

December 8, 2005
Nemaha Natural Resources District
Regular Meeting
Tecumseh, Nebraska

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

Vice-Chair Ted Godemann called the three hundred sixty-eighth meeting of the Nemaha Natural Resources District Board of Directors to order at 8:05 p.m. Thursday, December 8, 2005, at the NRD Headquarters in Tecumseh, Nebraska.

DIRECTORS	John Albrecht	Scott Kudrna	Mike Speece
PRESENT:	Jeff Crunk	Roland Meyer	Chuck Starr
	Orval Gigstad	Gerald Royal	Duane Sugden
<i>*Left early</i>	Ted Godemann	Jim Rush	Paul Weber
	Ron Heskett	Steve Sherrow	
	David Hunzeker	Don Siske	

DIRECTORS	Dave Neddenriep	Dan Watermeier	Jim Wirth
ABSENT:	Bruce Walker	Tom White	

STAFF	Bob Hilske, Manager
PRESENT:	Scott Nelson, Assistant Manager
	Jane Kuhl, Administrative Assistant
	Vernon Speers, Jr., Field Representative

GUESTS	Wally Valasek, NRCS, Beatrice
PRESENT:	Lewis Rogers, Pawnee City
	David Rogers, Pawnee City
	Bruce Rogers, Pawnee City
	Linda Rogers, Pawnee City
	Carol Sisco, Pawnee Republican

Following the Pledge of Allegiance, a moment of silence was observed.

2. **PROOF OF PUBLICATION**

Proof of Publication was presented and is on file.

3. **EXCUSED ABSENCES**

Requests for excused absences were received from Dave Neddenriep, Bruce Walker, Dan Watermeier, Tom White, and Jim Wirth.

Sugden moved, seconded by Albrecht, to approve the excused absences of Dave Neddenriep, Bruce Walker, Dan Watermeier, Tom White, and Jim Wirth. Motion carried on consent agenda.

4. **OPEN FORUMS**

All directors, staff, and guests introduced themselves.

5. **MINUTES**

Heskett moved, seconded by Siske, to approve the minutes as submitted. Crunk stated that he still did not see where the board has a motion, second, and vote on action to create a master plan for the Pawnee County Lake project. Therefore, he felt the District was proceeding beyond the scope of what we are authorized to do. Heskett pointed out that the November minutes listed the time for the December meeting as 8:00 p.m. but that the notices in the newspapers correctly advertised the meeting at 7:00. **Motion carried.**

AYE: Albrecht, Crunk, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Royal, Siske, Starr, Sugden, Weber

ABSTAINING: Rush, Sherrow, Speece

NOT PRESENT: Neddenriep, Walker, Watermeier, White, Wirth

6. **TREASURER'S REPORT**

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

7. **STAFF REPORT**

Hilske reviewed his written reports. Hunzeker asked Hilske's opinion on LR166, and Hilske explained the concerns about using eminent domain for recreation. Heskett asked if the USFWS requirements, as they affect on our road dam projects, are new requirements. Hilske stated that this particular situation came up at the last minute from FWS. Nelson then reviewed his written report.

8. **AGENCY/ASSOCIATION REPORTS**

A. Natural Resources Conservation Service

Wally Valasek, acting District Conservationist from Beatrice, reported that the RC & DC positions in Auburn and Tecumseh have been advertised with closing dates of December 28. He also briefly talked about the NRCS budget. On the national level EQIP and WRP were funded at about the same level as last year, and WHIP funds may increase in Nebraska.

B. Five Rivers RC&D

Hilske and Nelson had attended the meeting, and Hilske reported that we are still working with RC&D to get the public water supply study grant application in by the end of this month.

C. Nebraska Association of Resources Districts

Gigstad reminded everyone of the upcoming Legislative Conference in January.

D. Nebraska Natural Resources Commission

No report.

E. Pawnee County Lake Steering Committee

1. Update on Master Plan Development: Hilske reviewed a report that detailed some of the key questions posed to the Louisiana Purchase Group as well as their answers. He also discussed the idea of setting up a lake development committee with other governmental entities. In response to a comment from David Rogers that no clear answers had been received from LPG, Godemann replied that a master plan would be presented in the future and may address many of these questions. Starr asked if these five questions were part of a master plan and if there is a master plan or not. Hilske replied that there is not a master plan at this time. Starr questioned why the NRD would want to be instrumental in forming agreements with other entities when at the last presentation that LPG gave to the board they indicated the NRD went from being a number one partner to way down on the list. Hilske felt this idea of having a lake development committee would be passed on to LPG as a suggestion instead of us setting it up, thus taking the burden off the NRD. Godemann pointed out that the idea behind such a committee was suggested long before LPG became involved. Weber asked what happens if the NRD does not participate. Hilske said that LPG has indicated they will proceed with the project whether the NRD participates or not. Crunk stated that the minutes from the steering committee meeting did not reflect his concerns about liability to the NRD as well as the fact that LPG would want the NRD to acquire any land they could not get through eminent domain. He further expressed his concern for the costs to the District under the LPG plan.
2. Update on Recreation Benefit Analysis: Hilske reviewed the information presented from the consultant so far on various comparable recreation areas. The goal is to have the consultant at the January meeting to review the information collected and the study results.

