

MINUTES OF THE TRI-BASIN NRD BOARD MEETING
Tuesday, November 8, 2016, 7:30 p.m.
Tri-Basin Natural Resources District

CALL TO ORDER

The regular monthly board meeting of the Tri-Basin Natural Resources District (NRD) was called to order by Vice Chairman, Brad Lundeen, at 7:32 p.m. Lundeen noted Public Meeting Law is posted in the boardroom.

ROLL CALL

Roll call was taken with ten directors present: Bilka, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen, Raffety, Reynolds and Winz. Bergstrom and Olsen were absent. Ryan arrived at 7:38 p.m. 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

Moved by Bilka, seconded by Johnson, to excuse Garrelts from the August, September and October board meetings. Motion carried.

AYE: Bilka, Cavanaugh, Harris, Johnson, Larson, Lundeen and Raffety, Reynolds and Winz

NAY: None

ABSTAIN: Garrelts

ABSENT: Olsen, Bergstrom and Ryan

MINUTES

Thorburn presented the minutes of the October 11, 2016, Board of Directors meeting. Moved by Larson, seconded by Johnson, to approve the minutes for the October 11, 2016 Board of Directors Meeting. Motion carried.

AYE: Bilka, Cavanaugh, Harris, Johnson, Larson, Lundeen and Raffety, Reynolds and Winz

NAY: None

ABSTAIN: Garrelts

ABSENT: Olsen, Bergstrom and Ryan

FINANCIAL REPORT

Bilka presented the financial report for the month of October 2016 as follows:

Accrual Expenditures for Month -----	\$87,180.10
Cash Expenditures for Month-----	\$105,999.68
Accrual Revenues for Month-----	\$467,584.07
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Cash Revenues for Month-----	\$465,850.42
Bank Balance—October 31, 2016-----	\$712,127.97
Accounts Receivable – October 31, 2016-----	\$10,214.14
Investments – Pinnacle Bank – October 31, 2016-----	\$50,120.89
-	
Building Sinking Fund – October 31, 2016-----	\$61,678.83
-	
Vehicle Sinking Fund – October 31, 2016-----	\$49,952.04
Water Resources Fund – October 31, 2016-----	\$290,862.01
Whiskey Slough IPA Balance – October 31, 2016-----	\$18,087.64
Fort Kearny-West IPA Balance – October 31, 2016-----	\$11,896.44
South Dry Creek IPA Balance – October 31, 2016-----	\$15,282.92
Fort Kearny IPA Balance – October 31, 2016-----	\$12,838.56
Sacramento Creek IPA Balance – October 31, 2016-----	\$21,561.32

North Dry Creek IPA Balance – October 31, 2016-----	\$16,033.98
Water Jamboree – October 31, 2016-----	\$5,613.15
-	
NRRMDA – October 31, 2016-----	\$7,626.38
Odessa IPA – October 31, 2016-----	\$7,500.96

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Moved by Raffety, seconded by Garrelts to accept the October 2016 financial reports and file for audit. Motion carried.

AYE: Bilka, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen and Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Olsen, Bergstrom and Ryan

SPECIAL BILLS

Thorburn presented the VISA, attorney, LRNRD and Flatwater Group bills for approval. Moved by Garrelts, seconded Winz to approve the visa and attorney bills. Motion carried.

AYE: Bilka, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen and Raffety, Reynolds and Winz

NAY: None

ABSTAIN: None

ABSENT: Olsen, Bergstrom and Ryan

Moved by Garrelts, seconded Raffety to approve the LRNRD and Flatwater Group bills. Motion carried.

AYE: Bilka, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen and Raffety, Reynolds, Ryan and Winz

NAY: None

ABSTAIN: None

ABSENT: Olsen and Bergstrom

NRCS REPORT

FSA Farm Plans: Breece presented three farm plans for approval (Loudean Farms, Trausch Joint Venture and Peterson Farms). Moved by Raffety, seconded Larson to approve three farm plans for Loudean Farms, Trausch Joint Venture and Peterson Farms. Motion carried.

AYE: Bilka, Cavanaugh, Garrelts, Larson, Lundeen and Raffety, Reynolds, Ryan and Winz

NAY: Harris and Johnson

ABSTAIN: None

ABSENT: Olsen and Bergstrom

Activity and Progress Report: Breece reported staff has been working on CSP renewals and seasonal efficiency. Breece mentioned Amy Dutton started as the new Minden Field Office Secretary.

COST SHARE REPORT

Well Abandonment – Thorburn presented three Well Decommissioning Cost-Share applications for approval. Moved by Winz, seconded Johnson to approve three well decommissioning cost-share applications. Motion carried.

