

**MINUTES OF THE TRI-BASIN NRD BOARD MEETING**  
**Tuesday, November 14, 2017, 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, Dave Olsen, at 7:32 p.m. Olsen noted Public Meeting Law is posted in the boardroom.

**ROLL CALL**

Roll call was taken with eleven directors present: Bergstrom, Cavanaugh, Garrelts, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds. Bilka and Harris 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**

There were no absences to excuse.

**MINUTES**

Thorburn presented the minutes of the October 10, 2017, Board of Directors meeting and October 25, 2017 Projects & Construction minutes. Moved by Garrelts seconded by Raffety, to approve the minutes for the October 10, 2017 Board of Directors Meeting. Motion carried.

AYE: Cavanaugh, Garrelts, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: Bergstrom

ABSENT: Bilka and Harris

Moved by Larson, seconded by Reynolds, to approve the minutes for the October 25, 2017 Projects & Construction Committee meeting. Motion carried unanimously.

**FINANCIAL REPORT**

Thorburn presented the financial report for the month of October 2017 as follows:

|  |              |
|--|--------------|
| Accrual Expenditures for Month -----                 | \$147,703.37 |
| Cash Expenditures for Month-----                     | \$147,341.67 |
| Accrual Revenues for Month-----                      | \$174,428.66 |
| -  |              |
| Cash Revenues for Month-----                         | \$180,328.49 |
| Bank Balance—October 31, 2017-----                   | \$928,799.27 |
| Accounts Receivable – October 31, 2017-----          | \$4,696.74   |
| Investments – Pinnacle Bank – October 31, 2017-----  | \$450,900.53 |
| -  |              |
| Building Sinking Fund – October 31, 2017-----        | \$31,205.33  |
| -  |              |
| Vehicle Sinking Fund – October 31, 2017-----         | \$77,509.35  |
| Water Resources Fund – October 31, 2017-----         | \$626,336.72 |
| Whiskey Slough IPA Balance – October 31, 2017-----   | \$16,964.87  |
| Fort Kearny-West IPA Balance – October 31, 2017----- | \$12,928.04  |
| South Dry Creek IPA Balance – October 31, 2017-----  | \$15,439.44  |
| Fort Kearny IPA Balance – October 31, 2017-----      | \$13,431.46  |
| Sacramento Creek IPA Balance – October 31, 2017----- | \$11,829.06  |
| North Dry Creek IPA Balance – October 31, 2017-----  | \$12,869.23  |
| Water Jamboree – October 31, 2017-----               | \$5,535.46   |

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|                                    |            |
|------------------------------------|------------|
| NRRMDA – October 31, 2017-----     | \$7,628.86 |
| Odessa IPA – October 31, 2017----- | \$7,501.00 |

Moved by Raffety, seconded by Larson to accept the October 2017 financial reports and file for audit. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bilka and Harris

#### **SPECIAL BILLS**

Thorburn presented the VISA, attorney, JEO and PRD bills for approval. Moved by Garrelts, seconded Raffety to approve the VISA, attorney bills, JEO and PRD bills. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bilka and Harris

#### **NRCS REPORT**

**FSA Farm Plans:** There were no farm plans for approval.

**Activity and Progress Report:** Kevin Breece reported staff has been working on EQIP and CSP payments and designing pivots and grade stabilizations.

#### **COST SHARE REPORT**

**Well Abandonment** – Thorburn presented five well decommissioning applications to approve. Moved by Johnson, seconded Lundeen to approve five well decommissioning applications. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bilka and Harris

**NSWCP & NRD Applications** – Thorburn presented two NSWCP and one TBNRD application to approve. Moved by Larson, seconded Johnson to approve two NSWCP and one TBNRD application. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bilka and Harris

#### **GROUNDWATER MANAGEMENT**

**Groundwater & Certified Acre Transfers** – There were not 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 and/or discussion.

