

PUBLIC NOTICE

The South Platte Natural Resources District will hold a regular public meeting on July 14, 2009 at the South Platte Natural Resources District, 551 Parkland Drive, Sidney, Nebraska, at 7:00 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.

TENTATIVE AGENDA

1. Call to Order - Rexroth, Chair
 - A. Nebraska Open Meetings Act
 - B. Legal Notices
2. Minutes
 - A. Minutes of the June 9, 2009 meeting of the Board of Directors
 - B. Minutes of the June 9, 2009 meeting of the District Operations Committee
 - C. Minutes of the June 16, 2009 Hearing on the Proposed Changes to the Districtwide Ground Water Management Area Rules and Regulations
 - D. Approval of the Transcription of the June 16, 2009 Hearing on the Proposed Overappropriated Basin-Wide Management Area
 - E. Approval of the Transcription of the June 16, 2009 Hearing on the Proposed Amended Rule 9 to the Integrated Management Plan
 - F. Minutes of the June 23, 2009 Special meeting of the Board of Directors
3. *Treasurer's Report for June 2009 and Accounts Payable
4. Public Questions, Comments and/or Concerns
5. District Staff and Director Reports
6. Agency Reports
 - A. USDA-Natural Resources Conservation Service (NRCS)
 1. NRCS Report - Kristin Miller, D.C. - NRCS
 - B. Nebraska Association of Resources Districts (NARD)
 1. NARD Report - Johnson
 - C. Panhandle Resources Conservation and Development (PRC&D)
 1. PRC&D Report - Burkhart-Kriesel
 - D. Nebraska Department of Natural Resources (NDNR)
 1. NDNR Report - Rexroth
7. Final Reports
 - A. Conservation Tree Program Report - Wittrock
 - B. Community Forestry Program Report - Wittrock
8. Committee Reports
 - A. Natural Resources/Project and Programs Committee - Hutchison, Chair
 1. *Discussion and Action regarding Russ McMillen's Request for Cost-Share Assistance Concerning a Replacement Flow Meter
 2. *Action on Issues Pertaining to Dave Mackie, Prairie Winds Subdivision and the District's Integrated Management Plan
 3. Discussion on the District's Flow Meter Maintenance Program and Contractor Questionnaire

4. *Action as Desired Regarding Alan Adamson's Application/Agreement and Deed of Conservation Easement for the 2009 Lodgepole Creek EQIP Special Initiative
 5. Review the June 16, 2009 Hearings and Testimony Received Relating to:
 - a. The South Platte Natural Resources District and Nebraska Department of Natural Resources Proposed Overappropriated Basin-Wide Management Plan; and
 - b. The Proposed Amended Rule 9 to the Integrated Management Plan
 6. *Consideration to Agree to Adopt the Proposed Overappropriated Basin-Wide Management Plan with or without Modifications
 7. *Consideration to Agree to Implement the Proposed Amended Rule 9 with or without Modifications, and to Adopt and Implement the Controls and Incentive Programs Proposed in the Amended Rule 9 to the Integrated Management Plan
 8. *Review the June 16, 2009 Hearing and the Testimony Received Regarding the Amendments to the Rules and Regulations of the Districtwide Ground Water Management Area, and Action if desired on changes to the Proposed Amended Rules and Regulations
- B. District Operations Committee - Johnson, Chair
1. NSWCP Fund Report
 - a. *Discussion and Action as Desired Concerning the Distribution of NSWCP Funds for FY2010
 2. *Discussion and Action as Desired on Revisions to the District's Rental and Service Fees
 3. *Action to Reappoint Members for another 4-year Term on the SPNRD/CHESI Citizens' Monitoring Committee
 4. *Consideration to Approve the SPNRD/CHESI Citizens' Monitoring Committee's Recommendation to Adopt Amendment #2 of the Agreement between the Citizens' Monitoring Committee and MILCO Environmental Services, Inc. with the Provision that the Committee has the Flexibility to Review and Adjust the Scope of Work
 5. *Action on COHYST Restated and Amended Interlocal Agreement
 6. *Discussion and Action as Desired Regarding the Platte Basin Habitat Enhancement Program (PBHEP) Interlocal Agreement
 7. *Discussion and Action to Initiate the Process to Develop and Implement a South Platte NRD Multi-Jurisdictional All-Hazard Mitigation Plan
 8. *Action on SPNRD FY2010 Information/Promotion Program
 9. Preliminary FY2010 Budget Review
9. Correspondence
10. Upcoming Dates
- A. July 11, 2009 - SPNRD Board Meeting at 7:00 p.m.
 - B. July 24, 2009 SPNRD District Tour and Picnic
 - C. 2009 County Fair Dates and Locations:
 - July 26-August 2, 2009 - Cheyenne County Fair, Sidney, NE
 - August 6-8, 2009 - Deuel County Fair, Chappell, NE
 - August 6-11, 2009 - Kimball County Fair, Kimball, NE
 - D. August 25-26, 2009 - NRD Managers Retreat, Imperial, NE at the URNRD Facility
 - E. September 15-17, 2009 - Husker Harvest Days, Grand Island
 - F. September 27-29, 2009 - NARD Annual Conference, Holiday Inn, Kearney
 - G. January 25-27, 2010 - NARD Legislative Conference, Embassy Suites, Lincoln, Nebraska
11. Adjourn

