

December 14, 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 eightieth meeting of the Nemaha Natural Resources District Board of Directors to order at 7:15 p.m. Thursday, December 14, 2006, at the NRD Headquarters in Tecumseh, Nebraska.

DIRECTORS	Jeff Crunk*	Gerald Royal	Bruce Walker
PRESENT:	Orval Gigstad	Jim Rush	Dan Watermeier
	Ted Godemann	Steve Sherrow	Paul Weber
<i>*Left Early</i>	Ron Heskett	Don Siske	Tom White
	David Hunzeker	Mike Speece *	Jim Wirth
	Scott Kudrna	Duane Sugden	

DIRECTORS	John Albrecht	Dave Neddenriep
ABSENT:	Roland Meyer	Chuck Starr

STAFF	Bob Hilske, Manager
PRESENT:	Scott Nelson, Assistant Manager
	Jane Kuhl, Administrative Assistant
	Chuck Wingert, Water Resources Manager
	Vernon Speers, Field Representative
	Steve Bartels, Field Representative

GUESTS	Roger Reichmuth, NRCS, Tecumseh
PRESENT:	Lisa Beethe, Elk Creek
	Leon Bowman, Martell
	Randy Burgett, Verdon
	Mike Schardt, Elk Creek

Following the Pledge of Allegiance, a moment of silence was observed. Chair Wirth 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 John Albrecht, Roland Meyer, Dave Neddenriep, and Chuck Starr. 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. Crunk requested that someone patrol the Steamboat Trace during the next closure to discourage hunters from using it. Nelson then reviewed his written report.

8. **AGENCY/ASSOCIATION REPORTS**

A. Natural Resources Conservation Service

Roger Reichmuth reviewed the NRCS report and reported on the current budget issues.

B. Five Rivers RC&D

Kudrna reported on upcoming activities and awards presented to some RC&D members. They are still waiting to hear about some grant requests. Pawnee County has declared sericea lespedeza a noxious weed.

C. Nebraska Association of Resources Districts

Gigstad reported on their meeting held in November. The insurance reserve still needs to be increased, so Districts will be billed for this in January. There may be some changes in dependent status determinations for the health insurance. They also discussed the possibility of putting up a permanent building for Husker Harvest Days. Gigstad reported that Justin Apel had accepted another job and that his last day would be December 21.

D. Nebraska Natural Resources Commission

Watermeier reported that they would be having a special meeting in Kearney on December 19 to evaluate what is important in the Resource Development Fund.

E. Water Policy Task Force Report

Sugden reported at the November meeting they came up with \$4.1 million for funding water management. They will meet January 4 but are getting closer on the funding part. They will ask the Legislature for the funds. It would provide fee authorities for NRDs and funding for a consultant for long-term water management. The Governor is accepting applications for the DNR director position until December 19.

9. REPORT ON DISTRICT RECREATION AREAS

Vernon Speers and Steve Bartels gave a presentation on the District's four recreation areas: Kirkman's Cove, Iron Horse Trail Lake, Wirth Brothers Lake, and Prairie Owl. They included updates on the ADA requirements that have been installed, development completed and planned, operation and maintenance activities, and park permit revenue.

10. STANDING COMMITTEES

A. Programs & Projects Committee

1. *General Guidelines that will be Considered When Addressing Requests for Variances to the Well Permit Moratorium:* Wingert reviewed the questionnaire prepared for directors to complete and return to the staff to help in determining guidelines for approving well moratorium variances. No action.
2. *Mike Schardt Request to Reconsider His Well Permit Variance Request:* Wingert provided more background information on these proposed wells, which would supplement Schardt's surface water irrigation if needed. Rush asked if there was any problem with the amount of water available; Wingert replied he found no conflicts. Rush felt their decisions have always been based on whether there is water available. Wirth questioned whether we are taking into consideration the connection between surface and ground water in approving these permits.

Weber moved, seconded by Rush, to approve the variance request from Mike Schardt for two irrigation wells in Johnson County. After further discussion, **motion carried.**

AYE: Crunk, Gigstad, Godemann, Heskett, Hunzeker, Royal, Rush, Siske, Speece, Sugden, Walker, Watermeier, Weber, White, Wirth

NAY: Kudrna, Sherrow

NOT PRESENT: Albrecht, Meyer, Neddenriep, Starr

3. *Variance Request by Paul Burgett for 2 Irrigation Wells northwest of Humboldt:* **Weber moved, seconded by Sugden, to approve the variance requests from Paul Burgett for two irrigation wells northwest of Humboldt.** Randy Burgett explained that they have been irrigating since 1977, but since then the NRD has built several watershed dams above them. These wells would be used in conjunction with or supplement existing surface water irrigation. After further discussion, **motion carried.**

