

MINUTES OF THE TRI-BASIN NRD BOARD MEETING
Tuesday, May 13, 2014, 7:30 p.m.
Tri-Basin NRD

CALL TO ORDER

The regular monthly board meeting of the Tri-Basin Natural Resources District (NRD) was called to order by Chairman David Nickel, at 7:30 p.m. Nickel noted Public Meeting Law is posted in the boardroom.

ROLL CALL

Roll call was taken with eight directors present: Bergstrom, Garrelts, Lundeen, Nelson, Nickel, Olsen, Raffety and Reynolds. Larson arrived 7:45 p.m. Winz arrived at 8:45 p.m. Johnson, Harris and Bilka were absent. Notice of the meeting was published in the Holdrege Citizen, Bertrand Herald, Elwood Bulletin and the Minden Courier and announced over radio stations KRVN, Lexington and KUVR, Holdrege.

EXCUSE ABSENCES

There were no absences to excuse.

MINUTES

Thorburn presented the minutes of the April 8, 2014 Board Meeting and April 18, 2014 Executive Committee Meeting.

Moved by Raffety, seconded by Lundeen, to approve the minutes for the April 8, 2014 Regular Board of Directors Meeting. Motion carried.

AYE: Bergstrom, Garrelts, Lundeen, Nelson, Nickel, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bilka, Harris, Johnson, Larson and Winz

Moved by Olsen, seconded by Lundeen, to approve the minutes for the April 18, 2014 Executive Committee Meeting. Motion carried unanimously.

FINANCIAL REPORT

Garrelts presented the financial report for the month of April 2014 as follows:

Accrual Expenditures for Month -----	\$65,940.86
Cash Expenditures for Month-----	\$60,618.28
Accrual Revenues for Month-----	\$53,454.60
Cash Revenues for Month-----	\$91,351.81
Bank Balance—April 30, 2014-----	\$353,628.38
Accounts Receivable – April 30, 2014-----	\$9,074.95
Investments – Pinnacle Bank – April 30, 2014-----	\$610,062.80
Whiskey Slough IPA Balance – April 30, 2014-----	\$19,145.50
Fort Kearny-West IPA Balance – April 30, 2014-----	\$8,416.84
South Dry Creek IPA Balance – April 30, 2014-----	\$9,826.45
Fort Kearny IPA Balance – April 30, 2014-----	\$11,751.81
North Dry Creek IPA Balance – April 30, 2014-----	\$16,346.67
Sacramento Creek IPA Balance – April 30, 2014-----	\$23,036.58
Water Jamboree – April 30, 2014-----	\$7,328.87
NRRMDA – April 30, 2014-----	\$7,654.33

Moved by Lundeen, seconded by Nelson, to accept the April 2014 financial reports and file for audit. Motion carried.

AYE: Bergstrom, Garrelts, Lundeen, Nelson, Nickel, Olsen, Raffety and Reynolds
NAY: None
ABSTAIN: None
ABSENT: Bilka, Harris, Johnson, Larson and Winz

SPECIAL BILLS

Thorburn presented the Miller & Associates, EA Consulting and VISA bills for approval. Thorburn noted that the Miller and Associates billing will be paid by TBNRD but reimbursed by Odessa IPA when they start collecting assessments. Moved by Garrelts, seconded by Bergstrom to approve the visa bills. Motion carried.

AYE: Bergstrom, Garrelts, Lundeen, Nelson, Nickel, Olsen, Raffety and Reynolds
NAY: None
ABSTAIN: None
ABSENT: Bilka, Harris, Johnson, Larson and Winz

Moved by Nelson, seconded by Olsen to approve the EA Consulting bill. Motion withdrawn.

Moved by Nelson, seconded by Olsen to hold the EA and Associated bill until EA's work is completed. Motion Tabled.

Moved by Garrelts, seconded by Lundeen to table the motion to approve the EA Associates bill until after executive session. Motion carried.

AYE: Bergstrom, Garrelts, Lundeen, Nelson, Nickel, Olsen, Raffety and Reynolds
NAY: None
ABSTAIN: None
ABSENT: Bilka, Harris, Johnson, Larson and Winz

Moved by Garrelts, seconded by Reynolds to approve the Miller and Associates bill (Odessa IPA Study). Motion carried.

AYE: Bergstrom, Garrelts, Lundeen, Nelson, Nickel, Olsen, Raffety and Reynolds
NAY: None
ABSTAIN: None
ABSENT: Bilka, Harris, Johnson, Larson and Winz

Moved by Garrelts, seconded by Olsen to allow the VISA bills to be paid prior to the June Board Meeting. Motion carried.

