

March 13, 2008
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-fifth meeting of the Nemaha Natural Resources District Board of Directors to order at 8:07 p.m. Thursday, March 13, 2008, at the NRD Headquarters in Tecumseh, Nebraska.

DIRECTORS	John Albrecht	Scott Kudrna	Duane Sugden
PRESENT:	Lisa Beethe	Roland Meyer	Bruce Walker
	Rob Bohling	Jim Rush	Dan Watermeier
<i>*Left early</i>	Jeff Crunk*	Steve Sherrow	Paul Weber
	Orval Gigstad	Don Siske	Tom White
	Ted Godemann	Mike Speece	Jim Wirth
	David Hunzeker	Chuck Starr	

DIRECTORS

ABSENT: Ron Heskett

STAFF

PRESENT: Bob Hilske, Manager
Scott Nelson, Assistant Manager
Jane Kuhl, Administrative Assistant
Chuck Wingert, Water Resources Manager

GUESTS

PRESENT: Terry Newell, NRCS, Tecumseh
Dana Divine, ENWRA Project Coordinator
Dwight Eisenhower, Syracuse

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 absence requested by Ron Heskett. Motion carried on consent agenda.

4. **OPEN FORUMS**

All directors, NRD staff, NRCS staff, and guests introduced themselves.

5. **MINUTES**

Siske moved, seconded by White, to approve the minutes as presented. 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 & Nelson reviewed their written reports. Hilske also reviewed current legislation under consideration.

8. **DANA DIVINE, ENWRA PROJECT COORDINATOR PRESENTATION OF THE USGS OPEN FILE REPORT**

Dana Divine gave a PowerPoint presentation on the tests done within this project area. The Nemaha NRD portion of the testing was done in the Firth area. She reviewed data collected regarding the aquifer identified in that area.

9. **AGENCY/ASSOCIATION REPORTS**

A. Natural Resources Conservation Service

Terry Newell provided his written report and commented on the increased interest in sodbusting and HEL determinations. There will be two burning workshops in Pawnee City and Tecumseh on March 19.

B. Five Rivers RC&D

Scott Kudrna reported that the used computer collection would be April 5 at Nebraska City.

C. Nebraska Association of Resources Districts

Gigstad reported on their board meeting held the previous week at Holdrege. Dean Edson proposed adding another staff member to be in charge of programs; this would require an additional five percent dues increase on top of the five percent already approved for next year and an increase in the administrative fees on the insurance. He also reported that nominations for someone from Nebraska to serve on a Missouri River Task Force were due March 15 and that there was one already from the Papio NRD.

D. Nebraska Natural Resources Commission

Watermeier stated their meeting would be the next week.

E. Water Policy Task Force Report

Sugden reported on the bills that were discussed at their last meeting, some of which were intended to generate new funding.

10. STANDING COMMITTEES

A. Programs & Projects Committee

1. *Bids for Philip Bohl Muddy Creek Dam:* Bids received were as follows:

Contractor	Bid
BAB, Inc.	\$52,892.90
Gyhra Construction	\$56,381.98
Sunneberg Construction	\$73,707.03
<i>Engineer's Estimate: \$54,300.00</i>	

Sherrow moved, seconded by Speece, to approve the bid of \$52,892.90 submitted by BAB, Inc., for the construction of the Philip Bohl dam. Motion carried.

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

ABSTAINING: Beethe

NOT PRESENT: Heskett

2. *Bids for Dave Borrenpohl Muddy Creek Dam:* Bids received were as follows:

Contractor	Bid
BAB, Inc.	\$39,924.66
Gyhra Construction	\$43,470.00
Sunneberg Construction	\$63,983.53
<i>Engineer's Estimate: \$40,000.00</i>	

Sherrow moved, seconded by Meyer, to approve the bid of \$39,924.66 submitted by BAB, Inc., for the construction of the Dave Borrenpohl dam. Motion carried.

