

MINUTES OF THE TRI-BASIN NRD BOARD MEETING
Tuesday, April 9, 2013, 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 Nickel, at 1:34 p.m. Nickel noted Public Meeting Law is posted in the boardroom.

ROLL CALL

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

EXCUSE ABSENCES

Winz was excused from the February and March 2013 board meetings at the special board meeting earlier today.

MINUTES

Thorburn presented the minutes of the March 12, 2013 Board of Director's Meeting and Public Hearing and March 21, 2013 Projects & Construction Committee Meeting.

Moved by Olsen, seconded by Bilka, to approve the minutes for the March 12, 2013 Board of Directors Meeting and Public Hearing. Motion carried.

AYE: Bilka, Harris, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: Winz

ABSENT: Bergstrom, Garrelts and Johnson

Moved by Larson, seconded by Harris, to approve the minutes for the March 21, 2013 Projects & Construction Committee Meeting. Motion carried unanimously.

FINANCIAL REPORT

Thorburn presented the financial report for the month of March 2013 as follows:

Accrual Expenditures for Month -----	\$76,237.27
Cash Expenditures for Month-----	\$78,709.25
Accrual Revenues for Month-----	\$14,225.57
-	
Cash Revenues for Month-----	\$11,783.56
Bank Balance—March 31, 2013-----	\$203,359.66
-	
Accounts Receivable – March 31, 2013-----	\$7,432.12
Investments – Pinnacle Bank – March 31, 2013-----	\$1,003,129.6
-	2
Whiskey Slough IPA Balance – March 31, 2013-----	\$18,504.54
Fort Kearny-West IPA Balance – March 31, 2013-----	\$7,249.53
South Dry Creek IPA Balance – March 31, 2013-----	\$9,668.86
Fort Kearny IPA Balance – March 31, 2013-----	\$11,991.00
North Dry Creek IPA Balance – March 31, 2013-----	\$16,951.38
Sacramento Creek IPA Balance – March 31, 2013-----	\$23,920.99
-	

Moved by Raffety, seconded by Larson, to accept the March 31 2013 financial reports and file for audit. Motion carried.

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AYE: Bilka, Harris, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Johnson

SPECIAL BILLS

Thorburn presented the VISA, Olsson and Associates, NRRMDA and attorney bills for approval.

Moved by Bilka, seconded by Lundeen to approve the attorney bills. Motion carried.

AYE: Bilka, Harris, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Johnson

Moved by Lundeen, seconded by Winz to approve the VISA and URNRD bills. Motion carried.

AYE: Bilka, Harris, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Johnson

Moved by Raffety, seconded by Bilka to approve the Olsson & Associates bill contingent upon FEMA approval of the final plan. Motion carried.

AYE: Bilka, Harris, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Johnson

NRCS REPORT

FSA Farm Plans: There were no farm plans to approve

Activity and Progress Report: Curtis Scheele reported staff has been working on wetland determinations and EQIP.

COST SHARE REPORT

Well Abandonment – Thorburn presented eight well decommissioning cost-share applications for approval. Moved by Winz, seconded by Larson to approve well decommissioning cost-share applications #107-#118. Motion carried.

AYE: Bilka, Harris, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Johnson

NSWCP & NRD Applications – Thorburn presented eight NSWCP cost-share applications and twelve TBNRD cost-share applications. Moved by Bilka, seconded by Harris to approve eight NSWCP Cost-share applications and twelve TBNRD cost-share applications. Motion carried.

AYE: Bilka, Harris, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: Nickel

ABSENT: Bergstrom, Garrelts and Johnson

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

Groundwater & Certified Acre Transfers – Thorburn presented two groundwater transfer requests for Gwenda Olson and Nickel Farms, Inc., two certified irrigated acre transfer requests (John Kuehn - 2) and two special requests for George Fong and Arlen Osterbuhr. Both special requests were for corrections to certified acres.

Moved by Nelson, seconded by Olsen to approve groundwater transfer requests for Gwenda Olson and Nickel Farms, Inc. Motion carried.

AYE: Bilka, Harris, Larson, Lundeen, Nelson, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: Nickel

ABSENT: Bergstrom, Garrelts and Johnson

Moved by Raffety, seconded by Reynolds to approve certified irrigated acre transfer requests for John Kuehn. Motion carried.

AYE: Bilka, Harris, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Johnson

Moved by Reynolds, seconded by Lundeen to approve correction of certified irrigated acres for George Fong. Motion carried.

AYE: Bilka, Harris, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Johnson

Moved by Raffety, seconded by Olsen to approve correction of 29.5 certified irrigated acres for Minden Community Redevelopment Authority subject to final determination by the Kearney County Assessor. Motion carried.