AYE: Bilka, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen and Raffety, Reynolds, Ryan and Winz

NAY: None

ABSTAIN: None

ABSENT: Olsen and Bergstrom

NSWCP & NRD Applications – Thorburn presented one NSWCP application to approve. Thorburn reviewed cost-share funding available for soil moisture sensors. Garrelts commented that he had substantial water savings by using the sensors. Moved by Bilka, seconded Cavanaugh to approve one NSWCP cost-share application. Motion carried.

AYE: Bilka, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen and Raffety, Reynolds, Ryan and Winz

NAY: None

ABSTAIN: None

ABSENT: Olsen and Bergstrom

GROUNDWATER MANAGEMENT

Groundwater & Certified Acre Transfers – There were no requests 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 and/or discussion. There was no public comment.

UNFINISHED BUSINESS

Auditor's Report – Ashley McNally: Ashely McNally presented the auditor's report. No major problems were found. Moved by Johnson, seconded Cavanaugh to approve the auditor's report of FY 2015-2016 and file with the state. Motion carried.

AYE: Bilka, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen and Raffety, Reynolds, Ryan and Winz

NAY: None

ABSTAIN: None

ABSENT: Olsen and Bergstrom

Review Terms of Sale of Charter Cable Property: This agenda item will be discussed in executive session.

NARD REPORT

Reynolds mentioned the Legislative Conference is set for January 24-25, 2017 in Lincoln. TBNRD will be hosting the Republican Basin Banquet this year.

COMMITTEE REPORTS

Nothing to report.

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): Republican Basin Stakeholders was held November 1, 2016. Winz and Johnson attended.

Platte Basin: Platte Basin Stakeholder's will meet November 16, 2016 in North Platte.

South Dry Creek: Staff has been filling in pivot tracks.

Sacramento Creek: Staff has been filling in pivot tracks.

Middle Lost Creek: Nothing to report.

Fort Kearny West: Staff has been filling in pivot tracks.

Fort Kearny: Staff has been filling in pivot tracks.

North Dry Creek: Staff has been filling in pivot tracks.

Whiskey Slough: Staff has been filling in pivot tracks.

Odessa IPA: Staff has been filling in pivot tracks.

Lake Seldom: Nothing to report.

CoHyst/Platte Basin Coalition: Model is scheduled to be done in June 2017. Thorburn will review the draft report for the Platte Basin Coalition in executive session.

Sand Creek/Little Blue Basin: Little Blue Basin Stakeholder's will meet December 8, 2016 in Minden at 6:30 p.m.

Platte-Republican Diversion & Republican Basin Augmentation Well: Survey work is done on the Platte-Republican Diversion and a report will be given later this month.

Weed Mgmt. Areas/Riparian Veg. TF: Nothing to report.

CNPPID: Ford reported Lake McConaughy is at elevation 3257.7' above sea level and 88% of capacity.

NEW BUSINESS

Consider Purchase of Replacement GW Sample Pump for GW Quality: Thorburn explained that the groundwater sampling pump broke while sampling a well that had fine silt. Thorburn presented budget information showing funding available. Winz suggested an hour meter or inline fuse/breaker to detect when the pump is overloaded. Moved by Garrelts, seconded Reynolds to allow staff to purchase a groundwater sampling pump with excess budgeted funds. Motion carried.

AYE: Bilka, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen and Raffety, Reynolds, Ryan and Winz

NAY: None

ABSTAIN: None

ABSENT: Olsen and Bergstrom

Authorize Advertisement for Open NRD Director Position for Sub-District #3: Thorburn explained that Winz did not file for re-election for 2017. Thorburn asked the board allow staff to advertise for a new Sub-District #3 Director. Thorburn explained that the new director would hold office for 2017-2018 and have to run for office for 2019-2020 (two-year term) and 2021 to 2024

(regular interval for four-year term). Moved by Bilka, seconded Johnson to authorize advertisement for a Director for Sub-District #3 for the term of 2017 to 2018. Motion carried.

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AYE: Bilka, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen and Raffety, Reynolds, Ryan and Winz

NAY: None

ABSTAIN: None

ABSENT: Olsen and Bergstrom

COMMENTS AND CONCERNS

There were no comments or concerns.

PERSONNEL & LEGAL MATTERS

Moved by Cavanaugh, seconded by Raffety to move to executive session for the protection of the public to discuss contractual issues and potential litigation at 8:09 p.m. Motion carried.

