

May 10, 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 eighty-fifth meeting of the Nemaha Natural Resources District Board of Directors to order at 8:05 p.m. Thursday, May 10, 2007, at the NRD Headquarters in Tecumseh, Nebraska.

<b>DIRECTORS</b>	John Albrecht	David Hunzeker	Bruce Walker
<b>PRESENT:</b>	Rob Bohling	Scott Kudrna	Paul Weber
	Lisa Beethe	Roland Meyer	Tom White
	Jeff Crunk	Jim Rush	Jim Wirth
	Ted Godemann	Don Siske	
	Ron Heskett	Duane Sugden	

<b>DIRECTORS</b>	Orval Gigstad	Mike Speece	Dan Watermeier
<b>ABSENT:</b>	Steve Sherrow	Chuck Starr	

<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>	Terry Newell, NRCS, Tecumseh	Jeff James, Humboldt
<b>PRESENT:</b>	Bob Retzlaff	Matt Retzlaff
	Don Retzlaff	Gerald Sterns, Bennet
	Scott Luedke, Nebraska Game & Parks	

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 Orval Gigstad, Steve Sherrow, Mike Speece, Chuck Starr, and Dan Watermeier. Motion carried on consent agenda.**

4. **OPEN FORUMS**

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

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

7. **STAFF REPORT**

Hilske & Nelson reviewed their written reports. Wingert also reviewed a few water related issues on his report.

8. **AGENCY/ASSOCIATION REPORTS**

**A. Natural Resources Conservation Service**

Terry Newell reviewed his written report adding that they have been busy writing contracts.

**B. Five Rivers RC&D**

Kudrna thanked the NRD for applying for the household hazardous waste collection grant. A summary of the collections was distributed.

**C. Nebraska Association of Resources Districts**

No report.

**D. Nebraska Natural Resources Commission**

No report.

**E. Water Policy Task Force Report**

Sugden reported the next meeting is June 30 in North Platte. One of the concerns they are looking at is water banking.

9. **STANDING COMMITTEES**

**A. Programs & Projects Committee**

**4. *Retzlaff Trust Request for SWCP Extension:***

**Meyer moved, seconded by Walker, to approve an extension until June 1 for the Retzlaff Trust SWCP application. Motion carried.**

**AYE:** Albrecht, Beethe, Bohling, Crunk, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Rush, Siske, Sugden, Walker, Weber, White, Wirth

**NOT PRESENT:** Gigstad, Sherrow, Speece, Starr, Watermeier

**1. *Muddy Creek Project Priority Sub-Basins:***

**Meyer moved, seconded by Siske, to designate the initial 12 priority sub-basins as recommended by JEO Consulting for grade control structures.** Nelson reviewed the process used to come up with the sub-basins. After further discussion, **motion carried.**

**AYE:** Albrecht, Beethe, Bohling, Crunk, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Rush, Siske, Sugden, Walker, Weber, White, Wirth

**NOT PRESENT:** Gigstad, Sherrow, Speece, Starr, Watermeier

**2. *Update on Emergency Spillway Erosion & Easement Issue at ULN 31W:*** Meyer reported that the committee met with Bob Lewis and that he and the management would be working together to decide what the next step would be. He added that the developer will be putting up a temporary fence until a wall can be built. More information will be available at the June meeting. No action.

**3. *Update on Engineering & Design Service for FY2008 Dam Project and Iron Horse Watershed Project:*** Meyer reported that engineering proposals for these projects will be presented in June. No action.

