

February 9, 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 seventieth meeting of the Nemaha Natural Resources District Board of Directors to order at 7:15 p.m. Thursday, February 9, 2006, at the NRD Headquarters in Tecumseh, Nebraska.

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

**DIRECTORS**  
**ABSENT:** Dave Neddenriep  
Bruce Walker

**STAFF**  
**PRESENT:** Bob Hilske, Manager  
Scott Nelson, Assistant Manager  
Jane Kuhl, Administrative Assistant  
Chuck Wingert, Water Resources Manager  
Glenda Bates, NRD Clerk

<b>GUESTS</b>	Carol Sisco, <i>Pawnee Republican</i>	David Rogers, Pawnee City
<b>PRESENT:</b>	Wally Valasek, NRCS, Beatrice	Scott Farwell, DuBois
	Lisa Beethe, Elk Creek	Bruce Rogers, Pawnee City
	Gary Farwell, DuBois	John Heil, Omaha
	Steve Seglin, Lincoln	

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**

**White moved, seconded by Siske, to accept the excused absences of Bruce Walker and Dave Neddenriep. Motion carried on consent agenda.**

4. **OPEN FORUMS**

All directors, staff, and guests introduced themselves.

5. **MINUTES**

**White moved, seconded by Siske, to approve the minutes of the January 12 regular board meeting as submitted. Motion carried on consent agenda.**

**White moved, seconded by Siske, to approve the minutes of the January 19 special board meeting as submitted. Motion carried on consent agenda.**

6. **TREASURER'S REPORT**

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

7. **STAFF REPORT**

Hilske and Nelson reviewed their written reports, and Hilske reviewed some of the current legislation that affects the NRD. Hilske added that after checking with our insurance company, we could sponsor a household hazardous waste collection as long as NRD staff did not actually help with the collection itself. Crunk asked about the status of the eminent domain bills, and Hilske explained the impact of these bills on the NNRD.

8. **AGENCY/ASSOCIATION REPORTS**

**A. Natural Resources Conservation Service**

Wally Valasek reported that the DC position at Tecumseh has not yet been advertised again. He reported on their budget and proposed changes, including increases in soil survey and a significant decrease in technical assistance funds. The watershed operation and planning budgets were hit hard. However, an increase was proposed for the WRP, WHIP, technical assistance for the CRP, and CSP. EQIP was reduced, and there was a proposal to decrease the number of full-time equivalent NRCS employees. There will be extensions for CRP contracts expiring in 2007, and a new CRP sign-up will begin around March 15.

**B. Five Rivers RC&D**

Kudrna stated their meeting would be the following week. Their proposed budget cut was about the same as was proposed last year.

**C. Nebraska Association of Resources Districts**

Gigstad reported the Legislative Conference was a success with 264 in attendance. The basin tour will be June 19-21 going from Kearney to Sidney to Wyoming to South Dakota. He also reported on the NACD meeting in Houston.

**D. Nebraska Natural Resources Commission**

Watermeier reported on LB 805, which will add responsibility to the Commission for integrated water management. He also reported that Tom Pesek and Gayle Starr will both be retiring.

**E. Water Policy Task Force Report**

Sugden reported on LB 1226 and the guidelines Dean Edson had asked for in testifying on this bill.

**F. Pawnee County Lake Steering Committee**

Sherrow stated Ted Godemann would be serving as Vice-Chair of this committee. He further reported that the committee believes any public comments or input on the master plan should take place before the full board and that written comments would be most useful. They determined that an agency based on an interlocal agreement would be better to continue with reviewing the master plan and that establishing an interlocal agreement should become a priority. They asked staff to make some contacts to move this process forward.

9. STANDING COMMITTEES

**C. Executive Committee**

**3. *Requesting and Receiving Advice from the District's Attorney in Closed Session Concerning the NRD's Participation on the Pawnee County Lake Project and Proposed Master Plan:***

**Godemann moved, seconded by Kudrna, to go into executive session to obtain legal advice from legal counsel regarding the NRD's participation on the Pawnee County Lake Project and Proposed Master Plan. Motion carried.**

**AYE:** Albrecht, Crunk, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Royal, Rush, Sherrow, Siske, Speece, Starr, Sugden, Watermeier, Weber, White, Wirth

**NOT PRESENT:** Neddenriep, Walker

The board went into executive session at 8:05 p.m.