*Denotes Action Items

MINUTES

The meeting of the South Platte Natural Resources District Board of Directors was held Tuesday, July 14, 2009, at the South Platte NRD Conference Room, 551 Parkland Drive, Sidney, NE, at 7:00 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

Cheryl Burkhart-Kriesel, Vice Chair (7:02 p.m.)

Tom Biggs, Secretary

Jim Johnson

Larry Rutt

Paul Hutchison (7:02 p.m.)

Bill Halligan

Board Members Absent

None

Others Present

Kristin Miller, District Conservationist,
NRCS/USDA

NRD Staff Present

Rod L. Horn, General Manager

Galen Wittrock, Assistant Manager

Chris Kaiser, Natural Resources Coordinator

Travis Glanz, Water Resources Technician

Linda L. Suhr, Admin. Manager

Kyle Liebig, Water Resources Coordinator

Don Ogle, I & E Coordinator

Information Material

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

1. July 14, 2009 Tentative Agenda, meeting of the SPNRD Board of Directors
2. July 14, 2009 Tentative Agenda, meeting of the District Operations Committee
3. July 13, 2009 Tentative Agenda, meeting of the Natural Resources/Projects & Programs Committee
4. June 9, 2009 Minutes, meeting of the SPNRD Board of Directors
5. June 9, 2009 Minutes, meeting of the District Operations Committee
6. June 16, 2009 Minutes, public hearing to receive testimony on the proposed amendments to the Districtwide Ground Water Management Area Rules and Regulations
7. June 16, 2009 Transcript, public hearing regarding the Basin-Wide Plan of Overappropriated Portions of the Platte River Basin, Nebraska
8. June 16, 2009 Transcript, public hearing regarding the Integrated Management Plan Rule 9
9. June 23, 2009 Minutes, special meeting of the SPNRD Board of Directors
10. June 2009 Treasurer's Report
11. July 6, 2009 Manager's Letter
12. June 30 staff reports: Linda L. Suhr, Administrative Manager; Jodi Livingstone, District Secretary; Jane T. Joyce, Field Office Secretary (Sidney); and Hilary L. Cook, Field Office Secretary (Kimball)
13. July 8, 2009 Memo to Board Re: Additional information mailed
14. July 2009 NRCS monthly report to the SPNRD
15. History of Nebraska's Natural Resources Districts (1975 version)
16. July 14, 2009 Memo to Board Re: Flow Meter Report for Russ McMillen
17. Russ McMillen's request for a replacement flow meter and attached invoice
18. David Mackie's request for his water well, attached map, CIR offsets and copy of IMP Rule 7.4.3.12