AYE: Bilka, Harris, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Johnson

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

Proposed Odessa IPA: Thorburn explained landowners have requested that an Odessa IPA be formed. The estimated cost of the project is \$45,000. The Projects & Construction Committee reviewed the request and adjusted the boundaries. Keith Stafford, representing himself and additional landowners, spoke in favor of the IPA. Lee Wells gave additional information about his parcel. Thorburn explained a petition is not required for less than ten landowners, but a public hearing would be required. The UOB would be developed, landowners notified and a landowner vote is done. Moved by Reynolds, seconded by Raffety to proceed with a public hearing for Odessa IPA. Motion carried.

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AYE: Bilka, Harris, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Johnson

N. Dry Creek Evaluation Study: Thorburn explained HDR Engineering proposed two options for the North Dry Creek Streamflow Augmentation Study: Option A uses comparison of the CoHyst to a refined grid and Option B compares CoHyst model to an analytical model. NDNR recommended Option B and would fund ½ the cost. NRD's cost is \$20,450, which would apply to any other phase or additional wells. Olsen suggested getting verification from NDNR that the study would be good for 10 years if the study is in our favor. Thorburn explained that the study will analyze results of using augmentation well and not using augmentation well over fifty years and will show when the project will reach the end of beneficial use. Reynolds commented that NDNR hasn't agreed on a set amount of offset for the project. Funding for the project could come from cash reserve, budgeted amounts for other projects that aren't going to be done this year or next year's budget. Thorburn explained in May, a report will be issued with data for the Platte River Recovery Program stating the amount of offset benefit from TBNRD activities. The report is consolidated with the state's report to the Governance Committee. When the Governance Committee accepts the report, TBNRD's credit is approved. This process has been used in the past on other projects.

Moved by Lundeen, seconded by Bilka to approve 50% of the cost for HDR Engineering Option B for North Dry Creek Augmentation Well Study to be paid from the 2012-2013 FY budgeted amount for the J-2 Re-Regulation Reservoir. Motion carried.

AYE: Bilka, Harris, Larson, Lundeen, Nelson, Olsen, Reynolds and Winz

NAY: Raffety

ABSTAIN: Nickel

ABSENT: Bergstrom, Garrelts and Johnson

Proposed NRD Rules Revisions: Thorburn mentioned that in the preceding meeting a motion was made concerning nitrogen application. No recommendation was made on changing the process to correct certified acres. Nickel suggested the Planning Committee re-examine the correction to certified acre process or the topic be dropped.

NARD REPORT

Winz and Reynolds reported on NARD Washington DC Conference.

COMMITTEE REPORTS

Projects & Construction: Thorburn reviewed the actions at the P&C Committee meeting. Moved by Nelson, seconded by Bilka to accept the committee recommendation to provide in-kind assistance only for the next phase of the Johnson Lake Trail. Motion carried.

AYE: Bilka, Harris, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Johnson

STAFF REPORTS & NECESSARY ACTION

Board Directives to Staff: There were no staff reports to review.

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

MONTHLY REPORTS

Republican Basin (NRRMD): Thorburn attended an N-CORPE meeting and land auction.

Platte Basin: Land Committee met March 26, 2013 and discussed public access to hunting lands.

South Dry Creek: Nothing to report.

Sacramento Creek: Nothing to report.

Middle Lost Creek: Nothing to report.

Fort Kearny West: Nothing to report.

Fort Kearny: Nothing to report.

North Dry Creek: Nothing to report.

Whiskey Slough: Nothing to report.

Lake Seldom: Meeting will be held with Nature Conservancy and land management transition.

CoHyst/Platte Basin Coalition: Thorburn will attend a CoHyst Workshop.

Weed Management Areas – Riparian Vegetation Task Force: Twin Valley Weed Management Area is planning on clearing trees on Spring Creek.

Sand Creek/Little Blue Basin: Negotiations have begun with landowners.

CNPPID: Ford reported Lake McConaughay 65% full and elevation 3241.9 feet.

NEW BUSINESS

NE WILD Program Tall Stubble Incentive: John Laux presented information on a Nebraska Game and Parks Commission program that will pay landowners to keep tall stubble in wheat and milo fields. TBNRD would help facilitate the program but not contribute funding. Thorburn commented that information about the program was included in the TBNRD newsletter. Laux will hold an informational meeting at TBNRD on Wednesday, April 17.

COMMENTS AND CONCERNS

There were no comments and concerns.

PERSONNEL & LEGAL MATTERS

Moved by Reynolds, seconded by Olsen to move to executive session for the protection of the public to discuss contractual matters at 3:21 p.m. Motion carried.

AYE: Bilka, Harris, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Johnson

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Moved by Olsen, seconded by Harris to move out of executive session for the protection of the public to discuss contractual matters at 3:51 p.m. Motion carried.

