

December 13, 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 ninety-second meeting of the Nemaha Natural Resources District Board of Directors to order at 7:00 p.m. Thursday, December 13, 2007, at the NRD Headquarters in Tecumseh, Nebraska.

<b>DIRECTORS</b>	John Albrecht	David Hunzeker	Chuck Starr
<b>PRESENT:</b>	Rob Bohling	Scott Kudrna	Duane Sugden
	Jeff Crunk	Roland Meyer	Tom White
	Orval Gigstad	Jim Rush	Jim Wirth
	Ted Godemann	Steve Sherrow	
	Ron Heskett	Don Siske	

<b>DIRECTORS</b>	Lisa Beethe	Bruce Walker	Paul Weber
<b>ABSENT:</b>	Mike Speece	Dan Watermeier	

<b>STAFF</b>	Bob Hilske, Manager
<b>PRESENT:</b>	Scott Nelson, Assistant Manager
	Jane Kuhl, Administrative Assistant
	Chuck Wingert, Water Resources Manager

<b>GUESTS</b>	Mick Hutcheson, Lincoln	Anna Ferguson, NRCS, Tecumseh
<b>PRESENT:</b>	Jeremy Cox, Palmyra	Barry Smith, Lincoln
	Terry Kuebler, Weeping Water	Josh Medley, Lincoln
	Art White, Art White & Associates, Tarkio, MO	

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 Lisa Beethe, Paul Weber, Mike Speece, and Bruce Walker. Motion carried on consent agenda.**

**4. OPEN FORUMS**

All directors, NRD staff, NRCS staff, and guests introduced themselves. Mick Hutcheson addressed the board regarding the question of allowing motorcycle riding on frozen lake surfaces, particularly Prairie Owl. He indicated they had researched the Recreation Liability Act and had information they felt would allow their activity without liability to the District. After providing additional background information, Chair Godemann stated the board would bring this matter to the appropriate committee for consideration at the January 10, 2008, meeting.

**5. MINUTES**

**White moved, seconded by Albrecht, to approve the minutes as presented. Motion carried on consent agenda.**

**6. TREASURER'S REPORT**

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

**7. STAFF REPORT**

Hilske & Nelson reviewed their written reports. Hilske added that the annual NARD Legislative Conference would be held February 5-6 in Lincoln and that registrations would be due prior to the next board meeting. He also alerted board members to the upcoming election filing deadlines for next year. Starr stated he had talked with the head of NEMA, who indicated we should have a memorandum of understanding with the other NRDs regarding who would be doing hazard mitigation plans in overlapping counties. Wingert reviewed some additional water related items.

**8. AGENCY/ASSOCIATION REPORTS****A. Natural Resources Conservation Service**

Anna Ferguson introduced herself to the board as the new Resource Conservationist in the Tecumseh office. She reviewed the written report provided emphasizing the big staking workload NRCS had been facing prior to the weather changing. They have also been consumed with EQIP sign-ups which were set to end December 14. There had been about \$7.7 million in applications in this area but only \$1.4 million allocated.

**B. Five Rivers RC&D**

Kudrna stated their meeting would be the next week and announced that Ken Noonan's retirement coffee would be on December 21.

**C. Nebraska Association of Resources Districts**

Gigstad encouraged directors to attend the Legislative Conference. He also reported on the recent death of NACD President, Olin Sims.

**D. Nebraska Natural Resources Commission**

No report.

**E. Water Policy Task Force Report**

Sugden stated their next meeting would be in February.

**9. REVIEW AND ACTION ON THE FY2007 AUDIT REPORT**

Art White reviewed the audit report highlighting specific portions for the board. Kudrna asked how the depreciation is figured and White replied that their office maintains the schedule for the District.

**Kudrna moved, seconded by Sugden, to approve the FY2007 audit report as presented. Motion carried.**

**AYE:** Albrecht, Bohling, Crunk, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Rush, Sherrow, Siske, Starr, Sugden, White, Wirth

**NOT PRESENT:** Beethe, Speece, Walker, Watermeier, Weber

Sherrow commended the staff on another positive financial report, and Kudrna thanked Art White for his informative presentation.