19. July 14, 2009 Memo to Board Re: Review of Testimony received for the proposed OA Basin-Wide Management Plan and Amended Rule 9 to the IMP from the June 16, 2009 public hearings
20. July 13, 2009 Discussion and responses by the SPNRD Natural Resources/Projects and Programs Committee and the Board Re: testimony received from the June 16, 2009 hearing regarding the Proposed Amendments to the SPNRD's Districtwide Ground Water Management Area Rules and Regulations
21. July 14, 2009 NSWCP spread sheet and list of practice applications that are waiting to be funded
22. July 6, 2009 Memo to DOPs Committee and Board Re: CHESI CMC-Reappointment of Committee Members
23. Amendment #2-Agreement for consultant services between CMC and MILCO
24. COHYST Interlocal Cooperation Agreement-Restated and Amended
25. Platte Basin Habitat Enhancement Project Interlocal Cooperation Agreement
26. SPNRD FY2010 Information/Promotion Program and Budget with attachments
27. July 14, 2009 Memo to DOPs Committee and Board Re: Preliminary FY2010 Budget issues and other planning needs
28. June 25, 2009 letter to Kristin Miller Re: Requesting NRCS assistance for preparing a plan for Sidney's East/Southeast Target Area drainage concerns
29. June 30, 2009 Status Report for the Groundwater Modeling Support for the Nebraska Cooperative Hydrology Study-High Plains Hydrology LLC
30. NeRAIN information
31. June 24, 2009 Minutes, NRD Managers Meeting
32. News Articles-"State Parks' Budget Squeeze", "Legislature to examine Nebraska's unique water management system", "Funding available to fight invasive weeds", "Reservoir storage at 9-year high", "Johnson Lake trail gets good share of CNPPID funds", "Water Fights: Republican River ruling is only a partial victory for Nebraska", and "Water Policy: Past, present and future"
33. Per Diem/Expense form

Meeting

1. Call to Order

Chair Rexroth called the meeting to order at 7:00 p.m.

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.

2. Minutes

A. Minutes of the June 9, 2009 meeting of the Board of Directors

These minutes were approved as presented.

B. Minutes of the June 9, 2009 meeting of the District Operations Committee

These minutes were approved as presented.

C. Minutes of the June 16, 2009 Hearing on the Proposed Changes to the Districtwide Ground Water Management Area Rules and Regulations

These minutes were approved as presented.

D. Approval of the Transcription of the June 16, 2009 Hearing on the Proposed Overappropriated Basin-Wide Management Area

This transcript was approved as presented.

E. Approval of the Transcription of the June 16, 2009 Hearing on the Proposed Amended Rule 9 to the Integrated Management Plan

This transcript was approved as presented.

F. Minutes of the June 23, 2009 Special meeting of the Board of Directors

These minutes were approved as presented.

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

Horn reviewed account balances as follows:

<u>Account</u>	<u>June 1, 2009</u>	<u>June 30, 2009</u>
SPNRD Checking/Repurchase	\$ 521,693.06	\$ 313,757.61
Citizens' Monitoring Committee	\$ 26,208.21	\$ 14,634.59
LPCSI-EQIP NPAIT	\$ 229,365.71	\$ 379,499.87
SPRCC NPAIT	\$ 55,095.58	\$ 55,111.43

Discussion was held about 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 Burkhart-Kriesel moved and Halligan seconded the motion to approve the Treasurer's Report and pay the accounts payable in the amount of \$31,369.28. A roll call vote was taken.

Aye: Halligan, Johnson, Burkhart-Kriesel, Hutchison, Rexroth, Biggs, Rutt

Nay: None

Absent: None

Motion Carried.

4. Public Questions, Comments and/or Concerns

None.

5. District Staff and Director Reports

Glanz, Wittrock, Kaiser, Liebig, Horn and Ogle gave oral reports. Suhr, Livingstone, Joyce and Cook prepared written reports.

- o Glanz worked on his goals, broken flow meter issues, temporary deferments, flow meter survey, lot clean-up, checked the Pine Bluffs Sand & Gravel flow meter, attended a well decommissioning for Velma Gade, planted a food plot to test the new no-till grass drill with Wittrock and Kaiser, performed a chemigation inspection, GPSd a pivot in Kimball County, discussed Sparling flow meters with a cooperator in Kimball County, prepared in-kind time sheets.
- o Wittrock prepared and submitted the request to Nebraska Environmental Trust for reimbursement in the amount of \$15,000 for the no-till grass drill, performed chemigation inspections, met with Mark Noble, NDNR regarding dam inspection at Oliver Reservoir, worked on the Community Forestry and 2009 Tree Program reports, worked on Buffer Strip renewals and new applications, attended a Bessey Nursery Advisory meeting, worked with NRCS, Nebraska Game and Parks Commission, Playa Lakes Group and NPNRD staff regarding a grant for perimeter fencing to supplement NSWCP and EQIP funding.
- o Kaiser performed domestic, irrigation and surface water sampling, attended a High Plains Weed Management Association meeting, signed up new NeRAIN cooperators and sent reminders to NeRAIN cooperators who weren't entering their data, worked with Phil Armstrong regarding his nitrogen reports, worked with Tom Johnson to correct an illegal well, worked with a cooperator south of Bushnell regarding an illegal well, worked to get an illegal well near Lodgepole decommissioned and met with Thad Kuntz, Jim Cannia and Steve Sibray about a possible grant to drill new monitoring wells.
- o Liebig worked on Variance Advisory Group issues, installed a GIS tool on staff PCs, met with Dave Mackie, drafted items for committee and board meetings, met with Castronics regarding selling land to the City of Kimball for a rail spur, inspected a new flow meter, attended a PBHEP meeting, worked