**Kudrna moved, seconded by White, to come out of executive session. Motion carried.**

**AYE:** Albrecht, Crunk, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Royal, Rush, Sherrow, Siske, Speece, Starr, Sugden, Watermeier, Weber, White, Wirth

**NOT PRESENT:** Neddenriep, Walker

The board returned to regular session at 9:33 p.m.

1. ***Discussion/Direction on Bridgewater Steamboat Trace WRP Easement:*** Hilske reviewed the status of this easement and some of the issues that have surfaced. No new easement has been received yet, so no action was taken.

2. ***Discussion/Direction on Randy Frey Dam Landowner Contribution:*** Godemann stated the committee had directed the Manager to proceed with pursuing legal remedies to collect this payment.

4. ***Discussion/Action on 457 Retirement Plan Resolution:***  
**Godemann moved, seconded by Watermeier, to approve the resolution for the statewide supplemental 457 retirement plan. Motion carried.**

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

**NOT VOTING:** Rush

**NOT PRESENT:** Crunk, Neddenriep, Starr, Walker

5. ***Action on NARD Bylaw Change:***  
**Godemann moved, seconded by Kudrna, to approve the NARD bylaw change that would merge the employee insurance and retirement committees into one employee benefits committee. Motion carried.**

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

**NOT VOTING:** Rush

**NOT PRESENT:** Crunk, Neddenriep, Starr, Walker

6. ***Action on Pickup Bids:*** Bids received for a 2006 ½-ton, 4x4 pickup to replace a 2000 Ford Ranger supercab 4x4 were as follows:

<b>Bidder</b>	<b>Make/Model</b>	<b>Net Bid (after trade-in allowance &amp; discounts)</b>
Hullman's Ford, Falls City	Ford F-150	\$12,250.00
Brinkman Bros., Tecumseh	Chevy Silverado	\$13,930.00
Tincher Ford	Ford F-150	\$14,980.00
Field Ford, Tecumseh	Ford F-150	\$15,175.00
Larson Motors, Nebraska City	Chevy Silverado	\$16,750.00
Larson Ford, Nebraska City	Ford F-150	\$18,900.00

**Godemann moved, seconded by Kudrna, to accept the bid of \$12,250.00 from Hullman's Ford for a 2006 1/2-ton Ford F-150 4x4 pickup.** Some discussion was held on the number of miles on the Ranger and the schedule the District uses for replacing vehicles. White and Hunzeker felt there was no reason to replace the Ranger at this time. **Motion carried.**

**AYE:** Albrecht, Gigstad, Godemann, Heskett, Kudrna, Meyer, Royal, Sherrow, Siske, Speece, Sugden, Watermeier, Weber, Wirth

**NAY:** Hunzeker,

**ABSTAINING:** White

**NOT VOTING:** Rush

**NOT PRESENT:** Crunk, Neddenriep, Starr, Walker

**7. *Appointment of an NARD Representative Alternate:***

**Godemann moved, seconded by Sugden, to appoint Gerald Royal as the NARD Alternate Representative. Motion carried on consent agenda.**

**8. *Update on Washington, DC, Trip:*** Godemann reported that Mike Speece and Roland Meyer would be accompanying the Manager and Assistant Manager to this conference in March.

**A. Programs & Projects Committee**

**1. *Appoint a Committee to Assist with the Revision of the Groundwater Management Plan:*** Sherrow reported that Tom White, Duane Sugden, and Paul Weber had volunteered for this committee.

**Sherrow moved, seconded by Godemann, to create a subcommittee for revising the groundwater management plan to consist of Tom White, Duane Sugden, and Paul Weber along with appropriate staff.** It was clarified that more directors could be added to the committee at a later date if necessary. **Motion carried.**

**AYE:** Albrecht, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Royal,

Rush, Sherrow, Siske, Speece, Sugden, Watermeier, White, Wirth

**ABSTAINING:** Weber

**NOT PRESENT:** Crunk, Neddenriep, Starr, Walker

2. **Discussion on Increasing Requirements for Filing a Well Permit with the NRD:** Sherrow stated this item would be referred to the newly created subcommittee.
3. **Update on Efforts by Auburn to Develop a New Well field:** Sherrow stated the issue is that Auburn has four test wells that they drilled some time ago but have not developed as water supply, but recently there are about a dozen other well permits filed in the same area. The aquifer probably cannot support pumping from all of these wells and could impact a rural water district and the Village of Nemaha wells.

