

MINUTES OF THE TRI-BASIN NRD BOARD MEETING
Tuesday, November 12, 2019, 7:30 p.m.
Tri-Basin NRD

CALL TO ORDER

The regular monthly board meeting of the Tri-Basin Natural Resources District (NRD) was called to order by Chairman, Bradley Lundeen, at 7:30 p.m. Lundeen noted Public Meeting Law is posted in the boardroom.

ROLL CALL

Roll call was taken with eight directors present: Bilka, Cavanaugh, Hinrichs, Johnson, Larson, Lundeen, Olsen and Reynolds. Garrelts, Raffety, Jorgensen, Bergstrom and Harris were absent. Notice of the meeting was published in the Holdrege Citizen, Bertrand Herald, Elwood Bulletin and Minden Courier and announced on radio stations KRVN, Lexington and KUVR, Holdrege.

EXCUSE ABSENCES

There were no absences to excuse.

MINUTES

Thorburn presented the minutes of the October 8, 2019 Board of Directors Meeting. Moved by Johnson, seconded by Reynolds, to approve the minutes for the October 8, 2019 Board of Directors Meeting. Motion carried.

AYE: Bilka, Cavanaugh, Hinrichs, Johnson, Larson, Lundeen, Olsen and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts, Harris, Jorgensen and Raffety

FINANCIAL REPORT

Hinrichs presented the financial report for the month of October 2019 as follows:

Accrual Expenditures for Month -----	\$112,283.90
Cash Expenditures for Month-----	\$125,143.50
Accrual Revenues for Month-----	\$1,777.86
Cash Revenues for Month-----	\$3,793.74
Bank Balance–October 31, 2019-----	\$174,936.00
Accounts Receivable – October 31, 2019-----	\$1,866.33
Investments – Pinnacle Bank – October 31, 2019-----	\$263,137.55
Building Sinking Fund – October 31, 2019-----	\$146,871.33
Vehicle Sinking Fund – October 31, 2019-----	\$71,609.93
Water Resources Fund – October 31, 2019-----	\$781,584.68
Whiskey Slough IPA Balance – October 31, 2019-----	\$10,756.17
Fort Kearny-West IPA Balance – October 31, 2019-----	\$11,684.41
South Dry Creek IPA Balance – October 31, 2019-----	\$11,801.92
Fort Kearny IPA Balance – October 31, 2019-----	\$15,185.37
Sacramento Creek IPA Balance – October 31, 2019-----	\$2,593.97
North Dry Creek IPA Balance – October 31, 2019-----	\$8,961.57
Water Jamboree – October 31, 2019-----	\$3,748.57
NR MDMA – October 31, 2019-----	\$7,633.43
Odessa IPA – October 31, 2019-----	\$11,007.29

Moved by Bilka, seconded by Larson, to approve the October 2019 Financial Report and submit for audit. Motion carried.

AYE: Bilka, Cavanaugh, Hinrichs, Johnson, Larson, Lundeen, Olsen and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts, Harris, Jorgensen and Raffety

SPECIAL BILLS

Thorburn presented the VISA, EA Engineering and attorney bills for approval. Moved by Johnson, seconded by Larson, to approve the VISA, EA Engineering and attorney bills. Motion carried.

AYE: Bilka, Hinrichs, Johnson, Larson, Lundeen, Olsen and Reynolds

NAY: Cavanaugh

ABSTAIN: None

ABSENT: Bergstrom, Garrelts, Harris, Jorgensen and Raffety

NRCS REPORT

FSA Farm Plans: There were no farm plans to approve.

Activity and Progress Report: Cammie Kerner reported staff is working on 2019 CSP payments, wrapping up EQIP and staff training. Michael Perry has moved to the Hastings NRCS office, so his position will be open.

COST SHARE REPORT

Well Abandonment – There were no well decommissioning applications to approve.

NSWCP & NRD Applications – There were no NSWCP or TBNRD cost-share applications to approve.

WCIP – There were no applications to approve.

GROUNDWATER MANAGEMENT

Groundwater & Certified Acre Transfers – Moved by Reynolds, seconded by Cavanaugh, to approve an irrigated transfer request for Cross/Miller/Jepsen. Motion carried.

AYE: Bilka, Cavanaugh, Hinrichs, Johnson, Larson, Lundeen, Olsen and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts, Harris, Jorgensen and Raffety

Educational Land Leases – There were no educational land leases to approve.

OTHER BUSINESS

The public was given the opportunity to bring other specific business or non-agenda items before the board for comment and/or discussion.

