

PUBLIC NOTICE

The South Platte Natural Resources District will hold a regular public meeting on January 12, 2010 at the South Platte Natural Resources District, 551 Parkland Drive, Sidney, Nebraska, at **5:00 p.m.** An agenda of the matters to be considered at such date, time and place is kept continually current and is available for public inspection during normal business hours at the South Platte NRD Office, 551 Parkland Drive, Sidney. Any person with disabilities who needs help in participating in the meeting should contact the District office (308) 254-2377, before the meeting.

FINAL AGENDA

1. Call to Order - Keith Rexroth, Chair
 - A. Nebraska Open Meetings Act
 - B. Legal Notice
 - C. Approval of Expenditures
 1. *Possible February 2010 Committee Meeting Expenditures for Meals
2. Minutes
 - A. Minutes of the December 10, 2009 meeting of the Board of Directors
 - B. Minutes of the December 7, 2009 meeting of the Natural Resources/Projects and Programs Committee
3. *Treasurer's Report for December 2009 and Accounts Payable
4. Public Questions, Comments and/or Concerns
5. Director and Staff Reports
6. Agency Reports
 - A. USDA-Natural Resources Conservation Service (NRCS)
 1. NRCS Report - Kristin Miller, DC-NRCS
 2. Sidney Flood Control Project
 3. South Platte Local Work Group Meeting/Results
 - B. Nebraska Association of Resources Districts (NARD)
 1. NARD Report - Johnson
 - C. Panhandle Resource Conservation and Development (PRC&D)
 1. PRC&D Report - Burkhart-Kriesel
 - D. Nebraska Department of Natural Resources (NDNR)
 1. NDNR Report - Rexroth
7. Review 2009 SPNRD Ground Water Quality Monitoring Program Report - Kaiser
8. Committee Reports
 - A. Natural Resources/Projects and Programs Committee - Hutchison, Chair
 1. *Re-Visit and Action as Desired on the SPNRD Board's December 2009 Action Concerning PBHEP and Regarding Federal Programs Deadline
 2. Discussion Regarding the Wildlife Management Areas
 3. Status Update on Mr. Perry Van Newkirk/Castronics Inc. Certified Irrigated Acres Options as Adopted by the Board at its October 13, 2009 Meeting
 4. Variance Advisory Group
 - a. Review Requests Brought Before the Group
 - b. *Action on Variance Requests Recommended by the Group

5. *Consideration to Waive DWGWMA Rule 6.9.5 and to Extend Accepting Pooling Arrangement Applications until March 31, 2010
- B. District Operations Committee - Johnson, Chair
 1. *Discussion and Action as Desired Concerning the Following SPNRD Personnel Policy Items:
 - a. Holidays
 - b. Work Week/Office Hours
 2. *Discussion and Action as Desired Concerning the Board of Directors' Winter Meeting Start Time
 3. *Discussion and Consideration to Withdraw from the High Plains Weed Management Association
 4. *Action Concerning LPCSI-EQIP 6-Month Certificate of Deposit (CD) #1007769594 With Security First Bank-Sidney
 - a. Redeem CD at Anticipated Payout at Maturity (1-14-2010) in the Amount of \$202,256.40
 - b. Authorize Manager to Transfer \$4,650.00 to the SPNRD Checking Account
 - c. Authorize Manager to Reinvest Balance of CD funds (\$197,606.40) into New 6-Month CD with Security First Bank-Sidney
 5. *Action to Authorize Manager to Transfer the Balance of Funds in LPCSI-EQIP NPAIT Account to the SPNRD Checking Account
 6. *Action on CMC's Ratification to Renew Certificate of Deposit #7191
 7. Report on Adjacent Lots/Land Acquisition
 8. *Request to Approve NSWCP Application(s)
 9. Final Report on the Corrected 2008 W-2s
 10. FY2010 Budget Review and Issues
 11. *Authorization to Participate in the NARD's 2010 Washington, D.C. Trip
9. *Election of Officers
 - A. Chair
 - B. Vice-Chair
 - C. Secretary
 - D. Treasurer
10. Appointment of NRD Members
 - A. Committees
 - B. *Nebraska Association of Resources Districts (NARD)
 - C. Panhandle Resources Conservation and Development (PRC&D)
 - D. *Variance Advisory Committee and Alternates
11. Correspondence
12. Upcoming Dates
 - A. January 18, 2010 - Closed, Martin Luther King Jr. Day
 - B. January 25-27, 2010 - NARD Legislative Conference, Embassy Suites, Lincoln, Nebraska
 - C. February 9, 2010 - SPNRD Board of Directors Meeting
 - D. February 15, 2010 - Closed, Presidents Day
 - E. February 23, 2010 - Upper Platte River Joint NRD Meeting, North Platte, NE from 11:00 a.m. CT to 3:00 p.m. CT
 - F. March 6-10, 2010 - Annual NARD Washington, D.C. Trip, Embassy Suites

