

June 10, 2010
Nemaha Natural Resources District
Regular Meeting
Tecumseh, Nebraska

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

Chair Kudrna called the four hundred twenty-second meeting of the Nemaha Natural Resources District Board of Directors to order at 8:00 p.m. Thursday, June 10, 2010, at the NRD Headquarters in Tecumseh, Nebraska.

DIRECTORS	Lisa Beethe	Ron Heskett	Bruce Walker
PRESENT:	Rob Bohling	Scott Kudrna	Paul Weber
	Charles Duryea	Don Siske	Tom White
	Orval Gigstad	Duane Sugden	Jim Wirth
	Ted Godemann	Steve Sugden	
	Wayne Goering	William Umland	

DIRECTORS	John Albrecht	Jim Rush	Dan Watermeier
ABSENT:	Lynn Heng	Mike Speece	

STAFF	Bob Hilske, Manager
PRESENT:	Scott Nelson, Assistant Manager
	Jane Kuhl, Administrative Assistant
	Allison Caspers, Administrative Assistant

GUESTS	Terry Newell, NRCS, Tecumseh
PRESENT:	Cindy Burow, Humboldt

Following the Pledge of Allegiance, a moment of silence was observed. Chair Kudrna announced that the Open Meetings Act was posted 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 Gigstad, to approve the excused absences requested by John Albrecht, Lynn Heng, Mike Speece, and Dan Watermeier. Motion carried on consent agenda.

4. **OPEN FORUMS**

All directors, NRD staff, and guests introduced themselves.

5. **MINUTES**

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

6. **TREASURER'S REPORT**

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

7. **STAFF REPORT**

Hilske reviewed his written report. Nelson reviewed his written report.

8. **AGENCY/ASSOCIATION REPORTS**

A. Natural Resources Conservation Service

Newell reported on their recent staff meeting, CSP sign-up that was extended to June 25, and CSP and EQIP approvals.

B. Five Rivers RC&D

Kudrna explained that RC&D's accountant was able to do the payroll at a reasonable cost for their office assistant position, so they were no longer asking for the NRD's help with that position. They will have a booth at both the state fair and Husker Harvest Days. A weed conference is scheduled for June 30 in Beatrice.

C. Nebraska Association of Resources Districts

Gigstad reminded directors of the deadline to register for the NARD basin tour, which was being held in our District this year.

D. Nebraska Natural Resources Commission

Hilske stated the Commission would be meeting the next week.

E. Nebraska Water Resources Association

Duane Sugden reported there was a meeting on May 18 but that he did not attend.

9. **STANDING COMMITTEES**

A. Programs & Projects Committee

1. ***Selection of Qualified Firm to Provide Engineering for 3 Structures in Buck and Duck Creek Watershed:*** Proposals were received from five firms: JEO Consulting, Lincoln/Omaha; V&K Engineering, Omaha; Schemmer Associates, Lincoln/Omaha; WLA Consulting, Lincoln; and E&A Consulting, Omaha.

Wirth moved, seconded by D. Sugden, to authorize staff to negotiate a contract with JEO Consulting for survey, design, and construction observation services for three structures in the Buck & Duck Creek Watersheds. Motion carried.

AYE: Bohling, Duryea, Gigstad, Godemann, Goering, Heskett, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth
ABSTAINING: Beethe
NOT PRESENT: Albrecht, Heng, Rush, Speece, Watermeier

2. ***Amendment #3 to ENWRA Interlocal Agreement:***
Wirth moved, seconded by Siske, to approve Amendment #3 to the Interlocal Cooperative Agreement for the Eastern Nebraska Water Resources Assessment.
Motion carried.

AYE: Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Heskett, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth
NOT PRESENT: Albrecht, Heng, Rush, Speece, Watermeier

3. ***Irrigation Agreement with Duane & Rosemary Sugden on Spring Creek 9-A:***
Wirth moved, seconded by Siske, to approve the 10-year irrigation agreement with Duane and Rosemary Sugden to irrigate from Spring Creek structure 9-A.
Motion carried.

