

MINUTES OF THE TRI-BASIN NRD BOARD MEETING
Tuesday, January 10, 2023, 1:30 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 1:31 p.m. Lundeen noted Public Meeting Law is posted in the boardroom. Prior to the meeting, newly elected directors took the Oath of Office (Philips, Harris, Bergstrom, Bilka, Rafferty and Ryan).

ROLL CALL

Roll call was taken with ten directors present: Bergstrom, Bilka, Harris, Hinrichs, Larson, Lundeen, Philips, Rafferty, Ryan and Reynolds. Garrelts, Cavanaugh and Grimes were absent. Notice of the meeting was published in the Holdrege Citizen, Valley Voice and Minden Courier and announced on radio station KRVN, Lexington.

EXCUSE ABSENCES

Moved by Bilka, seconded by Hinrichs, to excuse Rafferty from the November and December 2022 Board of Directors meeting. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Harris, Hinrichs, Larson, Lundeen, Philips, Reynolds and Ryan
NAY: None

ABSTAIN: Rafferty

ABSENT: Garrelts, Cavanaugh and Grimes

MINUTES

Thorburn presented the minutes of the December 13, 2022, Special Board of Directors and regular Board of Directors meetings. Moved by Bilka, seconded by Larson, to approve the minutes for the December 13, 2022 Regular Board of Directors meeting. Motion carried.

AYE: Bergstrom, Bilka, Harris, Hinrichs, Larson, Lundeen, Philips, Rafferty, Reynolds and Ryan

NAY: None

ABSTAIN: None

ABSENT: Garrelts, Cavanaugh and Grimes

Moved by Reynolds, seconded by Bilka, to approve the minutes for the December 13, 2022, Special Board of Directors meeting. Motion carried.

AYE: Bergstrom, Bilka, Harris, Hinrichs, Larson, Lundeen, Philips, Rafferty, Reynolds and Ryan

NAY: None

ABSTAIN: None

ABSENT: Garrelts, Cavanaugh and Grimes

FINANCIAL REPORT

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

Accrual Expenditures for Month	\$114,774.54
Accrual Revenues for Month.....	\$5,108.96
Actual Expenditures for Month	\$125,421.54
Actual Revenues for Month.....	\$5,876.34
Bank Balance–December 31, 2022.....	\$63,811.51
Accounts Receivable – December 31, 2022.....	\$8,336.72
Investments – Pinnacle Bank – December 31, 2022.....	\$114,814.36
Building Sinking Fund – December 31, 2022.....	\$169,562.62
Vehicle Sinking Fund – December 31, 2022.....	\$71,701.31
Water Resources Fund – December 31, 2022.....	\$444,091.72

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Whiskey Slough IPA Balance – December 31, 2022-----	\$11,962.32
Fort Kearny-West IPA Balance – December 31, 2022-----	\$7,423.69
South Dry Creek IPA Balance – December 31, 2022-----	\$10,756.66
Fort Kearny IPA Balance – December 31, 2022-----	\$10,375.22
Sacramento Creek IPA Balance – December 31, 2022-----	\$990.02
North Dry Creek IPA Balance – December 31, 2022-----	\$6,577.93
Water Jamboree – December 31, 2022-----	\$10,375.22
NR MDMA – December 31, 2022-----	\$7,637.61
Odessa IPA – December 31, 2022-----	\$20,091.53

Moved by Reynolds, seconded by Bergstrom, to accept the December 2022 Financial Report, and submit for audit. Motion carried.

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

NAY: None

ABSTAIN: Raffety

ABSENT: Garrelts, Cavanaugh and Grimes

SPECIAL BILLS

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

AYE: Bergstrom, Bilka, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: None

ABSENT: Garrelts, Cavanaugh and Grimes

ADJOURNE SINE DI

CALL TO ORDER

Moved by Bilka, seconded by Ryan to nominate John Thorburn as temporary Chairman. Motion carried unanimously.

AYE: Bergstrom, Bilka, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Grimes

Thorburn called the meeting to order as temporary chairman at 1:43 p.m. with ten directors present: Bergstrom, Bilka, Harris, Hinrichs, Larson, Philips, Raffety, Reynolds, Ryan and Lundeen. Thorburn asked the Directors if they would like to vote by secret ballot on each of the following officers and they declined. Thorburn explained this is the first term for newly elected officers. Officers can serve two consecutive terms of two years each.