AYE: Bilka, Harris, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Garrelts and Johnson

NEXT BOARD MEETING

TBNRD Regular Board Meeting will be held at 7:30 p.m., on Tuesday, May 14, 2013 at Tri-Basin NRD.

ADJOURNMENT

There being no further business, the meeting adjourned at 3:55 p.m.

DIRECTORS PRESENT

Joe Bilka, Ed Harris, Joe Larson, Bradley Lundeen, David Nelson, David Nickel, Dave Olsen, Dave Raffety, Larry Reynolds and Ray Winz.

OTHERS PRESENT

Carie Lynch, John Thorburn, Nicole Salisbury, Curtis Scheele, Tammy Fahrenbruch, Dave Ford, Charles, Brooks, Nolan Little, Roger Jones, Nate Cederburg, Arlen Osterbuhr, John Kuehn, Lee Wells, Blake Johnson, Jim Ostgren, Keith Stafford and Jared Olsen.

Respectfully Submitted:

Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS
 TRI-BASIN NATURAL RESOURCES DISTRICT
 BOARD OF DIRECTORS MEETING
 April 9, 2013

Motion #	Category	Subject	Aye	Nay	Abs	Motion
2013-04-09-01	Meeting Administration		9		1	<u>Moved by Olsen, seconded by Bilka, to approve the minutes for the March 12, 2013 Board of Directors Meeting and Public Hearing. Motion carried.</u>
2013-04-09-02	Meeting Administration					<u>Moved by Larson, seconded by Harris, to approve the minutes for the March 21, 2013 Projects & Construction Committee Meeting. Motion carried unanimously.</u>
2013-04-09-03	Meeting Administration		10			<u>Moved by Raffety, seconded by Larson, to accept the March 31 2013 financial reports and file for audit. Motion carried.</u>
2013-04-09-04	Budget		10			<u>Moved by Bilka, seconded by Lundeen to approve the attorney bills. Motion carried.</u>
2013-04-09-05	Budget		10			<u>Moved by Lundeen, seconded by Winz to approve the VISA and URNRD bills. Motion carried.</u>
2013-04-09-06	Budget		10			<u>Moved by Raffety, seconded by Bilka to approve the Olsson & Associates bill contingent upon FEMA approval of the final plan. Motion carried.</u>
2013-04-09-07	Meeting Administration		10			<u>Moved by Winz, seconded by Larson to approve well decommissioning cost-share applications #107-#118. Motion carried.</u>
2013-04-09-08	Meeting Administration		9		1	<u>Moved by Bilka, seconded by Harris to approve eight NSWCP Cost-share applications and twelve TBNRD cost-share applications. Motion carried.</u>
2013-04-09-09	Certification & Transfers	Olson & Nickel	9		1	<u>Moved by Nelson, seconded by Olsen to approve groundwater transfer requests for Gwenda Olson and Nickel Farms.</u>

						<u>Inc. Motion carried.</u>
2013-04-09-10	Certification & Transfers	John Kuehn	10			<u>Moved by Raffety, seconded by Reynolds to approve certified irrigated acre transfer requests for John Kuehn. Motion carried.</u>
2013-04-09-11	Certification & Transfers	George Fong	10			<u>Moved by Reynolds, seconded by Lundeen to approve correction of certified irrigated acres for George Fong. Motion carried.</u>
2013-04-09-12	Certification & Transfers	Minden Community Redevelopment	10			<u>Moved by Raffety, seconded by Olsen to approve correction of 29.5 certified irrigated acres for Minden Community Redevelopment Authority subject to final determination by the Kearney County Assessor. Motion carried.</u>
2013-04-09-13	Projects	Odessa IPA	10			<u>Moved by Reynolds, seconded by Raffety to proceed with a public hearing for Odessa IPA. Motion carried.</u>
2013-04-09-14	Projects	NDC Study	8	1	1	<u>Moved by Lundeen, seconded by Bilka to approve 50% of the cost for HDR Engineering Option B for North Dry Creek Augmentation Well Study to be paid from the 2012-2013 FY budgeted amount for the J-2 Re-Regulation Reservoir. Motion carried.</u>
2013-04-09-15	Projects	Johnson Lake Trail	10			<u>Moved by Nelson, seconded by Bilka to accept the committee recommendation to provide in-kind assistance only for the next phase of the Johnson Lake Trail. Motion carried.</u>
2013-04-09-16	Meeting Administration		10			<u>Moved by Reynolds, seconded by Olsen to move to executive session for the protection of the public to discuss contractual matters at 3:21 p.m. Motion carried.</u>
2013-04-09-17	Meeting Administration		10			<u>Moved by Olsen, seconded by Harris to move out of executive session for the protection of the public to discuss contractual matters at 3:51 p.m. Motion carried.</u>