

**MINUTES OF THE TRI-BASIN NRD BOARD MEETING**  
**Tuesday, August 8, 2023, 1:30 p.m.**  
**Windmill Event Center, Minden, NE**

The regular monthly board meeting of the Tri-Basin Natural Resources District (NRD) was called to order by Chairman, Todd Garrelts at 1:30 p.m. Garrelts noted Public Meeting Law is available upon request. Thorburn opened the FY 2023-2024 Budget Hearing prior to opening the meeting.

**ROLL CALL**

Roll call was taken with twelve directors present: Bergstrom, Bilka, Garrelts, Grams, Grimes, Harris, Hinrichs, Lundeen, Larson, Philips, Raffety and Ryan. Reynolds was 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 Lundeen, to excuse Raffety from the June and July 2023 Board of Directors meeting. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Grams, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety and Ryan

NAY: None

ABSTAIN: Raffety

ABSENT: Reynolds

**MINUTES**

Thorburn presented the minutes of the July 11, 2023, Board of Directors meeting, July 19, 2023, Special Board of Directors meeting and July 12, 2023, Executive Committee Meeting. Thorburn mentioned a correction to the Executive Committee minutes: Reynolds was not present. Moved by Grams, seconded by Bergstrom, to approve the minutes for the July 11, 2023 Regular Board of Directors meeting. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Grams, Grimes, Harris, Hinrichs, Lundeen, Philips and Ryan

NAY: None

ABSTAIN: Larson and Raffety

ABSENT: Reynolds

Moved by Bilka, seconded by Larson, to approve the minutes for the July 19, 2023 Special Board of Directors meeting. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Grams, Grimes, Harris, Hinrichs, Lundeen, Larson, and Ryan

NAY: None

ABSTAIN: Philips and Raffety

ABSENT: Reynolds

Moved by Bilka, seconded by Hinrichs to approve the minutes for the July 12, 2023 Executive Committee meeting with correction. Motion carried unanimously.

**FINANCIAL REPORT**

Ryan presented the financial report for the month of July 2023 as follows:

Accrual Expenditures for Month .....	\$142,068.33
Accrual Revenues for Month.....	\$18,554.32
Actual Expenditures for Month .....	\$165,513.47
Actual Revenues for Month.....	\$22,118.40
Bank Balance—July 30, 2023.....	\$165,448.78
Accounts Receivable – July 30, 2023.....	\$71,533.65

Investments – Pinnacle Bank – July 30, 2023-----	\$14,912.68
Building Sinking Fund – July 30, 2023-----	\$137,967.42
Vehicle Sinking Fund – July 30, 2023-----	\$98,498.57
Water Resources Fund – July 30, 2023-----	\$326,071.01
Whiskey Slough IPA Balance – July 30, 2023-----	\$15,837.63
Fort Kearny-West IPA Balance – July 30, 2023-----	\$8,666.95
South Dry Creek IPA Balance – July 30, 2023-----	\$6,794.77
Fort Kearny IPA Balance – July 30, 2023-----	\$4,344.37
Sacramento Creek IPA Balance – July 30, 2023-----	\$1,983.51
North Dry Creek IPA Balance – July 30, 2023-----	\$7,729.80
Water Jamboree – July 30, 2023-----	\$4,344.37
NR MDMA – July 30, 2023-----	\$7,638.05
Odessa IPA – July 30, 2023-----	\$20,036.17
Sacramento Creek IPA Loan Balance – July 30, 2023-----	\$6,0708.32

Moved by Bilka, seconded by Raffety, to accept the July 2023 Financial Report, and submit for audit. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Grams, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety and Ryan

NAY: None

ABSTAIN: None

ABSENT: Reynolds

#### SPECIAL BILLS

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

AYE: Bergstrom, Bilka, Garrelts, Grams, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety and Ryan

NAY: None

ABSTAIN: None

ABSENT: Reynolds

#### NRCS REPORT

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

**Activity and Progress Report:** Kerner reported staff is working on cover crop sheets, participated in PIFR Team Site Investigation, Logan Aussman was hired as a soil conservationist for the Holdrege USDA/NRCS office and both Elwood and Minden still have vacancies.