13. Adjourn

*Denotes Possible Action Items

MINUTES

The meeting of the South Platte Natural Resources District Board of Directors was held Tuesday, January 12, 2010, at the South Platte NRD Conference Room, 551 Parkland Drive, Sidney, NE, at 5:00 p.m. The public notices were published in the Sidney, Chappell and Kimball newspapers. The agenda was compiled and each member of the Board of Directors and other interested and affected persons were notified of the meeting date within the deadline.

Board Members Present

Keith Rexroth, Chair
Tom Biggs, Secretary
Paul Hutchison

Bill Halligan
Larry Rutt
Jim Johnson

Board Members Absent

Cheryl Burkhart-Kriesel, Vice Chair (excused)

Others Present

Kristin Miller, D.C. NRCS/USDA; Sheila Newell, Kimball, NE

NRD Staff Present

Rod L. Horn, General Manager
Galen Wittrock, Assistant Manager
Coordinator Kyle Liebig, Water Resources Coordinator
Ryan Reisdorff, Water Resources Program Specialist
Technician

Linda L. Suhr, Administrative Manager
Chris Kaiser, Natural Resources
Don Ogle, I & E Coordinator
Travis Glanz, Water Resources

Information Material

The following information was provided prior to the meeting or provided at the meeting:

1. January 12, 2010 Tentative and Final Agenda, meeting of the SPNRD Board of Directors
2. January 12, 2010 Tentative and Final Agenda, meeting of the District Operations Committee
3. January 11, 2010 Tentative and Final Agenda, meeting of the Natural Resources/Projects and Programs Committee
4. December 10, 2009 Minutes, SPNRD Board of Directors meeting
5. December 7, 2009 Minutes, Natural Resources/Projects & Programs Committee meeting
6. December 2009 Treasurer's Report
7. January 4, 2010 Manager's Letter and January 12, 2010 Manager's Report, December 31, 2009 staff reports from Linda L. Suhr, Administrative Manager and Jodi Livingstone, District Secretary and quarterly reports from Field Office Secretaries, Jane Joyce and Hilary Cook
8. 2009 SPNRD Ground Water Quality Monitoring Program Report
9. NRCS Monthly Report to the SPNRD January 2010
10. NARD Information Re: Washington DC Meeting
11. December 14, 2009 letter to Ken Schilz Re: NARD Legislative Conference
12. Copy of December 10, 2009 portion of SPNRD Board Minutes Re: action taken Regarding Platte Basin Habitat Enhancement Project (PBHEP)
13. January 11, 2010 Memo from Galen Wittrock Re: Wildlife Management Areas with maps
14. December 18, 2009 letter from Perry Van Newkirk, Castronics, Inc., Re: Request to decertify acres in Kimball County

15. December 22, 2009 information from the Variance Advisory Group Re: Sheila A. Newell and the Newell Family Living Trust
16. Motions for Consideration, recommended by the Variance Advisory Group (Newell)
17. Draft Minutes of December 22, 2009 Variance Advisory Group Meeting
18. Copy of 6.9.5 DWGWMA Rules and Regulations
19. Suggested amendments to the SPNRD Personnel Policies (3) and (27)
20. Copy of Citizens' Monitoring Committee 12 Month CD with First National Bank, Kimball
21. Copy of LPCSI-EQIP NPAIT Investment Account at December 31, 2010 and the CD that is up for renewal with Security First Bank, Sidney
22. Greg Everitt SPNRD Cost-Share Program-Perimeter Fence
23. Memo to the District Operations Committee Re: W-2c for 2008
24. FY2010 Six Month Budget Status Review
25. December 17, 2009 News Articles from Alyssa Smola, NARD
26. December 14, 2009 Letter to Don Kraus, Chair, COHYST Sponsors Re: SPNRD withdraws 12-10-2009
27. December 10, 2009 Kearney Hub Article, "Carlson Introducing two 2010 'fireworks' water Bills"
28. SPNRD 2009 Committee Members and blanks for January 2010 Appointments
29. December 22, 2009 letter from Kyle Liebig to David Mackie Re: Well G-067184 choices to lower capacity of be decommissioned by January 14, 2010
30. Per Diem/Expense form

Meeting

1. Call to Order

Chair Rexroth called the meeting to order at 5:00 p.m. He noted that Cheryl Burkhart-Kriesel was absent and excused.

