

MINUTES OF THE TRI-BASIN NRD BOARD MEETING
Tuesday, May 12, 2020, 1:30 p.m.
Tri-Basin NRD

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. Lundeen noted that the meeting is an in-person and virtual meeting as allowed by an Executive Order of Governor Ricketts. Prior to the meeting, Jeff Ryan took his Oath of Office.

ROLL CALL

Roll call was taken with eleven directors present: Cavanaugh, Harris, Hinrichs and Johnson were present virtually and Bergstrom, Bilka, Garrelts, Larson, Reynolds, Ryan and Lundeen were in person. Jorgensen and Raffety were absent. 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

Jorgensen was not present, so his absence could not be excused.

MINUTES

Thorburn presented the minutes of the April 14, 2020 Board of Directors Meeting. Moved by Raffety, seconded by Bergstrom, to approve the minutes for the April 14, 2020 Board of Director meeting. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Jorgensen and Raffety

FINANCIAL REPORT

Hinrichs presented the financial report for the month of April 2020 as follows:

Accrual Expenditures for Month -----	\$138,763.91
Cash Expenditures for Month-----	\$153,157.64
Accrual Revenues for Month-----	\$42,147.53
Cash Revenues for Month-----	\$51,828.82
Bank Balance–April 30, 2020-----	\$99,951.09
Accounts Receivable – April 30, 2020-----	\$1,797.47
Investments – Pinnacle Bank – April 30, 2020-----	\$264,377.30
Building Sinking Fund – April 30, 2020-----	\$167,055.62
Vehicle Sinking Fund – April 30, 2020-----	\$91,699.85
Water Resources Fund – April 30, 2020-----	\$562,507.24
Whiskey Slough IPA Balance – April 30, 2020-----	\$1,771.60
Fort Kearny-West IPA Balance – April 30, 2020-----	\$5,267.08
South Dry Creek IPA Balance – April 30, 2020-----	\$12,985.26
Fort Kearny IPA Balance – April 30, 2020-----	\$7,691.11
Sacramento Creek IPA Balance – April 30, 2020-----	\$3,727.59
North Dry Creek IPA Balance – April 30, 2020-----	\$9,627.99
Water Jamboree – April 30, 2020-----	\$7,914.57
NR MDMA – April 30, 2020-----	\$7,634.38
Odessa IPA – April 30, 2020-----	\$7,800.45

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Hinrichs noted a change in the balance for Pinnacle Bank savings. Moved by Bilka, seconded by Larson, to approve the April 2020 Financial Report, as amended, and submit for audit. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Jorgensen and Raffety

SPECIAL BILLS

Thorburn presented the VISA, CNPPID, attorney, Anderson Brothers and PRD bills for approval. Moved by Garrelts, seconded by Larson, to approve the VISA, CNPPID, attorney, Anderson Brothers and PRD bills. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Jorgensen and Raffety

NRCS REPORT

FSA Farm Plans: There were no farm plans to approve

Activity and Progress Report: There was no report.

COST SHARE REPORT

Well Abandonment – Thorburn presented four well abandonment cost-share applications for approval. Moved by Larson, seconded by Ryan, to approve four well decommissioning cost-share applications. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Jorgensen and Raffety

NSWCP & NRD Applications – Thorburn presented two NSWCP and three TBNRD cost-share applications. Moved by Bilka, seconded by Larson, to approve two NSWCP and three TBNRD cost-share applications. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Jorgensen and Raffety

WCIP – Thorburn recommended seventeen WCIP applications for approval. Moved by Reynolds, seconded by Johnson, to approve seventeen Water Conservation Incentive applications. Motion carried.

AYE: Bergstrom, Bilka, Cavanaugh, Garrelts, Harris, Hinrichs, Johnson, Ryan and Reynolds

NAY: None

ABSTAIN: Larson and Lundeen

ABSENT: Jorgensen and Raffety

GROUNDWATER MANAGEMENT

Groundwater & Certified Acre Transfers – Thorburn presented one groundwater transfer/well variance for James McGowen. Moved by Reynolds, seconded by Bilka, to approve a groundwater transfer and well variance for James McGowen. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Jorgensen and Raffety

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.