Reynolds nominated Todd Garrelts as Chairman. Thorburn asked if there were further nominations. There were none. Moved by Reynolds, seconded by Bilka to cease nominations and elect Todd Garrelts as Chairman. Motion carried.

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AYE: Bergstrom, Bilka, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Grimes

Ryan nominated Joe Bilka as Vice Chairman. Thorburn asked if there were further nominations. There were none. Moved by Ryan, seconded by Lundeen to cease nominations and elect Joe Bilka as Vice Chairman. Motion carried.

AYE: Bergstrom, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: Bilka

ABSENT: Garrelts and Grimes

Lundeen nominated Jeff Ryan as Treasurer. Thorburn asked if there were further nominations. There were none. Moved by Hinrichs, seconded by Larson to cease nominations and elect Jeff Ryan as Treasurer. Motion carried.

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

NAY: None

ABSTAIN: Ryan

ABSENT: Garrelts and Grimes

Bilka nominated Rob Hinrichs as Secretary. Thorburn asked if there were further nominations. There were none. Moved by Bilka, seconded by Reynolds to cease nominations and elect Rob Hinrichs as Secretary. Motion carried.

AYE: Bergstrom, Bilka, Harris, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: Hinrichs

ABSENT: Garrelts and Grimes

NARD Representative: Raffety nominated Reynolds as NARD Representative and Bilka nominated Ed Harris as Alternate Representative. Moved by Raffety, seconded by Bilka to cease nominations and elect Larry Reynolds as NARD Representative and Ed Harris as alternate representative. Motion carried unanimously.

AYE: Bergstrom, Bilka, Hinrichs, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: Harris

ABSENT: Garrelts and Grimes

CALL TO ORDER

Bilka called the meeting to order as newly elected Vice Chairman at 1:46 p.m. with ten directors present: Bergstrom, Bilka, Harris, Hinrichs, Philips, Ryan, Larson, Lundeen, Raffety and Reynolds.

NRCS REPORT

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

Activity and Progress Report: There was no NRCS report.

COST SHARE REPORT

Well Decommissioning – Thorburn presented thirteen well decommissioning applications for approval. Moved by Reynolds, seconded by Lundeen to approve thirteen well decommissioning Cost-Share applications. Motion carried.

AYE: Bergstrom, Bilka, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Grimes

NSWCP & NRD Applications – There were no NSWCP or TBNRD cost-share applications to approve.

GROUNDWATER MANAGEMENT

Groundwater, Certified Acre Transfers & WCIP – Thorburn presented seven irrigated acre transfer requests (Norberg, Hansen, Steinbrink and Schrock), one WCIP application for Fishell and two corrections to irrigated acres for Vandell. Gene Norberg, Greg Vandell, Paul Graddy and Tom Schrock were present to answer questions. Moved by Hinrichs, seconded by Ryan to approve seven irrigated acre transfers. Motion carried.

AYE: Bergstrom, Bilka, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Grimes

Moved by Larson, seconded by Lundeen to approve a well permit variance. Motion carried.

AYE: Bergstrom, Bilka, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Grimes

Moved by Lundeen, seconded by Hinrichs to approve one WCIP application. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Grimes

Moved by Larson, seconded by Ryan to approve two certified irrigated acre corrections. Motion carried.

AYE: Bergstrom, Bilka, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Grimes

Educational Land Leases – Thorburn presented one Board of Educational Lands and Funds for approval. Moved by Harris, seconded by Hinrichs to approve Educational Lands and Funds agreement. Motion carried.

AYE: Bergstrom, Bilka, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Grimes

OTHER BUSINESS

The public was given the opportunity to bring other specific business or non-agenda items before the board for comment or discussion. Jason Sinsel introduced himself as the Liaison from the Kearney County Board of Supervisors.

UNFINISHED BUSINESS

IWMS Report: There was no IWMS report.

Master Plan Update: Thorburn presented the most recent version of the Master Plan. The plan will be sent to NDNR for review after it's approved. Moved by Lundeen, seconded by Bergstrom to approve Master Plan as presented. Motion carried.

AYE: Bergstrom, Bilka, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Grimes

NARD REPORT

NARD Report: Reynolds reminded directors of the NARD Legislative Conference in Lincoln.