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

**1. *Leon Bowman Request for Variance to Allow Issuance of a Well Permit:***  
**Weber moved, seconded by White, to approve the variance request from Leon Bowman for the issuance of a well permit to drill a well 1.5 miles south of Princeton for irrigation. Motion carried.**

**AYE:** Albrecht, Beethe, Bohling, Crunk, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Rush, Siske, Sugden, Walker, Weber, White, Wirth

**NOT PRESENT:** Gigstad, Sherrow, Speece, Starr, Watermeier

**2. *Nebraska Game & Parks Commission Request for a Variance to Allow Issuance of 3 Well Permits:***

**Weber moved, seconded by White, to approve the variance requests from the Nebraska Game & Parks Commission for the issuance of well permits to drill three wells one mile east of Nemaha for wildlife habitat development.** Wingert reviewed maps of the area and the potential impact to Auburn's wells. Upon roll call vote, **motion carried.**

**AYE:** Albrecht, Beethe, Bohling, Crunk, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Rush, Siske, Sugden, Walker, Weber, White, Wirth

**NOT PRESENT:** Gigstad, Sherrow, Speece, Starr, Watermeier

3. *Auburn Board of Public Works Request for a Variance to Allow Issuance of 3 Well Permits:*

**Weber moved, seconded by Heskett, to approve the variance requests from the Auburn Board of Public Works for the issuance of well permits to drill three wells 1.5 miles east of Nemaha for the purpose of public water supply. Motion carried.**

**AYE:** Albrecht, Beethe, Bohling, Crunk, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Rush, Siske, Sugden, Walker, Weber, White, Wirth

**NOT PRESENT:** Gigstad, Sherrow, Speece, Starr, Watermeier

4. *John Rinne Request for a Variance to Allow Issuance of a Well Permit:*

**Weber moved, seconded by Heskett, to approve the variance request from John Rinne for the issuance of a well permit to drill a well 2.5 miles west of Julian for the purpose of irrigation.** Beethe asked what impacts there might be, and Wingert replied that in working with Olsson Associates, they indicated there could be some impact to one nearby farmstead; however, they anticipated a temporary drawdown of not more than 10-15 feet. After further discussion, **motion carried.**

**AYE:** Albrecht, Beethe, Bohling, Crunk, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Rush, Siske, Sugden, Walker, Weber, White, Wirth

**NOT PRESENT:** Gigstad, Sherrow, Speece, Starr, Watermeier

5. *RST Farms Request for a Variance to Allow Issuance of a Well Permit:* Weber reported that the committee still had some questions to be answered on this request, which was received just prior to the board meeting. No action.

### **C. Operations & Education Committee**

1. *Urban Special Project Application from Nebraska City:*

**Siske moved, seconded by Wirth, to approve \$20,000 of cost-share funds for the Urban Special Project application from Nebraska City for a concrete trail.** Some discussion was held on the proximity to the highway to the trail and the amount approved, which was less than what was requested. **Motion carried.**

**AYE:** Albrecht, Beethe, Bohling, Godemann, Heskett, Kudrna, Meyer, Rush, Siske, Sugden, Walker, Weber, White, Wirth

**NAY:** Hunzeker

**NOT PRESENT:** Crunk, Gigstad, Sherrow, Speece, Starr, Watermeier

2. *Urban Special Project Application from Village of Burr:*

**Siske moved, seconded by Wirth, to approve \$515 of cost-share funds for the Urban Special Project application from the Village of Burr for a wood chip trail. Motion carried.**

**AYE:** Albrecht, Beethe, Bohling, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Rush, Siske, Sugden, Walker, Weber, White, Wirth

**NOT PRESENT:** Crunk, Gigstad, Sherrow, Speece, Starr, Watermeier

3. *Request to Administer a Program for Renting Prescribed Burn Equipment:*

**Siske moved, seconded by Albrecht, to enter into an agreement with the Nebraska Game & Parks Commission to act as local administrator for managing prescribed burn equipment provided by NG&PC.** Rush expressed his concern for liability and that our staff is too busy when the equipment would be rented out; he felt the local fire department could better handle the program. Several other directors agreed that liability would be an issue. Upon roll call vote, **motion failed.**

**AYE:** Beethe, Kudrna

**NAY:** Albrecht, Bohling, Godemann, Heskett, Hunzeker, Meyer, Rush, Siske, Sugden, Walker, Weber, White, Wirth

**NOT PRESENT:** Crunk, Gigstad, Sherrow, Speece, Starr, Watermeier

4. *Discussion/Action to Dedicate a Segment of Steamboat Trace as Roland Sherman Memorial Area:*

