

**MINUTES OF THE TRI-BASIN NRD BOARD MEETING**  
**Tuesday, December 14, 2021, 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 1:30 p.m. Lundeen noted Public Meeting Law is posted in the boardroom.

**ROLL CALL**

Roll call was taken with twelve directors present: Bilka, Bergstrom, Cavanaugh (zoom), Garrelts, Grimes, Harris, Hinrichs, Larson, Philips, Reynolds, Ryan and Lundeen. Raffety was absent. Notice of the meeting was published in the Holdrege Citizen, Bertrand Herald, Elwood Bulletin and Minden Courier and announced on radio station KRVN, Lexington.

**EXCUSE ABSENCES**

Moved by Bilka, seconded by Bergstrom, to excuse Garrelts from the October and November 2021 board meetings. Motion carried.

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

NAY: None

ABSTAIN: Garrelts

ABSENT: Cavanaugh (for voting purposes) and Raffety

**MINUTES**

Thorburn presented the minutes of the November 9, 2021, Board of Directors Meeting Moved by Larson, seconded by Ryan, to approve the minutes for the November 9, 2021, Board of Directors meeting. Motion carried.

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

NAY: None

ABSTAIN: Bergstrom and Garrelts

ABSENT: Cavanaugh (for voting purposes) and Raffety

**FINANCIAL REPORT**

Hinrichs presented the financial report for the month of November 2021 as follows:

Accrual Expenditures for Month .....	\$89,911.40
Cash Expenditures for Month.....	\$98,954.02
Accrual Revenues for Month.....	\$15,572.49
Cash Revenues for Month.....	\$988,669.51
Bank Balance–November 30, 2021.....	\$1,193,728.30
Accounts Receivable – November 30, 2021.....	\$64,613.23
Investments – Pinnacle Bank – November 30, 2021.....	\$114,593.14
Building Sinking Fund – November 30, 2021.....	\$163,893.64
Vehicle Sinking Fund – November 30, 2021.....	\$110,840.43
Water Resources Fund – November 30, 2021.....	\$424,314.94
Whiskey Slough IPA Balance – November 30, 2021.....	\$5,322.58
Fort Kearny-West IPA Balance – November 30, 2021.....	\$5,841.14
South Dry Creek IPA Balance – November 30, 2021.....	\$5,143.04
Fort Kearny IPA Balance – November 30, 2021.....	\$9,680.76
Sacramento Creek IPA Balance – November 30, 2021.....	\$9,100.30
North Dry Creek IPA Balance – November 30, 2021.....	\$5,892.11
Water Jamboree – November 30, 2021.....	\$7,580.87
NRMDA – November 30, 2021.....	\$7,636.81
Odessa IPA – November 30, 2021.....	\$20,224.92

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Moved by Bilka, seconded by Grimes, to accept the November 2021 Financial Report, and submit for audit. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Cavanaugh (for voting purposes) and Raffety

**SPECIAL BILLS**

Thorburn presented the VISA, attorney, J&G Dirtworks, and PRD bills for approval. Moved by Garrelts, seconded by Ryan, to approve the VISA, attorney, J&G Dirtworks and PRD bills. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Cavanaugh (for voting purposes) and Raffety

**NRCS REPORT**

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

**Activity and Progress Report:** Kerner reported staff has been wrapping-up CSP and EQIP and Wendy Clark retired. Kerner mentioned a new cost-share program in conjunction with the Nebraska Forrest Service.

**COST SHARE REPORT**

**Well Abandonment** – Thorburn presented one well decommissioning cost-share application to approve. Moved by Bergstrom, seconded by Larson, to approve one well decommissioning cost-share application. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Cavanaugh (for voting purposes) and Raffety

**NSWCP & NRD Applications** – Thorburn presented three NSWCP cost-share applications to approve. Moved by Ryan, seconded by Bilka to approve three NSWCP cost-share applications. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Cavanaugh (for voting purposes) and Raffety

### **GROUNDWATER MANAGEMENT**

**Groundwater, Certified Acre Transfers & WCIP** – Thorburn presented two ground water transfers (Westcott and Swanson) and three irrigated acre transfer applications (Thorell, Charity Field and Herrick) for approval. Moved by Garrelts, seconded by Hinrichs to approve two groundwater transfer applications and three irrigated acre transfer applications. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Cavanaugh (for voting purposes) 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**

**Auditor’s Report for FY 2020-2021:** Gayle Reiners, Tonniges and Associates, presented the FY 2020-2021 Audit Report. There was discussion about the auditors moving reporting from accrual to cash accounting.

