

MINUTES OF THE TRI-BASIN NRD BOARD MEETING
Tuesday, September 9, 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 8:26 p.m. Lundeen noted Public Meeting Law is posted in the boardroom. Thorburn opened a Budget Hearing for the FY 2019-2020 and a Groundwater Management Hearing for Eaton and May Townships prior to opening this meeting.

ROLL CALL

Roll call was taken with thirteen directors present: Bergstrom, Bilka, Cavanaugh, Garrelts, Harris, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds. 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 June, July and August 2019 Board Meetings. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts, Harris, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Raffety and Reynolds

NAY: None

ABSTAIN: Olsen

ABSENT: None

MINUTES

Thorburn presented the minutes of the August 13 Board of Directors Meeting and Budget Hearing, and August 19, 2019 Joint CNPPID/TBNRD Committee Meeting. Moved by Bilka, seconded by Garrelts, to approve the minutes for the August 13, 2019 Board of Directors Meeting and Budget Hearing. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts, Harris, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Raffety and Reynolds

NAY: None

ABSTAIN: Olsen

ABSENT: None

Moved by Bilka, seconded by Bergstrom, to approve the minutes for the August 19, 2019 Joint CNPPID/TBNRD Committee Meeting. Motion carried unanimously.

FINANCIAL REPORT

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

Accrual Expenditures for Month	\$114,552.98
Cash Expenditures for Month.....	\$120,462.69
Accrual Revenues for Month.....	\$44,112.10
Cash Revenues for Month.....	\$44,530.44
Bank Balance—August 31, 2019.....	\$200,347.66
Accounts Receivable – August 31, 2019.....	\$1,561.12
Investments – Pinnacle Bank – August 31, 2019.....	\$262,535.17
Building Sinking Fund – August 31, 2019.....	\$146,809.99
Vehicle Sinking Fund – August 31, 2019.....	\$71,580.02
Water Resources Fund – August 31, 2019.....	\$781,258.26
Whiskey Slough IPA Balance – August 31, 2019.....	\$12,086.04
Fort Kearny-West IPA Balance – August 31, 2019.....	\$11,492.95

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South Dry Creek IPA Balance – August 31, 2019-----	\$11,122.48
Fort Kearny IPA Balance – August 31, 2019-----	\$14,803.25
Sacramento Creek IPA Balance – August 31, 2019-----	\$2,078.62
North Dry Creek IPA Balance – August 31, 2019-----	\$8,810.89
Water Jamboree – August 31, 2019-----	\$3,748.51
NRRCMDA – August 31, 2019-----	\$7,633.05
Odessa IPA – August 31, 2019-----	\$10,004.31

Moved by Raffety, seconded by Johnson, to approve the August 2019 Financial Report and submit for audit. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts, Harris, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: None

SPECIAL BILLS

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

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts, Harris, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: None

NRCS REPORT

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

Activity and Progress Report: Cammie Kerner reported NRCS will be obligating EQIP fund, staff received a positive Civil Rights Review and is working on CSP documentation,

COST SHARE REPORT

Well Decommissioning – Thorburn presented three well decommissioning cost-share applications to approve. Moved by Bilka, seconded by Hinrichs, to approve three well decommissioning cost-share applications. Motion carried.

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

NAY: None

ABSTAIN: Bergstrom

ABSENT: None

NSWCP & NRD Applications – Thorburn presented one NSWCP cost-share application for approval. Moved by Johnson, seconded by Olsen, to approve one NSWCP application. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts, Harris, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: None

WCIP – There were no applications to approve.

GROUNDWATER MANAGEMENT

Groundwater & Certified Acre Transfers – There were no groundwater transfers to approve.

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. Landowners from the Eaton and May Townships were present for the Hearing.

UNFINISHED BUSINESS

Approve the FY 2019-2020 Tax Levy and Resolution (after hearing is closed): Moved by Bilka, seconded by Bergstrom, to approve the RESOLUTION SETTING THE PROPERTY TAX REQUEST RESOLUTION NO. 2019-1,

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Board of Directors of Tri-Basin Natural Resources District, passes by a majority vote a resolution or ordinance setting the tax request; and WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; NOW, THEREFORE, the Board of Directors of Tri-Basin Natural Resources District, resolves that:

1. The 2019-2020 property tax request be set at \$ **1,105,311.38**.
2. The total assessed value of property differs from last year's total assessed value by **-1 %**.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be **\$.017673** per \$100 of assessed value.
4. Tri-Basin Natural Resources District proposes to adopt a property tax request that will cause its tax rate to be **\$.021485** per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of Tri-Basin Natural Resources District will **decrease** last years by **5 %**.
6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2019.

Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts, Harris, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: None

Consider Phase II Groundwater Quantity Designation for Eaton Township (T7N, R13W) in Kearney County (after hearing) – Bilka commented that the decision should be delayed for spring water level data readings. Thorburn reviewed well data in Eaton and May Township. Moved by Reynolds, seconded by Garrelts to designate Eaton Township (T7N, R13W) in Kearney County as Phase II Groundwater Quantity Management effective January 1, 2020. Motion failed.

AYE: Garrelts, Johnson, Jorgensen, and Reynolds

NAY: Bergstrom, Bilka, Cavanaugh, Harris, Hinrichs, Larson, Lundeen, Olsen and Raffety

ABSTAIN: None

ABSENT: None

Consider Phase III Groundwater Quantity Designation for May Township (T6N, R13W) in Kearney County (after hearing) – Bilka asked that Phase II and Phase III designation for Eaton and May Townships be added to the Planning Committee Agenda. Moved by Olsen, seconded by Cavanaugh to amend the following motion by delaying Phase III designation for May Township (T6N, R13W) for one year (Sept. 2020). Motion carried.

AYE: Bilka, Cavanaugh, Harris, Jorgensen, Olsen, Raffety and Lundeen

NAY: Bergstrom, Garrelts, Hinrichs, Johnson, Larson and Reynolds

ABSTAIN: None

ABSENT: None

Moved by Reynolds, seconded by Jorgensen to delay designation of May Township (T6N, R13W) as Phase III Groundwater Quantity Management until after Spring of 2020 but the motion was amended to also delay Phase II designation for Eaton Township until September 2020. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts, Harris, Hinrichs, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: Johnson

ABSTAIN: None

ABSENT: None

NARD REPORT

Resolutions for the Fall Conference: Reynolds talked about the upcoming Fall Conference in Kearney. Thorburn explained there are two resolutions to consider for the conference. It was decided to allow the delegates to vote on the resolutions.

COMMITTEE REPORTS

Schedule Projects-Construction and Planning Committee Meetings: A Planning Committee Meeting is set for September 16, 2019 at 9 a.m. and a Projects and Construction Committee Meeting is set for Monday, September 16, 2019 at 2 p.m. Thorburn mentioned he got petitions for the formation of Lower North Dry Creek IPA.

STAFF REPORTS & NECESSARY ACTION

Board Directives to Staff: Thorburn mentioned Nancy Pemberton was hired as the new Elwood Field Office Secretary and Lori Hagan will start at TBNRD as a part-time clerk.

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

MONTHLY REPORTS

Republican Basin (NRRMDA): Annual Progress Report Meeting on September 30, 2019 at TBNRD. at 10:30 a.m.

Platte Basin: PBC meetings will be held October 2, 2019 at 11 a.m. in North Platte.

Sand Creek/Little Blue Basin: This item will be addressed later in the meeting.

North Dry Creek: Staff has been working on weed spraying.

Odessa IPA: Staff has been working on weed spraying.

Sacramento Creek: Staff has been working on weed spraying.

Fort Kearny: Staff has been working on weed spraying.

Fort Kearny West: Staff has been working on weed spraying.

South Dry Creek: Staff has been working on weed spraying.

Whiskey Slough: Staff has been working on weed spraying.

Middle Lost Creek: Nothing to report.

Lake Seldom: Nothing to report.

CoHyst/Platte Basin Coalition: Nothing to report.

Rainwater Basin Joint Venture: This item will be discussed later in the agenda.

Platte-Republican Diversion & Republican Basin Augmentation Well: Response briefs were submitted.

CNPPID: Trompke introduced Dusty Way, her replacement when she retires in February.

NEW BUSINESS

Consider Amendment to Contract with EA Engineering for Recharge Structures: Thorburn explained the amendment is for surveying the Sorensen site. Moved by Reynolds, seconded by Olsen to approve an amendment to the contract with EA Engineering (\$2700) for survey work on the Sorensen site (Sand Creek Recharge). Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts, Harris, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: None

Approve Portable Corral Use Agreement: Thorburn described the new corral. Moved by Bilka, seconded by Larson to approve the landowners portable corral agreement. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts, Harris, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: None

PERSONELL AND LEGAL MATTERS

There are 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, October 8, 2019, 7:30 p.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:43 p.m.

DIRECTORS PRESENT

Brian Bergstrom, Joe Bilka, Mike Cavanaugh, Todd Garrelts, Ed Harris, Rob Hinrichs, Greg Jorgensen, Phyllis Johnson, Joe Larson, Bradley Lundeen, Dave Olsen, Dave Raffety and Larry Reynolds.