on Alan Adamson's decertification, assisted Kaiser to set posts at the dam on Oliver Reservoir, worked on a letter requesting information on municipal accounting, assisted with the IMP and OA Basin-Wide and Districtwide Rules and Regulations hearings at WNCC, met with Tim Peetz, Dinklage, regarding industrial accounting, attended a municipal accounting meeting with NPNRD staff, prepared a surface water spreadsheet for the District, worked on FY2010 budget items, watched a well drilling north of Lodgepole, worked on a GIS presentation, worked on the flow meter maintenance survey, worked on post cards for initial flow meter readings and met with Eakes Office Supply staff regarding INTACT software.

- Ogle attended the PBHEP meeting, attended an NARD public relations meeting in North Platte, worked on the NRD recreation brochure, assisted with the June 16 hearings, finished the SPNRD website, worked with Wittrock to arrange a ribbon cutting on July 22 for the new no-till grass drill, obtained promotional signage for the drill, finished the Pipeline and sent it to the printer, updated the NRD fact sheet, began preparing for the county fairs, contacted the Range Camp participants and began work on the Conservation Awards Banquet.
- Horn reported about progress on hiring a new 319 employee. Resumes are due by July 17 and he hopes to schedule interviews the week of July 27. Horn discussed the investments and the new certificates of deposit that were purchased (transferred from NPAIT) in July with Security First Bank for the LPCSI-EQIP account; a 6-month certificate in the amount of \$200,000 and a 3-month certificate in the amount of \$100,000. This was approved by prior board action on January 13, 2009. He attended a steering committee meeting on July 7 to try to get the Lodgepole Creek and South Platte River included in the CREP footprint. He distributed a summary of the testimony received and responses for the June 16, 2009 hearings. He passed around a NeRAIN data sheet for the District.

6. Agency Reports

E. USDA-Natural Resources Conservation Service (NRCS)

2. NRCS Report

Kristin Miller, District Conservationist, distributed the monthly report for July 2009. She reviewed items on the handout. Regarding the East Sidney Drainage project, Miller contacted Ron Moore with Panhandle RC&D about funding. She is working with Gary Person and John Henke to gather necessary information. She also reported that Senator Johanns is interested in supporting the project.

F. Nebraska Association of Resources Districts (NARD)

2. NARD Report

Jim Johnson gave a brief NARD report.

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

2. PRC&D Report

Cheryl Burkhart-Kriesel reported that the RC&D will be hosting the state convention in Gering during October. She attended a presentation by Steve Sibray on Uranium in the Chadron area. Other Uranium sites are possible in the Panhandle according to Sibray. Burkhart-Kriesel suggested Sibray speak with the board about possibilities of Uranium in the Panhandle.

H. Nebraska Department of Natural Resources (NDNR)

2. NDNR Report

Keith Rexroth gave a brief NDNR report. He attended the July 13 meeting in Chadron.

I. Final Reports

1. Conservation Tree Program Report

Wittrock gave the final report for the 2009 Conservation Tree Program. The handout information was reviewed. Twelve thousand fewer seedlings were sold during the 2009 season

compared to the 2008 season. He also provided a profit (loss) spreadsheet. The 2009 program produced an approximate \$3,882.41 loss.

2. Community Forestry Program Report

Wittrock reported on the Community Forestry Program for 2009. Improvements totaled \$50,031.70 from 6 applications. One hundred seventy-seven new trees were planted and 70 trees were removed. Two communities, Gurley and Dalton, participated in Re-Tree Nebraska. Wittrock will follow-up with those communities during the fall to determine success of the plantings.

