

MINUTES OF THE TRI-BASIN NRD BOARD MEETING
Tuesday, March 10, 2015, 1:30 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 David Olsen, at 1:31 p.m. Olsen noted Public Meeting Law is posted in the boardroom.

ROLL CALL

Roll call was taken with eleven directors present: Bergstrom, Bilka, Cavanaugh, Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety and Reynolds. Winz arrived at 1:33 p.m. Garrelts was 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 January 13, 2015, Board of Directors Meeting and January 20, 2015 Executive Committee meeting.

Moved by Johnson, seconded by Nickel, to approve the minutes for the February 10, 2015 Board Work Session. Motion carried.

AYE: Bilka, Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Winz

Moved by Larson, seconded by Lundeen, to approve the minutes for the February 10, 2015 Board of Directors Meeting. Motion carried.

AYE: Bilka, Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Winz

Moved by Nickel, seconded by Bergstrom, to approve the minutes for the January 20, 2015 Joint NRD Committee Meeting. Motion carried.

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

NAY: None

ABSTAIN: Bergstrom, Harris and Raffety

ABSENT: Garrelts and Winz

FINANCIAL REPORT

Bilka presented the financial report for the month of February 2015 as follows:

Accrual Expenditures for Month -----	\$244,361.99
Cash Expenditures for Month-----	\$244,937.02
Accrual Revenues for Month-----	\$38,615.82
Cash Revenues for Month-----	\$38,337.63
Bank Balance—February 28, 2015-----	\$327,626.07
Accounts Receivable – February 28, 2015-----	\$20,989.02

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Investments – Pinnacle Bank – February 28, 2015-----	\$50,041.18
Whiskey Slough IPA Balance – February 28, 2015-----	\$18,804.04
Fort Kearny-West IPA Balance – February 28, 2015-----	\$9,20.09
South Dry Creek IPA Balance – February 28, 2015-----	\$11,629.29
Fort Kearny IPA Balance – February 28, 2015-----	\$11,481.63
North Dry Creek IPA Balance – February 28, 2015-----	\$16,559.02
Sacramento Creek IPA Balance – February 28, 2015-----	\$22,623.35
Water Jamboree – February 28, 2015-----	\$5,170.93
NRRMDA – February 28, 2015-----	\$7,622.75
Odessa IPA – February 28, 2015-----	\$4,645.21

Moved by Bergstrom, seconded by Lundeen, to accept the February 2015 financial reports and file for audit. Motion carried.

AYE: Bilka, Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Garrelts

SPECIAL BILLS

Thorburn presented the VISA, CNPPID (2) and E&A Consulting bills for approval. Moved by Nickel, seconded Bilka to approve the visa bills. Motion carried.

AYE: Bilka, Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Garrelts

Moved by Bilka, seconded Lundeen to approve the E&A Consulting bill. Motion carried.

AYE: Bilka, Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Garrelts

Moved by Larson, seconded Winz to approve the CNPPID bills. Motion carried.

AYE: Bilka, Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Garrelts

NRCS REPORT

FSA Farm Plans: There were no farm plans for approval.

Activity and Progress Report: Breece reported staff has been working CSP payments and renewal contracts and staff has completed EQIP contracts.

COST SHARE REPORT

Well Abandonment – Thorburn presented nine well decommissioning cost-share applications for approval. Moved by Winz, seconded by Johnson to approve nine well decommissioning cost-share applications. Motion carried.

AYE: Bilka, Bergstrom, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: None

NSWCP & NRD Applications – Thorburn presented six NSWCP cost-share applications, one NSWCP amendment and four TBNRD windbreaks to approve. Thorburn also presented a Nebraska WILD contract for approval. Moved by Johnson, seconded by Lundeen to approve six NSWCP cost-share applications, NSWCP amendment, four TBNRD cost-share applications and NE WILD contract. Motion carried.

AYE: Bilka, Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Garrelts

GROUNDWATER MANAGEMENT

Groundwater & Certified Acre Transfers – Thorburn presented two groundwater transfer request (Causeway Inc. and SK&M Farms) and a correction to certified irrigated acres for Roger Peterson. Roger Peterson was present to answer questions.

Moved by Reynolds, seconded by Raffety to approve groundwater transfer requests for Causeway, Inc. and SK&M Farm and a correction to certified irrigated acres for Roger Peterson. Motion carried.

AYE: Bilka, Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Garrelts

Educational Land Leases – There were no education 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. Brad Schutz, Union Township, commented on the Republican Basin Augmentation Well Projects and asked the board to consider allowing Union Township to adopt the same standard as May and Grant Townships in Kearney County.

