

**MINUTES OF THE TRI-BASIN NRD BOARD MEETING**  
**Tuesday, May 14, 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 nine directors present: Bilka, Garrelts, Hinrichs, Jorgensen, Johnson, Lundeen, Olsen, Raffety and Reynolds. Bergstrom, Cavanaugh, Harris and Larson 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**

Moved by Bilka, seconded by Garrelts, to excuse Dave Olsen from the March and April 2019 board meetings. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Raffety and Reynolds

NAY: None

ABSTAIN: Olsen

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

**MINUTES**

Thorburn presented the minutes of the April 9, 2019 Board of Directors Meeting, April 17, 2019 Special Board Meeting and May 2, 2019 Executive Committee Meeting

Moved by Bilka, seconded by Johnson, to approve the minutes for the April 9, 2019 Board of Directors Meeting. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Raffety and Reynolds

NAY: None

ABSTAIN: Olsen

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

Moved by Johnson, seconded by Olsen, to approve the minutes for the April 17, 2019 Special Board Meeting. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

Moved by Garrelts, seconded by Hinrichs, to approve the minutes for the May 2, 2019 Executive Committee Meeting Minutes. Motion carried unanimously.

**FINANCIAL REPORT**

Hinrichs presented the financial report for the month of April 2019 as follows and explained how the Auditor's Adjusting Entries affected the balance in the Odessa Loan Account:

Accrual Expenditures for Month .....	\$97,847.22
Cash Expenditures for Month.....	\$109,945.90
Accrual Revenues for Month.....	\$24,767.67
Cash Revenues for Month.....	\$35,846.24
Bank Balance—April 30, 2019.....	\$263,604.45

Accounts Receivable – April 30, 2019-----	\$5,235.07
Investments – Pinnacle Bank – April 30, 2019-----	\$960,377.41
Building Sinking Fund – April 30, 2019-----	\$39,857.99
Vehicle Sinking Fund – April 30, 2019-----	\$54,454.06
Water Resources Fund – April 30, 2019-----	\$495,148.54
Whiskey Slough IPA Balance – April 30, 2019-----	\$14,333.29
Fort Kearny-West IPA Balance – April 30, 2019-----	\$14,106.19
South Dry Creek IPA Balance – April 30, 2019-----	\$12,035.70
Fort Kearny IPA Balance – April 30, 2019-----	\$14,680.29
Sacramento Creek IPA Balance – April 30, 2019-----	\$3,070.11
North Dry Creek IPA Balance – April 30, 2019-----	\$11,648.27
Water Jamboree – April 30, 2019-----	\$6,759.00
NRRCMDA – April 30, 2019-----	\$7,632.28
Odessa IPA – April 30, 2019-----	\$7,500.23

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

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

**SPECIAL BILLS**

Thorburn presented the VISA, PRD and attorney bills for approval. Moved by Johnson, seconded by Bilka, to approve the VISA, PRD and attorney bills. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

**NRCS REPORT**

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

**Activity and Progress Report:** Cammie Kerner reported that staff is ranking new CSP contracts, a new grassland conservation program has started that replaces a previous program, FSA reviews will not be required this year and Phelps County was approved for ECP

**COST SHARE REPORT**

**Well Abandonment** – Thorburn presented four well decommissioning cost-share applications to approve. Moved by Raffety, seconded by Olsen, to approve four well decommissioning cost-share applications. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

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**NSWCP & NRD Applications** – Thorburn presented one windbreak renovation and fifteen windbreak TBNRD cost-share applications for approval.

Moved by Olsen, seconded by Raffety, to approve sixteen TBNRD cost-share applications and six WCIP applications. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

**WCIP** – This item was addressed in the previous motion.

**GROUNDWATER MANAGEMENT**

**Groundwater & Certified Acre Transfers** – Thorburn presented two irrigated acre transfer requests for Phelps County Development Corp. Jeff Moon, Justin Bertrand and Ron Tillery were present to answer questions. Moved by Garrelts, seconded by Bilka to approve two irrigated acre transfer requests for Phelps County Development Corp. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

**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. There was no public comment.

**UNFINISHED BUSINESS**

**Financing for New Shop Building:** Thorburn stated that the Executive Committee recommended purchasing the building with Cash Reserve. Moved by Reynolds, seconded by Garrelts to accept the recommendation of the Executive Committee to purchase the Holdrege Armory building from cash reserve. Motion carried unanimously.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

**Terminate Existing Shop Lease:** Moved by Johnson, seconded by Bilka to terminate the lease on the Holdrege Airport Authority shop building and allow Garrelts to negotiate a month-to-month lease. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

**PCS Database Agreement Amendment:** Thorburn explained that additional changes need to be made to the database that would make it more user-friendly. These costs aren't included in the original agreement. Funding for the additions will come from the next budget year. Moved by Bilka, seconded by Hinrichs to approve the contract amendment with PCS. Motion carried.

