be effective or required beginning July 1, 2022.

At the April Platte Basin Coalition (PBC) meeting, I was able to get approval on two reimbursement requests that this NRD submitted. We have received approval on the EPIC reimbursement request which is in the amount of \$59,824.26. Those funds will be accessed from the PBC later this coming Fall. The second request that was made and accepted was to fully reimburse the NPNRD at the standard rate of 60% from the PBC for those early retirement contracts that were not reimbursed at the full rate. This reimbursement is in the amount of \$1,370,038.50. These funds will be held in a sequestered bank account and will be made available to the District as those retirement payments are distributed.

Craig Uhrig and I attended the NDEE Partnership meeting that was held in conjunction with other NRD managers and staff as well as the staff from NARD and NDEE. The purpose of the

meeting was to discuss and try to remedy the communication breakdown that has occurred between the entities. The NRD's have felt they have no support from the NDEE as we continue to battle ground water and surface water pollution. NDEE was there to try to clear the air and listen to the concerns relayed by the NRD's. There are still authorities that I as well as other Managers believe directly fall into the authority of the NDEE that they will not accept responsibility for. NARD/NDEE Liaison Jennifer Swanson is working with both the NRD's and NDEE to try to alleviate some of the concerns. We should know more regarding her efforts soon.

I believe before John left; he discussed the need to look for a new insurance carrier due to LARM no longer insuring NRD's that have water impoundment structures and downstream liability. Danielle, Travis, and I have been working with Matt Greenway from First National Insurance Company (FNIC) out of Lincoln. This company was recommended to me from other NRD's as well as some of the surface water districts. With LARM no longer insuring dams, FNIC has picked up the business of the thirteen NRD's that were insured with LARM. I should have a quote back from this company by late June sometime. Our insurance with LARM will expire on September 30th.

The Staff continues to work on the new fiscal year budget. All the budgets have been submitted by the Department heads and we are now incorporating and reviewing those budgets. My intention is to have a budget for the Budget and Personal Committee to look at by the end of the month.

The Water Department has had a transfer application submitted by Mike Bloomenkamp from Broadwater. The ten-thousand-dollar application fee has been paid and the transfer is now being reviewed by Thad. Once the modeling review has been completed, a meeting of the Water Resources Committee will need to be held to move forward with the process. I will be in touch with the Committee once the modeling review has been finished.

I had a discussion with Jesse Bradley from DNR, last Wednesday regarding the transfer permit for the Enterprise Recharge Project. Jesse assured me that we would see that draft transfer order this week. As of today (Monday) I have not seen that draft order. I mentioned to Jesse the wish to be operating the project this year and wanted to have the permit in hand by the NARD Basin Tour. He agreed that this is important to him as well and will be pushing to get the draft order to us for review as soon as possible.

To assist with our monthly collections as well as trying to alleviate any confusion, this District will be sending a monthly statement to those that have received goods or services. That monthly statement will be an aging statement and will include with it a copy of the invoice. We hope this will help our customers as well as assist in the collections of past due balances.

The Staff continues to make progress in collecting unpaid balances owed to the District. As of Monday, the ninth:

90 days +	\$3,449.83	
61-90 days	\$522.47	
31-60 days	\$10,664.86	(\$10,315.70 is due from the Forest Service for a salary reimbursement)
1-30 days	<u>\$17,743.31</u>	
Total	\$32,380.47	

Wednesday May 4th I attended an Upper Platte Principles meeting in Grand Island. Great progress was made as we work towards a fully appropriated status in the Basin. As the group continues to discuss what fully appropriated means to each stakeholder, it is the desire of the NPNRD as well as the SPNRD that there would be no further obligations placed on them. For right now the group does agree that the NRD's above Lake McConaughy have fulfilled their obligation to the river and should be only required to maintain their current level without new future obligations. I will continue to update the Board as the basin stakeholders continue to meet.

7. Discussion and Consideration of Board of Directors Grant of Authorities

Scott Schaneman explained the authorities and asked for any discussion about changes to any of the authorities, there were none. Kent Andreas asked if the authorities were part of the policy manual. Danielle explained they are not.

A motion was made by Henkel, seconded by Andreas, to grant the authorities listed. Motion passed.

Aye: Andreas, Darnall, Eirich, Henkel, Reuter, Weinreis

Nay: None

Abstain: Lapaseotes

Absent: Deines, Westphal

8. Pumpkin Creek Presentation: Steve Smith

Steve presented an overview of Pumpkin Creek litigation and explained the NRD is a legislative body and allocations are not subject to review once they have been put in place. There are dozens of active water rights on Pumpkin Creek despite lack of use. A 30-year non-use excuse is available and can be extended with a permit. The excuse can be extended permanently if a producer can partially use the allocation.

Steve informed the board about an opinion letter written by Megan Dockery pertaining to the Chalk Mound Trout Farm. Gary Darnall asked for a copy of the opinion letter and a copy has been provided to all board members.

9. Greenhouse Update: Jennifer Berge-Sauter

Jennifer informed the board about the Annual Plant Sale taking place May 16th-21st and the kinds of plants being made available for sale to the public. Many tours have been taking place to groups such as ESU 13, Meridian, The Residency, and Garden County High School. There have been forty tours since February. 4,280 lbs. of food have been donated since the inception of the greenhouse with donations currently going to CAPWN. Volunteers come to the greenhouse on Thursdays. Gardening workshops are taking place monthly.

Adjourn

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

A motion was made by Reuter, seconded by Westphal to adjourn at 3:45 p.m. Motion passed.

Aye: Andreas, Darnall, Eirich, Henkel, Reuter, Weinreis, Lapaseotes

Nay: None

Abstain: None

Absent: Deines, Westphal