**Sherrow moved, seconded by Speece, to charge the new subcommittee with development and assistance to revise not only the groundwater management plan but investigate the need to define critical groundwater areas as deemed necessary by the Nemaha NRD; with an objective to recommend to the board at the March meeting followed by, if recommended, appropriate public notice followed by a public hearing before our regularly scheduled April 13 board meeting with board action taken at that meeting.** It was clarified that the schedule listed in this motion would be contingent upon DNR input and that the staff will move forward as quickly as possible. After further discussion, **motion carried.**

**AYE:** Albrecht, Gigstad, Godemann, Hunzeker, Kudrna, Meyer, Royal, Rush, Sherrow, Siske, Speece, Sugden, Watermeier, Weber, White, Wirth

**ABSTAINING:** Heskett

**NOT PRESENT:** Crunk, Neddenriep, Starr, Walker

Sherrow added that the committee discussed staff's request to negotiate a contract with JEO for survey, design, and construction inspection for small dams in the Iron Horse watershed. This contract would be contingent upon board approval next month.

## **B. Operations & Education Committee**

1. **Urban Special Projects:** White reported the committee had reviewed the five applications received from Village of Nemaha, National Arbor Day Foundation, Village of Verdon, Auburn Public Schools, and Palmyra Action Committee. The application from Village of Nemaha did not meet the program requirements, and the remainder will now work on their final applications to be reviewed at the May board meeting. No action.
2. **Bunge Lease:** White explained that this lease is for the Bunge Elevator to cross the

trail at Brownville and that our agreement allows the lease payment to be increased three percent each year.

**White moved, seconded by Siske, to increase the lease by 3 percent which will bring the lease amount to \$566.50.** Godemann and Heskett pointed out that Bunge has worked with the District on some improvements on this part of the trail. After further discussion, **motion carried.**

**AYE:** Albrecht, Gigstad, Godemann, Hunzeker, Meyer, Royal, Rush, Siske, Speece, Sugden, Watermeier, Weber, White, Wirth

**NAY:** Heskett, Kudrna, Sherrow

**NOT PRESENT:** Crunk, Neddenriep, Starr, Walker

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

Hilske directed attention to the list of the directors who had filed for election. He also asked directors to provide their committee preferences for 2006 to Jim Wirth so that new committee assignments could be made next month. Wirth stated next month's regular meeting would be March 9 beginning at 7:00 p.m.

White asked to have a vote on the Pawnee County Lake project come up as to whether to go forward with this lake or not now that the lawyer's opinion had been received. Some discussion was held on the special public meeting and whether it would be held before the March meeting. Royal asked if before we make a decision, could we find out before the next meeting if Pawnee County is willing to close roads. Kudrna felt this was the purpose of the interlocal agreements so that each entity would know what is expected. Royal felt we cannot make a decision until we find out the City and County views, and he thought next month would be too soon to find that out. Sherrow stated it was the steering committee's goal to find out if the City and County is interested in negotiating an interlocal agreement.

#### 11. CONSENT AGENDA

**Sugden moved, seconded by Siske, to approve the consent agenda.** Consent agenda items: Excused Absences, January 12 and January 19 Minutes, Treasurer's Report, Appointment of NARD Representative Alternate. **Motion carried.**

**AYE:** Albrecht, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Royal, Rush, Sherrow, Siske, Speece, Sugden, Watermeier, Weber, White, Wirth

**NOT PRESENT:** Crunk, Neddenriep, Starr, Walker

12. **ADJOURNMENT**

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

**AYE:** Albrecht, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Royal, Rush,  
Sherrow, Siske, Speece, Sugden, Watermeier, Weber, White, Wirth

**NOT PRESENT:** Crunk, Neddenriep, Starr, Walker

The meeting adjourned at 10:14 p.m. The next regular meeting of the board of directors will be Thursday, March 9, 2006, at 7:00 p.m. at the NRD headquarters at 62161 Hwy 136 in Tecumseh.

*(Approved 3/9/06)*

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Secretary, Nemaha Natural Resources District