

August 10, 2006
Nemaha Natural Resources District
Regular Meeting
Tecumseh, Nebraska

1. **CALL TO ORDER/ROLL CALL/MOMENT OF SILENCE**

Chair Jim Wirth called the three hundred seventy-sixth meeting of the Nemaha Natural Resources District Board of Directors to order at 8:10 p.m. Thursday, August 10, 2006, at the NRD Headquarters in Tecumseh, Nebraska.

DIRECTORS	John Albrecht	Roland Meyer	Chuck Starr
PRESENT:	Jeff Crunk*	Gerald Royal	Bruce Walker
	Orval Gigstad	Steve Sherrow	Dan Watermeier
	Ted Godemann	Don Siske	Tom White
<i>*Left Early</i>	David Hunzeker	Mike Speece	Jim Wirth

DIRECTORS	Ron Heskett	Dave Neddenriep	Duane Sugden
ABSENT:	Scott Kudrna	Jim Rush	Paul Weber

STAFF	Bob Hilske, Manager
PRESENT:	Scott Nelson, Assistant Manager
	Jane Kuhl, Administrative Assistant
	Chuck Wingert, Water Resources Manager
	Artis Fisher, Business Assistant

GUESTS	Terry Newell, NRCS, Tecumseh
PRESENT:	Lalit Jha, JEO Consulting Group
	J.D. Johnson, JEO Consulting Group

Following the Pledge of Allegiance, a moment of silence was observed. Pursuant to a new state law, Chair Wirth announced that the Open Meetings Act was posted on the wall at the back of the board room.

2. **PROOF OF PUBLICATION**

Proof of Publication was presented and is on file.

3. **EXCUSED ABSENCES**

Siske moved, seconded by Walker, to approve the excused absences requested by Ron Heskett, Scott Kudrna, Dave Neddenriep, Jim Rush, Duane Sugden, and Paul Weber. Motion carried on consent agenda.

4. **OPEN FORUMS**

All directors, NRD staff, NRCS staff, and guests introduced themselves.

5. **MINUTES**

White moved, seconded by Siske, to approve the minutes as submitted. Motion carried on consent agenda.

6. **TREASURER'S REPORT**

White moved, seconded by Siske, to approve the Treasurer's Report as submitted. Motion carried on consent agenda.

7. **STAFF REPORT**

Hilske reviewed his written report. Nelson then reviewed his written report.

8. **AGENCY/ASSOCIATION REPORTS**

A. Natural Resources Conservation Service

Terry Newell provided a written report of activities in the NRCS offices in the District. He also reported on new staff in their offices, CSP, and the recent Quality Assurance Review of the field offices.

B. Five Rivers RC&D

No report.

C. Nebraska Association of Resources Districts

Gigstad thanked Gerald Royal for attending the last meeting in his place. He added that the NARD's annual conference would be held in September in Kearney.

D. Nebraska Natural Resources Commission

Watermeier stated their next meeting would not be until September.

E. Water Policy Task Force Report

No report.

9. **PRESENTATION BY JEO CONSULTING ON MUDDY CREEK WATERSHED DRAFT PLAN**

Lalit Jha, Project Engineer from JEO Consulting, reviewed the draft of the Muddy Creek Watershed Plan. He explained the problems experienced in the upper end of the watershed and some proposed solutions. He added that the next phase would be to identify some specific project sites and begin looking for funding sources. Starr asked Speece what the interest might be from landowners in the area for cost-sharing on dams. Speece felt there was a great deal of interest from landowners based upon responses to earlier mailings.

10. STANDING COMMITTEES

A. Programs & Projects Committee

1. ***Review & Establish Small Dams Approval Priority List:*** Sherrow stated the committee had reviewed the list and the dams proposed for approval in FY 07-08. In addition to the Grotrian and Hartmann structures, the committee recommended adding the Bucholz structure to the priority list for approval. No action.
2. ***Resolution to Sponsor & Submit Environmental Trust Fund Application for Muddy Creek Watershed:***
Sherrow moved, seconded by Siske, to approve the resolution to apply to the Nebraska Environmental Trust for funding for the Muddy Creek Watershed Project. Sherrow explained that the District's contribution would be \$209,000 in cash and in-kind contributions. The total amount of the grant request is \$480,000. In addition, Nemaha County had also sent a letter of support for the project and commitment of \$132,500 over a three-year period. After further discussion, **motion carried.**