UNFINISHED BUSINESS

Set FY 2015 IPA Assessments: Thorburn presented the proposed IPA assessments for FY 2015 as approved by the IPA Steering Committees. Moved by Reynolds, seconded by Bergstrom to set the FY 2015 IPA assessments as follows: Fort Kearny - \$.25, Fort Kearny West - \$.15, North Dry Creek - \$.05, Sacramento Creek - \$.00, South Dry Creek - \$.15, Whiskey Slough - \$.00 and Odessa - \$5.66. Motion carried.

AYE: Bilka, Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Garrelts

Schedule Hearing on NRD Rules Revisions: Thorburn presented the proposed changes to the Groundwater Management Rules and Regulations. Thorburn explained the addition made to the rules and regulations concerning pooling. There was discussion about inter-basin transfers and nitrogen inhibitor application, both of which were not recommended as changes by the Planning Committee. Winz suggested changing the penalty for exceeding an allocation from the rate of 2 inches to 1 inch to the rate of 1 ½ inches to 1 inch.

Moved by Lundeen to allow transfers from the Platte and Republican Basins into the Little Blue Basin and add the policy to the Groundwater Management Rules and Regulations. Failed for lack of second.

Moved by Winz, seconded by Lundeen to amend the following motion to include using a one and one half to one inch penalty for exceeding an allocation instead of a two inch to one inch penalty (Section 8.5.6). Motion carried.

AYE: Bilka, Cavanaugh, Harris, Lundeen, Nickel, Olsen and Winz

NAY: Bergstrom, Johnson, Larson, Raffety and Reynolds

ABSTAIN: None

ABSENT: Garrelts

Moved by Nickel, seconded by Bilka to approve the Groundwater Management Rules and Regulations, as amended, for public hearing at the April 14th, Board of Director's meeting. Motion carried.

AYE: Bilka, Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Garrelts

NARD REPORT

Reynolds commented that a committee has been designated to select a new NDNR Director.

COMMITTEE REPORTS

Planning Committee: This item was discussed as an earlier agenda item.

Building Committee: Thorburn reviewed the Building Committee action. The Committee recommended that the library be used as an office for Fahrenbruch including installation of a window.

STAFF REPORTS & NECESSARY ACTION

Board Directives to Staff: There was no staff report.

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

MONTHLY REPORTS

Republican Basin (NRRMDA): Thorburn mentioned the Republican Basin IMP meeting will be held March 31, 2015 at 10:00 a.m. at the Cambridge Community Building. Thorburn talked about the Republican Basin Lawsuit outcome.

Platte Basin: The Governance Committee will meet March 17, 2015 in Kearney.

South Dry Creek: IPA meeting was held February 20, 2015.

Sacramento Creek: IPA meeting was held February 20, 2015.

Middle Lost Creek: Nothing to report.

Fort Kearny West: IPA meeting was held February 20, 2015.

Fort Kearny: IPA meeting was held February 20, 2015.

North Dry Creek: IPA meeting was held February 20, 2015.

Whiskey Slough: IPA meeting was held February 20, 2015.

Odessa IPA: IPA meeting will was February 20, 2015.

Lake Seldom: Nothing to report

CoHyst/Platte Basin Coalition: Final version of the model should be ready in June 2015.

Sand Creek/Little Blue Basin: Watershed Management Plan meeting will be held.

Weed Mgmt. Areas/Riparian Veg. TF: Nothing to report.

CNPPID: Trompke reported Elwood Reservoir releases started March 2, 2015 and will end March 31, 2015. Trompke reported on NET Telemetry Grant. Trompke mentioned data could be collected for Republican Basin water meters remotely for TBNRD.

NEW BUSINESS

Schedule Hearing for William Kuehn Property: Thorburn explained that the design plans for Sand Creek Reservoir indicated that an additional landowner would be involved because of the modification to the spillway. Thorburn explained the hearing process: TBNRD talks with landowner, a hearing is scheduled with no landowner contact for thirty days before or after the hearing. There was discussion about the timing of the hearing and providing landowner information. Moved by Cavanaugh, seconded by Reynolds to schedule a hearing for the William Kuehn Property for May 12, 2015. Motion failed.

AYE: Johnson

NAY: Bilka, Bergstrom, Cavanaugh, Harris, Larson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

ABSTAIN: None

ABSENT: Garrelts

PERSONNEL & LEGAL MATTERS

Moved by Reynolds, seconded by Winz to move to executive session for the protection of the public to discuss legal/contractual issues at 2:35 p.m. Motion carried.

AYE: Bilka, Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Garrelts

Moved by Bergstrom, seconded by Larson to move out of executive session for the protection of the public to discuss legal/contractual issues at 2:55 p.m. Motion carried.

