

March 11, 2010
Nemaha Natural Resources District
Regular Meeting
Tecumseh, Nebraska

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

Chair Scott Kudrna called the four hundred nineteenth meeting of the Nemaha Natural Resources District Board of Directors to order at 7:00 p.m. Thursday, March 11, 2010, at the NRD Headquarters in Tecumseh, Nebraska.

DIRECTORS PRESENT:	John Albrecht	Ron Heskett	William Umland
	Rob Bohling	Scott Kudrna	Bruce Walker
	Charles Duryea	Don Siske	Dan Watermeier
	Orval Gigstad	Mike Speece	Paul Weber
	Ted Godemann	Duane Sugden	Jim Wirth
	Lynn Heng	Steve Sugden (Arrived at 7:15 p.m.)	

DIRECTORS ABSENT:	Lisa Beethe	Jim Rush
	Wayne Goering	Tom White

STAFF PRESENT: Bob Hilske, Manager
Scott Nelson, Assistant Manager
Chuck Wingert, Water Resources Manager

GUESTS PRESENT:	Jay Seaton, NRCS, Tecumseh	Doug Phillips, Humboldt
	Clint Johnson, Pawnee City	Scott Teten, Auburn
	Deb Klein, Pawnee City	Jon Mohr, JEO, Lincoln
	Gary Bedea, Table Rock	Mike Placke, JEO, Lincoln

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**

Albrecht moved, seconded by Siske, to approve the excused absences requested by Lisa Beethe, Wayne Goering, Jim Rush and Tom White. Motion carried on consent agenda.

4. **OPEN FORUMS**

All directors, NRD staff, and guests introduced themselves.

5. MINUTES

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

6. TREASURER'S REPORT

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

7. STAFF REPORT

Hilske, Nelson, and Wingert reviewed their reports. The District was presented with an Innovative Planning Award from the Nebraska Section of the American Planners Association by JEO staff, Jonathan Mohr and Mike Placke. This award was for the development of the recent All Hazard Mitigation Plan. Mohr commented that the District's plan had received conditional approval from FEMA and the only step left is getting participants to approve resolutions adopting the plan. Hilske gave credit to JEO for their help with this plan.

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

Jay Seaton, Conservation Forest Specialist, gave a description of his position as Forester with the NRCS. His position covers 23 counties in southeast Nebraska, and he promotes tree practices, planting trees and windbreaks. Three programs that he works with and described to the board were the EQIP Program, Conservation Stewardship Program, and Prescribed Burning Workshop.

B. Five Rivers RC&D

Kudrna reported that the National Association of RC&Ds had met in Washington D.C. He felt that the RC&D's don't carry much clout in D.C. and that federal funding is often hard to come by. There was discussion on underperforming RC&D's, but he did note that Nebraska was the only state in the nation that has three councils that have achieved the Circle of Diamonds enhanced level for their work. He expressed his appreciation for the letters of support from the NNRD for RC&D funding.

C. Nebraska Association of Resources Districts

Gigstad commented on Jay Seaton's comments and said that the Farm Bill now has more emphasis on forestry and environmental services. He wanted to thank Dean Edson, NARD, and mentioned that for any board member with future interest on legislation that the NARD would be more than willing to have them testify at a hearing.

Hilske then reviewed legislation that was considered and acted upon during the present Legislative session.

D. Nebraska Natural Resources Commission

Watermeier reported that the Commission last met in January during the NARD Legislative Conference and that there was supposed to be a meeting this past week, but it was postponed due to the Washington D.C. Conference. The next meeting will be in Lincoln on the 24th-25th of March.

E. Nebraska Water Resources Association

Duane Sugden reported that time has been spent reviewing bills and testimonies on legislation. The Association received a letter of resignation from Eric Brown.

9. STANDING COMMITTEES

A. Programs & Projects Committee

1. *Update on the District's Development of a Mitigation Plan for the Caspers Road Dam Project:* Nelson reported that Craig Milke from JEO had been hired to assist with the 404 permit; and after he met with the Corps of Engineers, Milke feels things look very favorable. There will be a minimal cost for Milke's services. No action.

2. *Review/Action on Well Permit Application Submitted by Arlin Beethe to Install an Irrigation Well 1.5 miles Southwest of Elk Creek:*
Wirth moved, seconded by Gigstad, to take no action on approving the well permit application by Mr. Beethe and direct staff to come up with a modeling plan and procedures if Pawnee City Municipality thinks they are being adversely affected. Representatives from Pawnee City and the Rural Water District who were in attendance expressed concern about the close proximity (2.5 miles) of the Beethe well to Pawnee City's municipal wells. They also were concerned about the potential for well development in the area and the negative impact to the aquifer. Some board members questioned whether the Beethe well was in the same aquifer as the Pawnee City wells, and it was noted that there is very little well log data available in the area between the wells; so it was hard to determine the extent of the aquifer in the area. It was noted that the proposed well is significantly outside the 1,000 foot well spacing requirement in the NRD rules. **Motion failed.**

AYE: Albrecht, Duryea, Gigstad, Heng, Wirth

NAY: Bohling, Godemann, Heskett, Speece, D. Sugden, S. Sugden, Umland,
Walker, Watermeier, Weber, Kudrna

ABSTAINING: Siske

NOT PRESENT: Beethe, Goering, Rush, White

Duane Sugden moved, seconded by Watermeier, to approve the well for Arlin Beethe. Motion carried.

