

October 13, 2011
Nemaha Natural Resources District
Regular Meeting
Tecumseh, Nebraska

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

Chair Beethe called the four hundred thirty-seventh meeting of the Nemaha Natural Resources District Board of Directors to order at 8:02 p.m. Thursday, October 13, 2011, at the NRD Headquarters in Tecumseh, Nebraska.

DIRECTORS	John Albrecht	Wayne Goering	William Umland
PRESENT:	Charles Bausch	Dave Guhde	Bruce Walker
	Lisa Beethe	Scott Kudrna	Dan Watermeier
	Rob Bohling	William Niedfeldt	Paul Weber
	Charles Duryea	Don Siske	Tom White
	Orval Gigstad	Duane Sugden	
	Ted Godemann	Steve Sugden	

DIRECTORS	Mike Gilson
ABSENT:	Mike Speece

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

GUESTS	Judy Albrecht, Nebraska City	Ki Fanning, Eagle
PRESENT:	Dean Otto, Adams	Tadd Delozier, Lincoln
	Randy Burgett, Verdon	Brad Kuehn, Cook
	Roger Reichmuth, NRCS, Tecumseh	Dan Schulz, LPSNRD, Lincoln
	Christy Haddan, Schulz & Associates, Beatrice	Dana Divine, ENWRA, Lincoln

Following the Pledge of Allegiance, a moment of silence was observed. Chair Beethe 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 Siske, to approve the excused absences requested by Mike Gilson and Mike Speece. Motion carried on consent agenda.

4. **OPEN FORUMS**

All NRD directors, staff, and guests introduced themselves.

5. **MINUTES**

White moved, seconded by Siske, 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 and Nelson reviewed their written reports.

8. **AGENCY/ASSOCIATION REPORTS**

A. Natural Resources Conservation Service

Roger Reichmuth reviewed his written report highlighting information provided regarding diversity on the board and within our partnerships.

B. Five Rivers RC&D

Kudrna reported that their state meeting was held in McCook, and that the Five Rivers Council was recognized as the outstanding council for the state. The next local meeting would be held October 20 at DuBois with a tour of Iron Horse Trail Lake to follow.

C. Nebraska Association of Resources Districts

Hilske reviewed the business session actions and the resolutions as well as some of the sessions he attended at the annual conference.

D. Nebraska Natural Resources Commission

Watermeier reported they had a light agenda since most of their work will occur in November and January.

9. **FY2011 DISTRICT AUDIT**

Christy Haddan from Schulz and Associates reviewed the FY2011 audit report by highlighting key sections of the report. She further explained the method for recognizing the improvements accomplished at Iron Horse Trail Lake over the past two fiscal years.

Godemann moved, seconded by D. Sugden, to approve the FY2011 audit report as presented by Schulz and Associates. Motion carried.

AYE: Albrecht, Bausch, Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Guhde, Kudrna, Niedfeldt, Siske, D. Sugden, S. Sugden, Umland, Walker, Watermeier, Weber, White

NOT PRESENT: Gilson, Speece

10. EASTERN NEBRASKA WATER RESOURCES ASSESSMENT PROJECT (ENWRA) REPORT

Dana Divine, Coordinator for the Eastern Nebraska Water Resources Assessment Project, provided an update on the status of this project.

11. OPTION FOR ADJUSTING NRD SUB-DISTRICT BOUNDARIES

Hilske explained that the proposed option selected last month by the board was advertised for public input though none was received. He added that the only proposed change was to switch the numbering for the proposed sub-districts 3 and 5 so they would flow better on the map from west to east. There was some discussion regarding the status of current director positions.

Kudrna moved, seconded by White, to approve the proposed sub-district boundaries as submitted with the adjustment to the numbering of sub-districts 3 and 5. Motion carried.

AYE: Albrecht, Bausch, Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Guhde, Kudrna, Niedfeldt, Siske, D. Sugden, S. Sugden, Umland, Walker, Watermeier, Weber, White

NOT PRESENT: Gilson, Speece

12. STANDING COMMITTEES**A. Programs & Projects Committee**

- 1. Well Permit Applications:** Weber stated five applications had been received and that each would be considered separately.

Weber moved, seconded by White, to approve the permit submitted by Prairie States Enterprises for an irrigation well with 450 gpm capacity 3.5 miles north of Sterling. Duane Sugden and White expressed some concerns about approving applications for wells such as this one outside the paleovalley and felt we might have problems down the road. The applicant indicated he would be willing to sign a statement that he would shut down his irrigation well if the nearby domestic well experiences deficiencies due to his well. Kudrna pointed out that domestic wells have precedence over irrigation wells in the event of a quantity dispute anyway. Hilske suggested if there is an issue among the board regarding approvals outside the paleovalley, it should be addressed separately from this particular permit approval. After further discussion, **motion carried.**

AYE: Bausch, Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Kudrna, Niedfeldt, S. Sugden, Umland, Walker, Watermeier, Weber, White

NAY: Guhde, Siske, D. Sugden

ABSTAINING: Albrecht

NOT PRESENT: Gilson, Speece

Weber moved, seconded by White, to approve the permit submitted by Brad & Arlin Kuehn for an irrigation well with 300 gpm capacity 2.5 miles northeast of Cook. After some discussion, motion carried.