A. Nebraska Open Meetings Act

Rexroth stated for the record that a copy of the Nebraska Open Meetings Law is posted in the meeting room.

B. Legal Notices

Rexroth stated for the record that the meeting affidavits of publication are included with these minutes.

C. Approval of Expenditures

1. *Possible February 2010 Committee Meeting Expenditures for Meals

Rutt moved and Hutchison seconded the motion to approve February 2010 committee expenses for meals as discussed. A roll call vote was taken.

Aye: Halligan, Johnson, Hutchison, Rexroth, Biggs, Rutt

Nay: None

Absent: Burkhart-Kriesel

Motion Carried.

2. Minutes

A. Minutes of the December 10, 2009 meeting of the Board of Directors

These minutes were approved as presented.

B. Minutes of the December 7, 2009 meeting of the Natural Resources/Projects and Programs Committee

These minutes were approved as presented.

3. *Treasurer's Report for December 2009 and Accounts Payable

Horn reviewed account balances as follows:

<u>Account</u>	<u>December 1, 2009</u>	<u>December 31, 2009</u>
SPNRD Checking/Repurchase	\$ 322,687.30	\$ 233,500.18
Citizens' Monitoring Committee (combined)	\$ 28,652.21	\$ 24,679.42
LPCSI-EQIP NPAIT	\$ 29,689.19	\$ 29,691.48
LPCSI-EQIP Security First Bank CDs	\$ 302,108.28	\$ 302,108.28
SPRCC NPAIT	\$ 99,858.68	\$ 104,866.62

Horn reviewed the accounts payable. Horn urged the board to ask questions or come at any time to the office and review receipts/invoices. With no further discussion Halligan moved and Rutt seconded the motion to approve the Treasurer's Report and pay the accounts payable in the amount of \$40,887.19. A roll call vote was taken.

Aye: Johnson, Hutchison, Rexroth, Biggs, Rutt, Halligan

Nay: None

Absent: Burkhardt-Kriesel

Motion Carried.

4. Public Questions, Comments and/or Concerns

None.

5. Director and Staff Reports

Biggs announced that he is stepping down from the Variance Advisory Group. Glanz, Liebig, Ogle, Wittrock, Reisdorff and Kaiser gave oral reports. Horn, Suhr, Livingstone, Joyce and Cook prepared written reports.

- Glanz removed snow on the SPNRD lot and repaired the tractor. He checked flow meter readings, worked on broken flow meters, assisted Liebig with pooling information and worked with GIS data.
- Liebig attended various meetings, worked on variances and pooling arrangements and ownership changes, participated in PBHEP water tracking and accounting conference calls and attended a sponsors' meeting, assisted Ryan to collect and manage data for the 319 Grant, worked on installation of new projector, flushed out errors for GIS data, went to NPNRD with Horn for a Western Water Use Model meeting with Thad Kuntz which is now called Panhandle Area Water Study (PAWS). Horn and Liebig also met with Tom Hayden regarding surface water issues. Upcoming meetings with Western Irrigation Canal and Peterson Ditch Irrigators are being planned regarding measuring surface water in the District.
- Ogle did extensive web updates with the new SPNRD rules and regulations. He is involved in planning for the upcoming Envirothon to be held February 17 in Gordon. He and Wittrock worked on the NARD tree book. He worked with Reisdorff regarding an urban best management practices workshop for Saturday, March 13, 2010, Cash for Grass and Groundwater Guardian in conjunction with the 319 Grant. He worked with PBHEP Information and Education. He prepared a new director photo for the office. He also worked on ACE, a Natural Resources camp for 6th-8th graders to be held

at Halsey June 20-23, 2010. The Pipeline has also been a priority this month. He also discussed the new tree promotion displays that will be available through NARD.