UNFINISHED BUSINESS

Accept Resignation of SD #6 Director, Greg Jorgensen: Thorburn stated that Greg Jorgensen, Director for Sub-District 6, submitted his resignation. His term will expire on December 31, 2020. Moved by Garrelts, seconded by Bilka, accept the resignation of Greg Jorgensen and advertise for a director to fill the remainder of his term for Director in Sub-District 6, which ends on December 31, 2020. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Jorgensen and Raffety

Consider Whether to Assist with Replacing Culvert on Lost Creek at Hwy 44: Thorburn reported that the culvert runs under Hwy 44 at Lost Creek was installed in the 1960's but the Nebraska Department of Roads has no record of the installation. The repair isn't a priority for the Nebraska Department of Roads. Thorburn asked the board if they would consider the project and how it would be funded. Garrelts stated that it would set a precedent if TBNRD would pay for the project. Reynolds suggested sending the project to the Projects & Construction Committee, talking to the County Road Dept., and get an estimate. Johnson suggested researching who installed the project and Bilka suggested getting landowners involved. Moved by Reynolds, seconded by Garrelts, to send the replacement of the culvert under Hwy 44 to the Projects and Construction Committee for consideration. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Jorgensen and Raffety

Review Board Ad hoc Augmentation Committees: Thorburn explained there are several committees set up for drainage and augmentation. Thorburn suggested the structure be simplified and Garrelts suggested Lundeen and Thorburn work on the committee structure.

NARD REPORT

NARD Report: Reynolds reported that the NARD Papio Tour was cancelled, and that NARD is waiting for a refund for the Washington DC Conference that was cancelled. There was discussion about changing the board meeting back to the original date. Moved by Bergstrom, seconded by Ryan to change the June board meeting back to the regular date of June 9, 2020 at 1:30 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Jorgensen and Raffety

COMMITTEE REPORTS

Committee Reports: Thorburn mentioned that a Projects and Construction Committee meeting was needed. June 9, 2020 in the morning was suggested. Thorburn will consult the chair of the committee

STAFF REPORTS & NECESSARY ACTION

Board Directives to Staff: Thorburn reported only two crop reports have not been submitted.

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

MONTHLY REPORTS

Republican Basin (NRRMDA): Republican Basin meeting is set for May. Thorburn will get Johnson the date.

Platte Basin: Platte Basin-Wide meeting is tentatively scheduled for July 15, 2020 at TBNRD.

Sand Creek/Little Blue Basin: Thorburn presented the only bid received for the Sand Creek recharge structure on the Sorensen property. Moved by Reynolds, seconded by Cavanaugh to accept the bid from Kokes Construction for the Sand Creek recharge structure on the Sorensen property. Motion carried.

AYE: Bergstrom, Cavanaugh, Harris, Johnson, Larson, Lundeen, Ryan and Reynolds

NAY: Bilka, Garrelts and Hinrichs

ABSTAIN: None

ABSENT: Jorgensen and Raffety

North Dry Creek: Staff has been removing trees and shredding.

Odessa IPA: Staff has been removing trees and shredding.

Sacramento Creek: Staff has been removing trees and shredding.

Fort Kearny: Staff has been removing trees and shredding.

Fort Kearny West: Staff has been removing trees and shredding.

South Dry Creek: Staff has been removing trees and shredding.

Whiskey Slough: Staff has been removing trees and shredding.

Middle Lost Creek: Staff has been removing trees and shredding.

Lake Seldom: Nothing to report.

CoHyst/Platte Basin Coalition: Thorburn reported an issues with water flow in the model.

Rainwater Basin Joint Venture: Thorburn was invited to participate on a Best Management Practices committee.

Platte-Republican Diversion & Republican Basin Augmentation Well: There was discussion about the prescribed burn and the results.

CNPPID: Ford reported Lake McConaughey is at 3258.4 elevation.

NEW BUSINESS

Consider Participating in NE Forest Service RCPP application: Thorburn explained that the Nebraska Forrest Service is submitting a Regional Conservation Partnership Program application to NRCS. The state-wide program provides funding to renovate existing windbreaks. TBNRD would use existing cost-share funds as a match for federal funding. Moved by Bilka, seconded by Bergstrom to participate in the Regional Conservation Partnership Program. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Jorgensen and Raffety

Schedule Special Board Meeting for May 20, 2020 to Discuss Platte Basin IMP: Thorburn explained that Jesse Bradley would like to talk with the board about the Platte Basin IMP and the Cottonwood Ranch Augmentation Project. Bradley would like to speak to Directors in person but Directed Health Measures and DNDR travel limitations might not allow an in person meeting of more than ten people in May. Moved by Bilka, seconded by Garrelts to set a Special Board Meeting for May 20, 2020 at 10:30 a.m. and that Lynch remind Directors of meeting. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Hinrichs, Johnson, Larson, Lundeen, Ryan and Reynolds