AYE: Bergstrom, Garrelts, Lundeen, Nelson, Nickel, Olsen, Raffety and Reynolds
NAY: None
ABSTAIN: None
ABSENT: Bilka, Harris, Johnson, Larson and Winz

NRCS REPORT

FSA Farm Plans: Breece presented eight farm plans for approval for Joel Schutz, Steven Fish, Dickie Helms, Wm. Brell, Kurt Kugler, Ft. Kearny Consolidated (2) and Prairie Inc. Moved by Lundeen, seconded by Bergstrom to approve eight farm plans. Motion carried.

AYE: Bergstrom, Garrelts, Lundeen, Nelson, Nickel, Olsen, Raffety and Reynolds
NAY: None
ABSTAIN: None
ABSENT: Bilka, Harris, Johnson, Larson and Winz

Activity and Progress Report: Breece reported that EQIP plans have been written and are waiting for design approval. Andrew Tellus, former NRD intern, is working for NRCS this summer doing GIS work. Thorburn reported two new and one returning intern will be working for TBNRD this summer.

COST SHARE REPORT

Well Abandonment – Thorburn presented ten Well Decommissioning Cost-Share applications. Moved by Garrelts, seconded by Lundeen to approve Well Decommissioning Cost-share applications #112 to #121. Motion carried.

AYE: Bergstrom, Garrelts, Lundeen, Nelson, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: Larson and Nickel

ABSENT: Bilka, Harris, Johnson and Winz

NSWCP & NRD Applications – Thorburn presented sixteen NSWCP cost-share applications, 2nd Extension and five TBNRD Cost-share applications for approval. Moved by Nelson, seconded by Raffety to approve sixteen NSWCP Cost-share applications, 2nd Extension and five TBNRD cost-share applications. Motion carried.

AYE: Bergstrom, Garrelts, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bilka, Harris, Johnson and Winz

GROUNDWATER MANAGEMENT

Groundwater & Certified Acre Transfers – Thorburn presented one groundwater transfer request (Beethe Farms, LLP), seven irrigated acre transfer requests (Tad Joyce, Jeff Vinzant, Melva Hughbanks, Mark Freiburg (2) and Richard Carlson (2)), one request for a well variance for Charles Tomsen and a change in irrigated acre allocation for Irvin Walbridge. Mark Freiburg, Irvin Walbridge, Cal Dahlgren, Joyce, and Jim Hughbanks were present to answer questions.

Moved by Reynolds, seconded by Raffety to approve one groundwater transfer request (Beethe Farms, LLP), seven irrigated acre transfer requests (Tad Joyce, Jeff Vinzant, Melva Hughbanks, Mark Freiburg (2) and Richard Carlson (2)), one request for a well variance for Charles Tomsen and a change in irrigated acre allocation for Irvin Walbridge. Motion carried.

AYE: Bergstrom, Garrelts, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bilka, Harris, Johnson and Winz

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

Proposed Conservation Easements – Matt Hough, DU: Matt Hough, Ducks Unlimited presented information on two conservation easements that TBNRD is being asked to hold (Alberts/Hinz). Ducks Unlimited buys land to rehabilitate/restore wetlands, retires the irrigated acres, sells the land and asks a third party to hold the easement on the property. The easement

limits development and irrigation. There was discussion about what happens to the retired irrigated acres. Hough will get the info for Thorburn.

Moved by Raffety, seconded by Lundeen to approve holding easements on the Alberts/Hinz property for Ducks Unlimited. Motion carried.

AYE: Bergstrom, Garrelts, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bilka, Harris, Johnson and Winz

Odessa IPA Information – Snow Surveying: Lee Wells reported that there wouldn't be a presentation on the Odessa IPA survey tonight.

Spring Groundwater Level Data - Little: Nolan Little presented information on spring groundwater levels in TBNRD. Little noted generally increasing levels except for portions of eastern Kearney County and southern Gosper County.

Property Insurance Bid: Thorburn reported only one bid (Dunbar-Peterson) was received for property and worker's compensation insurance and the bid was lower than the 2013-2014 premium.

Moved by Garrelts, seconded by Larson to approve the property and worker's compensation bid from Dunbar Peterson Insurance Agency for FY 2014-2015. Motion carried.

AYE: Bergstrom, Garrelts, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bilka, Harris and Johnson

NARD REPORT

Reynolds reminded directors about the Republican Basin Tour and GMDA Conference.

COMMITTEE REPORTS

Schedule Planning Committee Meeting: The Planning Committee will meet Friday, May 16, 2014 at 9 a.m. to discuss changes to the groundwater management rules, set chemigation fees and discuss cost-share on beaver trapping.