- Wittrock worked with producers on tree plans. About 36,000 seedlings are sold. He worked with Ogle and Rick Wollen from Ord to revise the NARD Conservation Tree book. He worked with the Locally Led Work Group. He and Horn switched offices. Wittrock and Ogle are working on a radio information segment concerning the Pine Beetle.
- Reisdorff worked on the SWHPA with Bill Taylor, Travis and Kyle on contaminant source points. He made a presentation to the Sidney City Council regarding the SWHPA and what they can expect to see in the future. He created maps and GIS for contaminants in the SWHPA and prepared an article for the Pipeline concerning the 319 Grant. He contacted the GetWise Foundation regarding Water Wise kits (part of 319 Grant) for area schools. He and Liebig worked on Industrial Accounting and he assisted Glanz with the tractor repairs.
- Kaiser did surface sampling and pumped monitoring wells. He was successful in obtaining a two year surface water agreement with NDEQ. He took a pump to M&S Drilling to be repaired, repaired the Truax grass drill, prepared shape files for the nitrogen reports and prepared the water quality report. He also worked with Horn and Pat O'Brien (NDEQ) regarding combining the subarea quality rules into the Districtwide GWMA Rules and Regulations.

6. Agency Reports

A. USDA-Natural Resources Conservation Service (NRCS)

1. NRCS Report

Kristin Miller, District Conservationist, distributed the monthly NRCS report. Regarding CSP, eight contracts are being finalized. She commented about the possibility of a Farm Bill Pheasants Forever Wildlife Biologist for Sidney, which would be similar to Andy Moore's position in Scottsbluff. Mark Watson, No-Till Education Coordinator for the Nebraska Panhandle (serving all three NRDs in the panhandle), will be holding no-till information sessions (an overall cooperative effort to promote no-till activity).

2. Sidney Flood Control Project

Miller reported on the east Sidney drainage area, stating that Chris Jensen, NRCS, should be starting a hydrology study for this project. She will keep the board informed.

3. South Platte Local Work Group Meeting/Results

Miller reported that the South Platte Locally Led Work Group met in mid-December and established priorities within the SPNRD for EQIP, ranking criteria and distribution of funds (cropland, rangeland and irrigation).

B. Nebraska Association of Resources Districts (NARD)

1. NARD Report

Johnson reported the next meeting will be held in Grand Island on Tuesday, January 19, 2010.

C. Panhandle Resources Conservation and Development (PRC&D)

1. PRC&D Report

Cheryl Burkhart-Kriesel was absent from the meeting so no report was given.

D. Nebraska Department of Natural Resources (NDNR)

1. NDNR Report

Keith Rexroth reported that the next NDNR meeting will be held in conjunction with the NARD Legislative Conference.

7. Review 2009 SPNRD Ground Water Quality Monitoring Program Report

Kaiser gave a power point presentation summary of data from the SPNRD Ground Water Quality Monitoring Program. Of the 159 network wells, 117 were sampled at least once this year. Kaiser explained the quality assurance/quality control procedure (QA/QC). Main items he wanted to bring forward was that the South Platte Valley GWMA qualifies for the Phase III contamination trigger and the number of samples collected in the Sidney GWMA are fewer than in past years due to wells not in current use. If these wells become active in the future, the average nitrate-nitrogen level for the area could be affected. He is also working to combine the South Platte Valley (Deuel County) and the Sidney GW Quality Management subareas Rules and Regulations into the Districtwide GWMA Rules and Regulations.

8. Committee Reports

A. Natural Resources/Project and Programs Committee

1. *Re-Visit and Action as Desired on the SPNRD Board's December 2009 Action Concerning PBHEP and Regarding Federal Programs Deadline

Hutchison reviewed the December 10, 2009 SPNRD Board action which prioritized the South Platte Valley area near Big Springs in Deuel County for EQIP funding in conjunction with PBHEP. He explained that the Federal Program (EQIP) deadline is February 1, 2010, which doesn't give much time to sign up producers in that limited area. It was discussed that it is important from a management prospective for the producer to know the amount he will be receiving per acre before signing the contract. Discussion was held to 1) request Kristin Miller to remove the permanent dryland from EQIP for this year because of the uncertainty of the amount of NRD funds to be added to the contract; 2) add SPNRD funds to EQIP funds to bring total up to \$800-\$1,200 per acre; 3) offer the program to all the District and exclude the South Platte Valley area; 4) use the percent depletion to the creek or stream as the SPNRD's funds to be added to the EQIP program. Miller commented that she needs all of the EQIP funds obligated into contracts by March 15, 2010.