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AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

**Approve WCIP Contract Form:** Thorburn reviewed changes to the WCIP contract which included termination language and an option for landowners to keep the WCIP agreement even if the township goes into Phase III. Moved by Olsen, seconded by Reynolds to approve the Water Conservation Incentive Program Agreement. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

**GW Management Rules Violator Cease and Desist Order:** This item will be discussed later in the meeting.

**NARD REPORT**

Reynolds commented that the NARD Basin Tour is in June.

**COMMITTEE REPORTS**

**Executive Committee:** This item has already been discussed.

**STAFF REPORTS & NECESSARY ACTION**

**Board Directives to Staff:** Thorburn mentioned TBNRD has two summer interns: Zach Temple and Grant Edgecombe. Two Rivers Public Health has asked TBNRD to help with mosquito trapping to document the West Nile Virus. There was a theft from vehicles at TBNRD on May 25, 2019.

Moved by Reynolds, seconded by Hinrichs to allow staff to participate in mosquito trapping for Two Rivers Public Health. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen and Reynolds

NAY: Raffety

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

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

**MONTHLY REPORTS**

**Republican Basin (NRRMDA):** Nothing to report.

**Platte Basin:** Platte Basin Hearing will be held on July 16, 2019 and coinciding Special Board Meeting will be held on July 25, 2019.

**Sand Creek/Little Blue Basin:** LBNRD is working on their IMP and a landowner was found for a Sand Creek Diversion.

**North Dry Creek:** Staff will do spot spraying for noxious weeds.

**Odessa IPA:** Staff will do spot spraying for noxious weeds.

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**Sacramento Creek:** Staff will do spot spraying for noxious weeds.

**Fort Kearny:** Staff will do spot spraying for noxious weeds.

**Fort Kearny West:** Staff will do spot spraying for noxious weeds.

**South Dry Creek:** Staff will do spot spraying for noxious weeds.

**Whiskey Slough:** Staff will do spot spraying for noxious weeds.

**Middle Lost Creek:** Staff will do spot spraying for noxious weeds.

**Lake Seldom:** Nothing to report.

**CoHyst/Platte Basin Coalition:** Nothing to report.

**Rainwater Basin Joint Venture:** Excess Flows are being diverted into Johnson WPA.

**Platte-Republican Diversion & Republican Basin Augmentation Well:** Nothing to report.

**CNPPID:** Trompke reported Lake McConaughey is at 3257 elevation and 86% of capacity. Trompke gave a presentation on groundwater levels in CNPPID observation wells.

#### **NEW BUSINESS**

**Replace 2012 Chevy Pickup:** Thorburn presented bids for the replacement of the 2012 Chevy pickup. Moved by Reynolds, seconded by Bilka to accept the bid from Janssen Ford for the F150 XLT Super cab. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

**Grain Bag Recycling:** Thorburn explained that the Holdrege Recycling Center is willing to hold grain bin bags for the recycler to pick up. TBNRD would promote the recycling project. There was discussion about who will provide the labor for grain bag packaging and loading. Moved by Garrelts, seconded by Bilka to allow staff to participate in grain bag recycling. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

**Range Camp Scholarship Request:** Moved by Raffety, seconded by Olsen to approve a Range Camp scholarship. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

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**Revise Personnel Policy:** Thorburn explained two policy changes in the Personnel Policy Manual: Weather closing policy and retirement policy. Moved by Johnson, seconded by Raffety to accept the Executive Committee Recommendation and approve the changes to the Personnel Policy. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

**PERSONELL AND LEGAL MATTERS**

Moved by Bilka, seconded by Olsen to move to executive session at 8:53 p.m. for the protection of the public to discuss legal matters. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

Moved by Johnson, seconded by Reynolds to move out of executive session at 9:40 p.m. for the protection of the public to discuss legal matters. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

Moved by Garrelts, seconded by Johnson to adopt the Cease and Desist Order against Michael Cavanaugh as drafted as presented to the board. Motion carried.

AYE: Bilka, Garrelts, Hinrichs, Johnson, Jorgensen, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bergstrom, Cavanaugh, Harris and Larson

**COMMENTS AND CONCERNS**

There were no comments and concerns.

**NEXT BOARD MEETING**

TBNRD Regular Board Meeting will be held on Tuesday, June 18, 2019, at 1:30 p.m.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 9:42 p.m.