UNFINISHED BUSINESS

FY 2018-2019 Auditor's Report (Tonniges): Randy Tonniges reported on the 2018-2019 audit. Moved by Bilka, seconded by Johnson, to accept the 2018-2019 Auditor's Report and file with the State of Nebraska. Motion carried.

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AYE: Bilka, Cavanaugh, Hinrichs, Johnson, Larson, Lundeen, Olsen and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts, Harris, Jorgensen and Raffety

Swartz ALE Easement: An agreement to accept conservation easements secured by NRCS, was approved in August, Thorburn explained. The easement will remain on the tax rolls and will have to be submitted to the county zoning commission for review if TBNRD approves the easement. Tim Horst, Wetland America, commented that the ground can still be farmed but the easement protects the wetland restoration and allows management. Moved by Hinrichs, seconded by Olsen That the NRD refer the proposed Deed of Conservation Easement from Wetlands America Trust, Inc., with respect to the SE1/4 of Section 7, Township 6 North, Range 19, West of the 6th P.M., Phelps County, Nebraska, to the Phelps County Zoning/Planning Commission for comment; (2) That the proposed Deed of Conservation Easement be approved and accepted effective upon the earlier of the following: (a) upon receiving comments from the Phelps County Zoning/Planning Commission that the proposed Deed of Conservation Easement is in conformity with the comprehensive plan for the applicable area, or (b) 60 days after the date of referral to the Phelps County Zoning/Planning Commission if no such comments have been received by the NRD within such period of time; and (3) That upon the occurrence of the above condition(s), John Thorburn, General Manager for the NRD, should be and hereby is authorized to execute the Acceptance of the Deed of Conservation Easement on behalf of the NRD and to cause such instrument to be recorded with the Office of the Phelps County Clerk. Motion carried.

AYE: Bilka, Cavanaugh, Hinrichs, Johnson, Larson, Lundeen, Olsen and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts, Harris, Jorgensen and Raffety

Fall 2019 Groundwater Levels (Little): Little gave a presentation on groundwater level trending, which is trending up this year because of many heavy rainfall events.

NARD REPORT

NARD Fall Conference: Reynolds reported both resolutions were approved by the NARD Board and mentioned several items included in the NARD Annual Report, which was a handout.

COMMITTEE REPORTS

Projects-Construction Committee Meeting: Thorburn will set a meeting date later. Meetings will be held for landowners in the Lost Dry Creek and Lower North Dry Creek on Tuesday, November 19, at 2 pm at the Axtell Community Room. Several directors plan to attend.

STAFF REPORTS & NECESSARY ACTION

Board Directives to Staff: Thorburn mentioned he attended the RCCP meeting and enrolled in the program with the intent of funding land treatment cost-share, irrigation efficiency, wetland restoration in the North Dry Creek/Lost Creek area. There would be little impact to TBNRD's budget. Thorburn will present the plan for grant funding, which is due December 3, 2019, at the December Board meeting. Moved by Bilka, seconded by Hinrichs to authorize Thorburn to apply for RCCP. Motion carried.

AYE: Bilka, Cavanaugh, Hinrichs, Johnson, Larson, Lundeen, Olsen and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts, Harris, Jorgensen and Raffety

Out-of-State Travel: There was no out-of-state travel to approve.

MONTHLY REPORTS

Republican Basin (NRRMDA): Republican Basin Forecast meeting will be held November 13, 2019 at 10 am at TBNRD.

Platte Basin: POAC will meet on December 12, 2019.

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Sand Creek/Little Blue Basin: Thorburn sent letter to LBNRD requesting a full joint board meeting after harvest to review actions and differences over water quantity issues.

North Dry Creek: Staff has been cutting trees.

Odessa IPA: Staff has been cutting trees.

Sacramento Creek: Staff has been cutting trees.

Fort Kearny: Staff has been cutting trees.

Fort Kearny West: Staff has been cutting trees.

South Dry Creek: Staff has been cutting trees.

Whiskey Slough: Staff has been cutting trees.

Middle Lost Creek: Nothing to report.

Lake Seldom: Nothing to report.

CoHyst/Platte Basin Coalition: Modeling workshop will be held next week..

Rainwater Basin Joint Venture: Nothing to report.

Platte-Republican Diversion & Republican Basin Augmentation Well: A short PRD Board Meeting was held to pay bills.

CNPPID: Thorburn commented on a presentation on zebra mussels population increase in the Missouri Basin. Ford reported Lake McConaughey is at elevation 3257.8 ft.

