

**MINUTES OF THE TRI-BASIN NRD BOARD MEETING**  
**Tuesday, August 8, 2017, 1:30 p.m.**  
**Kearney County Community Building**

**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 1:30 p.m. Lundeen noted Public Meeting Law is posted in the boardroom.

**ROLL CALL**

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

Moved by Lundeen, seconded by Larson, to excuse Cavanaugh from the June and July 2017 board meetings. Motion carried.

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

NAY: None

ABSTAIN: Cavanaugh

ABSENT: Bilka, Garrelts and Johnson

**MINUTES**

Thorburn presented the minutes of the July 18, 2017, Board of Directors meeting and retreat and July 31, 2017 Projects & Construction Committee meeting. Moved by Harris, seconded by Jorgensen, to approve the minutes for the July 18, 2017 Board of Directors Meeting and retreat. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Johnson

Moved by Larson, seconded by Reynolds, to approve the minutes for the July 31, 2017 Projects & Construction Committee Meeting. Motion carried unanimously.

**FINANCIAL REPORT**

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

Accrual Expenditures for Month .....	\$120,877.98
Cash Expenditures for Month.....	\$135,781.74
Accrual Revenues for Month.....	\$42,828.29
Cash Revenues for Month.....	\$53,571.99
Bank Balance—July 31, 2017.....	\$609,445.50
Accounts Receivable – July 31, 2017.....	\$17,310.14
Investments – Pinnacle Bank – July 31, 2017.....	\$450,616.51
Building Sinking Fund – July 31, 2017.....	\$31,199.82
Vehicle Sinking Fund – July 31, 2017.....	\$77,495.68
Water Resources Fund – July 31, 2017.....	\$626,226.23
Whiskey Slough IPA Balance – July 31, 2017.....	\$17,040.81
Fort Kearny-West IPA Balance – July 31, 2017.....	\$12,650.46
South Dry Creek IPA Balance – July 31, 2017.....	\$14,653.98
Fort Kearny IPA Balance – July 31, 2017.....	\$13,033.67

Sacramento Creek IPA Balance – July 31, 2017----- \$11,905.39

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North Dry Creek IPA Balance – July 31, 2017-----	\$12,846.30
Water Jamboree – July 31, 2017-----	\$5,535.32
NRRMDA – July 31, 2017-----	\$7,628.28
Odessa IPA – July 31, 2017-----	\$7,500.43

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

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Johnson

**SPECIAL BILLS**

Thorburn presented the VISA, attorney, attorney and PRD bills for approval. Moved by Lundeen, seconded Cavanaugh to approve the attorney, VISA and PRD bills. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Johnson

**NRCS REPORT**

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

**Activity and Progress Report:** Wendy Clark reported on the Elwood FSA closing and the Ephemeral Gully EQIP Program.

**COST SHARE REPORT**

**Well Abandonment** – Thorburn presented two well decommissioning applications to approve. Moved by Cavanaugh, seconded Harris to approve two well decommissioning applications. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Johnson

**NSWCP & NRD Applications** – Thorburn presented one NSWCP applications to approve. Moved by Reynolds, seconded Hinrichs to approve one NSWCP application. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Johnson

### **GROUNDWATER MANAGEMENT**

**Groundwater & Certified Acre Transfers** – Thorburn presented two irrigated acre transfer requests for Jesse Putnam and a flowmeter exemption request for Merlin Wilke. Eddie Anderson and Cherie Putnam were present to answer questions. Moved by Raffety, seconded Bergstrom to approve two irrigated acre transfer requests for Jesse Putnam and a flowmeter exemption for Merlin Wilke. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Johnson

**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. Terry Sorensen expressed appreciation for holding the meeting in Minden and asked about the progress in the Sand Creek area.

### **UNFINISHED BUSINESS**

**CoHyst Progress Report - Woodward:** Duane Woodward gave a presentation on the completed CoHyst model.

**FY 2017-2018 Budget for Public Hearing:** This item will be addressed when the hearing is closed.

### **NARD REPORT**

**NARD Fall Conference Resolutions:** No resolutions were suggested for the Fall Conference

**NARD Fall Conference Delegates:** Moved by Reynolds, seconded Cavanaugh to select Dave Raffety as delegate and Larry Reynolds as alternate delegate for the NARD Fall Conference. Motion carried.