OTHERS PRESENT

Carie Lynch, John Thorburn, Sasha Hahn, Nate Munter, Marcia Trompke, Dusty Way, Cammie Kerner, Nolan Little, Lee Anderson, Stu Anderson, John W. Wubbenhorst, Denise Wubbenhorst, Scott Jorgensen, James Madsen, Matt Dornhoff, Tad Joyce, Kevin Raun, Jerold Kuehn, Christopher Kuehn, Bill Kuehn, Loren Kuehn, Ryan Lutkemeier, Peter Trausch, Richard Jacobsen, Chris Shelton, Mark Johnson, David Nelson, Terry Sorensen, Jeff Ryan, Terry Nelson, Lance Johnson, Tim Johnson, Kent Nielsen, Andy Tomsen, Joel Grams, Kevin Smith, Joel Kuehn, Tom Madsen, Peter Smith, Steve Roeder, Gary Kring, David Grimes and Dale Needham.

Respectfully Submitted:

Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS
TRI-BASIN NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
September 10, 2019

ID	Motion #	Category	Subject	Aye	Nay	Abstain	
	2019-09-10-01	Meeting Administration		12		1	<u>Moved by Bilka, seconded by Garrelts, to excuse Dave Olsen from the June, July and August 2019 Board Meetings. Motion carried.</u>
	2019-09-10-02	Meeting Administration		12		1	<u>Moved by Bilka, seconded by Garrelts, to approve the minutes for the August 13, 2019 Board of Directors Meeting and Budget Hearing. Motion carried.</u>
	2019-09-10-03	Meeting Administration					<u>Moved by Bilka, seconded by Bergstrom, to approve the minutes for the August 19, 2019 Joint CNPPID/TBNRD Committee Meeting. Motion carried unanimously.</u>
	2019-09-10-04	Meeting Administration		13			<u>Moved by Raffety, seconded by Johnson, to approve the August 2019 Financial Report and submit for audit. Motion carried.</u>
	2019-09-10-05	Budget		13			<u>Moved by Bilka, seconded by Johnson, to approve the VISA, PRD, HDR and attorney bills. Motion carried.</u>
	2019-09-10-06	Meeting Administration		12		1	<u>Moved by Bilka, seconded by Hinrichs, to approve three well decommissioning cost-share applications. Motion carried.</u>
	2019-09-10-07	Meeting Administration		13			<u>Moved by Johnson, seconded by Olsen, to approve one NSWCP application. Motion carried.</u>
	2019-09-10-08	Budget	Approve 2019-2020 Levy	13			<u>Moved by Bilka, seconded by Bergstrom, to approve the RESOLUTION SETTING THE PROPERTY TAX REQUEST RESOLUTION NO. 2019-1, WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Board of Directors of Tri-Basin Natural Resources District, passes by a majority vote a resolution or ordinance setting the tax request; and WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; NOW, THEREFORE, the Board of Directors of Tri-Basin Natural Resources District, resolves that:</u>

						<p>1. <u>The 2019-2020 property tax request be set at \$ 1,105,311.38.</u></p> <p>2. <u>The total assessed value of property differs from last year's total assessed value by -1 %.</u></p> <p>3. <u>The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$.017673 per \$100 of assessed value.</u></p> <p>4. <u>Tri-Basin Natural Resources District proposes to adopt a property tax request that will cause its tax rate to be \$.021485 per \$100 of assessed value.</u></p> <p>5. <u>Based on the proposed property tax request and changes in other revenue, the total operating budget of Tri-Basin Natural Resources District will decrease last years by 5 %.</u></p> <p>6. <u>A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2019.</u></p> <p><u>Motion carried.</u></p>
2019-09-10-09	District Plans & Programs	Eaton Phase II	4	9		<p><u>Moved by Reynolds, seconded by Garrelts to designate Eaton Township (T7N, R13W) in Kearney County as Phase II Groundwater Quantity Management effective January 1, 2020.</u></p> <p><u>Motion failed.</u></p>
2019-09-10-10	District Plans & Programs	May Phase III Failed	7	6		<p><u>Moved by Olsen, seconded by Cavanaugh to amend the following motion by delaying Phase III designation for May Township (T6N, R13W) for one year (Sept. 2020).</u></p> <p><u>Motion carried.</u></p>
2019-09-10-11	District Plans & Programs	May Phase III	12	1		<p><u>Moved by Reynolds, seconded by Jorgensen to delay designation of May Township (T6N, R13W) as Phase III Groundwater Quantity Management until after Spring of 2020 but the motion was amended to also delay Phase II designation for Eaton Township until September 2020.</u></p> <p><u>Motion carried.</u></p>
2019-09-10-12	Projects	Sand Creek Recharge	13			<p><u>Moved by Reynolds, seconded by Olsen to approve an amendment to the contract with EA Engineering (\$2700) for survey work on the Sorensen site (Sand Creek Recharge).</u></p> <p><u>Motion carried.</u></p>
2019-09-10-13	Agreements	Portable Corral	13			<p><u>Moved by Bilka, seconded by Larson to approve the landowners portable corral agreement.</u></p> <p><u>Motion carried.</u></p>