COMMITTEE REPORTS

Committee Meetings: Thorburn asked for a Projects & Construction Committee meeting. Lundeen asked the Projects and Construction committee to discuss dual connections. Thorburn mentioned he has an armory issue to discuss. The committee will also discuss soil moisture sensor cost-share. Curtis Scheele and Cammie Kerner will attend. The Projects and Construction committee meeting is scheduled for January 18, 2023, at 1 p.m. The Executive Committee will meet February 17, 2023, at 10 a.m. to interview Sub-District 5 candidates.

STAFF REPORTS & NECESSARY ACTION

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

Out-of-State Travel: Moved by Reynolds, seconded by Raffety to approve out-of-state travel for Sasha Hahn to go to the Washington DC Conference in March 2023. Motion carried.

AYE: Bergstrom, Bilka, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Grimes

MONTHLY REPORTS

Republican Basin: Nothing to report.

Platte Basin: Nothing to report.

Sand Creek/Little Blue Basin: Nothing to report.

North Dry Creek: Thorburn explained that a North Dry Creek landowner would like to work on the stream channel that runs through his property. The change in flow wouldn't violate USGS rules. Thorburn presented a Policy for Compensating Landowners for Work Performed to Improve IPA Ditches and Creeks.

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The landowner will receive an abatement of assessments for the total cost of the work if he provides proper documentation and the board approves the invoice. Moved by Philips, seconded by Larson to approve the memo for cost-share with a NDC IPA landowner. Motion carried.

AYE: Bergstrom, Bilka, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Grimes

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: CoHyst will meet later in January.

Rainwater Basin Joint Venture: Board meeting will be held January 26, 2023.

Platte-Republican Diversion & Republican Basin Augmentation Well: Todd Siel was present to discuss an issue, which will be discussed in executive session.

CNPPID: Scott Dicke (Zoom) reported eagle viewing is open and Lake McConaughy is at 47% capacity.

NEW BUSINESS

Schedule Board Work Session for February: Moved by Ryan, seconded by Hinrichs to change the board meeting date from February 14, 2023, to February 21, 2023, at 1:30 p.m. with a board work session on the same day at 10:00 a.m. Motion carried.

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

NAY: None

ABSTAIN: Raffety

ABSENT: Garrelts and Grimes

Consider Offer from NDNR for Soil Moisture Sensor Cost-Share: Thorburn explained NDNR has funds available for landowner cost-share on soil moisture sensors or remote flowmeter reading. There is \$100,000-\$150,000 available. TBNRD would have to provide a forty percent match. Thorburn suggested using the cost-share for wells in the Republican Basin that are in areas that are hard to reach. The Projects and Construction Committee will discuss the issue. Lundeen suggested getting estimates on soil moisture sensors and remote flowmeter readers.

Hinrichs suggested using the cost-share for dual connections. Moved by Lundeen, seconded by Harris to table soil moisture cost-share with NDNR until the February 21, 2023 board meeting. Motion carried.

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

NAY: None

ABSTAIN: Raffety

ABSENT: Garrelts and Grimes

PERSONNEL AND LEGAL MATTERS

Moved by Bergstrom, seconded by Lundeen to move to Executive Session to discuss legal matters for the protection of the public at 2:28 p.m. Motion carried.

AYE: Bergstrom, Bilka, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Grimes

Moved by Raffety, seconded by Hinrichs to move out of the Executive Session to discuss legal matters for the protection of the public at 3:25 p.m. Motion carried.

AYE: Bergstrom, Bilka, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: None

ABSENT: Garrelts and Grimes

NEXT BOARD MEETING

TBNRD Regular Board Meeting will be held on Tuesday, February 21, at 1:30 p.m. and Work Session at 10:00 a.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 3:28 p.m.

DIRECTORS PRESENT

Brian Bergstrom, Joe Bilka, Ed Harris, Rob Hinrichs, Joe Larson, Brad Lundeen, Reed Philips, Dave Rafferty, Jeff Ryan and Larry Reynolds.

OTHERS PRESENT

Tom Schrock, Gene Norberg, Jason Sinsel, Cory Steinke, Todd Siel, Mike Drain, Greg Vandell, Paul Graddy, John Thorburn, Nate Munter, Scott Dicke, Nolan Little, Tammy Fahrenbruch, Sasha Hahn, and Carie Lynch.