AYE: Bohling, Godemann, Heskett, Kudrna, Speece, D. Sugden, S. Sugden, Umland, Walker, Watermeier, Weber

NAY: Albrecht, Duryea, Gigstad, Heng, Siske, Wirth

NOT PRESENT: Beethe, Goering, Rush, White

Kudrna directed staff to work with Pawnee City to see where the groundwater flows are coming from that support their wells so that it can be better determined if there may be any potential future impacts. Wingert advised that there are steps in place to address this in the Groundwater Management Plan.

10. WELL PERMIT APPLICATIONS

Kudrna announced that to accommodate guests in attendance, this item would be moved ahead on the agenda.

Godemann moved, seconded by Siske, to approve the following well permits: Rodney Tekolste, northwest of Adams; Scott Teten, east of Brock (2 wells); Bruce Topp, southwest of Cortland; John Hawley, south of Julian (2 wells); and Louis Stukenholtz, south of Julian (2 wells). It was noted that a well permit submitted by Harlan Doeschott was withdrawn prior to the meeting and that permits for the Teten wells were approved in the past, but they were not drilled prior to the expiration date on the original permits. **Motion carried.**

AYE: Albrecht, Bohling, Duryea, Gigstad, Godemann, Heng, Heskett, Kudrna, Siske, Speece, D. Sugden, S. Sugden, Umland, Walker, Watermeier, Weber, Wirth

NOT PRESENT: Beethe, Goering, Rush, White

B. Operations & Education Committee

1. Discussion/Action on Applying for an Environmental Trust Fund Mini-Grant to Help Fund the District's Youth Day Camp:

Moved by Heng, seconded by Duryea, to approve a resolution to submit a Mini-Grant Application for up to \$3,000 in assistance to the Nebraska Academy of Sciences for the Watershed of Wonders day camp. It was noted that the Environmental Trust works through the Academy of Sciences to administer their mini-grant program. **Motion carried.**

AYE: Albrecht, Bohling, Duryea, Gigstad, Godemann, Heng, Heskett, Kudrna, Siske, Speece, D. Sugden, S. Sugden, Umland, Walker, Watermeier, Weber, Wirth

NOT PRESENT: Beethe, Goering, Rush, White

2. Discussion on Potential Recreation Facility Improvements at Iron Horse Trail Lake that could be completed in Conjunction with the Lake Restoration Project:

Heng reported that the committee looked at potential improvements that could be made to the recreation facilities during the year that the area is closed for the rehab

project. He mentioned that staff is going to be setting up a tour of the project, and all board members would be welcome to attend. No Action.

C. Executive Committee

1. ***Review/Action on a Resolution Adopting the District's All Hazard Mitigation Plan: Motion by Bohling, seconded by Godemann to approve a resolution to adopt the district's All Hazard Mitigation Plan. Motion carried.***

AYE: Albrecht, Bohling, Duryea, Gigstad, Godemann, Heng, Heskett, Kudrna, Siske, Speece, D. Sugden, S. Sugden, Umland, Walker, Watermeier, Weber, Wirth

NOT PRESENT: Beethe, Goering, Rush, White

2. ***Discussion on a Procedure and Timeline for Selecting a Certified Accountant to Perform the District's Annual Audit:*** Bohling reported that firms interested in doing the audit will be asked to submit proposals, and several will be selected for interviews. It was noted that the decision may be delayed until the May meeting. Kudrna asked if any board members were interested in assisting the staff with the selection process. Duane Sugden volunteered. No action.

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

Kudrna asked the board if there were any items to be placed on the April agenda, and no items were offered. Everyone was reminded that the April meeting will begin at 8:00 p.m. with the committees starting at 7:00 p.m.

12. CONSENT AGENDA

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

AYE: Albrecht, Bohling, Duryea, Gigstad, Godemann, Heng, Heskett, Kudrna, Siske, Speece, D. Sugden, S. Sugden, Umland, Walker, Watermeier, Weber, Wirth

NOT PRESENT: Beethe, Goering, Rush, White

13. ADJOURNMENT

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

AYE: Albrecht, Bohling, Duryea, Gigstad, Godemann, Heng, Heskett, Kudrna, Siske, Speece, D. Sugden, S. Sugden, Umland, Walker, Watermeier, Weber, Wirth

NOT PRESENT: Beethe, Goering, Rush, White

The meeting adjourned at 9:35 p.m. The next regular meeting of the Board of Directors will be Thursday, April 8, 2010, at 8:00 p.m. at the NRD headquarters at 62161 Hwy 136 in Tecumseh.

Approved 4/8/10

Secretary, Nemaha Natural Resources District