AYE: Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Heskett, Kudrna, Siske, Umland, Walker, Weber, White, Wirth
ABSTAINING: D. Sugden, S. Sugden
NOT PRESENT: Albrecht, Heng, Rush, Speece, Watermeier

4. ***Bids for Davis Gerdes Muddy Creek Structure:*** Bids received were as follows:

Contractor	Bid
Morris Tiling Services	\$25,599.89
Gyhra Construction	\$28,337.50
Don Bruna Construction	\$29,579.98
B.A.B. Construction	\$41,127.01
<i>Engineer's Estimate: \$27,051.95</i>	

Wirth moved, seconded by Gigstad, to accept the bid of \$25,599.89 submitted by Morris Tiling Services for construction of the Davis Gerdes Muddy Creek structure. Motion carried.

AYE: Bohling, Duryea, Gigstad, Godemann, Goering, Heskett, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth
ABSTAINING: Beethe
NOT PRESENT: Albrecht, Heng, Rush, Speece, Watermeier

5. **Bids for Don Mathers Muddy Creek Structure:** Bids received were as follows:

Contractor	Bid
Morris Tiling Services	\$23,141.26
Gyhra Construction	\$31,859.00
Don Bruna Construction	\$33,215.34
B.A.B. Construction	\$54,818.64
<i>Engineer's Estimate: \$26,365.13</i>	

Wirth moved, seconded by Siske, to approve the bid of \$23,141.26 submitted by Morris Tiling Services for construction of the Don Mathers Muddy Creek structure. Motion carried.

AYE: Bohling, Duryea, Gigstad, Godemann, Goering, Heskett, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth

ABSTAINING: Beethe

NOT PRESENT: Albrecht, Heng, Rush, Speece, Watermeier

6. **Bids to Repair Speckmann-Ottemann Structure:** Bids received were as follows:

Contractor	Bid
B.A.B., Inc.	\$20,867.24
Gyhra Construction	\$21,442.00
<i>Budgeted Estimate: \$25,000.00</i>	

Wirth moved, seconded by D. Sugden, to approve the bid of \$20,867.24 submitted by B.A.B., Inc., for repairs to the Speckmann-Ottemann structure. Motion carried.

AYE: Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Heskett, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth

NOT PRESENT: Albrecht, Heng, Rush, Speece, Watermeier

7. **Amendment to Agreement with Nemaha County for Ray Caspers Road Dam Project:**

Wirth moved, seconded by D. Sugden, to approve Amendment #1 to the Interlocal Cooperative Agreement with Nemaha County relative to Big Muddy Creek Watershed Project/Ray Caspers dam. Hilske added that the County has already approved this amendment. **Motion carried.**

AYE: Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Heskett, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth

NOT PRESENT: Albrecht, Heng, Rush, Speece, Watermeier

8. ***Approval of Mitigation Plan for Caspers Road Dam Project:*** Nelson reviewed the history of issues involved with getting our 404 permit from the Corps of Engineers for this project. The consultant that the NRD hired to assist with the process suggested the District consider buying credits from the Blue Heron Marsh Wetland Mitigation Bank to satisfy the Corps requirements. The cost would be \$40,000 for one credit (our requirement for this project would be 0.90 credit), and Hilske and Nelson had met with the owner of the bank. The owner came back with a counter offer to sell all his remaining six credits to one entity for \$70,000. If we would agree to purchase all six credits, we could then contact other entities, such as the other NRD's within this bank's service area, to determine if they would be interested in purchasing some of the credits from us. The Corps has agreed to accept this mitigation plan and would, therefore, approve our 404 permit.

Wirth moved, seconded by D. Sugden, that if NRD management perceives that these wetland credits are of value and will be accepted by the Corps in most circumstances that the District purchase the six credits from the Blue Heron Marsh Wetland Mitigation Bank at a cost of \$70,000 and, if possible, spread the payment for the credits over two fiscal years. Motion carried.

AYE: Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Heskett, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth
NOT PRESENT: Albrecht, Heng, Rush, Speece, Watermeier

In addition to buying the wetland credits, the NRD's mitigation plan would also require planting trees around the perimeter of the new impoundment.

Wirth moved, seconded by Walker, to approve the mitigation plan for the Ray Caspers Muddy Creek road dam. Motion carried.