#### COST SHARE REPORT

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

**NSWCP & NRD Applications** – Thorburn presented two NSWCP cost-share applications for approval. Moved by Grimes, seconded by Grams, to approve two NSWCP cost-share applications. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Grams, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety and Ryan

NAY: None

ABSTAIN: None

ABSENT: Reynolds

### **GROUNDWATER MANAGEMENT**

**Groundwater, Certified Acre Transfers & WCIP** – There were no 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 or discussion. Terry Sorensen commented on the Little Blue IMP process and offered to attend joint meetings.

### **UNFINISHED BUSINESS**

**Approve FY 2023-2024 Budget:** This item was discussed later in the meeting after the hearing was closed.

### **NARD REPORT**

**NARD Report:** The NARD Fall Conference will be held September 25-26, 2023 in Kearney.

**Select Delegate and Alternate Delegate for the NARD Fall Conference:** Moved by Bilka, seconded by Ryan, to designate Larry Reynolds as delegate and Dave Raffety as alternate delegate for the NARD Fall Conference. Motion carried.

**AYE:** Bergstrom, Bilka, Garrelts, Grams, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips and Ryan

**NAY:** None

**ABSTAIN:** Raffety

**ABSENT:** Reynolds

### **COMMITTEE REPORTS**

**Committee Reports:** An Executive Committee meeting is scheduled for September 12, 2023, at 1 pm. A Planning Committee meeting to discuss certified irrigated acres relating to solar farms, suggestions for future negotiations with CNPPID and groundwater use by supplemental to surface water wells (added by Lundeen later in this meeting) is scheduled for Thursday, August 17, 2023, at 9 am.

### **STAFF REPORTS & NECESSARY ACTION**

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

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

### **MONTHLY REPORTS**

**Republican Basin:** The Republican Basin is a compact call year, but a water-short year designation was avoided.

**Platte Basin:** Annual Platte Basin IMP meeting was held in Scottsbluff, NE. IMPs are in compliance.

**Sand Creek/Little Blue Basin:** There will be a basin-wide meeting including LBBNRD on September 22, 2023, in Davenport. Thorburn expressed that LBNRD and TBNRD have issues particular to the two NRDs. Tri-Basin would like to continue to hold joint meetings with Little Blue NRD.

**North Dry Creek:** Staff has been spraying ditch bottoms and cattails.

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**Odessa IPA:** Staff has been spraying ditch bottoms and cattails.

**Sacramento Creek:** Staff has been spraying ditch bottoms and cattails.

**Fort Kearny:** Staff has been spraying ditch bottoms and cattails.

**Fort Kearny West:** Staff has been spraying ditch bottoms and cattails.

**South Dry Creek:** Staff has been spraying ditch bottoms and cattails.

**Whiskey Slough:** Staff has been spraying ditch bottoms and cattails.

**Middle Lost Creek:** Staff has been spraying ditch bottoms and cattails.

**Lake Seldom:** Nothing to report.

**CoHyst/Platte Basin Coalition:** Platte Basin Coalition partners are willing to allow Tri-Basin to use its allocated PBC funds as a match for a grant for the Net Recharge Tool.

**Rainwater Basin Joint Venture:** Meeting will be held next month.

**Platte-Republican Diversion & Republican Basin Augmentation Well:** Platte Republican Diversion water right objectors appeal will be held August 29, 2023, at Nebraska Supreme Court. This would be the first trans-basin diversion in Nebraska, if approved.

**CNPPID Report:** Dicke reported Lake McConaughy is at 54% of capacity and irrigation season is still going.

**NEW BUSINESS**

**Schedule a Public Hearing on the FY 2023-2024 Levy and Tax Request:** Garrelts suggested changing the September board meeting from afternoon to evening. Moved by Bilka, seconded by Ryan, to change the September 12, 2023, board meeting time from 7:30 p.m. to 1:30 p.m. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Grams, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety and Ryan

NAY: None

ABSTAIN: None

ABSENT: Reynolds

Moved by Grimes, seconded by Bilka, to hold a hearing on September 12, 2023, at 1:30 p.m. to set the levy and final tax request for the FY 2023-2024 Budget. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Grams, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety and Ryan