AYE: Crunk, Gigstad, Godemann, Heskett, Hunzeker, Royal, Rush, Sherrow, Siske, Speece, Sugden, Walker, Watermeier, Weber, White, Wirth

NAY: Kudrna

NOT PRESENT: Albrecht, Meyer, Neddenriep, Starr

4. *Variance Request by E Energy Adams for One Commercial/Industrial Well Northwest of Adams:*

Weber moved, seconded by Rush, to approve the variance request from E Energy Adams for one commercial/industrial well northwest of Adams. After discussion about the location of the well and its estimated pumping capacity of 300 gpm, **motion carried.**

AYE: Gigstad, Godemann, Heskett, Hunzeker, Royal, Rush, Sherrow, Siske, Speece, Sugden, Walker, Watermeier, Weber, White, Wirth

NAY: Crunk, Kudrna

NOT PRESENT: Albrecht, Meyer, Neddenriep, Starr

5. *Variance Request by Village of Adams for One Public Water Supply Well:*

Weber moved, seconded by Sugden, to approve the variance request from the Village of Adams for one public water supply well in Gage County. Wingert explained the problems Adams is having with two of its other wells. After further discussion, **motion carried.**

AYE: Crunk, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Royal, Rush, Sherrow, Siske, Speece, Sugden, Walker, Watermeier, Weber, White, Wirth

NOT PRESENT: Albrecht, Meyer, Neddenriep, Starr

6. *Discussion on Recent Requests Submitted by Keith Joekel and Binder Farms for Surface and Ground Water Irrigation Permits:* Siske explained that he had asked for this item on the agenda because the situation where Mr. Joekel is taking water out of one dam and transferring it to another dam over the hill is not that much different than the Binder Farms situation.

Weber moved, seconded by Sugden, to continue discussing Keith Joekel's water problems. Hilske explained that the NRD staff had put together an agreement but that Mr. Joekel did not sign it. After going out and looking at the site, staff revised the agreement; however, Mr. Joekel still had some issues with it. Mr. Joekel then explained that he did not agree with the time limits from July to September for his pumping. He stated that would be the same time that the neighbor's cattle would be in pasture. Siske asked if he would only sign the agreement if there were no restriction on when he could pump. Mr. Joekel said he wants to be able to pump when there is water regardless of when it is. After further discussion, **motion carried.**

AYE: Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Royal, Rush, Sherrow, Speece, Sugden, Walker, Watermeier, Weber, White, Wirth

NAY: Crunk, Siske

NOT PRESENT: Albrecht, Meyer, Neddenriep, Starr

7. *Review Request for Proposals to Seek a Hydrogeology Consultant to Assist District in collecting Data to Update the Groundwater Management Plan:*
Weber moved, seconded by Watermeier, to approve the Request for Proposals to Seek a Hydrogeology Consultant to Assist in Collecting Data to Update the Groundwater Management Plan as presented. Weber stated the committee reviewed the RFP and authorized staff to proceed with advertising. He added that we had received a \$40,000 grant for this work. **Motion carried.**

AYE: Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Royal, Sherrow, Siske, Speece, Sugden, Walker, Watermeier, Weber, White, Wirth

NAY: Crunk, Rush

NOT PRESENT: Albrecht, Meyer, Neddenriep, Starr

8. *Updated Emergency Action Plans for Upper Big Nemaha 7-A, Upper Big Nemaha 11-A, Upper Big Nemaha 25-C, Upper Little Nemaha 21, Upper Little Nemaha 23, Middle Big Nemaha 96, and Wilson Creek 2-N:*
Weber moved, seconded by Godemann, to approve the following Emergency Action Plan updates and authorize the Chair to sign the plans: Upper Big Nemaha 7-A, 11-A, & 25-C; Upper Little Nemaha 21 & 23; Middle Big Nemaha 96; Wilson Creek 2-N. Nelson reviewed the annual process to update contact information and get the other involved entities to review the plans. Upon roll call vote, **motion carried.**

AYE: Crunk, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Royal, Rush, Sherrow, Siske, Speece, Sugden, Walker, Watermeier, Weber, White, Wirth

NOT PRESENT: Albrecht, Meyer, Neddenriep, Starr

9. *Draft Long Range Plan:* Weber stated their committee did not feel they had enough time to review the plan and asked to wait another month to approve it. No action.

Prior to a short break, Chair Wirth recognized Gerald Royal for his 14 years of service on the board by presenting him with an engraved clock. Royal commented that he enjoyed his years on the board and felt he really got more out of it than he ever expected.