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

NAY: None

ABSTAIN: Raffety

ABSENT: Bilka, Garrelts and Johnson

### **COMMITTEE REPORTS**

**P&C Committee:** Thorburn reviewed recommendations from the Projects and Construction Committee. Thorburn reported that CNPPID approved the Water Service Agreement. Moved by Reynolds, seconded by Raffety to accept the Projects & Construction Committee recommendations to allow staff to proceed with the PRD easement process, allowing engineers to talk with landowners so individual easements can be drafted, to allow staff to get RFP for construction of up to three small dams in the Sand Creek area, and to get estimates to move the generator at the TBNRD office. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Johnson

#### **STAFF REPORTS & NECESSARY ACTION**

**Board Directives to Staff:** Thorburn asked the board to close the office on August 21, 2017 from 10 a.m. to 2 p.m. so staff can view the solar eclipse. Moved by Bergstrom, seconded by Raffety to close the office on August 21, 2017 from 10:00 a.m. to 2:00 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Johnson

**Out-of-State Travel:** Reynolds commented that he might be attending the Republican Basin Compact Administration Meeting in Burlington, CO on August 22, 2017. Moved by Raffety, seconded by Lundeen to approve out-of-state travel for two people (staff or director) to attend the Republican Basin Compact Administration meeting in Burlington, CO on August 22, 2017. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Johnson

#### **MONTHLY REPORTS**

**Republican Basin (NRRMDA):** Stakeholder meeting is August 15<sup>th</sup>, 2017 in Cambridge and Republican River Compact Administration meets August 22, 2017 in Burlington, CO. Thorburn mentioned that Nebraska will avoid a water short designation for the next water year.

**Platte Basin:** Stakeholder's meeting will be September 20, 2017.

**South Dry Creek:** Staff has been working on ditch bottoms, shredding and cattails.

**Sacramento Creek:** Staff has been working on ditch bottoms, shredding and cattails.

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

**Fort Kearny West:** Staff has been working on ditch bottoms, shredding and cattails.

**Fort Kearny:** Staff has been working on ditch bottoms, shredding and cattails.

**North Dry Creek:** Staff has been working on ditch bottoms, shredding and cattails.

**Whiskey Slough:** Staff has been working on ditch bottoms, shredding and cattails.

**Odessa IPA:** Staff has been working on ditch bottoms, shredding and cattails.

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**Lake Seldom:** Pollinator plots are coming up.

**CoHyst/Platte Basin Coalition:** These items were discussed earlier in the meeting.

**Sand Creek/Little Blue Basin:** There was discussion about small retention dams and expanding the Big Blue model to the Little Blue Basin and IMP progress.

**Platte-Republican Diversion & Republican Basin Augmentation Well:** These items were discussed under another agenda item.

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

**CNPPID:** Ford reported Lake McConaughy is at elevation 3249.9 and 75% capacity.

**NEW BUSINESS**

**Reschedule September Board Meeting Start Time from 7:30 p.m. to 1:30 p.m.:** Thorburn explained the September meeting needs to be rescheduled to allow a presenter to attend. Moved by Raffety, seconded by Cavanaugh to change the September 12, 2017 meeting time from 7:30 p.m. to 1:30 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Johnson

**Resolution of Participation in All-Hazard Mitigation Plan:** Moved by Reynolds, seconded by Larson to approve a Resolution for Participation in the TBNRD Multi-Hazard Mitigation Plan. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Johnson

**UNFINISHED BUSINESS**

**FY 2017-2018 Budget for Public Hearing:** Moved by Raffety, seconded Bergstrom to approve FY 2017-2018 TBNRD Budget. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Johnson

Moved by Lundeen, seconded Hinrichs to hold a hearing on the FY 2017-2018 TBNRD Budget to set the levy different from the previous year. Motion carried.

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

NAY: None

ABSTAIN: None  
ABSENT: Bilka, Garrelts and Johnson  
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**COMMENTS AND CONCERNS**

There were no comments and concerns.

**PERSONNEL & LEGAL MATTERS**

Moved by Hinrichs, seconded Bergstrom to move to executive session for the purpose of protecting the public to discuss potential litigation at 2:25 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Johnson

Moved by Raffety, seconded Hinrichs to move out of executive session for the purpose of protecting the public to discuss potential litigation at 2:42 p.m. Motion carried.

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

NAY: None

ABSTAIN: None

ABSENT: Bilka, Garrelts and Johnson

**NEXT BOARD MEETING**

TBNRD Regular Board Meeting on Tuesday, September 12, 2017 at 1:30 p.m.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 2:45 p.m.

**DIRECTORS PRESENT**

Brian Bergstrom, Mike Cavanaugh, Ed Harris, Rob Hinrichs, Greg Jorgensen, Joe Larson, Brad Lundeen, Dave Olsen, Dave Raffety and Larry Reynolds.