AYE: Bilka, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen and Raffety, Reynolds, Ryan and Winz

NAY: None

ABSTAIN: None

ABSENT: Olsen and Bergstrom

Moved by Winz, seconded by Harris to move out of executive session for the protection of the public to discuss contractual issues and potential litigation at 8:45 p.m. Motion carried.

AYE: Bilka, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen and Raffety, Reynolds, Ryan and Winz

NAY: None

ABSTAIN: None

ABSENT: Olsen and Bergstrom

Moved by Garrelts, seconded Reynolds to revise the resolution to purchase the Charter property. Motion carried.

AYE: Bilka, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen and Raffety, Reynolds, Ryan and Winz

NAY: None

ABSTAIN: None

ABSENT: Olsen and Bergstrom

Moved by Johnson, seconded Winz to approve the resolution, as revised (see attached) to purchase the Charter Communications property. Motion carried.

AYE: Bilka, Cavanaugh, Garrelts, Harris, Johnson, Larson, Lundeen and Raffety, Reynolds, Ryan and Winz

NAY: None

ABSTAIN: None

ABSENT: Olsen and Bergstrom

NEXT BOARD MEETING

TBNRD Regular Board Meeting on Tuesday, December 13, 2016 at 1:30 p.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:50 p.m.

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DIRECTORS PRESENT

Joe Bilka, Mike Cavanaugh, Todd Garrelts, Ed Harris, Phyllis Johnson, Joe Larson, Brad Lundeen, Dave Raffety, Larry Reynolds, Jeff Ryan and Ray Winz.

OTHERS PRESENT

Carie Lynch, John Thorburn, Nicole Salisbury, Tammy Fahrenbruch, Dave Ford, Charles Brooks, Ashely McNally, Nolan Little and Kevin Breece.

Respectfully Submitted:

Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS
TRI-BASIN NATURAL RESOURCES DISTRICT
BOARD OF DIRECTORS MEETING
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ID	Motion #	Category		Aye	Nay	Abstain	
	2016-11-08-01	Meeting Administration		9		1	Moved by Bilka, seconded by Johnson, to excuse Garrelts from the August, September and October board meetings. Motion carried.
	2016-11-08-02	Meeting Administration		9		1	Moved by Larson, seconded by Johnson, to approve the minutes for the October 11, 2016 Board of Directors Meeting. Motion carried.
	2016-11-08-03	Budget		10			Moved by Raffety, seconded by Garrelts to accept the October 2016 financial reports and file for audit. Motion carried.
	2016-11-08-04	Meeting Administration		11			Moved by Garrelts, seconded Winz to approve the visa and attorney bills. Motion carried.
	2016-11-08-05	Meeting Administration		11			Moved by Garrelts, seconded Raffety to approve the LRNRD and Flatwater Group bills. Motion carried.
	2016-11-08-06	Meeting Administration		9	2		Moved by Raffety, seconded Larson to approve three farm plans for Loudean Farms, Trausch Joint Venture and Peterson Farms. Motion carried.
	2016-11-08-07	Meeting Administration		11			Moved by Winz, seconded Johnson to approve three well decommissioning cost-share applications. Motion carried.
	2016-11-08-08	Meeting Administration		11			Moved by Bilka, seconded Cavanaugh to approve one NSWCP cost-share application. Motion carried.
	2016-11-08-09	Budget		11			Moved by Johnson, seconded Cavanaugh to approve the auditor's report of FY 2015-2016 and file with the state. Motion carried.
	2016-11-08-10	Budget		11			Moved by Garrelts, seconded Reynolds to allow staff to purchase a groundwater

							sampling pump with excess budgeted funds. Motion carried.
2016-11-08-11	Directors		11				Moved by Bilka, seconded Johnson to authorize advertisement for a Director for Sub-District #3 for the term of 2017 to 2018. Motion carried.
2016-11-08-12	Meeting Administration		11				Moved by Cavanaugh, seconded by Raffety to move to executive session for the protection of the public to discuss contractual issues and potential litigation at 8:09 p.m. Motion carried.
2016-11-08-13	Meeting Administration		11				Moved by Winz, seconded by Harris to move out of executive session for the protection of the public to discuss contractual issues and potential litigation at 8:45 p.m. Motion carried.
2016-11-08-14	Resolutions & Legislation		11				Moved by Garrelts, seconded Reynolds to revise the resolution to purchase the Charter property. Motion carried.
2016-11-08-15	Resolutions & Legislation		11				Moved by Johnson, seconded Winz to approve the resolution, as revised (see attached) to purchase the Charter Communications property. Motion carried.