Executive Committee: Thorburn reviewed items discussed at the Executive Committee Meeting on April 18, 2014. No recommendations were made.

STAFF REPORTS & NECESSARY ACTION

Board Directives to Staff: There was nothing to report.

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

MONTHLY REPORTS

Republican Basin (NRRMDA): NRRMDA meets May 21, 2014. Johnson will attend.

Platte Basin: Land Committee meets June 6, 2014. Raffety will attend.

South Dry Creek: Broadleaf spraying will begin soon.

Sacramento Creek: Broadleaf spraying will begin soon.

Middle Lost Creek: Broadleaf spraying will begin soon.

Fort Kearny West: Broadleaf spraying will begin soon.

Fort Kearny: Broadleaf spraying will begin soon.

North Dry Creek: Broadleaf spraying will begin soon. Beaver a concern downstream. Landowner outside IPA asked TBNRD to consider cost-share on beaver trapping. Nickel suggested the Planning Committee consider the issue. Thorburn reviewed report showing depletions for Phase II NDC augmentation well. Depletions will be about 10% lower than the first augmentation well.

Whiskey Slough: Broadleaf spraying will begin soon.

Odessa IPA: Nothing to report.

Lake Seldom: Thorburn has been working with the Nature Conservancy to develop a long-term management plan.

CoHyst/Platte Basin Coalition: Nothing to report.

Sand Creek/Little Blue Basin: Nothing to report.

CNPPID: Ford reported Lake McConaughay is at elevation 3238 and under 60% capacity.

NEW BUSINESS

Schedule GW Mgmt. Rules Violator Hearing for July 8, 2014: Moved by Larson, seconded by Winz to change hold a hearing for groundwater management rules violators at the July 8, 2014 board meeting. Motion carried.

AYE: Bergstrom, Garrelts, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bilka, Harris and Johnson

Discuss Whether to Compensate CNPPID for Diverting High Flows: Thorburn reported no new developments on CNPPID's proposal to divert high flows into Elwood Reservoir. Thorburn asked the board to allow the Executive Committee to negotiate terms of the agreement because the flows will happen prior to the next board meeting.

Moved by Raffety, seconded by Winz to allow the Executive Committee to approve terms and funding that would allow high flows to be diverted into Elwood Reservoir. Motion carried.

AYE: Bergstrom, Garrelts, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bilka, Harris and Johnson

PERSONNEL & LEGAL MATTERS

Moved by Nelson, seconded by Olsen to move to executive session for the protection of the public to discuss contract negotiations at 9:06 p.m. Motion carried.

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NAY: None

ABSTAIN: None

ABSENT: Bilka, Harris and Johnson

Moved by Winz, seconded by Raffety to move out of executive session for the protection of the public to discuss contract negotiations at 9:30 p.m. Motion carried.

AYE: Bergstrom, Garrelts, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bilka, Harris and Johnson

Moved by Bergstrom, seconded by Raffety to untable the motion to hold the EA and Associated bill until EA's work is completed. Motion Carried.

AYE: Bergstrom, Garrelts, Larson, Lundeen, Nelson, Nickel, Olsen, Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Bilka, Harris and Johnson

Moved by Nelson, seconded by Olsen to hold the EA and Associated bill until EA's work is completed. Motion withdrawn.

Moved by Raffety, seconded by Lundeen to approve payment of the EA and Associates bill, consult with Jeff Cox and send a letter indicating defects in performance. Motion Carried.

AYE: Bergstrom, Larson, Lundeen, Nickel, Raffety, Reynolds and Winz

NAY: Garrelts, Nelson and Olsen

ABSTAIN: None

ABSENT: Bilka, Harris and Johnson

COMMENTS AND CONCERNS

There were no comments or concerns.

NEXT BOARD MEETING

TBNRD Regular Board Meeting will be held 7:30 p.m., on Tuesday, June 17, 2014 at Tri-Basin NRD, Holdrege, NE

ADJOURNMENT

There being no further business, the meeting adjourned at 9:40 p.m.

DIRECTORS PRESENT

Brian Bergstrom, Todd Garrelts, Joe Larson, Brad Lundeen, David Nelson, David Nickel, David Olsen, Dave Raffety, Larry Reynolds and Ray Winz.

OTHERS PRESENT

Carie Lynch, John Thorburn, Kevin Breece, Dave Ford, Nolan Little, Charles Brooks, Matt Hough, James Hughbanks, Irvin Walbridge, Carl Bibb, Mark Freeburg, George Joyce, Tammy Fahrenbruch, Cal Dahlgren and Lee Wells.