7. Committee Reports

A. Natural Resources/Project and Programs Committee

1. *Discussion and Action regarding Russ McMillen's Request for Cost-Share Assistance Concerning a Replacement Flow Meter

Hutchison said the committee made no recommendation concerning McMillen's request and that McMillen was present at the committee meeting. However, the committee's recommendation was for staff to develop guidelines and/or a program and ascertain funds available concerning cost-share for broken flow meters, so that McMillen's request and the request of other cooperators with broken flow meters could be addressed equitably. The board discussed the committee's recommendation and was in favor with staff to move forward to develop guidelines and look into the possibility of funding for broken flow meters. Discussion was held about the problems with Sparling flow meters versus the reliability of McCrometer flow meters.

2. *Action on Issues Pertaining to Dave Mackie, Prairie Winds Subdivision and the District's Integrated Management Plan

Hutchison reviewed the David Mackie request. David Mackie, present at the committee meeting, requested to keep the well located at the Prairie Winds Subdivision at Section 32-T14W-R49, Cheyenne County, lower the well's capacity to less than 50 gpm and use it to water trees in the subdivision. One hundred eighty days is the limit for the well's capacity to be lowered and verification of the well pumpage after modification is required. Hutchison moved on behalf of committee and Burkhart-Kriesel seconded the motion to allow the well discussed above to be lowered to a capacity of less than 50 gpm within 180 days for the purpose of watering trees in the subdivision. A roll call vote was taken.

Aye: Johnson, Burkhart-Kriesel, Hutchison, Rexroth, Biggs, Rutt, Halligan

Nay: None

Absent: None

Motion Carried.

3. Discussion on the District's Flow Meter Maintenance Program and Contractor Questionnaire
The committee reviewed the comments from the flow meter contractors. Liebig will provide results of the survey at the August board meeting.

4. *Action as Desired Regarding Alan Adamson's Application/Agreement and Deed of Conservation Easement for the 2009 Lodgepole Creek EQIP Special Initiative

Wording changes were suggested to exempt single resident unit development without further approval in the Deed of Conservation Easement. Horn will make the suggested changes. Horn will meet with the Kimball County Commissioners on July 21, 2009 to begin the statutory process for approval of the conservation easement. Discussion was held that Adamson's surface water rights will be relinquished. With the modification discussed above, Hutchison moved and Burkhart-Kriesel seconded the motion to approve Alan Adamson's 2009 Application/Agreement

"over"

and Deed of Conservation Easement for the Lodgepole Creek Special Initiative EQIP program, as modified. A roll call vote was taken.

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

Discussion was held about when board members should abstain. It was requested to discuss this or to have a speaker address this at a future board meeting.

5. Review the June 16, 2009 Hearings and Testimony Received Relating to:
 - c. The South Platte Natural Resources District and Nebraska Department of Natural Resources Proposed Overappropriated Basin-Wide Management Plan
 - d. The Proposed Amended Rule 9 to the Integrated Management Plan

Hutchison reported the committee reviewed copies of the hearing transcripts and testimonies from the June 16, 2009 hearings and written testimony received up to June 23, 2009 for the OA Basin-Wide Management Plan and the proposed amended Rule 9 to the IMP. Hutchison, Biggs and Rexroth participated in a telephone conference on July 9, 2009 with Jennifer Schellpeper and Doug Hallum, NDNR, to discuss the testimony. A handout was provided with points from the testimonies and comments provided to those testimonies and discussion followed.

6. *Consideration to Agree to Adopt the Proposed Overappropriated Basin-Wide Management Plan with or without Modifications

A draft letter addressed to Brian Dunnigan, NDNR Director, was provided in the handout material. Hutchison moved on behalf of committee and Burkhart-Kriesel seconded the motion to agree to adopt the proposed OA Basin-Wide plan without modifications, and requested the Department to join the District in agreeing to adopt the Overappropriated Basin-Wide Management Plan without modifications. A roll call vote was taken.

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

7. *Consideration to Agree to Implement the Proposed Amended Rule 9 with or without Modifications, and to Adopt and Implement the Controls and Incentive Programs Proposed in the Amended Rule 9 to the Integrated Management Plan

A draft letter addressed to Brian Dunnigan, NDNR Director, was provided in the handout material. Hutchison moved on behalf of committee and Burkhart-Kriesel seconded the motion to agree to implement proposed amended Rule 9 and adopt and implement controls and incentive programs proposed in Rule 9 to the Integrated Management Plan without modifications, and requested the Department to join the District in agreeing to implement the amended Rule 9 without modifications, and to adopt and implement the controls and incentive programs in the amended Rule 9 to the IMP. A roll call vote was taken.

