

August 9, 2007
Nemaha Natural Resources District
Regular Meeting
Tecumseh, Nebraska

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

Chair Ted Godemann called the three hundred eighty-eighth meeting of the Nemaha Natural Resources District Board of Directors to order at 8:10 p.m. Thursday, August 9, 2007, at the NRD Headquarters in Tecumseh, Nebraska.

DIRECTORS	John Albrecht	David Hunzeker	Chuck Starr
PRESENT:	Lisa Beethe	Roland Meyer	Duane Sugden
	Jeff Crunk*	Jim Rush	Bruce Walker
	Orval Gigstad	Steve Sherrow	Paul Weber
<i>*Left Early</i>	Ted Godemann	Don Siske	Tom White
	Ron Heskett	Mike Speece	Jim Wirth

DIRECTORS	Rob Bohling	Dan Watermeier
ABSENT:	Scott Kudrna	

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:	

Following the Pledge of Allegiance, a moment of silence was observed. Chair Godemann announced that the Open Meetings Act was posted on the wall at the back of the room.

2. **PROOF OF PUBLICATION**

Proof of Publication was presented and is on file.

3. **EXCUSED ABSENCES**

White moved, seconded by Siske, to approve the excused absences requested by Rob Bohling, Scott Kudrna, and Dan Watermeier. Motion carried on consent agenda.

4. **OPEN FORUMS**

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

5. **MINUTES**

White moved, seconded by Siske, to approve the minutes as presented. 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 & Nelson reviewed their written reports. Hilske also reminded board members of the upcoming Kirkman's Cove tour on September 11 and the NARD conference September 24-25 in Kearney. Rush asked about drainage issues on the trail. Nelson reported on a recent meeting with Johnson County Commissioners regarding road dams. Wingert briefly reviewed his written report on water department activities.

8. **AGENCY/ASSOCIATION REPORTS**

A. Natural Resources Conservation Service

Terry Newell reported that field work is busy with staking cost-share work. He added that the sign-up deadline for FY08 is December 14 for EQIP and WHIP.

B. Five Rivers RC&D

Hilske reminded directors that Howard McNiff's retirement open house would be August 24.

C. Nebraska Association of Resources Districts

Gigstad encouraged directors to consider attending the NARD annual conference.

D. Nebraska Natural Resources Commission

No report.

E. Water Policy Task Force Report

Sugden stated they met July 30 in North Platte and talked about water banking, offsets for ethanol plants, and the future of the task force.

9. **STANDING COMMITTEES**

A. Programs & Projects Committee

1. Review FY2008 Budget: Deferred to Agenda Item 10.

B. Water Resources Ad-Hoc Committee

1. **Report on July 31, 2007, Meeting:** Weber reported on their meeting held July 31. A written report was also provided to directors. No action.
2. **Resolution In Support of District's Application to Environmental Trust for Funding to Assist with Installation of Flow Meters:** Wingert reviewed the purpose of the grant and the program being considered. More real data collected on the amount of water pumped in a season would also help with our groundwater report. The program proposed would provide 50 percent cost-share for the installation of the meters.

Weber moved, seconded by White, to adopt a resolution authorizing application for Nebraska Environmental Trust funds for a flow meter cost-share program. Motion carried.

AYE: Albrecht, Crunk, Gigstad, Godemann, Heskett, Hunzeker, Meyer, Rush, Sherrow, Siske, Speece, Starr, Sugden, Walker, Weber, White, Wirth

ABSTAINING: Beethe

NOT PRESENT: Bohling, Kudrna, Watermeier

3. **Request by St. Mary Marsh LLC for Variance to Allow Issuance of a Well Permit:** **Weber moved, seconded by Wirth, to approve the request for a variance from St. Mary Marsh LLC for a well 3 miles south of St. Mary for wildlife habitat/wetland flooding.** There was discussion on the purpose of the well, nearby irrigation and domestic users, and potential amount of water available. Starr questioned if there was enough information to act on the request, if there is enough water available, and if this would be considered a beneficial use. Heskett felt the purpose of the variance was primarily to determine if there is enough water. Beethe pointed out that the variance provided to Game and Parks at an earlier meeting was for a similar purpose. Sugden felt just because the water is there doesn't mean it should be approved and that the District had an obligation to determine whether this is a beneficial use. Godemann questioned whether this use should be considered less beneficial than, for example, an agricultural use. Upon roll call vote, **motion failed.**

AYE: Godemann, Sherrow

NAY: Albrecht, Beethe, Crunk, Gigstad, Heskett, Hunzeker, Meyer, Rush, Siske, Speece, Starr, Sugden, Walker, Weber, White, Wirth

NOT PRESENT: Bohling, Kudrna, Watermeier

4. **Request by Darrell TeSelle for Variance to Allow Issuance of a Well Permit:** **Weber moved, seconded by White, to approve the request by Darrell TeSelle for a variance to allow issuance of a well permit 1.5 miles north of Firth for irrigation.** This request meets all the spacing requirements, and there is plenty of water available. Upon roll call vote, **motion carried.**

AYE: Albrecht, Beethe, Gigstad, Godemann, Heskett, Hunzeker, Meyer, Rush,
Sherrow, Siske, Speece, Starr, Sugden, Walker, Weber, White, Wirth

NAY: Crunk

NOT PRESENT: Bohling, Kudrna, Watermeier

C. Operations & Education Committee

1. *Review FY2008 Budget:* Deferred to Agenda Item 10.