F. Water Policy Task Force Report

Sugden had not attended the last meeting but referred to a packet he received from a group call Water Claim who had a plan for taking water from the sandhills to Harlan County. He added the information stated Roger Patterson had given his approval to this plan; however, Patterson said he listened but had not commented one way or the other on this plan. The Task Force is still planning to ask the Legislature for quite a bit of funding. He added the next meeting would be December 22.

9. STANDING COMMITTEES

A. Programs & Projects Committee

1. *Action on Mower Bids:* Bids to replace the District's current mower were as follows:

Dealer	Mower Description	Net Price
Yohe Farm Service, Filley	2006 Grasshopper 929*	\$6,000.00
Landis Engine, Nebraska City	2005 Scag Turf Tiger*	\$5,699.00
Yohe Farm Service, Filley	2006 Grasshopper 329*	\$4,611.30
Small Engine Specialists, Lincoln	2005 Exmark Lazer Z*	\$6,319.00
Landis Engine, Nebraska City	2005 Scag Turf Tiger#	\$4,999.00
Stutheit Implement, Syracuse	2005 Everride Warrierr#	\$4,900.00
Landis Engine, Nebraska City	2005 Scag Wildcat#	\$4,999.00
Small Engine Specialists, Lincoln	2005 Exmark Lazer Z#	\$5,279.00

* liquid cooled engine; # air cooled engine

Sherrow moved, seconded by Sugden, to accept the bid for an Everride Warrior mower from Stutheit Implement at a net cost after trade in of \$4,900. Sherrow pointed out though this may not be the lowest net bid, the manufacturer of the mower and the dealer are both located within the District. After further discussion, **motion carried.**

AYE: Albrecht, Crunk, Gigstad, Godemann, Heskett, Kudrna, Meyer, Royal, Rush, Sherrow, Siske, Speece, Starr, Sugden, Weber

NAY: Hunzeker

NOT PRESENT: Neddenriep, Walker, Watermeier, White, Wirth

2. *Selection of an Engineering Firm to Develop Plan for Muddy Creek:* Sherrow stated five firms responded to our request for proposals, and staff evaluated all five and recommended JEO Consulting.

Sherrow moved, seconded by Speece, to direct staff to negotiate an engineering services contract with JEO Consulting Group, Inc., to develop a watershed work plan for the Big Muddy Watershed. Some discussion was held on the fees and the method for selecting consulting firms based upon their qualifications. It was clarified that this action would authorize staff to negotiate a contract, which would then have to be determined to be acceptable by the board prior to proceeding. Speece reported he had been at the interview with JEO and was very impressed with their responses to questions on the project and their reaction to the staff's suggestions. Hilske explained the contracting procedure and maximum amounts that are usually included in the contract. Upon roll call vote, **motion carried.**

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

B. Operations & Education Committee - (No report)

C. Executive Committee

- 1. Update on Steamboat Trace WRP Easement:** Hilske explained that after the board approved granting an easement for access to WRP land, it was discovered that there is another situation pending regarding an adjacent parcel of land needed to ultimately access the WRP land. Therefore, USDA is holding the easement and has not filed it yet. Hilske also checked with our attorney regarding the District's ability to grant the easement, and he confirmed that we do have this authority. After checking with the National Rails to Trails Conservancy, they have no problem with the easement as long as it does not affect potential rail use in the future should service be reactivated. No action.
- 2. Addressing Retirement Program Withholding Problems:** Hilske explained that statewide the NRDs received some faulty advice several years ago regarding withholding of Social Security and Medicare taxes from the employees' contributions to the retirement program. In order to determine the corrective steps needed, our accountant, Art White, suggested we work with the accountant that is working with our State Association on this issue. Hilske estimated a cost of \$1,200-1,800 depending upon how many other NRDs use this accountant's services and the amount of assistance our staff is able to provide.

Kudrna moved, seconded by Sugden, to allow staff to work with an accountant to solve the retirement program withholding problems. Hilske estimated the amount of taxes owed would be about \$1,600 per year for the last three years. **Motion carried.**

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

10. ANNOUNCEMENTS, JANUARY MEETING DATE/TIME & AGENDA ITEM REQUESTS

Godemann stated the next meeting would be held January 12 at 7:00 p.m. with committees at 6:00 p.m. Since there are some questions about this August, 2003, motion, Starr asked that the August, 2003, motion be placed on the agenda as an action item and also asked staff to contact the Louisiana Purchase Group to come and answer some questions and tell us who they are.

11. **CONSENT AGENDA**

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

AYE: Albrecht, Crunk, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Royal, Rush, Sherrow, Siske, Starr, Sugden, Weber

NOT PRESENT: Neddenriep, Speece, Walker, Watermeier, White, Wirth

12. **ADJOURNMENT**

Kudrna moved, seconded by Albrecht, to adjourn. Motion carried.

AYE: Albrecht, Crunk, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Royal, Rush, Sherrow, Siske, Starr, Sugden, Weber

NOT PRESENT: Neddenriep, Speece, Walker, Watermeier, White, Wirth

The meeting adjourned at 8:35 p.m. The next regular meeting of the board of directors will be Thursday, January 12, 2006, at 7:00 p.m. at the NRD headquarters at 62161 Hwy 136 in Tecumseh.

(Approved 1/12/06)

Secretary, Nemaha Natural Resources District