B. Operations & Education Committee

1. **Bids Received for 3-Year Contract to Mow District Recreation Areas:** Bids received were as follows:

Bidder:	Jeff McClintock	Rieger Lawn & Landscape
Kirkman's & Iron Horse	\$11,600.00	\$12,035.00
Wirth Brothers	\$1,000.00	\$1,000.00
Prairie Owl	\$1,000.00	\$1,000.00
Total	\$13,600.00	\$14,035.00

White moved, seconded by Siske, to approve the low bid of \$13,600 submitted by Jeff McClintock for mowing at Kirkman's Cove, Iron Horse Trail Lake, Wirth Brothers Lake, and Prairie Owl. After some discussion about areas that are mowed by NRD staff, **motion carried.**

AYE: Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Royal, Rush, Sherrow, Siske, Sugden, Walker, Watermeier, Weber, White, Wirth

NOT PRESENT: Albrecht, Crunk, Meyer, Neddenriep, Speece, Starr

2. **Review NRD Park Permit Sales Data & Comments Received from Park Users:** White stated the committee reviewed the information, which was provided to all directors. Kudrna asked if it would be possible to sell our park permits through vendors who also sell state park permits. Staff explained that park visitors can obtain an annual permit through the temporary permit envelopes available at the parks, by printing an application from our website, by phone, by mail, or in person at the NRD.
3. **Draft Long Range Plan:** White reported the committee reviewed the plan and had no additional changes or comments. No action.

C. Executive Committee

1. **Interlocal Agreement to Participate in the Eastern Nebraska Water Resources Assessment Project:**
Godemann moved, seconded by Watermeier, to enter into an interlocal agreement to participate in the Eastern Nebraska Water Resources Assessment Project. Watermeier asked if Lower Platte North NRD was leading this effort and how it worked. Hilske explained the method for determining levels of contribution. After further discussion, **motion carried.**

AYE: Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Royal, Rush, Sherrow, Siske, Sugden, Walker, Watermeier, Weber, White, Wirth

NOT PRESENT: Albrecht, Crunk, Meyer, Neddenriep, Speece, Starr

2. *Resolution to Declare Kenneth Brinkman Ineligible to Serve on the Board as a Director from Subdistrict 6:*

Godemann moved, seconded by Siske, to approve the resolution declaring Kenneth Brinkman ineligible to serve on the board as a director from

Subdistrict 6 and authorize the Chair to sign the resolution. Hilske explained the procedure for filling a vacancy, which has been to advertise in local news media for interested and qualified individuals to submit letters of application for the position. The board would then vote at the January meeting on who to appoint to the position. Jim Rush indicated he would be submitting a letter. With no further discussion, **motion carried.**

AYE: Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Royal, Sherrow, Siske, Sugden, Walker, Watermeier, Weber, White, Wirth

ABSTAINING: Rush

NOT PRESENT: Albrecht, Crunk, Meyer, Neddenriep, Speece, Starr

3. *Proposal by Cincinnati Insurance to Extend the Present Property/Liability Insurance Contract for an Additional Two Years:*

Godemann moved, seconded by White, to approve the two-year extension to the present property/liability coverage from Cincinnati Insurance. Hilske explained this will extend the present policy through July 1, 2009. After further discussion, **motion carried.**

AYE: Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Royal, Rush, Sherrow, Siske, Sugden, Walker, Watermeier, Weber, White, Wirth

NOT PRESENT: Albrecht, Crunk, Meyer, Neddenriep, Speece, Starr

4. *Draft Long Range Plan:* No action was taken to allow all board members another month to review the plan.

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

Wirth stated the next meeting would be January 11 at 7:00 p.m. Hilske reminded directors to notify the staff as soon as possible if they are interested in attending the Legislative Conference or Washington, DC, trip. Wirth announced that the Nominating Committee had come up with one nominee for each board office and that anyone else interested in running should contact Paul Weber prior to the January meeting.

12. **CONSENT AGENDA**

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

AYE: Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Royal, Rush, Sherrow, Siske,
Sugden, Walker, Watermeier, Weber, White, Wirth

NOT PRESENT: Albrecht, Crunk, Meyer, Neddenriep, Speece, Starr

13. **ADJOURNMENT**

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

AYE: Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Royal, Rush, Sherrow, Siske,
Sugden, Walker, Watermeier, Weber, White, Wirth

NOT PRESENT: Albrecht, Crunk, Meyer, Neddenriep, Speece, Starr

The meeting adjourned at 9:50 p.m. The next regular meeting of the board of directors will be Thursday, January 11, 2007, at 7:00 p.m. at the NRD headquarters at 62161 Hwy 136 in Tecumseh.

Approved 1/11/07

Secretary, Nemaha Natural Resources District