Moved by Bilka, seconded by Bergstrom to approve the FY 2020-2021 Audit Report and have Tonniges and Associates file with the State of Nebraska. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Cavanaugh (for voting purposes) and Raffety

**Approve TBNRD Election Sub-Districts:** Thorburn presented a map of the TBNRD sub-districts and explained the only change was in the City of Minden wards.

Moved by Bilka, seconded by Harris to adopt the Resolution for 2021 TBNRD Election Sub-District Boundaries (as set forth December 14, 2021). Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Cavanaugh (for voting purposes) and Raffety

**Discuss Groundwater Quality Issues in Nebraska:** Thorburn presented nitrate data for TBNRD highlighting the Phase III areas. Thorburn commented that Phase III regulations have lowered nitrate levels. There was discussion about how to increase awareness in TBNRD about groundwater quality. It was suggested to form a committee made up of agronomists and other agencies and to investigate developing a nitrogen demonstration plot. Garrelts commented that costs associated with a demonstration plot would need to be added to the next FY budget.

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Moved by Garrelts, seconded by Grimes to allow Thorburn to pursue nitrogen management demonstration plots and meetings with agronomists and other organizations to increase groundwater quality awareness. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Cavanaugh (for voting purposes) and Raffety

**NARD REPORT**

**Legislative Voting Delegates:** Moved by Bilka, seconded by Garrelts to appoint Reynolds as delegate and Dave Raffety as alternate delegate for the 2022 NARD Legislative Conference. Motion carried.

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

NAY: None

ABSTAIN: Reynolds

ABSENT: Cavanaugh (for voting purposes) and Raffety

**COMMITTEE REPORTS**

**Executive Committee:** Thorburn presented the Conditional Well Permit Survey that was revised by the Executive Committee. Lundeen suggested getting information to CNPPID that would allow cross referencing to find those landowners that are using a dual connection.

Moved by Philips, seconded by Hinrichs to allow Thorburn to survey conditional well permit holders and provide information to CNPPID to identify dual connection landowners. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Cavanaugh (for voting purposes) and Raffety

**STAFF REPORTS & NECESSARY ACTION**

**Board Directives to Staff:** Nothing to report.

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

**MONTHLY REPORTS**

**Republican Basin:** TBNRD-NDNR Republican Basin IMP meeting will be held at TBNRD on December 16, 2021, at 10 a.m.

**Platte Basin:** Thorburn reported PBC funding is being re-evaluated and must be spent within this FY. TBNRD uses PBC funding for WCIP and diversions.

**Sand Creek/Little Blue Basin:** Nothing to report.

**North Dry Creek:** Staff has been cutting trees.

**Odessa IPA:** Staff has been cutting trees.

**Sacramento Creek:** Staff has been cutting trees and Ostgren Construction cleaned creek.

**Fort Kearny:** Staff has been cutting trees.

**Fort Kearny West:** Staff has been cutting trees.

**South Dry Creek:** Staff has been cutting trees.

**Whiskey Slough:** Staff has been cutting trees.

**Middle Lost Creek:** Staff has been cutting trees.

**Lake Seldom:** Nothing to report.

**CoHyst/Platte Basin Coalition:** Model refinements are being made.

**Rainwater Basin Joint Venture:** Thorburn is working on the TIF property tax credit cost-share proposal.

**Platte-Republican Diversion & Republican Basin Augmentation Well:** Nothing to report.

**CNPPID:** Dicke reported Lake McConaughey is at 61% capacity and the cost has nearly doubled on the cost the Elwood Inlet Upgrade Project.

#### **NEW BUSINESS**

**LRNRD Watershed Project-Simonson:** Nick Simonson, LRNRD, presented information on the NRCS WFPO Turkey Creek and Thompson Creek Watershed Plans. The projects are fully funded by a federal grant and focus on agricultural water management, flood prevention and watershed protection. Part of the project is in TBNRD, and Simonson agreed to keep TBNRD posted on developments.