Johnson moved and Halligan seconded the motion to recommend Miller to remove permanent dryland from the SPNRD EQIP practice list for this NRCS fiscal year. Rexroth urged defeat of the motion due to possible opportunities to permanently retire irrigated acres that might not happen in the future. A roll call vote was taken.

Aye: Halligan, Johnson
Nay: Hutchison, Rexroth, Rutt
Abstain: Biggs
Absent: Burkhart-Kriesel
Motion failed.

Shelia Newell was present at the meeting and requested to speak. She urged to board to include the program for this year. Hutchison moved and Rutt seconded the motion to recommend a maximum of \$1,200 (100% depletion to the stream/river) to be offered for the permanent dryland program (\$1,200 minus EQIP funds multiplied by the percent stream/river depletion factor). Miller pointed out a problem with using this type of formula for the NRD portion of funds. After discussion, Hutchison moved to amend his motion to multiply the depletion factor times \$1,200 including EQIP funds for NRCS FY2010 EQIP applications. Rutt

seconded the motion as amended. Reisdorff pointed out that if the percent depletion was 35% or lower, the NRD would be contributing nothing. Miller pointed out that the most she could obligate was about \$100,000 or approximately 200 acres. A roll call vote was taken to amend the motion.

Aye: Rexroth, Rutt, Johnson, Hutchison
Nay: Halligan
Abstain: Biggs
Absent: Burkhart-Kriesel
Motion carried.

A roll call vote was taken on the motion as amended to offer a maximum \$1,200 per acre based on a 100% depletion factor for NRD and NRCS funding (depletion factor x \$1,200 minus \$429 EQIP funds equals the District's portion).

Aye: Rutt, Johnson, Hutchison, Rexroth
Nay: Halligan
Abstain: Biggs
Absent: Burkhart-Kriesel
Amended motion carried.

It was discussed to rescind the December 10, 2009 action prioritizing the South Platte Valley in Deuel County near Big Springs. Hutchison moved and Rutt seconded the motion to rescind the December 10, 2009 action to authorize the PBHEP only in the South Platte Valley and open the EQIP applications to the entire overappropriated area of the District. A roll call vote was taken.

Aye: Halligan, Johnson, Hutchison, Rexroth, Biggs, Rutt
Nay: None
Absent: Burkhart-Kriesel
Motion carried.

It was discussed to rescind the December 10, 2009 action "...and if funds become available for the other overappropriated areas in the District for the purposes under PBHEP, then subsequently require staff to conduct two full real estate appraisals per county to determine values for irrigation water acquisitions to the land and to establish conservation easements." It was discussed and agreed that the part of the December 10, 2009 action pertaining to seeking land appraisals in the overappropriated area near Big Springs should remain intact. Hutchison moved and Rutt seconded the motion to rescind only part the December 10, 2009 action as follows: "...and if funds become available for the other overappropriated areas in the District for the purposes under PBHEP, then subsequently require staff to conduct two full real estate appraisals per county to determine values for irrigation water acquisitions to the land and to establish conservation easements." A roll call vote was taken.

Aye: Johnson, Hutchison, Rexroth, Biggs, Rutt, Halligan
Nay: None
Absent: Burkhart-Kriesel
Motion carried.

2. Discussion Regarding the Wildlife Management Areas

It was discussed that Goldeneye, Goldenrod and Bittersweet Wildlife Management Areas (WMAs) in Deuel County are being managed by the SPNRD under an interlocal agreement with Nebraska Game and Parks Commission until 2027. Due to budget constraints, Nebraska Game and Parks Commission is considering deeding the WMAs land to the District. Wittrock will draft a proposal to take over Goldeneye and Goldenrod; but not Bittersweet WMA since there isn't any access to the area. No action is necessary at this time.

3. Status Update on Mr. Perry Van Newkirk/Castronics Inc. Certified Irrigated Acres Options as Adopted by the Board at its October 13, 2009 Meeting

Van Newkirk accepted the SPNRD offer in accordance with the SPNRD Board of Director's action on October 13, 2009, for \$300/acre for 114.4 certified irrigated acres. The depletion percent on that land is about 33%. The transaction will purchase about 41.2 acre feet of water. Horn and Liebigh will meet with Perry Van Newkirk to finalize details.