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

Motion Carried.

8. *Review the June 16, 2009 Hearing and the Testimony Received Regarding the Amendments to the Rules and Regulations of the Districtwide Ground Water Management Area, and Action if desired on changes to the Proposed Amended Rules and Regulations

Discussion was held on the oral and written testimonies received during the June 16, 2009 hearing. Written testimony was also received until June 23, 2009. The testimony given was valued by the board. Some of the board discussion included: 10" carryforward isn't enough-this would address "use it or lose it" but added not now but perhaps later-tableland allocations haven't been in affect long enough; incentives if less than allocation is used-"carrot not a whip"; being careful of timing-has there been ample time to let flow meter program work-credibility of NRD actions; should hot-spot north of Potter be addressed separately-are the tableland allocations too high-should there be one allocation Districtwide. Consensus was to agree to move forward with the amendments to the Rules and Regulations. No action will be taken on the agenda item until the August 2009 board meeting so this order will parallel the OA Basin-Wide and amended Rule 9 of the IMP.

C. District Operations Committee

10. NSWCP Fund Report

b. *Discussion and Action as Desired Concerning the Distribution of NSWCP Funds for FY2010

Johnson and the committee reviewed the NSWCP cost-share administered through the SPNRD. A handout was available for review, which included the applications waiting to be funded. The committee had no problem with the applications which ranged from \$1,995.67 to \$7,766.11. \$101,169.35 is available to allocate among practices for FY2010. The committee requested flexibility to modify percentages later if necessary. Johnson moved on behalf of committee and Halligan seconded the motion to distribute the funds as follows: 50% to NC-14, Planned Grazing; 20% to NC-12, Farmstead Windbreaks; and 30%, all other approved NSWCP practices. A roll call vote was taken.

Aye: Biggs, Rutt, Halligan, Johnson, Burkhart-Kriesel, Hutchison, Rexroth

Nay: None

Absent: None

Motion Carried.

11. *Discussion and Action as Desired on Revisions to the District's Rental and Service Fees

Johnson and the committee reviewed the rental agreement and staff recommendation for rental cost and service fees. Proposed rates are as follows: Tree Planter - \$80/day; Roto Tiller - \$80/tillage hour with \$80 minimum; Horizon Grass Drill - \$10/day with \$50 minimum; Truax and Great Plains No-Till Grass Drills - \$15/acre with \$50 minimum. Johnson moved on behalf of committee and Burkhart-Kriesel seconded the motion to approve the above rates and the application agreement. A roll call vote was taken.

Aye: Rutt, Halligan, Johnson, Burkhart-Kriesel, Hutchison, Rexroth, Biggs

Nay: None

Absent: None

Motion Carried.

12. *Action to Reappoint Members for another 4-year Term on the SPNRD/CHESI Citizens' Monitoring Committee

Johnson and the committee reviewed the CMC request to reappoint Jim Cederburg, Duane Janicek and Peggy Sanders each to four-year terms ending June 30, 2013. Johnson moved on behalf of committee and Burkhart-Kriesel seconded the motion to approve appointment of

"over"

Cederburg, Janicek and Sanders each to 4-year terms ending June 30, 2013. A roll call vote was taken.

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

13. *Consideration to Approve the SPNRD/CHESI Citizens' Monitoring Committee's Recommendation to Adopt Amendment #2 of the Agreement between the Citizens' Monitoring Committee and MILCO Environmental Services, Inc. with the Provision that the Committee has the Flexibility to Review and Adjust the Scope of Work

Johnson and the committee reviewed the CMC recommendation to adopt Amendment #2, a five-year agreement, between CMC and MILCO. The CMC requested the flexibility to review and adjust the scope of work if necessary. The CMC requested Chair, Larry Stahla sign the agreement and the committee had no problem with that. Johnson moved on behalf of committee and Burkhart-Kriesel seconded the motion to approve the request and a roll call vote was taken.