AYE: Albrecht, Gigstad, Godemann, Hunzeker, Meyer, Royal, Sherrow, Siske, Speece, Starr, Walker, Watermeier, White, Wirth

NOT PRESENT: Crunk, Heskett, Kudrna, Neddenriep, Rush, Sugden, Weber

3. ***Resolution to Co-Sponsor with Five Rivers RC&D An Environmental Trust Fund Application to Evaluate Concept to Regionalize Public Water Systems in Southeast Nebraska:***
Sherrow moved, seconded by Meyer, to approve the resolution to apply to the Nebraska Environmental Trust for funding for Drinking Water for Southeast Nebraska's Future. Sherrow stated the committee discussed whether this was an issue the NRD should be heading up. He added that instead of having two co-sponsors, the NRD would now sponsor the application with RC&D as a project partner. Therefore, at this point the District would be responsible for a total contribution of \$65,000. Hunzeker questioned if any communities had actually asked for this study. Hilske replied that at least 40 communities had expressed interest in the initial grant application by RC&D last year. Starr felt we need to hear more from the communities and that the board needs to discuss this further before voting on this resolution. Gigstad felt the NRD is the only entity that could spearhead a regional water issue and that the water problems around the state are only going to get worse. Godemann pointed out that this concept was first brought up by USDA. Speece added that locally a rural water district has had to put in some restrictions and could not do something like this alone. He felt that this is just looking ahead and that we represent these communities and agreed that we would be the best entity to handle this. Royal felt this would be a benefit to these communities down here and that we need to be

the leader. Starr stated he does not dispute the project itself but felt we are working on assumptions and have not yet identified if there is a problem. Wirth asked Hilske to read a couple of the letters of support received from communities last fall when the federal grant application was prepared. Upon roll call vote, **motion carried.**

AYE: Albrecht, Gigstad, Godemann, Meyer, Royal, Sherrow, Siske, Speece, Walker, Watermeier, White, Wirth

NAY: Hunzeker, Starr

NOT PRESENT: Crunk, Heskett, Kudrna, Neddenriep, Rush, Sugden, Weber

4. *Request for Interrelated Water Management Funds to Assist with Collecting Data for the Groundwater Management Plan:*

Sherrow moved, seconded by Meyer, to approve a resolution entitled “Groundwater Data Collection Funding” to apply to the Nebraska Interrelated Water Assistance Fund for funding assistance for costs associated with data collection necessary for updating the Groundwater Management Plan. Sherrow explained that this fund is a result of LB1226 and that it could help pay for a great deal of expenditures for data collection in the next year. With no further discussion, **motion carried.**

AYE: Albrecht, Gigstad, Godemann, Hunzeker, Meyer, Royal, Sherrow, Siske, Speece, Starr, Walker, Watermeier, White, Wirth

NOT PRESENT: Crunk, Heskett, Kudrna, Neddenriep, Rush, Sugden, Weber

5. *Policy for Allowing Livestock to Water from Turkey Creek Structures During Periods of Severe Drought:* Sherrow reported the committee recommended staff draw up a policy that would apply to watering from any structure in the District. The policy should include requiring a written commitment in advance from the landowner that they would pay for any damages to the structure that result from allowing livestock to access the pool. White suggested limiting access on the dam. Hilske pointed out that most of the earlier structures in the District did not have this limitation written into the easements. No action.

6. *Budget Review:* Sherrow reported the committee had discussed the budget but had no recommendations at this time.

B. Operations & Education Committee

1. **Budget Review:** White stated the committee reviewed the budget and the proposed cuts but that they did not recommend cutting anything at this time.

C. Executive Committee

1. **Discussion/Action on Supporting & Providing Funding for Eastern Nebraska Water Resources Assessment Project:**
Godemann moved, seconded by Watermeier, to approve the Chair signing a letter of support for the Water Resources Assessment Project. Hilske explained that this project would help provide data on the aquifers in eastern Nebraska. Our District would commit \$10,000 for this effort. Starr asked if any of these studies would be related and compliment each other. Hilske felt this may be helpful for both the data collection for the Groundwater Management Plan and possibly even for the water supply grant. Upon roll call vote, **motion carried.**

AYE: Albrecht, Gigstad, Godemann, Hunzeker, Meyer, Royal, Sherrow, Siske, Speece, Starr, Walker, Watermeier, White, Wirth