**10. STANDING COMMITTEES**

**A. Programs & Projects Committee**

***1. Preliminary Proposal for Resources Development Funds to Assist with Local Costs Associated with Buck and Duck Creek Watershed Project:***

**Sherrow moved, seconded by Albrecht, to approve the resolution for the Nemaha NRD to submit an application to the Nebraska Natural Resources Commission for funding from the Resource Development Fund to assist with costs not covered in the PL566 program.** Hilske explained that this fund would be used mainly for the recreation component and that because the RDF does not have enough money to cover all requests, we should get our application in line now. With no further discussion, **motion carried.**

**AYE:** Albrecht, Bohling, Crunk, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Rush, Sherrow, Siske, Starr, Sugden, White, Wirth

**NOT PRESENT:** Beethe, Speece, Walker, Watermeier, Weber

2. *Phase I Feasibility Report and Design and Construction of a Sediment Control Basin on Iron Horse Trail Lake:*

**Sherrow moved, seconded by Siske, that the District proceed with Option 3 to use present 319 funds to develop a complete lake renovation plan including the final design for the sediment basin by September, 2008, and work with Game and Parks to complete the renovation by 2010.** Nelson reviewed the meeting that

was held with The Flatwater Group and Game and Parks. In addition to Option 3, the other two options for consideration included Option 1-no action, and Option 2-proceed with baseline sediment basin proposal without additional components or guaranteed lake renovations. Hilske added that Game & Parks has a high opinion of the fisheries at Iron Horse and that they would do a lot of the work under Option 3 and that we would no longer be constricted by the September, 2008, deadline for the construction. Sherrow added that we would not be using any money we don't already have obligated to this project and that we would get a long-term recreation benefit by working with Game & Parks. Heskett asked if Option 3 would cost any more than Option 2, but Hilske thought that Game & Parks would provide the extra funds required by Option 3. After further discussion, **motion carried.**

**AYE:** Albrecht, Bohling, Crunk, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Rush, Sherrow, Siske, Starr, Sugden, White, Wirth

**NOT PRESENT:** Beethe, Speece, Walker, Watermeier, Weber

3. *Request by Keith Bohling for Cost-Share Assistance to Repair a Grade Control*

*Structure:* Sherrow reported that this issue is still being discussed between staff and Mr. Bohling. No action.

## **B. Water Resources Ad-Hoc Committee**

1. *Review Draft Groundwater Management Plan:* Wingert reported that he did not have a draft ready for review yet but hoped to have something by the next meeting. No action.

2. *Royce Gobber Request for Variance to Allow Issuance of a Well Permit:*

**White moved, seconded by Wirth, to approve the request by Royce Gobber for a variance to allow issuance of a permit to drill a well 1.5 miles west of Tecumseh for irrigation.** Wingert stated the issue last month was location compared to other wells and that by moving the location of Gobber's proposed well this issue had been taken care of. **Motion carried.**

**AYE:** Albrecht, Bohling, Crunk, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Rush, Sherrow, Siske, Starr, Sugden, White, Wirth

**NOT PRESENT:** Beethe, Speece, Walker, Watermeier, Weber

3. *Ed Ehmen Request for a Variance to Allow Issuance of a Well Permit:*  
**White moved, seconded by Sugden, to approve the request by Ed Ehmen for a variance to allow issuance of a permit to drill a well ½ mile west of Sterling for irrigation. Motion carried.**

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

### **C. Operations & Education Committee – No meeting**

### **D. Executive Committee**

1. *Format and Schedule for Reporting on District Programs and Projects:* Kudrna reported that the committee talked about having copies of PowerPoint presentations provided to board members in their board mailing packets prior to the meeting to allow time to review and come up with questions. Hunzeker felt staff should be addressing issues as they occur during the year and then just provide a written report annually. The consensus of the committee was that these oral reports are valuable. Gigstad stated he would like to see the water department staff continue to give their oral report since a lot of it is technical and easier to understand when they present it in person. Crunk agreed that if you aren't on the Water Resources Committee you may not be as comfortable with the information presented in writing and thought providing the report ahead of time was a good idea. Sugden felt the report should continue to be given annually at the meeting as it has been.
2. *Appoint Voting Delegates for NARD Legislative Conference:*  
**Kudrna moved, seconded by Hunzeker, to appoint Orval Gigstad as voting delegate and Don Siske as alternate for the Legislative Conference. Motion carried.**

**AYE:** Albrecht, Bohling, Crunk, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Rush, Sherrow, Starr, Sugden, White, Wirth

**ABSTAINING:** Siske

**NOT PRESENT:** Beethe, Speece, Walker, Watermeier, Weber

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

Items for the January agenda include the request to ride motorcycles on NRD lakes and the NACD capital campaign. The next meeting will be January 10 at 7:00 with committees meeting prior.

12. CONSENT AGENDA

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

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

13. ADJOURNMENT

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

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

The meeting adjourned at 8:55 p.m. The next regular meeting of the board of directors will be Thursday, January 10, 2008, at 7:00 p.m. at the NRD headquarters at 62161 Hwy 136 in Tecumseh.

*Approved January 10, 2008*

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Secretary, Nemaha Natural Resources District