4. Variance Advisory Group

a. Review Requests Brought Before the Group

The Newell Family Living Trust tracts, 54.3 and 40.8 acres showed inches pumped over the allocation; 13.08" and 9.43" respectively (currently in alfalfa). Two other tracts owned by Sheila Newell with 161.42 and 35.10 acres showed inches pumped of 40.5" (carryforward 10") and 32.41 (carryforward 10"), respectively (all tracts met the 60% rule). Sheila Newell was present at the VAG meeting and present at this meeting. The Group voted 6 in favor to allow the transfer from the "positive" tracts to the "negative" tracts to clear the deficits. Two members were absent. The penalty imposed required that Newell relinquish her carryover and be allowed only the maximum of 48" on all the tracts for the new allocation period beginning in 2010. Hutchison explained in regard to Newell's request to transfer, it came before the end of the allocation period.

Regarding Newell's request to pool her tracts with the Newell Family Living Trust, the Group voted 4 in favor and 2 against. Two members were absent.

b. *Action on Variance Requests Recommended by the Group

After discussion, Hutchison moved on behalf of the Natural Resources Projects and Programs Committee to authorize the transfer of 1094.98 acre-inches from Sheila A. Newell's Certified Irrigated Tracts numbered 15N56W2301 and 15N56W2501, that had positive allocations as of December 31, 2009 to Certified Irrigated Tracts numbered 15N55W1905 and 15N55W1802 owned by the Newell Family Living Trust that had exceeded the 2007-2009 allocation, and all carryforward will be relinquished on Sheila A. Newell's Certified Irrigated Tracts and allow only the maximum of 48 inches per acre on all aforementioned tracts for the 2010-2012 allocation period. Rutt seconded the motion. A roll call vote was taken.

Aye: Hutchison, Rexroth, Biggs, Rutt, Halligan, Johnson
Nay: None
Absent: Burkhart-Kriesel
Motion Carried.

After discussion, Hutchison moved on behalf of the Natural Resources Projects and Programs Committee to authorize the pooling agreement between Sheila A. Newell's

Certified Irrigated Tracts numbered 15N56W2301 and 15N56W2501 with the Newell Family Living Trust Certified Irrigated Tracts numbered 15N55W1905 and 15N55W1802. Biggs seconded the motion. A roll call vote was taken.

Aye: Rexroth, Biggs, Rutt, Halligan, Johnson, Hutchison
Nay: None
Absent: Burkhardt-Kriesel
Motion Carried.

5. *Consideration to Waive DWGWMA Rule 6.9.5 and to Extend Accepting Pooling Arrangement Applications until March 31, 2010

The flow meter water use reports are not ready to be distributed yet and the deadline in the Rules and Regulations to accept pooling applications is January 30. Liebig proposed waiving DWGWMA rule 6.9.5 to extend pooling applications until March 31, 2010. On behalf of committee, Hutchison moved and Rutt seconded the motion to approve extending the deadline for pooling arrangement applications until March 31, 2010. A roll call vote was taken.

Aye: Biggs, Rutt, Halligan, Johnson, Hutchison, Rexroth
Nay: None
Absent: Burkhardt-Kriesel
Motion Carried.

A recess was called from 7:38 until 7:45 p.m.

B. District Operations Committee

1. *Discussion and Action as Desired Concerning the Following SPNRD Personnel Policy Items

- a. Holidays
- b. Work Week/Office Hours

Johnson reported that the entire District Operations Committee met prior to this meeting. He referred to the handout section of the SPNRD Personnel Policies 3 and 27. Miller requested the board take action on the hazardous weather policy (a portion of SPNRD Personnel Policy 3). Horn will continue to work on the other portions of Policies 3 and 27. With no further discussion Johnson moved and Halligan seconded the motion to approve the addition to Policy 3 "Employees assigned to work with the USDA-Natural Resources Conservation Service in its Sidney and Kimball Service Centers will be expected to follow the respective office Food and Agriculture Counsel (FAC) Inclement Weather Policy". A roll call vote was taken.

Aye: Rutt, Halligan, Johnson, Hutchison, Rexroth, Biggs
Nay: None
Absent: Burkhardt-Kriesel
Motion Carried.

2. *Discussion and Action as Desired Concerning the Board of Directors' Winter Meeting Start Time

Discussion was held that during the months of November through March, the board meetings start time could be 5:00 p.m. With no further discussion, Halligan moved and Johnson seconded the motion to approve board meeting start time for 5:00 p.m. for November through March. A roll call vote was taken.

Aye: Halligan, Johnson, Hutchison, Rexroth, Biggs, Rutt
Nay: None
Absent: Burkhart-Kriesel
Motion Carried.

