

MINUTES OF THE TRI-BASIN NRD BOARD MEETING
Tuesday, November 8, 2022, 7:30 p.m.
Tri-Basin Natural Resources District

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: Bergstrom, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, and Reynolds. Bilka arrived at 7:40 p.m. Raffety, Ryan and Cavanaugh were absent. Notice of the meeting was published in the Holdrege Citizen, Elwood Bulletin and Minden Courier and announced on radio station KRVN, Lexington.

EXCUSE ABSENCES

Moved by Garrelts, seconded by Bergstrom, to excuse Joe Larson and Ed Harris from September and October 2022 board meetings. Motion carried

AYE: Bergstrom, Garrelts, Grimes, Hinrichs, Lundeen, Philips and Reynolds

NAY: None

ABSTAIN: Harris and Larson

ABSENT: Bilka, Raffety, Ryan and Cavanaugh

MINUTES

Thorburn presented the minutes of the October 11, 2022, Board of Directors. Moved by Reynolds, seconded by Grimes, to approve the minutes for the October 11, 2022, Board of Directors meeting. Motion carried

AYE: Bergstrom, Grimes, Hinrichs, Lundeen, Philips and Reynolds

NAY: None

ABSTAIN: Garrelts, Harris and Larson

ABSENT: Bilka, Raffety, Ryan and Cavanaugh

FINANCIAL REPORT

Hinrichs presented the financial report for the month of October 2022 as follows:

| | |
|--|--------------|
| Accrual Expenditures for Month | \$100,911.52 |
| Accrual Revenues for Month..... | \$52,784.79 |
| Actual Expenditures for Month | \$149,412.77 |
| Actual Revenues for Month..... | \$57,854.10 |
| Bank Balance–September 30, 2022..... | \$201,860.76 |
| Accounts Receivable – September 30, 2022..... | \$76,201.45 |
| Investments – Pinnacle Bank – October 31, 2022..... | \$114,701.04 |
| Building Sinking Fund – October 31, 2022..... | \$169,483.45 |
| Vehicle Sinking Fund – October 31, 2022..... | \$71,667.83 |
| Water Resources Fund – October 31, 2022..... | \$443,884.37 |
| Whiskey Slough IPA Balance – October 31, 2022..... | \$11,810.82 |
| Fort Kearny-West IPA Balance – October 31, 2022..... | \$7,418.76 |
| South Dry Creek IPA Balance – October 31, 2022..... | \$6,086.14 |
| Fort Kearny IPA Balance – October 31, 2022..... | \$10,815.16 |
| Sacramento Creek IPA Balance – October 31, 2022..... | \$1,985.42 |
| North Dry Creek IPA Balance – October 31, 2022..... | \$6,540.73 |
| Water Jamboree – October 31, 2022..... | \$10,836.17 |
| NR MDMA – October 31, 2022..... | \$7,637.49 |
| Odessa IPA – October 31, 2022..... | \$20,091.36 |

There was discussion about the format of the financial cash accounts. Garrelts asked for a simpler format. Moved by Larson, seconded by Philips, to accept the October 2022 Financial Report, and submit for audit. Motion carried.

AYE: Bergstrom, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bilka, Raffety, Ryan and Cavanaugh

SPECIAL BILLS

Thorburn presented the attorney, EA Engineering and VISA bills for approval. Moved by Garrelts, seconded by Bergstrom, to approve the attorney and Visa bills. Motion carried.

AYE: Bergstrom, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bilka, Raffety, Ryan and Cavanaugh

Moved by Garrelts, seconded by Larson, to approve the EA Engineering. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Raffety, Ryan and Cavanaugh

NRCS REPORT

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

Activity and Progress Report: Cammie Kerner reported on the “Civil Rights Responsibilities for Partners Checklist”. Kerner requested Lundeen’s signature on the checklist to verify it was presented to the board. Lundeen signed the acknowledgement form on behalf of TBNRD.

COST SHARE REPORT

Well Abandonment – There were no well decommissioning cost-share applications to approve.

NSWCP & NRD Applications – Thorburn presented one NSWCP application for approval. Moved by Bergstrom, seconded by Grimes to approve one NSWCP Cost-Share application. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Raffety, Ryan and Cavanaugh

GROUNDWATER MANAGEMENT

Groundwater, Certified Acre Transfers & WCIP – Thorburn presented two irrigated acre transfer requests for Irvin Walbridge. Irvin and Derek Walbridge were present to answer questions. Moved by Reynolds, seconded by Hinrichs to approve two irrigated acre transfer requests for Irvin Walbridge and Irvin & Karen Walbridge. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Raffety, Ryan and Cavanaugh

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 or discussion. There were no public comments. Irvin Walbridge thanked the board for help with irrigation water this past season. Ed Schrock (“Citizens Opposed to Merger”) commented on his concerns about the CNPPID/Dawson Public Power District merger.

UNFINISHED BUSINESS

There was no unfinished business.

NARD REPORT

NARD Report: Reynolds commented on use of irrigation water during and after a natural disaster and suggested writing a letter to NDNR to present to the Compact Commission. Moved by Reynolds, seconded by Bilka to send a letter to NDNR stating that water used for natural disasters shouldn’t count towards compact compliance. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Raffety, Ryan and Cavanaugh

Reynolds presented “NRD Talking Points on Nitrates” that was adopted by the NARD board recently. Reynolds asked that a committee review the issue and generate ideas. Thorburn commented that TBNRD has been working on groundwater quality for decades and could offer a lot of insight. Bilka suggested focusing on the rules and penalties.