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

ABSTAINING: Beethe

NOT PRESENT: Heskett

3. **Bids for Arlen Grotrian Dam:** Bids received were as follows:

Contractor	Bid
BAB, Inc.	\$39,441.06
Hahn Construction	\$41,715.37
Gyhra Construction	\$42,636.05
Sunneberg Construction	\$60,174.52
<i>Engineer's Estimate: \$40,500.00</i>	

Sherrow moved, seconded by Speece, to approve the bid of \$39,441.06 submitted by BAB, Inc., for the construction of the Arlen Grotrian dam. Wirth asked if one contractor would have any problems completing all three dams in the required time period. Nelson replied he had confirmed with the contractor that he had the ability to complete all three in the time allotted. **Motion carried.**

AYE: Albrecht, Beethe, Bohling, Crunk, Gigstad, Godemann, Hunzeker, Kudrna, Meyer, Rush, Sherrow, Siske, Speece, Starr, Sugden, Walker, Watermeier, Weber, White, Wirth

NOT PRESENT: Heskett

4. **Bids for Muddy Creek Grade Control Weirs:** Bids received were as follows:

Contractor	Bid
BAB, Inc.	\$152,275.35
Yost Excavating	\$170,844.75
YCW Construction	\$191,214.95
Valley Corp.	\$272,442.73
<i>Engineer's Estimate: \$109,606.00</i>	

Sherrow moved, seconded by Wirth, to approve the bid of \$152,275.35 submitted by BAB, Inc., for the construction of two grade control weirs in the Muddy Creek Watershed. After some discussion regarding the amount of the bids versus the estimate, **motion carried.**

AYE: Albrecht, Bohling, Gigstad, Godemann, Hunzeker, Kudrna, Meyer, Rush, Sherrow, Siske, Speece, Starr, Sugden, Walker, Watermeier, Weber, White, Wirth

ABSTAINING: Beethe

NAY: Crunk

NOT PRESENT: Heskett

5. *Keith Bohling Request for Cost-Share:*

Sherrow moved, seconded by Meyer, to provide 50 percent cost-share assistance, not to exceed \$5,000, to repair a grade stabilization structure south of Johnson for Keith Bohling.

White asked where the money would come from to fix this structure. Nelson suggested that the funds could come from either the Muddy Creek or watershed repair budget. Kudrna asked if NRCS has ever come back and paid for any part of the repair on a situation such as this. Newell thought this may have been done in the past and agreed to look into ways to decrease the landowner's expense to repair this structure. Sherrow pointed out that NRCS has already contributed a lot of time to investigating this situation and providing design input for the repair. White felt this project was too big to have been designed at the field office level the first time, which contributed to the problem. Upon roll call vote, **motion carried.**

AYE: Albrecht, Beethe, Bohling, Crunk, Gigstad, Godemann, Hunzeker, Kudrna, Meyer, Rush, Sherrow, Speece, Starr, Sugden, Watermeier, Weber,

NAY: Siske, Walker, White, Wirth

NOT PRESENT: Heskett

B. Water Resources Committee

1. *Review Draft Groundwater Management Plan Revisions:* No action. Wingert reported he had reviewed the draft plan with the committee and hoped to meet with them the first week of April to review all updates.
2. *Rules for NETF Grant for Flow Meter Cost-Share Program:* Wingert reviewed some proposed rules with the committee in hopes of finalizing them for action next month. No action.
3. *Development of Irrigation Management Equipment Cost-Share Program:* Weber reported that the committee did not come to a consensus for this item. They seemed to be more interested in providing money for flow meters instead. No action.
4. *Action to Extend the Current Closure on the Issuance of Well Permits:* Wingert explained the procedure for changing the date for the moratorium and the public hearing and approval process.

Weber moved, seconded by White, to hold a public hearing prior to the April 10, 2008, board meeting beginning at 6:00 p.m. to receive testimony on the extension of the closure to issuance of well permits from May 15, 2008, to October 15, 2008. Motion carried.

AYE: Albrecht, Beethe, Bohling, Crunk, Gigstad, Godemann, Hunzeker, Kudrna, Meyer, Rush, Sherrow, Siske, Speece, Starr, Sugden, Walker, Watermeier,

Weber, White, Wirth
NOT PRESENT: Heskett

5. *Delwin Antholz Request for Variance to Allow Issuance of a Well Permit:*
Weber moved, seconded by White, to approve a variance for Delwin Antholz to allow issuance of a well permit to construct an irrigation well three miles northwest of Cook. Motion carried.