NAY: Cavanaugh and Harris

ABSTAIN: None

ABSENT: Jorgensen and Raffety

Consider Amendment to WSA with CNPPID for Wetland Diversions: Thorburn explained that the Water Service Agreements with NDNR and CNPPID is being amended. The amendments relate to wetland diversions and payments. The amendments will allow NDNR to pay 60% of the cost of diversions into wetlands. Reynolds would like the division of costs between NDNR and TBNRD more defined in the amendments. Moved by Garrelts, seconded by Bergstrom to approve amendments to the Water Service Agreements with NDNR and CNPPID relating to wetland diversions and excess flow diversions subject to legal review. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Jorgensen and Raffety

Consider Amendment to WSA with CNPPID and NDNR for Excess Flow Diversions: This item was discussed in the previous agenda item.

PERSONELL AND LEGAL MATTERS

There were no personnel or legal matters

COMMENTS AND CONCERNS

There were no comments or concerns.

NEXT BOARD MEETING

TBNRD Regular Board Meeting will be held on Tuesday, June 9, 2020, 1:30 p.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 2:55 p.m.

DIRECTORS PRESENT

Brian Bergstrom, Joe Bilka, Mike Cavanaugh, Todd Garrelts, Ed Harris, Rob Hinrichs, Phyllis Johnson, Joe Larson, Jeff Ryan, Larry Reynolds, and Brad Lundeen

OTHERS PRESENT

Carie Lynch, John Thorburn, Sasha Hahn, Dave Ford, Nolan Little, Tammy Fahrenbruch and David Grimes.

Respectfully Submitted:

Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS
 TRI-BASIN NATURAL RESOURCES DISTRICT
 BOARD OF DIRECTORS MEETING
 May 12, 2020

ID	Motion #	Category	Subject	Aye	Nay	Abstain	
	2020-05-12-01	Meeting Administration		11			Moved by Raffety, seconded by Bergstrom, to approve the minutes for the April 14, 2020 Board of Director meeting. Motion carried.
	2020-05-12-02	Meeting Administration		11			Moved by Bilka, seconded by Larson, to approve the April 2020 Financial Report, as amended, and submit for audit. Motion carried.
	2020-05-12-03	Budget		11			Moved by Garrelts, seconded by Larson, to approve the VISA, CNPPID, attorney, Anderson Brothers and PRD bills. Motion carried.
	2020-05-12-04	Meeting Administration		11			Moved by Larson, seconded by Ryan, to approve four well decommissioning cost-share applications. Motion carried.
	2020-05-12-05	Meeting Administration		11			Moved by Bilka, seconded by Larson, to approve two NSWCP and three TBNRD cost-share applications. Motion carried.
	2020-05-12-06	Meeting Administration		9		2	Moved by Reynolds, seconded by Johnson, to approve seventeen Water Conservation Incentive applications. Motion carried.
	2020-05-12-07	Meeting Administration		11			Moved by Reynolds, seconded by Bilka, to approve a groundwater transfer and well variance for James McGowen. Motion carried.
	2020-05-12-08	Directors	Jorgensen resign	11			Moved by Garrelts, seconded by Bilka, accept the resignation of Greg Jorgensen and advertise for a director to fill the remainder of his term for Director in Sub-District 6, which ends on December 31, 2020. Motion carried.
	2020-05-12-09	Projects	Hwy 44 Culvert	11			Moved by Reynolds, seconded by Garrelts, to send the replacement of the culvert under Hwy 44 to the Projects and Construction Committee for consideration. Motion carried.
	2020-05-12-10	Meeting Administration		11			Moved by Bergstrom, seconded by Ryan to change the June board meeting back to the regular date of June 9, 2020 at 1:30 p.m. Motion carried.
	2020-05-12-11	Projects	Sorensen recharge	8	3		Moved by Reynolds, seconded by Cavanaugh to accept the bid from Kokes Construction for the Sand Creek

							recharge structure on the Sorensen property. Motion carried.
	2020-05-12-12	Agreements	RCCP	11			Moved by Bilka, seconded by Bergstrom to participate in the Regional Conservation Partnership Program. Motion carried.
	2020-05-12-13	Meeting Administration		9	2		Moved by Bilka, seconded by Garrelts to set a Special Board Meeting for May 20, 2020 at 10:30 a.m. and that Lynch remind Directors of meeting. Motion carried.
	2020-05-12-14	Agreements	WSA amendments	11			Moved by Garrelts, seconded by Bergstrom to approve amendments to the Water Service Agreements with NDNR and CNPPID relating to wetland diversions and excess flow diversions subject to legal review. Motion carried.