**Authorize Bosselmans as New Fuel Vendor:** Philips commented that CHS is willing to provide diesel for TBNRD. Moved by Bilka, seconded by Grimes, to approve WEX/Bosselman's as the new fuel vendor. Motion carried.

AYE: Bergstrom, Bilka, Garrelts, Grimes, Harris, Hinrichs, Lundeen, Raffety, Reynolds and Ryan

NAY: None

ABSTAIN: Philips

ABSENT: Cavanaugh (for voting purposes) and Raffety

#### **COMMENTS AND CONCERNS**

There were no comments or concerns.

#### **PERSONNEL AND LEGAL MATTERS**

There were no personnel or legal matters.

#### **NEXT BOARD MEETING**

TBNRD Regular Board Meeting will be held on Tuesday, January 11, 2022, at 1:30 p.m.

#### **ADJOURNMENT**

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

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**DIRECTORS PRESENT**

Brian Bergstrom, Joe Bilka, Mike Cavanaugh (Zoom), Todd Garrelts, David Grimes, Ed Harris, Rob Hinrichs, Joe Larson, Reed Philips, Larry Reynolds, Jeff Ryan, and Brad Lundeen

**OTHERS PRESENT**

John Thorburn, Nate Munter, Tammy Fahrenbruch, Sasha Hahn, Scott Dicke, Nolan Little (Zoom), Nick Simonson, Cammie Kerner, Amy Dutton (zoom), Lisa Herrick, Lee Herrick, Gayle Reiners, Wayne Anderson, Christy Follett, Drake Johnson, 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  
 December 14, 2021

<b>ID</b>	<b>Motion #</b>	<b>Category</b>	<b>Subject</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>
	2021-12-14-01	Meeting Administration		12			Moved by Bilka, seconded by Bergstrom, to excuse Garrelts from the October and November 2021 board meetings. Motion carried.
	2021-12-14-02	Meeting Administration		12			Moved by Larson, seconded by Ryan, to approve the minutes for the November 9, 2021, Board of Directors meeting. Motion carried.
	2021-12-14-03	Meeting Administration		12			Moved by Bilka, seconded by Grimes, to accept the November 2021 Financial Report, and submit for audit. Motion carried.
	2021-12-14-04	Budget		12			Moved by Garrelts, seconded by Ryan, to approve the VISA, attorney, J&G Dirtworks and PRD bills. Motion carried.
	2021-12-14-05	Meeting Administration		12			Moved by Bergstrom, seconded by Larson, to approve one well decommissioning cost-share application. Motion carried.
	2021-12-14-06	Meeting Administration		12			Moved by Ryan, seconded by Bilka to approve three NSWCP cost-share applications. Motion carried.
	2021-12-14-07	Certification & Transfers		12			Moved by Garrelts, seconded by Hinrichs to approve two groundwater transfer applications and three irrigated acre transfer applications. Motion carried.
	2021-12-14-08	Budget	Audit	11		1	Moved by Bilka, seconded by Bergstrom to approve the FY 2020-2021 Audit Report and have Tonniges and Associates file with the State of Nebraska. Motion carried.

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	2021-12-14-09	Directors	2022 Sub-District Boundaries	10		2	Moved by Bilka, seconded by Harris to adopt the Resolution for 2021 TBNRD Election Sub-District Boundaries (as set forth December 14, 2021). Motion carried.
	2021-12-14-10	Projects	Nitrogen awareness and projects	12			Moved by Garrelts, seconded by Grimes to allow Thorburn to pursue nitrogen management demonstration plots and meetings with agronomists and other organizations to increase groundwater quality awareness. Motion carried.
	2021-12-14-11	Directors	NARD Delegates	11		1	Moved by Bilka, seconded by Garrelts to appoint Reynolds as delegate and Dave Raffety as alternate delegate for the 2022 NARD Legislative Conference. Motion carried.
	2021-12-14-12	Projects	Conditional Well Permit Survey	12			Moved by Philips, seconded by Hinrichs to allow Thorburn to survey conditional well permit holders and provide information to CNPPID to identify dual connection landowners. Motion carried.
	2021-12-14-13	Budget	WEX	11		1	Moved by Bilka, seconded by Grimes, to approve WEX/Bosselman's as the new fuel vendor. Motion carried