3. *Discussion and Consideration to Withdraw from the High Plains Weed Management Association

Kaiser explained the timeline that the SPNRD was involved in the High Plains Weed Management Association (HPWMA) and the reasons why he and Horn recommended withdrawing from the HPWMA. With no further discussion Johnson moved on behalf of committee and Halligan seconded the motion to approve withdrawing from the High Plains Weed Management Association effective immediately. A letter will be sent to the association as soon as possible. A roll call vote was taken.

Aye: Johnson, Hutchison, Rexroth, Biggs, Rutt, Halligan
Nay: None
Absent: Burkhart-Kriesel
Motion Carried.

4. *Action Concerning LPCSI-EQIP 6-Month Certificate of Deposit (CD) #1007769594 with Security First Bank-Sidney
a. Redeem CD at Anticipated Payout at Maturity (1-14-2010) in the Amount of \$202,256.40
b. Authorize Manager to Transfer \$4,650.00 to the SPNRD Checking Account
c. Authorize Manager to Reinvest Balance of CD Funds (\$197,606.40) into New 6-Month CD with Security First Bank-Sidney

Johnson and the committee discussed the three items and recommended redeeming the 6-Month CD, authorizing the manager to transfer \$4,650 (a portion of the proposed Castronics' buyout) to the SPNRD checking account and reinvest the balance of the CD funds into a new 6-month CD with Security First Bank. SPNRD staff researched interest rates and Security First Bank offered the best rates. Johnson moved and Halligan seconded the motion to approve a. b. and c. above concerning the Security First Bank 6-Month CD #1007769594. A roll call vote was taken.

Aye: Hutchison, Rexroth, Biggs, Rutt, Halligan, Johnson
Nay: None
Absent: Burkhart-Kriesel
Motion Carried.

5. *Action to Authorize Manager to Transfer the Balance of Funds in LPCSI-EQIP NPAIT Account to the SPNRD Checking Account

Johnson and the committee recommended Horn transfer the balance of the funds from the LPCSI-EQIP NPAIT account into the SPNRD checking account. These funds are proposed to be used for the Castronics, Inc. buyout. With no further discussion Johnson moved and Halligan seconded the motion to approve the transfer. A roll call vote was taken.

Aye: Rexroth, Biggs, Rutt, Halligan, Johnson, Hutchison
Nay: None
Absent: Burkhart-Kriesel
Motion Carried.

6. *Action on CMC's Ratification to Renew Certificate of Deposit #7191

Johnson and the committee reviewed the Citizens' Monitoring Committee's action to renew CD #7191 and made a recommendation to approve their action. Johnson moved on behalf of committee and Halligan seconded the motion to ratify CMC's action to renew CD #7191. A roll call vote was taken.

Aye: Biggs, Rutt, Halligan, Johnson, Hutchison, Rexroth
Nay: None
Absent: Burkhart-Kriesel
Motion Carried.

7. Report on Adjacent Lots/Land Acquisition

Horn attended tonight's City Council meeting. The third reading of the request to rezone the lots was heard at the meeting, and the City Council voted unanimously to approve the rezoning request. In the next several days, the SPNRD Executive Committee will meet and consider moving ahead with the purchase.

8. *Request to Approve Cost-Share Application(s)

Greg Everitt submitted an SPNRD Cost-Share application for perimeter fence (NC-14, Planned Grazing) which exceeds the District manager's authorization to approve (exceeds \$5,600). The committee recommended approval of the application. Johnson moved on behalf of committee and Halligan seconded the motion to approve Greg Everitt's application for a maximum of \$9,000. A roll call vote was taken.

Aye: Rutt, Halligan, Johnson, Hutchison, Rexroth, Biggs
Nay: None
Absent: Burkhart-Kriesel
Motion Carried.

9. Final Report on the Corrected 2008 W-2s

Johnson and the committee reviewed Suhr's final report on the corrected 2008 W-2s. The final report was requested by the board. Appropriate reimbursements were documented. Johnson reported the committee was satisfied with the report.

10. FY2010 Budget Review and Issues

Johnson said Horn reviewed the six month report with the committee. No problems are anticipated but there could still be some unforeseen issues due to Nebraska budget cuts. Horn will keep the board informed.

11. *Authorization to Participate in the NARD's 2010 Washington, D.C. Trip

Halligan moved to authorize sending board members and Manager Horn to the NARD 2010 Washington, D.C. trip in March, 2010. Rutt seconded the motion. A roll call vote was taken.