NEW BUSINESS

Amendment to J-2 Agreement with NDNR: Thorburn explained that the amendment is needed to allow the foundation to continue to hold and distribute funding. Moved by Reynolds, seconded by Johnson to approve the amendment to the J-2 agreement. Motion carried.

AYE: Bilka, Cavanaugh, Hinrichs, Johnson, Larson, Lundeen, Olsen and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts, Harris, Jorgensen and Raffety

Excess Flow Diversion Agreement with CNPPID: Thorburn explained the rates in the agreement were amended from the previous version.

Moved by Bilka, seconded by Olsen to approve the Water Service Agreement for Groundwater Recharge from Excess Flows between CNPPID and TBNRD. Motion carried.

AYE: Bilka, Cavanaugh, Hinrichs, Johnson, Larson, Lundeen, Olsen and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts, Harris, Jorgensen and Raffety

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PERSONELL AND LEGAL MATTERS

There were no personnel or legal matters to discuss.

COMMENTS AND CONCERNS

There were no comments or concerns.

NEXT BOARD MEETING

TBNRD Regular Board Meeting will be held on Tuesday, December 10, 2019, 1:30 p.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:37 p.m.

DIRECTORS PRESENT

Joe Bilka, Mike Cavanaugh, Rob Hinrichs, Phyllis Johnson, Joe Larson, David Olsen, Larry Reynolds and Brad Lundeen

OTHERS PRESENT

Carie Lynch, John Thorburn, Sasha Hahn, Dave Ford, Cammie Kerner, Nolan Little, Tammy Fahrenbruch, Joel Grams, Gene Trausch, Gayle Reiners, Randy Bienhoff, Randy Tonniges, Tim Horst, Brandon Jameson and Nate Munter.

Respectfully Submitted:

Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS
TRI-BASIN NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
November 12, 2019

ID	Motion #	Category	Subject	Aye	Nay	Abstain	
	2019-11-12-01	Meeting Administration		8			Moved by Johnson, seconded by Reynolds, to approve the minutes for the October 8, 2019 Board of Directors Meeting. Motion carried.
	2019-11-12-02	Meeting Administration		8			Moved by Bilka, seconded by Larson, to approve the October 2019 Financial Report and submit for audit. Motion carried.
	2019-11-12-03	Budget		7	1		Moved by Johnson, seconded by Larson, to approve the VISA, EA Engineering and attorney bills. Motion carried.
	2019-11-12-04	Certification & Transfers	Cross/Miller/Jepsen	8			Moved by Reynolds, seconded by Cavanaugh, to approve an irrigated transfer request for Cross/Miller/Jepsen. Motion carried.
	2019-11-12-05	Budget	Approve auditors report	8			Moved by Bilka, seconded by Johnson, to accept the 2018-2019 Auditor's Report and file with the State of Nebraska. Motion carried.
	2019-11-12-06	Agreements	Swartz ALE Easement	8			Moved by Hinrichs, seconded by Olsen That the NRD refer the proposed Deed of Conservation Easement from Wetlands America Trust, Inc., with respect to the SE1/4 of Section 7, Township 6 North, Range 19, West of the 6 th P.M., Phelps County, Nebraska, to the Phelps County Zoning/Planning Commission for comment; (2) That the proposed Deed of Conservation Easement be approved and accepted effective upon the earlier of the following: (a) upon receiving comments from the Phelps County Zoning/Planning Commission that the proposed Deed of Conservation Easement is in conformity with the comprehensive plan for the applicable area, or (b) 60 days after the date of referral to the Phelps County Zoning/Planning Commission if no such comments have been received by the NRD within such period of time; and (3) That upon the occurrence of the above condition(s), John Thorburn, General

							8 Manager for the NRD, should be and hereby is authorized to execute the Acceptance of the Deed of Conservation Easement on behalf of the NRD and to cause such instrument to be recorded with the Office of the Phelps County Clerk. Motion carried.
	2019-11-12-07	Budget	RCPP	8			Moved by Bilka, seconded by Hinrichs to authorize Thorburn to submit an application for RCPP. Motion carried.
	2019-11-12-08	Agreements	J-2 Amendment	8			Moved by Reynolds, seconded by Johnson to approve the amendment to the J-2 agreement. Motion carried.
	2019-11-12-09	Agreements	Excess Flows	8			Moved by Bilka, seconded by Olsen to approve the Water Service Agreement for Groundwater Recharge from Excess Flows between CNPPID and TBNRD. Motion carried.