**UNFINISHED BUSINESS**

**Auditor's Report – Tonniges Associates:** Ashley McNally, Tonniges and Associates reported on the 2016-2017 audit. McNally compared the financial standing between 2015-2016 and 2016-2017. There were no unusual findings. Lundeen asked for a comparison between the auditor depreciation schedule and the depreciation schedule used in the budget. Moved by Lundeen, seconded Reynolds to approve the auditor's report of FY 2016-2017 and file with the state. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bilka and Harris

**Review Proposals for Recharge Structures:** Thorburn explained that three engineering firms presented proposals for Sand Creek Recharge Structures. The Projects and Construction committee interviewed EA Engineering and Olsson and Associates. Olsson and Associates proposal did not include construction oversight of \$10,000. EA Engineering was the low bid. Moved by Cavanaugh, seconded Johnson to accept EA Engineering's proposal for design, permitting and construction oversight of Sand Creek Recharge Structures. Motion carried.

AYE: Bergstrom, Cavanaugh, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen and Reynolds

NAY: Garrelts and Raffety

ABSTAIN: None

ABSENT: Bilka and Harris

**Fall Groundwater Levels Update - Little:** Little presented 2017 groundwater level data. Reynolds asked for groundwater level information on observation wells #111 and #112.

**NARD REPORT**

**NARD Report:** Reynolds reported the Loup Basin tour will be June 11<sup>th</sup> & 12<sup>th</sup>, 2017 starting in Ord and additional TSP funding is available. There was discussion on the benefits of the TSP program.

**COMMITTEE REPORTS**

**Projects & Construction:** Action was already taken on the Sand Creek contract.

**Ad Hoc ROW Acquisition Committee:** This item will be discussed in executive session.

**Planning Committee:** Thorburn reviewed the November 11, 2017 meeting minutes. The committee reviewed Water Banking Questions posed by Thorburn and recommended that a board work session be held to discuss the topic. Thorburn presented minor changes to the Groundwater Management Rules that will be presented to the full board in December. Thorburn reviewed groundwater data for townships that qualify for a new phase designation. The remainder of Industry Township should be moved to Phase III. Blaine Township (7-16) should be moved to Phase II. Liberty Township could be moved to Phase II but, only two wells are being measured. Thorburn felt more water quality testing was needed before changing the phase designation for Liberty

Township. Reynolds requested that more information about groundwater quality for Liberty Township be provided at the December 2017 board meeting.

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The board agreed to hold a work session at 11 am on the morning of the December 12<sup>th</sup>, 2017 board meeting.

Moved by Raffety, seconded by Bergstrom to collect more data on groundwater quality nitrate levels in Liberty Township. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bilka and Harris

Moved by Raffety, seconded by Larson to hold a hearing to place the remainder of Industry Township into Phase III groundwater quality management, and Blaine Township (7-16) into Phase II groundwater quality management, effective in 2018. Motion carried.

AYE: Bergstrom, Garrelts, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: Cavanaugh

ABSTAIN: None

ABSENT: Bilka and Harris

**STAFF REPORTS & NECESSARY ACTION**

**Board Directives to Staff:** Thorburn reviewed progress on moving the generator.

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

**MONTHLY REPORTS**

**Republican Basin (NRRMDA):** Preliminary Forecast meeting was held today.

**Platte Basin:** Platte Basin Stakeholder's meeting was cancelled.

**South Dry Creek:** Nothing to report.

**Sacramento Creek:** Nothing to report.

**Middle Lost Creek:** Nothing to report.

**Fort Kearny West:** Nothing to report.

**Fort Kearny:** Backhoe work planned.

**North Dry Creek:** A culvert was repaired on North Dry Creek crossing.

**Whiskey Slough:** Silt will be removed after deer season.

**Odessa IPA:** Nothing to report.

**Lake Seldom:** Fencing bids were requested for Lake Seldom West.

**CoHyst/Platte Basin Coalition:** Platte Basin Coalition will meet December 4, 2017.

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**Sand Creek/Little Blue Basin:** Onnen and Thorburn are trying to arrange a meeting with Senator Kuehn.