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

14. *Action on COHYST Restated and Amended Interlocal Agreement

Johnson reported the agreement is essentially the same other than Upper Big Blue NRD is no longer interested in the agreement. Johnson moved and Burkhart-Kriesel seconded the motion to accept the COHYST Interlocal Agreement and authorize Horn to sign the agreement when finalized. Discussion was held on #4 (page 2) regarding majority verses unanimous. Johnson noted that the committee did not think this was a good idea. Johnson offered an amendment to his motion to accept the overall COHYST agreement but empower the SPNRD delegate(s) (Horn, Director on the COYHST Board, and Kyle Liebig, Alternate) to object or vote no on the "unanimous" approval clause. Burkhart-Kriesel offered a second to the amendment. A roll call vote was taken on the amendment to the motion.

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

A roll call vote was held on the motion as amended.

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

15. *Discussion and Action as Desired Regarding the Platte Basin Habitat Enhancement Program (PBHEP) Interlocal Agreement

Johnson moved on behalf of committee and Burkhart-Kriesel seconded the motion to approve the PBHEP Interlocal Agreement with Horn to sign the document. A roll call vote was taken.

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

16. *Discussion and Action to Initiate the Process to Develop and Implement a South Platte NRD Multi-Jurisdictional All-Hazard Mitigation Plan

Johnson asked Horn to give an overview of the meeting Horn and Suhr attended with Harold Farrar, City of Kimball, Gary Person and John Henke, City of Sidney, Beth Fiegenschuh and Tom Noel, Cheyenne County, Ben Carlson, Deuel County Commissioner and Sheila Hascall, Emergency Management Officer, NEMA. Horn said Sheila Hascall presented information on the hazard mitigation process and answered questions regarding duplication of efforts with LEOPs and the Hazard Mitigation Plan. The group that met was in favor of the SPNRD taking the lead in the planning process, to initiate a process for RFPs for a consultant to apply for a hazard mitigation grant and develop the plan, but wanted to be involved in the hiring process for a consultant. The grant covers 75% of the cost and the local match, 25% (approximately \$25,000-\$30,000) was discussed to be funded by the District. Horn told the board that many of the NRDs involved in the hazard mitigation plan have picked up the local match, either in part or in entirety. Horn said it is a good role for the NRD.

Johnson and the committee held discussion and were in favor of the District moving forward with the hazard mitigation plan. It fits into the scope of the NRD role in aspects of resource management. Johnson moved on behalf of committee and Halligan seconded the motion to approve the District taking the lead to initiate the process to develop and implement a SPNRD multi-jurisdictional all-hazard mitigation plan, and the SPNRD to send requests for proposal and fund the amount not covered in the grant-25%. A roll call vote was taken.

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

17. *Action on SPNRD FY2010 Information/Promotion Program

Johnson and the committee discussed the SPNRD FY2010 information program budget in the amount of \$38,253 proposed by Ogle. Discussion was held that this fits into the local and statewide plan to bring NRD information to the public. This is similar to action taken last year. Johnson moved on behalf of committee and Burkhart-Kriesel seconded the motion to approve the SPNRD FY2010 Information/Promotion Program and budget. A roll call vote was taken.

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

18. Preliminary FY2010 Budget Review

Horn provided a handout for discussion purposes for the FY2010 budget process. Discussion followed. The board had no problem with the items proposed for the preliminary FY2010 budget.

8. Correspondence

Various items were provided to the board either by email or in the handout material. Horn pointed out the History of the NRDs provided in the material.

9. Upcoming Dates

- H. August 11, 2009 - SPNRD Board Meeting at 7:00 p.m.
- I. July 24, 2009 SPNRD District Tour and Picnic
- J. 2009 County Fair Dates and Locations:
 - July 26-August 2, 2009 - Cheyenne County Fair, Sidney, NE
 - August 6-8, 2009 - Deuel County Fair, Chappell, NE
 - August 6-11, 2009 - Kimball County Fair, Kimball, NE
- K. August 25-26, 2009 - NRD Managers Retreat, Imperial, NE at the URNRD Facility
- L. September 15-17, 2009 - Husker Harvest Days, Grand Island
- M. September 27-29, 2009 - NARD Annual Conference, Holiday Inn, Kearney
- N. January 25-27, 2010 - NARD Legislative Conference, Embassy Suites, Lincoln, Nebraska

10. Adjourn

With no further business the meeting adjourned at 9:47 p.m.

Linda L. Suhr, Recording Secretary

*Denotes Action Items