AYE: Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Heskett, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth
NOT PRESENT: Albrecht, Heng, Rush, Speece, Watermeier

B. Operations & Education Committee

1. ***Proposal from OPPD for Providing Electrical Service to Iron Horse Trail Lake:*** Steve Sugden explained three options available from OPPD for providing electricity to Iron Horse:

Option 1 – All services provided overhead to RV area	\$14,037
Option 2 – Overhead service to park entrance; underground within park	\$15,213
Option 3 – Same as Option 2 with boring under county road	\$16,837

Costs include a 15% refund that is provided after three years of continuous service.

S. Sugden moved, seconded by White, to approve the proposal from OPPD for

Option 2 at the estimated cost of \$15,213 for providing electrical service to Iron Horse Trail Lake. Motion carried.

AYE: Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Heskett, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth

NOT PRESENT: Albrecht, Heng, Rush, Speece, Watermeier

- 2. *Additional Improvements for Iron Horse Trail Lake:*** Steve Sugden explained which improvements would be best to make while the park is closed and a contractor is on site.

S. Sugden moved, seconded by White, to approve installing up to 12 electrical RV hookups at Iron Horse Trail Lake. He added that this would include all electrical work for 30/50 amp boxes, collection boxes, signage, and regrading existing pads to include at least one ADA compliant pad. Estimated cost is \$1,100/pad (does not include OPPD cost). **Motion carried.**

AYE: Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Heskett, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth

NOT PRESENT: Albrecht, Heng, Rush, Speece, Watermeier

S. Sugden moved, seconded by D. Sugden, to proceed with development of a new, primitive RV and tent camping area; and proceed forward with any additional improvements that the budgeted funds will allow. Steve Sugden explained that it would be cheaper to do this work while the contractor is on site. The cost estimate for the primitive camping area was \$20,000. Funds expected to be available were \$52,500 and would be used toward this camping area and the electrical hookups first. **Motion carried.**

AYE: Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Heskett, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth

NOT PRESENT: Albrecht, Heng, Rush, Speece, Watermeier

- 3. *Interlocal Agreement with Nebraska Game & Parks Commission for Wild Nebraska Program:*** This agreement was not finalized in time for the meeting, so no action was taken.

- 4. *Proposal from Chemtrol Inc. to Spray Kirkman's Cove for Sericea Lespedeza:*** Steve Sugden explained that this company specializes in this type of service and is proposing to spray up to 100 acres at a maximum cost of \$2,800.

S. Sugden moved, seconded by Siske, to approve the proposal from Chemtrol, Inc. to spray sericea lespedeza at Kirkman's Cove at a maximum cost of \$2,800. Motion carried.

AYE: Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Heskett, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth
NOT PRESENT: Albrecht, Heng, Rush, Speece, Watermeier

C. Executive Committee

1. FY2011 Salary Schedule:

Beethe moved, seconded by Siske, to approve a two percent salary increase for FY2011. Hilske explained the insurance increase this year. The total cost to the District for insurance, retirement, and salary increases would be \$21,000 this year. Kudrna expressed his appreciation for the staff adding that the committee was aware that we are doing what we can to control costs. After further discussion, motion **carried.**

AYE: Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Heskett, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth
NOT PRESENT: Albrecht, Heng, Rush, Speece, Watermeier

10. FY2011 DISTRICT BUDGET REVIEW

Hilske reviewed some of the major budget items. Caspers explained the budget summary sheet and how it was organized. She added that many of the figures won't be finalized until after June 30. There was some discussion about expenses remaining to be paid this fiscal year. Caspers asked for any suggestions on information that board members would like to have for the FY2011 budget.

11. DISCUSSION/ACTION ON WELL PERMIT APPLICATIONS RECEIVED - NONE

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

Kudrna stated the next meeting would be July 8. Walker felt the board needs to discuss maintenance on terraces and other conservation practices since many aren't maintained as they should be.

13. CONSENT AGENDA

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

AYE: Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Heskett, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth,
NOT PRESENT: Albrecht, Heng, Rush, Speece, Watermeier

14. **ADJOURNMENT**

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

AYE: Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Heskett, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth,

NOT PRESENT: Albrecht, Heng, Rush, Speece, Watermeier

The meeting adjourned at 9:50 p.m. The next regular meeting of the Board of Directors will be Thursday, July 8, 2010, at 8:00 p.m. at the NRD headquarters at 62161 Hwy 136 in Tecumseh.

Approved 7/8/10

Secretary, Nemaha Natural Resources District