**Platte-Republican Diversion & Republican Basin Augmentation Well:** PRD item will be discussed in executive session.

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

**CNPPID:** Ford reported Lake McConaughy is at elevation 3252.8 and 80% of capacity.

**NEW BUSINESS**

**Review Water Service Agreement with CNPPID for Wetland Deliveries:** Thorburn presented two contracts related to water delivery to wetlands (TBNRD/CNPPID and TBNRD/CNPPID, RBJV & USFW). He noted that USFW will be reimbursing TBNRD for a portion of water delivered.

Moved by Garrelts, seconded by Lundeen to approve the Water Service Agreement with CNPPID for water delivery to wetland areas and the Water Service Agreement – Groundwater Recharge from Excess Flows Between CNPPID, TBNRD, RBJV and NE Comm. Foundation for wetland water delivery. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts, Hinrichs, Johnson, Jorgensen, Larson, Lundeen and Olsen

NAY: Raffety and Reynolds

ABSTAIN: None

ABSENT: Bilka and Harris

**Review Agreement with RBJV, USFW and RBJV for Wetland Deliveries:** This agenda item was discussed under the previous agenda item.

**Review ¾ Ton Pickup Bids:** Brooks presented bids for the replacement of the 2012 Chevy using the 2008 Ford as a trade. Bids from Janssen Ford and Dodge came in as lowest. All the bids taken were using the same specs. Replacing the 2012 Chevy using the 2008 Ford, takes the 2012 Chevy out of the replacement schedule and depreciation calculations for the budget. Moved by Garrelts, seconded Larson to allow staff to choose between the two lowest Janssen bids for the purchase of a ¾ ton 2018 pickup, to replace the 2012 Chevy, using the 2008 Ford as a trade. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bilka and Harris

**Allow NSWCP Applications for December:** Thorburn explained that there is NSWCP funding available that should be committed by February. The board previously made a motion to only take flowmeter and soil sensor cost-share applications. Moved by Reynolds, seconded Cavanaugh to allow approval of cost-share applications for other practices in addition to flowmeters and soil sensors. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: None  
ABSTAIN: None  
ABSENT: Bilka and Harris  
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**COMMENTS AND CONCERNS**

There were no comments and concerns.

**PERSONNEL & LEGAL MATTERS**

Moved by Bergstrom, seconded Raffety to move to executive session for protecting the public to discuss contractual matters at 9:15 p.m. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen, Raffety and Reynolds

NAY: None

ABSTAIN: None

ABSENT: Bilka and Harris

Moved by Bergstrom, seconded Raffety to move out of executive session for protecting the public to discuss contractual matters at 10:05 p.m. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen and Raffety

NAY: Reynolds

ABSTAIN: None

ABSENT: Bilka and Harris

Moved by Garrelts, seconded Bergstrom to rescind a condition on the land purchase that required a water right to be secured before purchase can be completed in relation to a motion made in September 2017 and property located in the Platte-Republican Diversion Project. Motion carried.

AYE: Bergstrom, Cavanaugh, Garrelts, Hinrichs, Johnson, Jorgensen, Larson, Lundeen, Olsen and Raffety

NAY: Reynolds

ABSTAIN: None

ABSENT: Bilka and Harris

**NEXT BOARD MEETING**

TBNRD Regular Board Meeting on Tuesday, December 12, 2017 at 1:30 p.m. and Work Session at 11:00 a.m.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 10:05 p.m.

**DIRECTORS PRESENT**

Brian Bergstrom, Mike Cavanaugh, Todd Garrelts, Rob Hinrichs, Phyllis Johnson, Greg Jorgensen, Joe Larson, Brad Lundeen, Dave Olsen, Dave Raffety and Larry Reynolds.