AYE: Albrecht, Beethe, Bohling, Gigstad, Godemann, Hunzeker, Kudrna, Meyer, Rush, Sherrow, Siske, Speece, Starr, Sugden, Walker, Watermeier, Weber, White, Wirth

NOT PRESENT: Crunk, Heskett

C. Operations & Education Committee

1. *Bids for Standing Hay at Iron Horse Trail Lake:* Bids received were as follows:

Name	Bid
Ed Findlay, Table Rock	\$600.00
Terry Frank, Humboldt	\$444.44
Roy Mullin, DuBois	\$403.00
Dirk Dobrovolny, Humboldt	\$365.47

Siske moved, seconded by Albrecht, to accept the bid of \$600 from Ed Findlay for harvesting and removing the standing hay at Iron Horse Trail Lake. There was some discussion about whether the District should require bidders to produce proof of liability insurance in the future. **Motion carried.**

AYE: Albrecht, Beethe, Bohling, Gigstad, Hunzeker, Kudrna, Meyer, Rush, Sherrow, Siske, Speece, Starr, Sugden, Walker, Watermeier, Weber, White, Wirth

NAY: Godemann

NOT PRESENT: Crunk, Heskett

2. *Review of Urban Special Project Program Policy:* The committee discussed some changes to the policy but is still reviewing it. No action.

D. Executive Committee

1. **Legislative Update:** This item was covered during the Staff Report.
2. **Bids to Replace 2000 Ford Explorer:** Bids received were as follows:

Dealer	Model	Price-FWD	Price-AWD	Comments
Hullmans Ford	Taurus X	\$19,325	\$21,015	Order
Field Ford	Taurus X	\$19,345	\$21,008	Order
Tincher Ford	Taurus X	\$19,980	\$21,980	Available immediately
Tincher Chrysler	Pacifica	\$21,995		Order
Tincher Ford	Taurus X	\$21,630		Used w/10,000 miles
Larson GMC	Acadia	\$25,000	\$26,950	Order

FWD=Front Wheel Drive; AWD=All Wheel Drive

Watermeier moved, seconded by Sugden, to accept the bid of \$19,345 from Field Ford for a Taurus X FWD. There was some discussion about not accepting the low bid. The bid accepted includes the trade-in of the 2000 Ford Explorer. After further discussion, **motion carried.**

AYE: Albrecht, Beethe, Bohling, Gigstad, Kudrna, Meyer, Sherrow, Siske, Starr, Sugden, Walker, Watermeier, Weber, White, Wirth

NAY: Hunzeker, Rush, Speece

ABSTAINING: Godemann

NOT PRESENT: Crunk, Heskett

3. **Selection of Firm to Appraise Buck and Duck Creek Watershed Property:** **Watermeier moved, seconded by Gigstad, to select Johnson Appraisal to perform the appraisals for the Buck and Duck Creek Watershed project.** Hilske explained the way the fee estimates were provided and the federal requirements. Kudrna felt we want a firm that will provide a good mid-point figure to avoid unnecessary litigation. Meyer stated this firm had done the OPPD appraisals in his area and that he was not aware of any problems with them. **Motion carried.**

AYE: Albrecht, Beethe, Bohling, Gigstad, Hunzeker, Kudrna, Meyer, Rush, Sherrow, Siske, Speece, Starr, Sugden, Walker, Watermeier, Weber, White, Wirth

ABSTAINING: Godemann

NOT PRESENT: Crunk, Heskett

4. Project Agreement with NRCS for Buck and Duck Creek Watershed Construction: Watermeier moved, seconded by Sugden, to enter into a project agreement with NRCS for the construction of the Buck and Duck Creek Watershed project. Motion carried.

AYE: Albrecht, Beethe, Bohling, Gigstad, Godemann, Hunzeker, Kudrna, Meyer, Rush, Sherrow, Siske, Speece, Starr, Sugden, Walker, Watermeier, Weber, White, Wirth

NOT PRESENT: Crunk, Heskett

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

Hilske highlighted the list of candidates for the board adding that no primary elections would be required since no subdistrict had more than two candidates. White asked staff to find out what it would cost to have our own engineer and to have this item on next month's agenda.

12. CONSENT AGENDA

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

AYE: Albrecht, Beethe, Bohling, Gigstad, Godemann, Hunzeker, Kudrna, Meyer, Rush, Sherrow, Siske, Speece, Starr, Sugden, Walker, Watermeier, Weber, White, Wirth

NOT PRESENT: Crunk, Heskett

13. ADJOURNMENT

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

AYE: Albrecht, Beethe, Bohling, Gigstad, Godemann, Hunzeker, Kudrna, Meyer, Rush, Sherrow, Siske, Speece, Starr, Sugden, Walker, Watermeier, Weber, White, Wirth

NOT PRESENT: Crunk, Heskett

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

(Approved 4/10/08)

Secretary, Nemaha Natural Resources District