

MINUTES OF THE TRI-BASIN NRD BOARD MEETING
Tuesday, June 11, 2013, 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 David Nickel, at 7:32 p.m. Nickel noted Public Meeting Law is posted in the boardroom. A hearing to consider the proposed groundwater management rules and regulations was opened prior to this meeting.

ROLL CALL

Roll call was taken with eleven directors present: Bergstrom, Bilka, Harris, Johnson, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety and Winz. Garrelts and Reynolds 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

Moved by Olsen, seconded by Johnson to excuse Bergstrom from the April and May 2013 board meetings. Motion carried.

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

NAY: None

ABSTAIN: Bergstrom

ABSENT: Garrelts and Reynolds

MINUTES

Thorburn presented the minutes of the May 14, 2013 Board of Director's Meeting and Hearing and May 28, 2013 Executive Committee Meeting.

Moved by Bilka, seconded by Winz, to approve the minutes for the May 14, 2013 Regular Board of Directors Meeting. Motion carried.

AYE: Bilka, Johnson, Lundeen, Nelson, Nickel, Olsen, Raffety and Winz

NAY: None

ABSTAIN: Larson, Bergstrom and Harris

ABSENT: Garrelts and Reynolds

Moved by Lundeen, seconded by Bilka, to approve the minutes for the May 14, 2013 Odessa IPA Hearing. Motion carried.

AYE: Bilka, Johnson, Lundeen, Nelson, Nickel, Olsen, Raffety and Winz

NAY: None

ABSTAIN: Larson, Bergstrom and Harris

ABSENT: Garrelts and Reynolds

Moved by Olsen, seconded by Lundeen, to approve the minutes for the May 28, 2013 Executive Committee Meeting. Motion carried unanimously.

FINANCIAL REPORT

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

Accrual Expenditures for Month -----	\$100,361.18
Cash Expenditures for Month-----	\$104,687.72
Accrual Revenues for Month-----	\$333,503.42
Cash Revenues for Month-----	\$316,965.72
Bank Balance--May 31, 2013-----	\$407,510.79
Accounts Receivable – May 31, 2013-----	\$15,672.81
Investments – Pinnacle Bank – May 31, 2013-----	\$1,003,698.62

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Whiskey Slough IPA Balance – May 31, 2013-----	\$18,977.58
Fort Kearny-West IPA Balance – May 31, 2013-----	\$7,571.83
South Dry Creek IPA Balance – May 31, 2013-----	\$10,659.25
Fort Kearny IPA Balance – May 31, 2013-----	\$11,991.41
North Dry Creek IPA Balance – May 31, 2013-----	\$17,458.93
Sacramento Creek IPA Balance – May 31, 2013-----	\$24,255.07

Moved by Bilka, seconded by Olsen, to accept the May 2013 financial reports and file for audit. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Reynolds

SPECIAL BILLS

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

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

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Reynolds

NRCS REPORT

FSA Farm Plans: Scheele presented seven farm plans for approval: George Fong, Dennis Kenning, Dale Schutz, J&K, Inc., Nisley, Inc., Joel Schutz (2). Moved by Lundeen, seconded by Rafferty to approve farm plans for George Fong, Dennis Kenning, Dale Schutz, J&K, Inc., Nisley, Inc., Joel Schutz (2). Motion carried.

AYE: Bergstrom, Bilka, Larson, Lundeen, Nelson, Nickel, Olsen and Raffety

NAY: Harris, Johnson and Winz

ABSTAIN: None

ABSENT: Garrelts and Reynolds

Activity and Progress Report: Scheele reported atmometers are running at fifteen sites with data links on CNPPID, UNL and TBNRD websites. Scheele reported staff has been writing CSP and EQIP contracts. Scheele mentioned that the Director of NRCS will be at the Nebraska Prairie Museum on June 27, 2013.

COST SHARE REPORT

Well Abandonment – Thorburn presented three well decommissioning cost-share applications for approval. Moved by Winz, seconded by Olsen to approve well decommissioning cost-share applications #129-#131. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Reynolds

NSWCP & NRD Applications – Thorburn presented two NSWCP cost-share applications. Moved by Raffety, seconded by Larson to approve two NSWCP Cost-share applications. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Reynolds

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

GROUNDWATER MANAGEMENT

Groundwater & Certified Acre Transfers – Thorburn presented nine certified irrigated acre transfer requests (Robert Gross (5), Martin Schmidt, John Albers, and Minden Exchange Bank (2)) and a special request for Ron Knaus. Don Wohlgemuth, Robert Sinsel, Eugene Trausch and Ron Knaus were present to answer questions.