**Siske moved, seconded by Meyer, to approve a resolution designating the segment of the Steamboat Trace from mile marker 17 south for approximately 1,000 feet as the “Roland Sherman Memorial Area.”** Hilske explained the role that the Sherman’s have played in the development and maintenance of the trail. He added that the Steamboat Trace Association has some funds that may be available to help pay for the signage for this area. **Motion carried.**

**AYE:** Albrecht, Beethe, Bohling, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Rush, Siske, Sugden, Walker, Weber, White, Wirth

**NOT PRESENT:** Crunk, Gigstad, Sherrow, Speece, Starr, Watermeier

#### **D. Executive Committee**

1. ***Update on Landowner Request to Release Water from County Road Structure near Lorton:*** Hilske reported that he had not received comments back from the county attorney yet on the proposed agreement. If the County approves the agreement, then NRD board action would be required to approve it. No action.
2. ***Proposed District Meeting & Conference Attendance Policy:*** Kudrna reviewed two options considered by the committee.

**Kudrna moved, seconded by Siske, to adopt the meeting and conference attendance policy option #1 as presented.** Hilske further explained the list of meetings usually included in the budget. Heskett asked for clarification on whether board action would be required under this option, and Hilske replied that the Chair of the board would have the final approval. **Motion carried.**

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

3. ***Easement to Cross Steamboat Trace to Access WRP Property:*** Kudrna explained the easement purpose and details included. Hilske added that this is merely an existing crossing and that when we acquired the trail, we did not obtain agreements with each of the landowners who had crossings.

**Kudrna moved, seconded by Beethe, to approve granting an easement to the NRCS to cross the Steamboat Trace to access WRP property owned by Martha Schaffer and Gary Schaffer, Cheryl Marks and Edwin Marks, and Warren Jones and Peggy Jones. Motion carried.**

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

4. ***Resolution to Enter into an Agreement with NARD Risk Management Pool:*** Kudrna explained that all Districts are required to approve this resolution as part of the insurance program.

**Kudrna moved, seconded by Sugden, to approve the resolution to enter into an agreement with NARD Risk Management Pool for the administration of the NARD group health and dental insurance program.** Hilske stated the committee reviewed the bylaws referenced in this agreement. He added that we will have a representative on the Risk Management Pool. This separate entity is required by the

State. Beethe clarified that this resolution does obligate us to three years in the pool.

**Motion carried.**

**AYE:** Albrecht, Beethe, Bohling, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Rush, Siske, Sugden, Walker, Weber, White, Wirth

**NOT PRESENT:** Crunk, Gigstad, Sherrow, Speece, Starr, Watermeier

5. ***Planned Changes for Investing District Funds with Farmers Bank of Cook:*** Hilske had explained during his staff report that after he and Scott Kudrna met with the bank, it was determined that a money market account could be used to better invest District funds and would be implemented as soon as possible. No action.

6. ***FY2008 Salary Schedule:*** Kudrna stated the committee was interested in how much of the tax revenues are being spent for salaries and asked the manager to report back next month on that.

10. **ANNOUNCEMENTS, JUNE MEETING DATE/TIME & AGENDA ITEM REQUESTS**

Godemann stated the next meeting would be June 14 at 8:00 p.m.

11. **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, Beethe, Bohling, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Rush, Siske, Sugden, Walker, Weber, White, Wirth

**NOT PRESENT:** Crunk, Gigstad, Sherrow, Speece, Starr, Watermeier

12. **ADJOURNMENT**

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

**AYE:** Albrecht, Beethe, Bohling, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Rush, Siske, Sugden, Walker, Weber, White, Wirth

**NOT PRESENT:** Crunk, Gigstad, Sherrow, Speece, Starr, Watermeier

The meeting adjourned at 10:05 p.m. The next regular meeting of the board of directors will be Thursday, June 14, 2007, at 8:00 p.m. at the NRD headquarters at 62161 Hwy 136 in Tecumseh.

Approved 6/14/07

Secretary, Nemaha Natural Resources District