Respectfully Submitted:

Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS
 TRI-BASIN NATURAL RESOURCES DISTRICT
 BOARD OF DIRECTORS MEETING
 January 10, 2022

ID	Motion #	Category	Subject	Aye	Nay	Abstain	Motion
	2023-01-10-01	Meeting Administration		10	1		Moved by Bilka, seconded by Hinrichs, to excuse Raffety from the November and December 2022 Board of Directors meeting. Motion carried.
	2023-01-10-02	Meeting Administration		11			Moved by Bilka, seconded by Larson, to approve the minutes for the December 13, 2022 Regular Board of Directors meeting. Motion carried.
	2023-01-10-03	Meeting Administration		11			Moved by Reynolds, seconded by Bilka, to approve the minutes for the December 13, 2022, Special Board of Directors meeting. Motion carried.
	2023-01-10-04	Meeting Administration		10	1		Moved by Reynolds, seconded by Bergstrom, to accept the December 2022 Financial Report, and submit for audit. Motion carried.
	2023-01-10-05	Budget		11			Moved by Bilka, seconded by Bergstrom, to approve the EA Engineering, Flatwater, attorney and Visa bills. Motion carried.
	2023-01-10-06	Directors		11			Moved by Bilka, seconded by Ryan to nominate John Thorburn as temporary Chairman. Motion carried unanimously.
	2023-01-10-07	Directors	Chairman	11			Moved by Reynolds, seconded by Bilka to cease nominations and elect Todd Garrelts as Chairman. Motion carried.
	2023-01-10-08	Directors	Vice Chairman	10	1		Moved by Ryan, seconded by Lundeen to cease nominations and elect Joe Bilka as Vice Chairman. Motion carried.
	2023-01-10-09	Directors	Treasurer	10	1		Moved by Hinrichs, seconded by Larson to cease nominations and elect Jeff Ryan as Treasurer. Motion carried.
	2023-01-10-10	Directors	Secretary	10	1		Moved by Bilka, seconded by Reynolds to cease nominations and elect Rob Hinrichs as Secretary. Motion carried.
	2023-01-10-11	Directors	NARD Rep	10	1		Moved by Raffety, seconded by Bilka to cease nominations and elect Larry Reynolds as NARD Representative and Ed Harris as alternate representative. Motion carried unanimously.
	2023-01-10-12	Meeting Administration		11			Moved by Reynolds, seconded by Lundeen to approve thirteen well

							decommissioning Cost-Share applications. Motion carried.
2023-01-10-13	Certification & Transfers			11			Moved by Hinrichs, seconded by Ryan to approve seven irrigated acre transfers. Motion carried.
2023-01-10-14	Certification & Transfers			11			Moved by Larson, seconded by Lundeen to approve a well permit variance. Motion carried.
2023-01-10-15	Certification & Transfers			11			Moved by Lundeen, seconded by Hinrichs to approve one WCIP application. Motion carried.
2023-01-10-16	Certification & Transfers			11			Moved by Larson, seconded by Ryan to approve two certified irrigated acre corrections. Motion carried.
2023-01-10-17	Meeting Administration			11			Moved by Harris, seconded by Hinrichs to approve Educational Lands and Funds agreement. Motion carried.
2023-01-10-18	District Plans & Programs	Master Plan		11			Moved by Lundeen, seconded by Bergstrom to approve Master Plan as presented. Motion carried.
2023-01-10-19	Meeting Administration			11			Moved by Reynolds, seconded by Raffety to approve out-of-state travel for Sasha Hahn to go to the Washington DC Conference in March 2023. Motion carried.
2023-01-10-20	Policies – By-Laws	IPA cost-share policy		11			Moved by Philips, seconded by Larson to approve the memo for cost-share with a NDC IPA landowner. Motion carried.
2023-01-10-21	Meeting Administration			11			Moved by Lundeen, seconded by Harris to table soil moisture cost-share with NDNR until the February 21, 2023 board meeting. Motion carried.
2023-01-10-22	Meeting Administration			10	1		Moved by Ryan, seconded by Hinrichs to change the board meeting date from February 14, 2023, to February 21, 2023, at 1:30 p.m. with a board work session on the same day at 10:00 a.m. Motion carried.
2023-01-10-23	Meeting Administration			11			Moved by Bergstrom, seconded by Lundeen to move to Executive Session to discuss legal matters for the protection of the public at 2:28 p.m. Motion carried.
2023-01-10-23	Meeting Administration			11			Moved by Raffety, seconded by Hinrichs to move out of the Executive Session to discuss legal matters for the protection of the public at 3:25 p.m. Motion carried.