NOT PRESENT: Crunk, Heskett, Kudrna, Neddenriep, Rush, Sugden, Weber

2. **Discussion/Action on Supporting & Providing Funds for the Cornhusker Boy Scout Council's Project to Renovate Pond at Camp Cornhusker:**
Godemann moved, seconded by Gigstad, to provide a letter of support and assist in seeking matching funds for this project. White stated he was familiar with the pond and knew it was silted full. Hilske explained that the Council is working with Olsson Associates on this and attempting to get a Nebraska Environmental Trust grant. They want to remove the silt and put in some sediment control structures. Upon roll call vote, **motion carried.**

AYE: Albrecht, Gigstad, Godemann, Hunzeker, Meyer, Royal, Sherrow, Siske, Speece, Starr, Walker, Watermeier, White, Wirth

NOT PRESENT: Crunk, Heskett, Kudrna, Neddenriep, Rush, Sugden, Weber

3. **Budget Review:** Godemann deferred discussion on this to the next agenda item.

11. BUDGET DISCUSSION

Hilske reviewed some of the potential cuts that were suggested in order to balance the budget to about the same tax request as last year. He added that the cash reserve had been cut back to \$200,000 but that it might be wise to increase this if possible.

Godemann moved, seconded by Gigstad, to make the cuts to the budget as recommended with the following exceptions: Duck/Buck Plan-\$15,000; blade for ATV-\$500; lift for tree planter-\$700; and add \$30,000 to the cash reserve. Sherrow felt the privacy fence and emergency action workshop should not be cut.

Starr moved, seconded by Watermeier, to amend the motion to delete the \$30,000 from the cash reserve and add the \$1,000 for attorney costs. Godemann felt that the cash reserve increase is necessary to avoid having to borrow money during the year since tax revenues come in basically at two times a year. Upon roll call vote on the amendment, **motion failed.**

AYE: Hunzeker, Sherrow, Siske, Starr, Walker, Watermeier

NAY: Albrecht, Gigstad, Godemann, Meyer, Royal, Speece, White, Wirth

NOT PRESENT: Crunk, Heskett, Kudrna, Neddenriep, Rush, Sugden, Weber

Upon roll call vote on the main motion, **motion carried.**

AYE: Albrecht, Gigstad, Godemann, Meyer, Royal, Sherrow, Siske, Speece, Walker, White, Wirth

NAY: Hunzeker, Starr, Watermeier

NOT PRESENT: Crunk, Heskett, Kudrna, Neddenriep, Rush, Sugden, Weber

12. DISCUSSION/ACTION ON INCREASING RESTRICTED FUNDS ALLOWANCE AN ADDITIONAL 1 PERCENT FOR FY 2007 BUDGET

Chair Wirth stated this action requires at least a 75 percent affirmative vote of the board membership to be approved. Since less than 75 percent of the members were in attendance, no action would be possible. Artis Fisher reviewed some materials provided that explained the restricted funds. No action.

13. ANNOUNCEMENTS, SEPTEMBER MEETING DATE/TIME & AGENDA ITEM REQUESTS

Hilske announced that Keith Joekel would like a few directors to come out and look at his situation where he wants to irrigate out of an NRD structure. Wirth stated the next meeting would be September 14 at 8:00 p.m. with the budget hearing and committee meetings prior to the board meeting.

14. CONSENT AGENDA

White moved, seconded by Siske, to approve the consent agenda. Consent agenda items: Excused Absences, Minutes, Treasurer's Report. **Motion carried.**

AYE: Albrecht, Gigstad, Godemann, Hunzeker, Meyer, Royal, Sherrow, Siske, Speece, Starr, Walker, Watermeier, White, Wirth

NOT PRESENT: Crunk, Heskett, Kudrna, Neddenriep, Rush, Sugden, Weber

12. **ADJOURNMENT**

White moved, seconded by Siske, to adjourn. Motion carried.

AYE: Albrecht, Gigstad, Godemann, Hunzeker, Meyer, Royal, Sherrow, Siske, Speece,
Starr, Walker, Watermeier, White, Wirth

NOT PRESENT: Crunk, Heskett, Kudrna, Neddenriep, Rush, Sugden, Weber

The meeting adjourned at 10:55 p.m. The next regular meeting of the board of directors will be Thursday, September 14, 2006, at 8:00 p.m. at the NRD headquarters at 62161 Hwy 136 in Tecumseh.

Approved 9/14/06

Secretary, Nemaha Natural Resources District