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Respectfully Submitted:

Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS
 TRI-BASIN NATURAL RESOURCES DISTRICT
 BOARD OF DIRECTORS MEETING
 May 13, 2014

ID	Motion #	Category	Subject	Aye	Nay	Abs	Motion
	2014-05-13-01	Meeting Administration		8	0	0	Moved by Raffety, seconded by Lundeen, to approve the minutes for the April 8, 2014 Regular Board of Directors Meeting. Motion carried.
	2014-05-13-02	Meeting Administration					Moved by Olsen, seconded by Lundeen, to approve the minutes for the April 18, 2014 Executive Committee Meeting. Motion carried unanimously.
	2014-05-13-03	Meeting Administration		8			Moved by Lundeen, seconded by Nelson, to accept the April 2014 financial reports and file for audit. Motion carried.
	2014-05-13-04	Budget		8			Moved by Garrelts, seconded by Bergstrom to approve the visa bills. Motion carried.
	2014-05-13-05	Budget					Moved by Nelson, seconded by Olsen to approve the EA Consulting bill. Motion withdrawn.
	2014-05-13-06	Budget					Moved by Nelson, seconded by Olsen to hold the EA and Associated bill until EA's work is completed. Motion Tabled.
	2014-05-13-07	Budget		8			Moved by Garrelts, seconded by Lundeen to table the motion to approve the EA Associates bill until after executive session. Motion carried.
	2014-05-13-08	Budget		8			Moved by Garrelts, seconded by Reynolds to approve the Miller and Associates bill (Odessa IPA Study). Motion carried.
	2014-04-08-09	Budget		8			Moved by Garrelts, seconded by Olsen to allow the VISA bills to be paid prior to the June Board Meeting. Motion carried.
	2014-04-08-10	Meeting Administration		8			Moved by Lundeen, seconded by Bergstrom to approve eight farm plans. Motion carried.
	2014-05-13-11	Meeting Administration		9			Moved by Garrelts, seconded by Lundeen to approve Well Decommissioning Cost-share applications #112 to #121. Motion

						carried.
2014-5-13-12	Meeting Administration			9		Moved by Nelson, seconded by Raffety to approve sixteen NSWCP Cost-share applications, 2 nd Extension and five TBNRD cost-share applications. Motion carried.
2014-05-13-13	Certifications & Transfers			9		Moved by Reynolds, seconded by Raffety to approve one groundwater transfer request (Beethe Farms, LLP), seven irrigated acre transfer requests (Tad Joyce, Jeff Vinzant, Melva Hughbanks, Mark Freburg (2) and Richard Carlson (2)), one request for a well variance for Charles Tomsen and a change in irrigated acre allocation for Irvin Walbridge. Motion carried.
2014-05-13-14	Agreements	Ducks Unlimited Alberts/Hinz		9		Moved by Raffety, seconded by Lundeen to approve holding easements on the Alberts/Hinz property for Ducks Unlimited. Motion carried.
2014-05-13-15	Budget	Property Insurance Bid		9		Moved by Garrelts, seconded by Larson to approve the property and worker's compensation bid from Dunbar Peterson Insurance Agency for FY 2014-2015. Motion carried.
2014-05-13-16	Policies – By-Laws	GW Mgmt. Hearing		10		Moved by Larson, seconded by Winz to change hold a hearing for groundwater management rules violators at the July 8, 2014 board meeting. Motion carried.
2014-05-13-17	Agreements	High Flows into Elwood Agreement		10		Moved by Raffety, seconded by Winz to allow the Executive Committee to approve terms and funding that would allow high flows to be diverted into Elwood Reservoir. Motion carried.
2014-05-13-18	Meeting Administration			10		Moved by Nelson, seconded by Olsen to move to executive session for the protection of the public to discuss contract negotiations at 9:06 p.m. Motion carried.
2014-05-13-19	Meeting Administration			10		Moved by Winz, seconded by Raffety to move out of executive session for the protection of the public to discuss contract negotiations at 9:30 p.m. Motion carried.
2014-05-13-20	Budget	EA Associates		10		Moved by Bergstrom, seconded by Raffety to untable the motion to hold the EA and Associated bill until EA's work is completed. Motion Carried.

	2014-05-13-21	Budget	EA Associates				Moved by Nelson, seconded by Olsen to hold the EA and Associated bill until EA's work is completed. Motion withdrawn.
	2014-05-13-22	Budget	EA Associates	10			Moved by Raffety, seconded by Lundeen to approve payment of the EA and Associates bill, consult with Jeff Cox and send a letter indicating defects in performance. Motion Carried.