Moved by Nelson, seconded by Bergstrom to approve certified irrigated acre transfer requests (Robert Gross (5), Martin Schmidt, John Albers, and Minden Exchange Bank (2)). Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Reynolds

Moved by Nelson, seconded by Raffety to approve a correction of certified irrigated acres for Ron Knaus. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Reynolds

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 NRD Rules & Regulations Revisions: This item will be discussed after the hearing is closed.

Reschedule NRD Bd. Meeting & Tour for August 20, 2013: Moved by Winz, seconded by Johnson to change to August 2013 Board of Directors Meeting to August 20, 2013 at 1:30 pm. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Reynolds

Proposed Odessa IPA Engineering Needs: Thorburn explained Lee Wells attorney, Mike Klein, sent a letter concerning the proposed Odessa IPA. Lee Wells is concerned about groundwater effects on his well and changing the natural drainage route. Blankenau commented that consideration should be given to Well's concern about changing the route of drainage and liability issues. Blankenau suggested having an engineer look at the project as a whole. Thorburn will talk to engineer to get an estimate. Further discussion should be done in executive session. Two other landowners suggested changes in the boundaries. Bernard Norberg commented that the NW 40

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acres on his property would benefit from the IPA but not the remainder. Erick Ray Erickson commented that only 40 acres of his property would benefit. Thorburn suggested adjustments could be made to the boundaries, but no action was required until July.

Review Operating Parameters for North Dry Creek Aug. Project: Thorburn explained that NDNR would like TBNRD to have written operating parameters for the NDC augmentation well. Thorburn has drafted parameters that need committee review. Nickel suggested the Projects & Construction Committee review the parameters and present a recommendation to the board, but questioned whether the parameters should be completed before the upcoming study. Raffety suggested waiting for the study to be complete. Nickel suggested getting approval from NDC Drainage District.

NARD REPORT

Nelson reported on the Niobrara Basin Tour.

COMMITTEE REPORTS

Executive Committee: Thorburn reported the Executive Committee met with the Linda Larson, Kearney County Assessor and Dick McBride, Kearney County Commissioner. There was discussion about collection of back taxes. The assessor stated that each year the taxes are set; the landowner has a chance to protest with the Board of Equalization. Larson felt that changing prior year irrigated acres was falsification of her records, but she is willing to change the use to irrigated and collect future taxes. Nickel explained a complication to the collection of back taxes, which is collecting back taxes from a previous landowner. Thorburn commented that not collecting back taxes in Kearney County would be unfair to Gosper and Phelps County Landowners. Thorburn commented that TBNRD could charge a fee instead. Nickel commented that the development of a water banking process could affect this process. The Planning Committee will consider the issue.

STAFF REPORTS & NECESSARY ACTION

Board Directives to Staff: There were not directives to staff.

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

MONTHLY REPORTS

Republican Basin (NRRMD): Nothing to report.

Platte Basin: Nothing to report.

South Dry Creek: Noxious weed were sprayed and shredding will be done.

Sacramento Creek: Noxious weed were sprayed and shredding will be done.

Middle Lost Creek: Noxious weed were sprayed and shredding will be done.

Fort Kearny West: Noxious weed were sprayed and shredding will be done.

Fort Kearny: Noxious weed were sprayed and shredding will be done.

North Dry Creek: Noxious weed were sprayed and shredding will be done.

Whiskey Slough: Noxious weed were sprayed and shredding will be done.

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Lake Seldom: Food plots were planted.

CoHyst/Platte Basin Coalition: Model will be ready August 21, 2013.

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

Sand Creek/Little Blue Basin: Appraisals will be discussed in executive session.

CNPPID: Ford reported Lake McConaughay 63% full and elevation 3240 feet.

NEW BUSINESS

Review NRD Property Insurance Rate Proposals: Thorburn explained the League Association of Risk Management (LARM) presented information to the NRD managers about including NRDs in the Association, which provides property and worker's compensation coverage to municipalities. LARM is an insurance pool established in 1989, but is not an insurance company. LARM presented a bid to TBNRD for property and worker's compensation insurance. Thorburn presented a comparison of the current property insurance to LARM's bid. LARM's bid was approximately \$4,500 lower than TBNRD's current carrier. Thorburn explained that property and worker's compensation insurance is due July 1st. Nickel commented that there was a lot of information to review. The board will discuss the issue in executive session.

UNFINISHED BUSINESS

Proposed NRD Rules & Regulations Revisions: Moved by Lundeen, seconded by Raffety to approve the revisions to the Groundwater Management Rules and Regulations, including changes resulting from comments from NDNR and CNPPID, set the effective date as September 1, 2013 and order that the changes be published in the newspaper of record. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Reynolds

PERSONNEL & LEGAL MATTERS

Moved by Winz, seconded by Raffety to move to executive session for the protection of the public to discuss contractual matters at 8:45 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Reynolds

Moved by Johnson, seconded by Olsen to move out of executive session for the protection of the public to discuss contractual matters at 9:18 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Reynolds

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Moved by Johnson, seconded by Olsen to stay with the current insurance carrier for FY 2013-2014.

Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Reynolds

COMMENTS AND CONCERNS

The board directed that property and worker's compensation insurance be advertised for bid for FY 2014-2015.

NEXT BOARD MEETING

TBNRD Regular Board Meeting will be held at 1:30 p.m., on Tuesday, July 9, 2013 at Tri-Basin NRD.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:20 p.m.

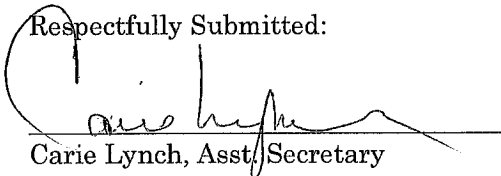
DIRECTORS PRESENT

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

OTHERS PRESENT

Carie Lynch, John Thorburn, Nicole Salisbury, Curtis Scheele, Tammy Fahrenbruch, Dave Ford, Nolan Little, Robert Sinsel, Eugene Trausch, Larry Wilcox, Ron Knaus and Dave Wohlgemuth.

Respectfully Submitted:



Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS
 TRI-BASIN NATURAL RESOURCES DISTRICT
 BOARD OF DIRECTORS MEETING
 June 11, 2013

Motion #	Category	Subject	Aye	Nay	Abs	Motion
2013-06-11-01	Meeting Administration		10		1	Moved by Olsen, seconded by Johnson to excuse Bergstrom from the April and May 2013 board meetings. Motion carried.
2013-06-11-02	Meeting Administration		8		3	Moved by Bilka, seconded by Winz, to approve the minutes for the May 14, 2013 Regular Board of Directors Meeting. Motion carried.
2013-06-11-03	Meeting Administration		8		3	Moved by Lundeen, seconded by Bilka, to approve the minutes for the May 14, 2013 Odessa IPA Hearing. Motion carried.
2013-06-11-04	Meeting Administration					Moved by Olsen, seconded by Lundeen, to approve the minutes for the May 28, 2013 Executive Committee Meeting. Motion carried unanimously.
2013-06-11-05	Meeting Administration		11			Moved by Bilka, seconded by Olsen, to accept the May 2013 financial reports and file for audit. Motion carried.
2013-06-11-06	Budget		11			Moved by Johnson, seconded by Larson to approve the VISA and attorney bills. Motion carried.
2013-06-11-07	Meeting Administration		8	3		Moved by Lundeen, seconded by Rafferty to approve farm plans for George Fong, Dennis Kenning, Dale Schutz, J&K, Inc., Nisley, Inc., Joel Schutz (2). Motion carried.
2013-06-11-08	Meeting Administration		11			Moved by Winz, seconded by Olsen to approve well decommissioning cost-share applications #129-#131. Motion carried.
2013-06-11-09	Meeting Administration		11			Moved by Rafferty, seconded by Larson to approve two NSWCP Cost-share applications. Motion carried.
2013-06-11-10	Certification & Transfers	Gross, Schmidt, Albers, Minden Exchange Bank	11			Moved by Nelson, seconded by Bergstrom to approve certified irrigated acre transfer requests (Robert Gross (5), Martin Schmidt, John Albers, and Minden Exchange Bank (2)). Motion carried.
2013-06-11-11	Certification & Transfers	Knaus	11			Moved by Nelson, seconded by Rafferty to approve a correction of certified irrigated acres for Ron Knaus. Motion carried.

2013-06-11-12	Meeting Administration		11		Moved by Winz, seconded by Johnson to change to August 2013 Board of Directors Meeting to August 20, 2013 at 1:30 pm. Motion carried.
2013-06-11-13	District Plans & Programs		11		Moved by Lundeen, seconded by Raffety to approve the revisions to the Groundwater Management Rules and Regulations, including changes resulting from comments from NDNR and CNPPID, set the effective date as September 1, 2013 and order that the changes be published in the newspaper of record. Motion carried.
2013-06-11-14	Meeting Administration		11		Moved by Winz, seconded by Raffety to move to executive session for the protection of the public to discuss contractual matters at 8:45 p.m. Motion carried.
2013-06-11-15	Meeting Administration		11		Moved by Johnson, seconded by Olsen to move out of executive session for the protection of the public to discuss contractual matters at 9:18 p.m. Motion carried.
2013-06-11-16	Budget		11		Moved by Johnson, seconded by Olsen to stay with the current insurance carrier for FY 2013-2014. Motion carried.