

November 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 seventy-ninth meeting of the Nemaha Natural Resources District Board of Directors to order at 8:05 p.m. Thursday, November 9, 2006, at the NRD Headquarters in Tecumseh, Nebraska.

DIRECTORS	John Albrecht	Scott Kudrna	Duane Sugden
PRESENT:	Jeff Crunk*	Roland Meyer	Bruce Walker
	Orval Gigstad	Gerald Royal	Paul Weber
<i>*Left Early</i>	Ted Godemann	Jim Rush	Tom White
	Ron Heskett	Don Siske	Jim Wirth
	David Hunzeker	Chuck Starr*	

DIRECTORS	Dave Neddenriep	Mike Speece
ABSENT:	Steve Sherrow	Dan Watermeier

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

GUESTS	Terry Newell, NRCS, Tecumseh
PRESENT:	Lisa Beethe, Elk Creek

Following the Pledge of Allegiance, a moment of silence was observed. Chair Wirth 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 Steve Sherrow, Mike Speece, 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 Siske, to approve the minutes as submitted. 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 reviewed his written report. He also gave a PowerPoint presentation on the Duck/Buck Creek project. Nelson then reviewed his written report.

8. **AGENCY/ASSOCIATION REPORTS**

A. Natural Resources Conservation Service

Terry Newell provided his written report.

B. Five Rivers RC&D

Kudrna reported the latest wine school was completed and that they had a speaker from the Department of Economic Development at their meeting earlier that day.

C. Nebraska Association of Resources Districts

Gigstad stated their next board meeting would be the following week.

D. Nebraska Natural Resources Commission

No report.

E. Water Policy Task Force Report

Sugden stated they would be meeting November 15 and reported that the Governor had signed the Platte River Agreement.

9. **WATER DEPARTMENT REPORT**

Chuck Wingert and Charlie Pierce provided a PowerPoint presentation detailing the water department activities over the past year. Their report included information on toxic algae, 2006 Clean Lakes Study, Statewide Groundwater Monitoring Network, network monitoring well report, Phase II area sampling, pesticide sampling, and network observation well monitoring. They also reviewed the status of well abandonment, chemigation, well permits, irrigation well development history, Eastern Nebraska Water Resources Assessment, and LB1226 funding.

10. STANDING COMMITTEES

A. Programs & Projects Committee

1. *Variance Requests by Michael Bean for 2 Wells in Otoe County:* Weber moved, seconded by Sugden, to approve the well permits provided we contact OPPD regarding their acceptance of the wells. Because the wells would be used to flood WRP ground, White was concerned that these wells would just be creating mosquito ponds. There was some discussion too about how this would affect OPPD and adjacent landowners and whether it was necessary to obtain the approval of OPPD. Weber and Sugden then withdrew the motion.

Weber moved, seconded by Gigstad, to approve the variance request from Michael Bean for two wells in Otoe County. Motion carried.

AYE: Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Royal, Rush, Sugden, Walker, Weber, Wirth

NAY: Albrecht, Siske, White

NOT PRESENT: Crunk, Neddenriep, Sherrow, Speece, Starr, Watermeier

2. *Variance Requests by Binder Irrigation, Inc., for 2 Wells in Johnson County:* **Weber moved, seconded by Meyer, to approve the variance requests from Binder Irrigation, Inc., for two wells in Johnson County.** These wells would be used to pump 1000-1500 gpm into the Big Nemaha River for surface water irrigation downstream. There was some discussion about whether there would be enough water available for Mr. Binder's use by the time it reaches its destination downstream. White questioned who would regulate the water taken out versus the water pumped into the river. Wingert replied that it would be DNR's responsibility to regulate it. Wingert added it appeared the aquifer would support these wells without much impact on other nearby wells. Sugden felt it would be wrong to allow this amount of water to be pumped into the river and moved so far downstream. After further discussion, **motion failed.**

AYE: Godemann, Heskett, Hunzeker, Rush, Siske, Walker, Weber

NAY: Albrecht, Gigstad, Kudrna, Meyer, Royal, Sugden, White, Wirth

NOT PRESENT: Crunk, Neddenriep, Sherrow, Speece, Starr, Watermeier

3. *Variance Request by Mike Schardt for 2 Wells in Johnson County:* **Weber moved, seconded by Sugden, to approve the variance requests from Mike Schardt for two wells in Johnson County.** These wells near Elk Creek would pump 300 gpm and be used for irrigating 225 acres. After some discussion about the purpose of these wells and similarities to the previous request, **motion failed.**