AYE: Bilka, Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Garrelts

COMMENTS AND CONCERNS

There were no comments or concerns.

NEXT BOARD MEETING

TBNRD Regular Board Meeting will be held 7:30 p.m., on Tuesday, April, 2015 at Tri-Basin NRD

ADJOURNMENT

There being no further business, the meeting adjourned at 3:01 p.m.

DIRECTORS PRESENT

Brian Bergstrom, Joe Bilka, Mike Cavanaugh, Ed Harris, Phyllis Johnson, Joe Larson, Brad Lundeen, David Nickel, Dave Olsen, Dave Raffety, Larry Reynolds and Ray Winz.

OTHERS PRESENT

Carie Lynch, John Thorburn, Nicole Salisbury, Tammy Fahrenbruch, Marcia Trompke, Kevin Breece, Roger Peterson, Brad Schutz and Mike Winter.

Respectfully Submitted:

Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS
 TRI-BASIN NATURAL RESOURCES DISTRICT
 BOARD OF DIRECTORS MEETING
 March 10, 2015

ID	Motion #	Category	Subject	Aye	Nay	Abs	Motion
	2015-03-10-01	Meeting Administration		11			Moved by Johnson, seconded by Nickel, to approve the minutes for the February 10, 2015 Board Work Session. Motion carried.
	2015-03-10-02	Meeting Administration		11			Moved by Larson, seconded by Lundeen, to approve the minutes for the February 10, 2015 Board of Directors Meeting. Motion carried.
	2015-03-10-03	Meeting Administration		8		3	Moved by Nickel, seconded by Bergstrom, to approve the minutes for the January 20, 2015 Joint NRD Committee Meeting. Motion carried.
	2015-03-10-04	Meeting Administration		12			Moved by Bergstrom, seconded by Lundeen, to accept the February 2015 financial reports and file for audit. Motion carried.
	2015-03-10-05	Budget		12			Moved by Nickel, seconded Bilka to approve the visa bills. Motion carried.
	2015-03-10-06	Budget		12			Moved by Bilka, seconded Lundeen to approve the E&A Consulting bill. Motion carried.
	2015-03-10-07	Budget		12			Moved by Larson, seconded Winz to approve the CNPPID bills. Motion carried.
	2015-03-10-08	Meeting Administration		12			Moved by Winz, seconded by Johnson to approve nine well decommissioning cost-share applications. Motion carried.
	2015-03-10-09	Meeting Administration		12			Moved by Johnson, seconded by Lundeen to approve six NSWCP cost-share applications, NSWCP amendment, four TBNRD cost-share applications and NE WILD contract. Motion carried.

2015-03-10-10	Certification & Transfers	SK&M, Roger Peterson	12			Moved by Reynolds, seconded by Raffety to approve groundwater transfer requests for Causeway, Inc. and SK&M Farm and a correction to certified irrigated acres for Roger Peterson. Motion carried.
2015-03-10-11	Projects	2015 IPA Assessments	12			Moved by Reynolds, seconded by Bergstrom to set the FY 2015 IPA assessments as follows: Fort Kearny - \$.25, Fort Kearny West - \$.15, North Dry Creek - \$.05, Sacramento Creek - \$.00, South Dry Creek - \$.15, Whiskey Slough - \$.00 and Odessa - \$5.66. Motion carried.
2015-03-10-12	District Plans & Programs	Inter-basin transfers				Moved by Lundeen to allow transfers from the Platte and Republican Basins into the Little Blue Basin and add the policy to the Groundwater Management Rules and Regulations. Failed for lack of second.
2015-03-10-13	District Plans & Programs	Allocation penalty	7	5		Moved by Winz, seconded by Lundeen to amend the following motion to include using a one and one half to one inch penalty for exceeding an allocation instead of a two inch to one inch penalty (Section 8.5.6). Motion carried.
2015-03-10-14	District Plans & Programs	Groundwater Management Hearing	12			Moved by Nickel, seconded by Bilka to approve the Groundwater Management Rules and Regulations, as amended, for public hearing at the April 14 th , Board of Director's meeting. Motion carried.
2015-03-10-15	Projects	Sand Creek Reservoir – Kuehn Property		12		Moved by Cavanaugh, seconded by Reynolds to schedule a hearing for the William Kuehn Property for May 12, 2015. Motion failed.

	2015-03-10-16	Meeting Administration		12			Moved by Reynolds, seconded by Winz to move to executive session for the protection of the public to discuss legal/contractual issues at 2:35 p.m. Motion carried.
	2015-03-10-17	Meeting Administration		12			Moved by Bergstrom, seconded by Larson to move out of executive session for the protection of the public to discuss legal/contractual issues at 2:55 p.m. Motion carried.