**DIRECTORS PRESENT**

Joe Bilka, Todd Garrelts, Rob Hinrichs, Greg Jorgensen, Phyllis Johnson, Bradley Lundeen, David Olsen, Dave Raffety and Larry Reynolds.

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**OTHERS PRESENT**

Carie Lynch, John Thorburn, Nolan Little, Nicole Salisbury, Tammy Fahrenbruch, Camilla Kerner, Nate Munter, Ron Tillery, Jeff Moon, Justin Bertrand, Jeff Cox and Marcia Trompke.

Respectfully Submitted:

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Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS  
 TRI-BASIN NATURAL RESOURCES DISTRICT  
 BOARD OF DIRECTORS MEETING  
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ID	Motion #	Category	Subject	Aye	Nay	Abstain	
	2019-05-14-01	Meeting Administration		8		1	Moved by Bilka, seconded by Garrelts, to excuse Dave Olsen from the March and April 2019 board meetings. Motion carried.
	2019-05-14-02	Meeting Administration		8		1	Moved by Bilka, seconded by Johnson, to approve the minutes for the April 9, 2019 Board of Directors Meeting. Motion carried.
	2019-05-14-03	Meeting Administration		9			Moved by Johnson, seconded by Olsen, to approve the minutes for the April 17, 2019 Special Board Meeting. Motion carried.
	2019-05-14-04	Meeting Administration					Moved by Garrelts, seconded by Hinrichs, to approve the minutes for the May 2, 2019 Executive Committee Meeting Minutes. Motion carried unanimously.
	2019-05-14-05	Meeting Administration		9			Moved by Reynolds, seconded by Bilka, to approve the April 2019 Financial Report and submit for audit. Motion carried.
	2019-05-14-06	Budget		9			Moved by Johnson, seconded by Bilka, to approve the VISA, PRD and attorney bills. Motion carried.
	2019-05-14-07	Meeting Administration		9			Moved by Raffety, seconded by Olsen, to approve four well decommissioning cost-share applications. Motion carried.
	2019-05-14-08	Meeting Administration		9			Moved by Olsen, seconded by Raffety, to approve sixteen TBNRD cost-share applications and six WCIP applications. Motion carried.
	2019-05-14-09	Certification & Transfers	PCDC	9			Moved by Garrelts, seconded by Bilka to approve two irrigated acre transfer requests for Phelps County Development Corp. Motion carried.
	2019-05-14-10	Budget	Armory	9			Moved by Reynolds, seconded by Garrelts to accept the recommendation of the Executive Committee to purchase the Holdrege Armory building from cash reserve. Motion carried unanimously.
	2019-05-14-11	Budget	Lease on AA Shop Terminate	9			Moved by Johnson, seconded by Bilka to terminate the lease on the Holdrege Airport Authority shop building and



							allow Garrelts to negotiate a month-to-month lease. Motion carried.
	2019-05-14-12	Budget	PCS Amendment	9			Moved by Bilka, seconded by Hinrichs to approve the contract amendment with PCS. Motion carried.
	2019-05-14-13	District Plans & Programs	WCIP Agreement	9			Moved by Olsen, seconded by Reynolds to approve the Water Conservation Incentive Program Agreement. Motion carried.
	2019-05-14-14	Agreements	TRPH Mosquito Trapping	8	1		Moved by Reynolds, seconded by Hinrichs to allow staff to participate in mosquito trapping for Two Rivers Public Health. Motion carried.
	2019-05-14-15	Budget	Pickup	9			Moved by Reynolds, seconded by Bilka to accept the bid from Janssen Ford for the F150 XLT Super cab. Motion carried.
	2019-05-14-16	District Plans & Programs	Grain Bag	9			Moved by Garrelts, seconded by Bilka to allow staff to participate in grain bag recycling. Motion carried.
	2019-05-14-17	Educational & Awards	Range Camo Scholarship	9			Moved by Raffety, seconded by Olsen to approve a Range Camp scholarship. Motion carried.
	2019-05-14-18	Personnel	Personnel Policy	9			Moved by Johnson, seconded by Raffety to accept the Executive Committee Recommendation and approve the changes to the Personnel Policy. Motion carried.
	2019-05-14-19	Meeting Administration		9			Moved by Bilka, seconded by Olsen to move to executive session at 8:53 p.m. for the protection of the public to discuss legal matters. Motion carried.
	2019-05-14-20	Meeting Administration		9			Moved by Johnson, seconded by Reynolds to move out of executive session at 9:40 p.m. for the protection of the public to discuss legal matters. Motion carried.
	2019-05-14-21	District Plans & Programs	Cavanaugh Cease & Desist	9			Moved by Garrelts, seconded by Johnson to adopt the Cease and Desist Order against Michael Cavanaugh as drafted as presented to the board. Motion carried.