Thorburn mentioned the dates for the Washington DC (March 2023) and NARD Legislative conference (January 2023).

COMMITTEE REPORTS

Schedule Work Session on Master Plan: A work session is planned for December 13, 2022, at 10 a.m. to discuss the Master Plan.

STAFF REPORTS & NECESSARY ACTION

Board Directives to Staff: There were no directives to staff.

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

MONTHLY REPORTS

Republican Basin: Annual meeting and IMP meeting will be held November 15, 2022, in Cambridge at 10 a.m.

Platte Basin: Nothing to report.

Sand Creek/Little Blue Basin: Nothing to report.

North Dry Creek: Nothing to report.

Odessa IPA: Nothing to report.

Sacramento Creek: Nothing to report.

Fort Kearny: Nothing to report.

Fort Kearny West: Nothing to report.

South Dry Creek: Nothing to report.

Whiskey Slough: Nothing to report.

Middle Lost Creek: Nothing to report.

Lake Seldom: Nothing to report.

CoHyst/Platte Basin Coalition: Nothing to report.

Rainwater Basin Joint Venture: Nothing to report.

Platte-Republican Diversion & Republican Basin Augmentation Well: Ruling should come by the end of November 2023.

CNPPID: Scott Dicke and Devin Brundage were present to update the board on the merger and field questions. The planned completion date for the merger is July 1, 2023. There was discussion about the public informational meetings, board composition after the merger and the economics of the merger.

NEW BUSINESS

Recognition Banquet: Thorburn presented options for the Recognition Banquet. Moved by Bergstrom, seconded by Grimes to hold the 2023 Recognition Banquet at the Speak Easy. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Raffety, Ryan and Cavanaugh

COMMENTS AND CONCERNS

There were no comments or concerns.

PERSONNEL AND LEGAL MATTERS

Moved by Garrelts, seconded by Philips to move to Executive Session to discuss legal matters relating to the for the protection of the public at 9:00 p.m. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Raffety, Ryan and Cavanaugh

Moved by Bilka, seconded by Garrelts to move out of the Executive Session to discuss legal matters for the protection of the public at 9:30 p.m. Motion carried.

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AYE: Bergstrom, Bilka, Garrelts, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips and Reynolds
NAY: None
ABSTAIN: None
ABSENT: Raffety, Ryan and Cavanaugh

NEXT BOARD MEETING

TBNRD Regular Board Meeting will be held on Tuesday, December 13, 2022, at 1:30 p.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:31 p.m.

DIRECTORS PRESENT

Brian Bergstrom, Joe Bilka, Todd Garrelts, David Grimes, Ed Harris, Rob Hinrichs, Joe Larson, Brad Lundeen, Reed Philips, and Larry Reynolds.

OTHERS PRESENT

John Thorburn, Scott Dicke, Nolan Little, Tammy Fahrenbruch, Cammie Kerner, Sasha Hahn, Devin Brundage, Dave Row, Irvin Walbridge, Derek Walbridge, Robert McCormick, Howard Eltiste, Reed McClymont, Ed Schrock, Chris Erickson and Carie Lynch.

Respectfully Submitted:

Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS
TRI-BASIN NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
November 8, 2022

| ID | Motion # | Category | Subject | Aye | Nay | Abstain | Motion |
|----|---------------|---------------------------|---------------------|-----|-----|---------|--|
| | 2022-11-08-01 | Meeting Administration | | 7 | | 2 | Moved by Garrelts, seconded by Bergstrom, to excuse Joe Larson and Ed Harris from September and October 2022 board meetings. Motion carried. |
| | 2022-11-08-02 | Meeting Administration | | 6 | | 3 | Moved by Reynolds, seconded by Grimes, to approve the minutes for the October 11, 2022, Board of Directors meeting. Motion carried. |
| | 2022-11-08-03 | Meeting Administration | | 9 | | | Moved by Larson, seconded by Philips, to accept the October 2022 Financial Report, and submit for audit. Motion carried. |
| | 2022-11-08-04 | Budget | | 9 | | | Moved by Garrelts, seconded by Bergstrom, to approve the attorney and Visa bills. Motion carried. |
| | 2022-11-08-05 | Budget | | 10 | | | Moved by Garrelts, seconded by Larson, to approve the EA Engineering. Motion carried. |
| | 2022-11-08-06 | Meeting Administration | | 10 | | | Moved by Bergstrom, seconded by Grimes to approve one NSWCP Cost-Share application. Motion carried. |
| | 2022-11-08-07 | Certification & Transfers | Walbridge | 10 | | | Moved by Reynolds, seconded by Hinrichs to approve two irrigated acre transfer requests for Irvin Walbridge and Irvin & Karen Walbridge. Motion carried. |
| | 2022-11-08-08 | River Basins | Disasters | 10 | | | Moved by Reynolds, seconded by Bilka to send a letter to NDNR stating that water used for natural disasters shouldn't count towards compact compliance. Motion carried. |
| | 2022-11-08-09 | Directors | Recognition Banquet | 10 | | | Moved by Bergstrom, seconded by Grimes to hold the 2023 Recognition Banquet at the Speak Easy. Motion carried. |
| | 2022-11-08-10 | Meeting Administration | | 10 | | | Moved by Garrelts, seconded by Philips to move to Executive Session to discuss legal matters relating to the for the protection of the public at 9:00 p.m. Motion carried. |
| | 2022-11-08-11 | Meeting Administration | | 10 | | | Moved by Bilka, seconded by Garrelts to move out of the Executive Session to discuss legal matters for the protection of the public at 9:30 p.m. Motion carried. |