Aye: Halligan, Johnson, Hutchison, Rexroth, Biggs, Rutt
Nay: None
Absent: Burkhart-Kriesel
Motion Carried.

9. *Election of Officers

A. Chair

Keith Rexroth has served as SPNRD Board of Directors Chair, exceeding the 4-year term limit for the Chair position. Hutchison moved to waive the 4-Year Chair Term policy. Halligan seconded the motion. A roll call vote was taken.

Aye: Johnson, Hutchison, Biggs, Rutt, Halligan
Nay: None
Abstain: Rexroth
Absent: Burkhart-Kriesel
Motion Carried.

Nominations opened for Chair. Rexroth was nominated by Halligan. Johnson moved and Biggs seconded the motion that nominations cease and a unanimous vote be cast for Rexroth for Chair. A roll call vote was taken.

Aye: Hutchison, Biggs, Rutt, Halligan, Johnson
Nay: None
Abstain: Rexroth
Absent: Burkhart-Kriesel
Motion Carried.

B. Vice-Chair

Chair Rexroth opened nominations for Vice-Chair. Burkhart-Kriesel was nominated by Hutchison. Hutchison moved and Biggs seconded the motion that nominations cease and a unanimous vote be cast for Burkhart-Kriesel for Vice-Chair. A roll call vote was taken.

Aye: Rexroth, Biggs, Rutt, Halligan, Johnson, Hutchison
Nay: None
Absent: Burkhart-Kriesel
Motion Carried.

C. Secretary

Chair Rexroth opened nominations for Secretary. Biggs was nominated by Halligan. Hutchison moved and Johnson seconded the motion that nominations cease and a unanimous vote be cast for Biggs for Secretary. A roll call vote was taken.

Aye: Rutt, Halligan, Johnson, Hutchison, Rexroth
Nay: None
Abstain: Biggs

Absent: Burkhart-Kriesel

Motion Carried.

D. Treasurer

Chair Rexroth opened nominations for Treasurer. Horn was nominated by Biggs. Johnson moved and Biggs seconded the motion that nominations cease and a unanimous vote be cast for Horn for Treasurer. A roll call vote was taken.

Aye: Rutt, Halligan, Johnson, Hutchison, Rexroth, Biggs

Nay: None

Absent: Burkhart-Kriesel

Motion Carried.

10. Appointment of NRD Members

A. Committees

Chair Rexroth appointed the following:

District Operations: Chair, Bill Halligan; Members, Jim Johnson and Keith Rexroth

Natural Resources/Projects & Programs: Chair, Paul Hutchison; Members, Larry Rutt, Tom Biggs and Cheryl Burkhart-Kriesel

B. *Nebraska Association of Resources Districts (NARD)

No action was taken on this agenda item, since the NARD delegate, Jim Johnson and alternate, Larry Rutt were elected during the board meeting on August 11, 2009.

C. Panhandle Resources Conservation and Development (PRC&D)

Rexroth appointed Burkhart-Kriesel as representative to the Panhandle RC&D. Rexroth will serve as alternate.

D. *Variance Advisory Committee (VAG) and Alternates

Rutt moved and Biggs seconded the motion to appoint Bill Halligan as board representative to the VAG Committee to replace Tom Biggs who is stepping down. Burkhart-Kriesel, Rexroth, Biggs and Johnson will serve as alternates. A roll call vote was taken.

Aye: Halligan, Johnson, Hutchison, Rexroth, Biggs, Rutt

Nay: None

Absent: Burkhart-Kriesel

Motion Carried.

11. Correspondence

Various items were provided to the board either by email or in the handout material.

12. Upcoming Dates

A. January 18, 2010 - Closed, Martin Luther King Jr. Day

B. January 25-27, 2010 - NARD Legislative Conference, Embassy Suites, Lincoln, Nebraska

C. February 9, 2010 - SPNRD Board of Directors Meeting

D. February 15, 2010 - Closed, Presidents Day

E. February 17, 2010 - Envirothon, Gordon

- F. February 23, 2010 - Upper Platte River Joint NRD Meeting, North Platte, NE from 11:00 a.m. CT to 3:00 p.m. CT
- G. March 6-10, 2010 - Annual NARD Washington, D.C. Trip, Embassy Suites
- H. June 20-23, 2010 - ACE Camp at Halsey

13. Adjourn

With no further business the meeting adjourned at 8:22 p.m.

Linda L. Suhr, Recording Secretary

*Denotes Action Items