AYE: Bausch, Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Kudrna, Niedfeldt, S. Sugden, Umland, Walker, Watermeier, Weber, White

NAY: Albrecht, Guhde, Siske, D. Sugden

NOT PRESENT: Gilson, Speece

Weber moved, seconded by White, to approve the permit submitted by Dale Wolken for an irrigation well with 800 gpm capacity 3 miles north of Crab Orchard. Motion carried.

AYE: Albrecht, Bausch, Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Guhde, Kudrna, Niedfeldt, D. Sugden, S. Sugden, Umland, Walker, Watermeier, Weber, White

NAY: Siske

NOT PRESENT: Gilson, Speece

Weber moved, seconded by Gigstad, to approve the permit submitted by Wide Open Spaces for a well for wetland flooding with 300 gpm capacity 3 miles south of St. Mary. The landowner explained that this is a property in a permanent wetland easement, so that is all he can really do with it. Motion carried.

AYE: Albrecht, Bausch, Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Guhde, Kudrna, Niedfeldt, Siske, D. Sugden, S. Sugden, Umland, Walker, Watermeier, Weber, White

NOT PRESENT: Gilson, Speece

Weber moved, seconded by White, to approve the permit submitted by Randy Burgett for an irrigation well with 600 gpm capacity 8 miles northwest of Humboldt. Motion carried.

AYE: Albrecht, Bausch, Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Guhde, Kudrna, Niedfeldt, Siske, D. Sugden, S. Sugden, Umland, Walker, Watermeier, Weber, White

NOT PRESENT: Gilson, Speece

B. Operations & Education Committee – No meeting

C. Executive Committee

1. *Agreement with Nemaha County for County Road Improvement by Buck Creek:*
Bohling moved, seconded by Siske, to agree to provide 50 percent funding up to \$260,000 for improvements to county road 735 in conjunction with the Buck Creek dam project. Hilske explained what would be required to improve the bridges involved. He provided some background and that the County originally wanted to get federal bridge aid funds, which would have driven the cost up and lengthened the timetable for completing the work. After further discussion, **motion carried.**

AYE: Albrecht, Bausch, Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Guhde, Kudrna, Niedfeldt, Siske, D. Sugden, S. Sugden, Umland, Walker, Watermeier, Weber, White

NOT PRESENT: Gilson, Speece

2. *Discussion on Acquiring Conservation Easements to Meet Mitigation Requirements for Buck Creek Dam:*
Bohling moved, seconded by White, to go into closed session for the purpose of protecting the public interest when discussing compensation for the acquisition of property rights. Motion carried.

AYE: Albrecht, Bausch, Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Guhde, Kudrna, Niedfeldt, Siske, D. Sugden, S. Sugden, Umland, Walker, Watermeier, Weber, White

NOT PRESENT: Gilson, Speece

The board entered closed session at 9:51 p.m.

D. Sugden moved, seconded by Kudrna, to return to regular session. Motion carried.

AYE: Albrecht, Bausch, Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Guhde, Kudrna, Niedfeldt, Siske, D. Sugden, S. Sugden, Umland, Walker, Watermeier, Weber, White

NOT PRESENT: Gilson, Speece

The board returned to open session at 10:08 p.m.

3. *Board Meeting Times for November-March Meetings:*
Bohling moved, seconded by Siske, to begin November-March board meetings at 7:00 p.m. with committees meeting prior to the board meeting. Motion carried.

AYE: Albrecht, Bausch, Beethe, Bohling, Duryea, Gigstad, Goering, Guhde, Kudrna, Niedfeldt, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White
NAY: Godemann, Watermeier
NOT PRESENT: Gilson, Speece

13. ANNOUNCEMENTS, NOVEMBER MEETING DATE/TIME & AGENDA ITEM REQUESTS

The next board meeting is scheduled for Thursday, November 10, at 7:00 p.m. with committee meetings prior to the board meeting. White asked to have discussion regarding the approval of well permits outside the paleovalley on the agenda.

14. CONSENT AGENDA

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

AYE: Albrecht, Bausch, Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Guhde, Kudrna, Niedfeldt, Siske, D. Sugden, S. Sugden, Umland, Walker, Watermeier, Weber, White
NOT PRESENT: Gilson, Speece

15. ADJOURNMENT

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

AYE: Albrecht, Bausch, Beethe, Bohling, Duryea, Gigstad, Godemann, Goering, Guhde, Kudrna, Niedfeldt, Siske, D. Sugden, S. Sugden, Umland, Walker, Watermeier, Weber, White
NOT PRESENT: Gilson, Speece

The meeting adjourned at 10:12 p.m. The next regular meeting of the Board of Directors will be Thursday, November 10, 2011, at 7:00 p.m. at the NRD headquarters at 62161 Hwy 136 in Tecumseh.

Approved 11/10/11

Secretary, Nemaha Natural Resources District