D. Executive Committee

1. *Proposed District Policy for Selecting Firms to Provide Professional Services:*
Gigstad reported that the committee made some additions and deletions to the proposed policy based on suggestions from other board members. The revised policy will be considered next month. No action.
2. *Classifying the \$1,845.66 Owed by Randy Frey as an Uncollectible Account:*
Gigstad moved, seconded by Beethe, to classify the \$1,845.66 owed by Randy Frey for seeding and fencing an Impaired Water Bodies structure as an uncollectible account. Hilske explained that this does not mean we could not still pursue payment of this bill. Starr asked if turning it over to a collection agency had been considered. There was also discussion about possibly restricting participation in other cost-share programs through the District until this bill is paid. **Motion carried.**

AYE: Albrecht, Beethe, Gigstad, Godemann, Heskett, Hunzeker, Meyer, Rush,
Sherrow, Siske, Speece, Starr, Sugden, Walker, Weber, White, Wirth

NOT PRESENT: Bohling, Crunk, Kudrna, Watermeier

3. *FY2008 Budget Review:* Deferred to Agenda Item 10.

10. BUDGET DISCUSSION

Hilske reviewed three options prepared for developing the budget based on discussions last month. Rush stated his suggestion was for a 3.5 percent increase in property taxes and that the other options result in about a 5 percent increase for option 2 and as much as a 10 percent increase for option 3. White stated Duck and Buck Creek projects will be coming up sooner or later and it will catch up with us if we don't start saving for it now.

White moved, seconded by Sugden, to prepare the budget based on option 2, which would maintain the same tax levy as last year. Sherrow strongly supported putting the entire \$100,000 in the sinking fund for Duck and Buck Creek and for keeping our vehicles updated. He added that no matter where the project is located, tax funds from the entire District help support it.

Sherrow moved, seconded by Heskett, to amend the motion to include the full \$100,000 in the Duck/Buck sinking fund for FY2008. Motion carried.

AYE: Albrecht, Beethe, Gigstad, Godemann, Heskett, Hunzeker, Meyer, Rush, Sherrow, Siske, Speece, Starr, Sugden, Walker, Weber, White, Wirth
NOT PRESENT: Bohling, Crunk, Kudrna, Watermeier

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

AYE: Albrecht, Beethe, Gigstad, Godemann, Heskett, Hunzeker, Meyer, Sherrow, Siske, Speece, Starr, Sugden, Walker, Weber, White, Wirth
NAY: Rush
NOT PRESENT: Bohling, Crunk, Kudrna, Watermeier

11. DISCUSSION/ACTION ON INCREASING RESTRICTED FUNDS ALLOWANCE AN ADDITIONAL 1% FOR FY2008 BUDGET

Fisher reviewed the purpose of this increase and impacts on future budgets.

White moved, seconded by Albrecht, to authorize increasing the restricted funds allowance an additional 1% for the FY2008 budget. White cautioned that if this is not approved the District could end up in a hole for future project funding. It was again stressed that approval of the addition does not mean the District has to spend it. After further discussion on how this amount is figured, **motion carried.**

AYE: Albrecht, Beethe, Gigstad, Godemann, Heskett, Hunzeker, Meyer, Rush, Sherrow, Siske, Speece, Starr, Sugden, Walker, Weber, White, Wirth
NOT PRESENT: Bohling, Crunk, Kudrna, Watermeier

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

Godemann stated the next meeting would be September 13 at 8:00 p.m.; the budget hearings will precede the meeting beginning at 7:00. The board recognized Artis Fisher for her years of service to District.

13. CONSENT AGENDA

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

AYE: Albrecht, Beethe, Gigstad, Heskett, Hunzeker, Meyer, Rush, Sherrow, Siske, Speece, Starr, Sugden, Walker, Weber, White, Wirth
ABSTAINING: Godemann
NOT PRESENT: Bohling, Crunk, Kudrna, Watermeier

14. **ADJOURNMENT**

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

AYE: Albrecht, Beethe, Gigstad, Godemann, Heskett, Hunzeker, Meyer, Rush, Sherrow,
Siske, Speece, Starr, Sugden, Walker, Weber, White, Wirth

NOT PRESENT: Bohling, Crunk, Kudrna, Watermeier

The meeting adjourned at 10:10 p.m. The next regular meeting of the board of directors will be Thursday, September 13, 2007, at 8:00 p.m. at the NRD headquarters at 62161 Hwy 136 in Tecumseh.

(Approved 9/13/07)

Secretary, Nemaha Natural Resources District