

MINUTES OF THE TRI-BASIN NRD BOARD MEETING
Tuesday, September 12, 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, 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: Bilka, Garrelts, Grams, Grimes, Harris, Hinrichs, Lundeen, Larson, Philips, Raffety, Reynolds and Ryan. Bergstrom 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

There were no absences to excuse.

MINUTES

Thorburn presented the minutes of the August 8, 2023, Board of Directors meeting and Budget Hearing and August 17, 2023, Planning Committee Meeting. Reynolds noted a correction to the minutes. Moved by Larson, seconded by Lundeen, to approve the minutes for the August 8, 2023 Regular Board of Directors meeting and Budget Hearing with correction. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

Moved by Grimes, seconded by Hinrichs to approve the minutes for the August 17, 2023 Planning Committee meeting. Motion carried unanimously.

FINANCIAL REPORT

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

Accrual Expenditures for Month -----	\$164,531.58
Accrual Revenues for Month-----	\$89,254.11
Actual Expenditures for Month -----	\$360,467.16
Actual Revenues for Month-----	\$335,359.20
Bank Balance–August 31, 2023-----	\$140,340.82
Accounts Receivable – August 31, 2023-----	\$6,346.60
Investments – Pinnacle Bank – August 31, 2023-----	\$14,912.68
Building Sinking Fund – August 31, 2023-----	\$137,967.42
Vehicle Sinking Fund – August 31, 2023-----	\$98,498.57
Water Resources Fund – August 31, 2023-----	\$326,071.01
Whiskey Slough IPA Balance – August 31, 2023-----	\$15,946.53
Fort Kearny-West IPA Balance – August 31, 2023-----	\$8,684.29
South Dry Creek IPA Balance – August 31, 2023-----	\$6,794.83
Fort Kearny IPA Balance – August 31, 2023-----	\$10,676.44
Sacramento Creek IPA Balance – August 31, 2023-----	\$1,985.05
North Dry Creek IPA Balance – August 31, 2023-----	\$7,729.87
Water Jamboree – August 31, 2023-----	\$4,344.74
NR MDMA – August 31, 2023-----	\$7,638.11
Odessa IPA – August 31, 2023-----	\$20,036.34
Sacramento Creek IPA Loan Balance – August 31, 2023-----	\$6,708.32

Ryan suggested investigating Certificate of Deposit Rates for the Sinking Funds. Lynch will provide the Executive Committee with information. Moved by Bilka, seconded by Raffety, to accept the August 2023 Financial Report, and submit for audit. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

Moved by Reynolds, seconded by Lundeen, to authorize the Executive Committee to move Sinking Funds into a Certificate of Deposit. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

SPECIAL BILLS

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

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

NRCS REPORT

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

Activity and Progress Report: Kerner reported the District had CSP contracts totaling over \$3,000,000, EQIP contracts totaling over \$2,000,000 and new staff.

COST SHARE REPORT

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

NSWCP & NRD Applications – Thorburn presented six NSWCP cost-share applications for approval. Moved by Bilka, seconded by Lundeen, to approve six NSWCP cost-share applications. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

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.

UNFINISHED BUSINESS

Approve FY 2023-2024 Tax Request Resolution: 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. Thorburn mentioned that the Nebraska Farm Bureau has reviewed the concept of shifting NRD funding from property tax to state funding. There aren't any proposed resolutions yet.

COMMITTEE REPORTS

Planning Committee Reports: Thorburn reviewed the Planning Committee's recommendations. Thorburn mentioned legal counsel suggested the change of use should be a permit and not a contract and a draft agreement with CNPPID was sent to directors for review already. Moved by Reynolds, seconded by Grimes, to approve the following Planning Committee recommendations: 1. Thorburn and legal will prepare a draft WCIP contract for temporary change of use of irrigated land and 2. Thorburn will prepare a draft contract for CNPPID based on Hinrichs Principles including dual connections and RCPP funding. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

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 Compact meeting was held in August. Colorado claims they met the requirement of retired irrigated acres but haven't yet provided supporting data.

Platte Basin: Nothing to report.

Sand Creek/Little Blue Basin: There will be a basin-wide meeting on September 22, 2023, in Davenport.

North Dry Creek: Staff has been shredding.

Odessa IPA: Staff has been shredding.

Sacramento Creek: Staff has been shredding.

Fort Kearny: Staff has been shredding.

Fort Kearny West: Staff has been shredding.

South Dry Creek: Staff has been shredding.

Whiskey Slough: Staff has been shredding.

Middle Lost Creek: Staff has been shredding.

Lake Seldom: Nothing to report.

CoHyst/Platte Basin Coalition: Nothing to report.

Rainwater Basin Joint Venture: Meeting will be held October 17, 2023.

Platte-Republican Diversion & Republican Basin Augmentation Well: Platte Republican Diversion water right objectors appeal was held August 29, 2023, at Nebraska Supreme Court. A ruling isn't expected until later this year.