AYE: Godemann, Heskett, Rush, Siske, Sugden, Walker, Weber

NAY: Albrecht, Gigstad, Hunzeker, Kudrna, Meyer, Royal, White, Wirth

NOT PRESENT: Crunk, Neddenriep, Sherrow, Speece, Starr, Watermeier

4. ***Review Requests for Proposals to Seek a Hydrogeology Consultant to Assist with Collecting Data to Update Groundwater Management Plan:*** Weber reported that with all the well permit activity, staff had not had an opportunity to obtain this information. No action.
5. ***Proposed Agreement with Keith Joekel to Irrigation from MBN J-34:*** Weber stated that Mr. Joekel was not willing to sign the agreement as proposed. Therefore, no action was needed at this time.
6. ***Proposals to Develop a Dam Breach Inundation Map for UBN 11-A:***
Weber moved, seconded by Meyer, to accept the proposal from Norm Koester Engineering to develop the breach inundation map for Upper Big Nemaha 11-A with job fees quoted at \$8,975. Motion carried.

AYE: Albrecht, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Royal, Rush, Siske, Sugden, Walker, Weber, White, Wirth

NOT PRESENT: Crunk, Neddenriep, Sherrow, Speece, Starr, Watermeier

B. Operations & Education Committee – No Meeting

C. Executive Committee

1. ***Proposed Changes to District Bylaws:*** Godemann reported the committee had reviewed the proposed changes which would require anyone wishing to add something to the board's agenda to provide enough details for compliance with open meetings law requirements. However, no action could be taken since bylaw changes require prior public notice of the proposed change. No action.
2. ***Proposed Revisions to District Policy on Expenses Incurred by Directors:*** Godemann stated the committee had reviewed the proposed revisions and had recommended some changes to the Manager prior to taking action.
3. ***Interlocal Agreement to Participate in Eastern Nebraska Water Resources Assessment Project (ENWRA):*** Hilske explained that some of the other NRDs were still reviewing the agreement and that is was, therefore, still a draft. No action pending receipt of a final agreement.

4. ***Nominating Committee for 2007 Board Officers:*** Chair Wirth requested volunteers to serve on this committee. Gerald Royal and Paul Weber volunteered.
5. ***Meeting Time for December, 2006 – March, 2007, Board Meetings:*** Walker moved, seconded by Godemann, to set the committee meetings at 5:00 and board meetings at 6:00 for December through March. Walker and Godemann then withdrew their motion.

Hunzeker moved, seconded by White, to set committee meetings at 6:00 and board meetings at 7:00 for December through March. Motion carried.

AYE: Albrecht, Gigstad, Godemann, Heskett, Hunzeker, Meyer, Rush, Sugden, Walker, Weber, White, Wirth

NAY: Kudrna, Siske

ABSTAINING: Royal

NOT PRESENT: Crunk, Neddenriep, Sherrow, Speece, Starr, Watermeier

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

Wirth stated the next meeting would be December 14 at 7:00 p.m. Hilske reminded directors to review the draft of the Long Range Plan that was distributed.

12. **CONSENT AGENDA**

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

AYE: Albrecht, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Royal, Rush, Siske, Sugden, Walker, Weber, White, Wirth

NOT PRESENT: Crunk, Neddenriep, Sherrow, Speece, Starr, Watermeier

13. **ADJOURNMENT**

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

AYE: Albrecht, Gigstad, Godemann, Heskett, Hunzeker, Kudrna, Meyer, Royal, Rush, Siske, Sugden, Walker, Weber, White, Wirth

NOT PRESENT: Crunk, Neddenriep, Sherrow, Speece, Starr, Watermeier

The meeting adjourned at 10:45 p.m. The next regular meeting of the board of directors will be Thursday, December 14, 2006, at 7:00 p.m. at the NRD headquarters at 62161 Hwy 136 in Tecumseh.

Approved 12/14/06

Secretary, Nemaha Natural Resources District