NAY: None

ABSTAIN: None

ABSENT: Reynolds

**Consider Policy Addressing Temporary Land Use Changes on Irrigated Land:** Thorburn explained the Reynolds requested this agenda item. Landowners in his area have been approached to

lease or sell property that have irrigated acres for a solar farm. The selling process requires the purpose to be changed and irrigated acre rights transferred. Leasing could temporarily/permanently change the use based on the county assessor's determination. TBNRD rules and regulations do not address the situation. The Planning Committee will meet Thursday, August 17, 2023, at 9 am to discuss the issue. Hinrichs asked that his suggestions for future cooperation with CNPPID be added to the Planning Committee agenda. Lundeen asked that the issue of groundwater use by supplemental to surface water wells be added to the agenda.

**UNFINISHED BUSINESS**

**Approve FY 2023-2024 Budget:** Moved by Larson, seconded by Bergstrom, to approve the FY 2023-2024 Budget. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Grams, Grimes, Harris, Hinrichs, Larson, Lundeen, Philips, Raffety and Ryan

NAY: None

ABSTAIN: None

ABSENT: Reynolds

**COMMENTS AND CONCERNS**

There were no comments or concerns.

**PERSONNEL AND LEGAL MATTERS**

There were no personnel or legal issues.

**NEXT BOARD MEETING**

TBNRD Regular Board Meeting and Budget Hearing will be held on Tuesday, September 12, 2023, 7:30 p.m.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 2:09 p.m.

**DIRECTORS PRESENT**

Brian Bergstrom, Joe Bilka, Todd Garrelts, Joel Grams, David Grimes, Ed Harris, Rob Hinrichs, Joe Larson, Brad Lundeen, Reed Philips, David Raffety and Jeff Ryan.

**OTHERS PRESENT:**

John Thorburn, Sasha Hahn, Tammy Fahrenbruch, Scott Dicke, Nolan Little, Terry Sorensen, Bob Ard, Todd Whitney, Tami Reese, Amy Dutton, Cammie Kerner and Carie Lynch.

Respectfully Submitted:

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Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS  
 TRI-BASIN NATURAL RESOURCES DISTRICT  
 BOARD OF DIRECTORS MEETING  
 August 8, 2023

ID	Motion #	Category	Subject	Aye	Nay	Abstain	Motion
	2023-08-09-01	Meeting Administration		11		1	Moved by Bilka, seconded by Lundeen, to excuse Raffety from the June and July 2023 Board of Directors meeting. Motion carried.
	2023-08-09-02	Meeting Administration		10		2	Moved by Grams, seconded by Bergstrom, to approve the minutes for the July 11, 2023 Regular Board of Directors meeting. Motion carried.
	2023-08-09-03	Meeting Administration		10		2	Moved by Bilka, seconded by Larson, to approve the minutes for the July 19, 2023 Special Board of Directors meeting. Motion carried.
	2023-08-09-04	Meeting Administration		12			Moved by Bilka, seconded by Hinrichs to approve the minutes for the July 12, 2023 Executive Committee meeting with correction. Motion carried unanimously.
	2023-08-09-05	Meeting Administration		12			Moved by Bilka, seconded by Raffety, to accept the July 2023 Financial Report, and submit for audit. Motion carried.
	2023-08-09-06	Budget		12			Moved by Larson, seconded by Raffety, to approve the Visa and attorney bills. Motion carried.
	2023-08-09-07	Meeting Administration		12			Moved by Grimes, seconded by Grams, to approve two NSWCP cost-share applications. Motion carried.
	2023-08-09-08	Directors		11		1	Moved by Bilka, seconded by Ryan, to designate Larry Reynolds as delegate and Dave Raffety as alternate delegate for the NARD Fall Conference. Motion carried.
	2023-08-09-09	Meeting Administration		12			Moved by Bilka, seconded by Ryan, to change the September 12, 2023, board meeting time from 7:30 p.m. to 1:30 p.m. Motion carried.
	2023-08-09-10	Budget		12			Moved by Grimes, seconded by Bilka, to hold a hearing on September 12, 2023, at 1:30 p.m. to set the levy and final tax request for the FY 2023-2024 Budget. Motion carried.
	2023-08-09-11	Budget		12			Moved by Larson, seconded by Bergstrom, to approve the FY 2023-2024 Budget. Motion carried.