CNPPID Report: Dicke reported Johnson Lake is being drawn down and the relation to chemigation and algae blooms in canals could be discussed at the October 18, 2023, Partnership Meeting.

NEW BUSINESS

AHMP Adoption Resolution: Thorburn explained this is the third update of the Hazard Mitigation Plan. FEMA has approved the plan. Moved by Bilka, seconded by Larson, to approve the All-Hazard Mitigation Plan Resolution 23-03. Motion carried.

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

NAY: Hinrichs

ABSTAIN: None

ABSENT: Bergstrom

NRD Assistant Manager Position: Thorburn explained the Executive Committee reviewed the Draft Assistant Manager Job Description and interviewed a candidate (Nolan Little) for the position. Garrelts congratulated Nolan Little as the new assistant manager after the motions passed.

Moved by Reynolds, seconded by Ryan, to approve the assistant manager position and job description. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

Moved by Bilka, seconded by Reynolds, to approve Nolan Little as Assistant Manager. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

UNFINISHED BUSINESS

Approve FY 2023-2024 Tax Request Resolution: Moved by Reynolds, seconded by Ryan, to approve Resolution 23-01 to set the tax request. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

COMMENTS AND CONCERNS

There were no comments or concerns.

PERSONNEL AND LEGAL MATTERS

Moved by Lundeen, seconded by Raffety to move to Executive Session to discuss legal matters for the protection of the public at 2:10 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

Moved by Hinrichs, seconded by Ryan to move out of the Executive Session to discuss legal matters for the protection of the public at 2:16 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bergstrom

NEXT BOARD MEETING

TBNRD Regular Board Meeting and Budget Hearing will be held on Tuesday, October 10, 2023, 7:30 p.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 2:18 p.m.

DIRECTORS PRESENT

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

OTHERS PRESENT:

John Thorburn, Sasha Hahn, Scott Dicke, Nolan Little, Nate Munter, Cammie Kerner and Carie Lynch.

Respectfully Submitted:

Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS
TRI-BASIN NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
September 12, 2023

ID	Motion #	Category	Subject	Aye	Nay	Abstain	Motion
	2023-09-12-01	Meeting Administration		12			Moved by Larson, seconded by Lundeen, to approve the minutes for the August 8, 2023 Regular Board of Directors meeting and Budget Hearing with correction. Motion carried.
	2023-09-12-02	Meeting Administration		12			Moved by Grimes, seconded by Hinrichs to approve the minutes for the August 17, 2023 Planning Committee meeting. Motion carried unanimously.
	2023-09-12-03	Meeting Administration		12			Moved by Bilka, seconded by Raffety, to accept the August 2023 Financial Report, and submit for audit. Motion carried.
	2023-09-12-04	Policies – By-Laws	Certificate of Deposit Bruning Bank	12			Moved by Reynolds, seconded by Lundeen, to authorize the Executive Committee to move Sinking Funds into a Certificate of Deposit. Motion carried.
	2023-09-12-05	Budget		12			Moved by Bilka, seconded by Ryan, to approve the Visa and attorney bills. Motion carried.
	2023-09-12-06	Meeting Administration		12			Moved by Bilka, seconded by Lundeen, to approve six NSWCP cost-share applications. Motion carried.
	2023-09-12-07	Projects	WCIP Temp Change of Use	12			Moved by Reynolds, seconded by Grimes, to approve the following Planning Committee recommendations: 1. Thorburn and legal will prepare a draft WCIP contract for temporary change of use of irrigated land and 2. Thorburn will prepare a draft contract for CNPPID based on Hinrichs Principles including dual connections and RCPP funding. Motion carried.
	2023-09-12-08	Resolutions & Legislation	AHMP	11	1		Moved by Bilka, seconded by Larson, to approve the All-Hazard Mitigation Plan Resolution 23-03. Motion carried.
	2023-09-12-09	Personnel	Asst. Manager Job Desc.	12			Moved by Reynolds, seconded by Ryan, to approve the assistant manager position and job description. Motion carried.
	2023-09-12-10	Personnel	Nolan Little – Asst. Manager	12			Moved by Bilka, seconded by Reynolds, to approve Nolan Little as Assistant Manager. Motion carried.

	2023-09-12-11	Resolutions & Legislation	Budget	12			Moved by Reynolds, seconded by Ryan, to approve Resolution 23-01 to set the tax request. Motion carried.
	2023-09-12-12	Meeting Administration		12			Moved by Lundeen, seconded by Raffety to move to Executive Session to discuss legal matters for the protection of the public at 2:10 p.m. Motion carried.
	2023-09-12-13	Meeting Administration		12			Moved by Hinrichs, seconded by Ryan to move out of the Executive Session to discuss legal matters for the protection of the public at 2:16 p.m. Motion carried.