**OTHERS PRESENT**

Carie Lynch, John Thorburn, Nicole Salisbury, Nolan Little, Dave Ford, Wendy Clark, Lori Potter, Cherie Putnam, Lori Hagan, Tami Reese, Terry Sorensen, Eddie Anderson, Michael Perry, Duane Woodward, Richard Holloway, Tammy Fahrenbruch, Amy Dutton and Charles Brooks.

Respectfully Submitted:

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Carie Lynch, Asst. Secretary

INDEX OF BOARD DECISIONS  
 TRI-BASIN NATURAL RESOURCES DISTRICT  
 BOARD OF DIRECTORS MEETING  
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ID	Motion #	Category	Subject	Aye	Nay	Abstain	
	2017-08-08-01	Meeting Administration		9		1	Moved by Lundeen, seconded by Larson, to excuse Cavanaugh from the June and July 2017 board meetings. Motion carried.
	2017-08-08-02	Meeting Administration		10			Moved by Harris, seconded by Jorgensen, to approve the minutes for the July 18, 2017 Board of Directors Meeting and retreat. Motion carried.
	2017-08-08-03	Meeting Administration		10			Moved by Larson, seconded by Reynolds, to approve the minutes for the July 31, 2017 Projects & Construction Committee Meeting. Motion carried unanimously.
	2017-08-08-04	Meeting Administration		10			Moved by Raffety, seconded by Bergstrom to accept the July 2017 financial reports and file for audit. Motion carried.
	2017-08-08-05	Budget		10			Moved by Lundeen, seconded Cavanaugh to approve the attorney, VISA and PRD bills. Motion carried.
	2017-08-08-06	Meeting Administration		10			Moved by Cavanaugh, seconded Harris to approve two well decommissioning applications. Motion carried.
	2017-08-08-07	Meeting Administration		10			Moved by Reynolds, seconded Hinrichs to approve one NSWCP application. Motion carried.
	2017-08-08-08	Certification & Transfers	Putnam and Wilke	10			Moved by Raffety, seconded Bergstrom to approve two irrigated acre transfer requests for Jesse Putnam and a flowmeter exemption for Merlin Wilke. Motion carried.
	2017-08-08-09	Directors	Fall Conference Delegates	9		1	Moved by Reynolds, seconded Cavanaugh to select Dave Raffety as delegate and Larry Reynolds as alternate delegate for the NARD Fall Conference. Motion carried.

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2017-08-08-10A	Projects	Sand Creek Retention dam & PRD	10			Moved by Reynolds, seconded by Raffety to accept the Projects & Construction Committee recommendations to allow staff to proceed with the PRD easement process, allowing engineers to talk with landowners so individual easements can be drafted, to allow staff to get RFP for construction of up to three small dams in the Sand Creek area, and to get estimates to move the generator at the TBNRD office. Motion carried.
2017-08-08-10B	Budget	TBNRD Generator move	10			Moved by Reynolds, seconded by Raffety to accept the Projects & Construction Committee recommendations to allow staff to proceed with the easement process, allowing engineers to talk with landowners so individual easements can be drafted, to allow staff to get RFP for construction of up to three small dams in the Sand Creek area, and to get estimates to move the generator at the TBNRD office. Motion carried.
2017-08-08-11	Personnel	Eclipse closing	10			Moved by Bergstrom, seconded by Raffety to close the office on August 21, 2017 from 10:00 a.m. to 2:00 p.m. Motion carried.
2017-08-08-12	Meeting Administration		10			Moved by Raffety, seconded by Lundeen to approve out-of-state travel for two people (staff or director) to attend the Republican Basin Compact Administration meeting in Burlington, CO on August 22, 2017. Motion carried.
2017-08-08-13	Budget	2017-2018	10			Moved by Raffety, seconded by Cavanaugh to change the September 12, 2017 meeting time from 7:30 p.m. to 1:30 p.m. Motion carried.
2017-08-08-14	Resolutions & Legislation	AHMP	10			Moved by Reynolds, seconded by Larson to approve a Resolution for Participation in the TBNRD Multi-Hazard Mitigation Plan. Motion carried.
2017-08-08-15	Budget		10			Moved by Raffety, seconded Bergstrom to approve FY 2017-2018 TBNRD Budget. Motion carried.

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	2017-08-08-16	Budget		10			Moved by Lundeen, seconded Hinrichs to hold a hearing on the FY 2017-2018 TBNRD Budget to set the levy different from the previous year. Motion carried.
	2017-08-08-17	Meeting Administration		10			Moved by Hinrichs, seconded Bergstrom to move to executive session for the purpose of protecting the public to discuss potential litigation at 2:25 p.m. Motion carried.
	2017-08-08-18	Meeting Administration		10			Moved by Raffety, seconded Hinrichs to move out of executive session for the purpose of protecting the public to discuss potential litigation at 2:42 p.m. Motion carried.