**OTHERS PRESENT**

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

Respectfully Submitted:

INDEX OF BOARD DECISIONS  
 TRI-BASIN NATURAL RESOURCES DISTRICT  
 BOARD OF DIRECTORS MEETING  
 November 14, 2017

| ID | Motion #      | Category                  | Subject                        | Aye | Nay | Abstain |   |
|----|---------------|---------------------------|--------------------------------|-----|-----|---------|---|
|    | 2017-11-14-01 | Meeting Administration    |                                | 10  |     | 1       | Moved by Garrelts seconded by Raffety, to approve the minutes for the October 10, 2017 Board of Directors Meeting. Motion carried.  |
|    | 2017-11-14-02 | Meeting Administration    |                                |     |     |         | Moved by Larson, seconded by Reynolds, to approve the minutes for the October 25, 2017 Projects & Construction Committee meeting. Motion carried unanimously.                 |
|    | 2017-11-14-03 | Meeting Administration    |                                | 11  |     |         | Moved by Raffety, seconded by Larson to accept the October 2017 financial reports and file for audit. Motion carried.   |
|    | 2017-11-14-04 | Budget                    |                                | 11  |     |         | Moved by Garrelts, seconded Raffety to approve the VISA, attorney bills, JEO and PRD bills. Motion carried.   |
|    | 2017-11-14-05 | Meeting Administration    |                                | 11  |     |         | Moved by Johnson, seconded Lundeen to approve five well decommissioning applications. Motion carried.   |
|    | 2017-11-14-06 | Meeting Administration    |                                | 11  |     |         | Moved by Larson, seconded Johnson to approve two NSWCP and one TBNRD application. Motion carried.   |
|    | 2017-11-14-07 | Budget                    |                                | 11  |     |         | Moved by Lundeen, seconded Reynolds to approve the auditor's report of FY 2016-2017 and file with the state. Motion carried.  |
|    | 2017-11-14-08 | Projects                  | Sand Creek Recharge Structures | 9   | 2   |         | Moved by Cavanaugh, seconded Johnson to accept EA Engineering's proposal for design, permitting and construction oversight of Sand Creek Recharge Structures. Motion carried. |
|    | 2017-11-14-09 | District Plans & Programs | Water Quality                  | 11  |     |         | Moved by Raffety, seconded by Bergstrom to collect more data on groundwater quality nitrate levels in Liberty Township. Motion carried.                                       |
|    | 2017-11-14-10 | District Plans & Programs | Water Quality                  | 10  | 1   |         | Moved by Raffety, seconded by Larson to hold a hearing to place the remainder of Industry Township into Phase III groundwater quality   |



|               |                           |                            |    |   |  |  |  |
|---------------|---------------------------|----------------------------|----|---|--|--|--|
|               |                           |                            |    |   |  |  | management, and Blaine Township (7-16) into Phase II groundwater quality management, effective in 2018. Motion carried.  |
| 2017-11-14-11 | Agreements                | Water Delivery to Wetlands | 9  | 2 |  |  | Moved by Garrelts, seconded by Lundeen to approve the Water Service Agreement with CNPPID for water delivery to wetland areas and the Water Service Agreement – Groundwater Recharge from Excess Flows Between CNPPID, TBNRD, RBJV and NE Comm. Foundation for wetland water delivery. Motion carried. |
| 2017-11-14-12 | Budget                    | Pickup                     | 11 |   |  |  | Moved by Garrelts, seconded Larson to allow staff to choose between the two lowest Janssen bids for the purchase of a ¾ ton 2018 pickup, to replace the 2012 Chevy, using the 2008 Ford as a trade. Motion carried.  |
| 2017-11-14-13 | District Plans & Programs | NSWCP                      | 11 |   |  |  | Moved by Reynolds, seconded Cavanaugh to allow approval of cost-share applications for other practices in addition to flowmeters and soil sensors. Motion carried.   |
| 2017-11-14-14 | Meeting Administration    |                            | 11 |   |  |  | Moved by Bergstrom, seconded Raffety to move to executive session for protecting the public to discuss contractual matters at 9:15 p.m. Motion carried.  |
| 2017-11-14-15 | Meeting Administration    |                            | 11 |   |  |  | Moved by Bergstrom, seconded Raffety to move out of executive session for protecting the public to discuss contractual matters at 10:05 p.m. Motion carried.   |
| 2017-11-14-16 | Projects                  | PRD Property purchase      | 10 | 1 |  |  | Moved by Garrelts, seconded Bergstrom to rescind a condition on the land purchase that required a water right to be secured before purchase can be completed in relation to a motion made in September 2017 and property located in the Platte-Republican Diversion Project, Motion carried.           |