

September 10, 2009
Nemaha Natural Resources District
Regular Meeting
Tecumseh, Nebraska

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

Chair Scott Kudrna called the four hundred thirteenth meeting of the Nemaha Natural Resources District Board of Directors to order at 8:00 p.m. Thursday, September 10, 2009, at the NRD Headquarters in Tecumseh, Nebraska.

DIRECTORS	John Albrecht	Lynn Heng	Bruce Walker
PRESENT:	Lisa Beethe	Scott Kudrna	Paul Weber
	Rob Bohling	Don Siske	Tom White
	Charles Duryea	Duane Sugden	Jim Wirth
	Ted Godemann	Steve Sugden	
	Wayne Goering	William Umland	

DIRECTORS	Orval Gigstad	Jim Rush	Dan Watermeier
ABSENT:	Ron Heskett	Mike Speece	

STAFF	Bob Hilske, Manager
PRESENT:	Scott Nelson, Assistant Manager
	Jane Kuhl, Administrative Assistant
	Allison Caspers, Administrative Assistant

GUESTS	Terry Newell, NRCS, Tecumseh	David Rogers, Pawnee City
PRESENT:	Bryan Mellage, Auburn	

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**

White moved, seconded by Siske, to approve the excused absences requested by Orval Gigstad, Ron Heskett, Jim Rush, Mike Speece, and Dan Watermeier. Motion carried on consent agenda.

4. **OPEN FORUMS**

All directors, NRD 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 reports.

8. **AGENCY/ASSOCIATION REPORTS**

A. Natural Resources Conservation Service

Terry Newell provided his written report. He added that they are working on end-of-the-year reports and equipment needs. The sign-up for the CSP is moving slowly so far.

B. Five Rivers RC&D

Kudrna reported that they would be at Husker Harvest Days. They have wine schools coming up, their annual conference in October, and most of the tire collections have been completed.

C. Nebraska Association of Resources Districts

Hilske reminded everyone that the NARD Annual Conference was coming up at the end of September. Hilske added that they are working on information for the legislative hearings coming up.

D. Nebraska Natural Resources Commission

No report.

E. Nebraska Water Resources Association

Duane Sugden stated they will meet September 17. The Water Task Force got a letter that their last meeting will be October 20, but the agenda is very light. He added that Chuck Wingert had worked with him to get some information for Senator Langemeier for the water plan guidelines.

9. **AUBURN LAKE COMPANY PRESENTATION (BRYAN MELLAGE)**

Bryan Mellage provided a handout regarding the Legacy Lake project. He reviewed the plans their group has for developing a recreation lake in Pawnee County. Getting a 404 permit is one of their major issues along with land acquisition and obtaining capital funding. They feel regional water supply is an issue that should be included in this project. Duryea asked how Mellage felt about covering up prime farm ground; Mellage replied that if it is economically feasible, he is for it. Newell asked if the Corps had given any timetable for the project, but Mellage said the Corps will not give them one. Beethe asked what the Auburn Lake Company's timetable is, and Mellage said they do not want to move forward until they have the available capital. In response to questions about land prices, Mellage stated that they have gone to the County Assessor and also compared to other projects; however, they do not

expect to buy ground cheap. Weber asked what they were asking of the NRD on this project. Mellage replied that if a regional water supply is included, the NRD would have to become involved in the treatment of the watershed above the lake.

10. STANDING COMMITTEES

A. Programs & Projects Committee

1. *Bids for Iron Horse Tree Clearing:* Bids received were as follows:

Contractor	Unit Price	Total Bid
Sunneberg Construction	\$650.00	\$7,800.00
Ray Durr Construction	\$975.00	\$11,700.00
Gyhra Construction	\$1,000.00	\$12,000.00
B.A.B., Inc.	\$1,133.00	\$13,596.00
Orval Jueneman Dozer Service	\$1,167.00	\$14,004.00
Mockelman Grading, Inc.	\$1,450.00	\$17,400.00
Don Bruna Construction, Inc.	\$1,475.00	\$17,700.00
Commercial Contractors Equipment, Inc.	\$1,480.00	\$17,760.00
Japp Bros. Grading, LLC	\$1,700.00	\$20,400.00
Kuhl Trenching & Exc.	\$1,956.75	\$23,481.00
Petersen Construction	\$1,965.00	\$23,580.00
Judd Bros. Construction Co.	\$1,980.00	\$23,760.00
Hofeling Enterprises Inc.	\$2,000.00	\$24,000.00
Luetchens Land Co.	\$2,122.92	\$25,475.04
<i>Engineer's Estimate: \$18,000.00</i>		

S. Sugden moved, seconded by Umland, to approve the bid of \$7,800.00 from Sunneberg Construction for tree clearing at Iron Horse Trail Lake. Motion carried.

AYE: Albrecht, Beethe, Bohling, Duryea, Godemann, Goering, Heng, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth

NOT PRESENT: Gigstad, Heskett, Rush, Speece, Watermeier

2. *Request from Nemaha County Road Engineer to Provide Cost-Share Funds:* No action.

B. Operations & Education Committee

1. *Easement for a Crossing on Steamboat Trace for Jim Minardi:*
Wirth moved, seconded by D. Sugden, to approve the easement to construct a

crossing over the Steamboat Trace right-of-way with the stipulation that Mr. Minardi submit his specifications for the crossing before providing him the easement. After additional discussion, **motion carried.**

AYE: Albrecht, Beethe, Bohling, Duryea, Godemann, Goering, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth

NOT VOTING: Heng

NOT PRESENT: Gigstad, Heskett, Rush, Speece, Watermeier

2. *Closing Steamboat Trace October 9-11 for Special Deer Season:*
Wirth moved, seconded by Siske, to close the Steamboat Trace October 9-11 during the special firearm deer season. After some discussion about enforcing the closure, **motion carried.**

AYE: Albrecht, Beethe, Bohling, Duryea, Godemann, Goering, Heng, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth

NAY: Kudrna

NOT PRESENT: Gigstad, Heskett, Rush, Speece, Watermeier

C. Executive Committee

1. *Establish Positions on NARD Resolutions:* Hilske reviewed each resolution. The board had no specific comments on the resolutions though there was concern expressed about the success of water banking.

2. *Voting Delegates for Annual Conference:*
Beethe moved, seconded by Bohling, to appoint Orval Gigstad as delegate and Don Siske as alternate for the 2009 NARD Annual Conference. Motion carried.

AYE: Albrecht, Beethe, Bohling, Duryea, Godemann, Goering, Heng, Kudrna, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth

ABSTAINING: Siske

NOT PRESENT: Gigstad, Heskett, Rush, Speece, Watermeier

3. *Dutcher Overdue Account:*
Beethe moved, seconded by Siske, to transfer the Dutcher overdue account to the bad debt account. Motion carried.

AYE: Albrecht, Beethe, Bohling, Duryea, Godemann, Goering, Heng, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth

NOT PRESENT: Gigstad, Heskett, Rush, Speece, Watermeier

Beethe moved, seconded by Siske, to direct staff to take action to take the

Dutcher claim to Small Claims Court for collection. After some discussion,
motion carried.

AYE: Albrecht, Beethe, Bohling, Duryea, Godemann, Goering, Heng, Kudrna, Siske,
D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth
NOT PRESENT: Gigstad, Heskett, Rush, Speece, Watermeier

4. *Start Times for October-March Board Meetings:*

Beethe moved, seconded by Siske, to start the October board meeting at 6:00 p.m. with committees starting at 5:00; and the November-March board meetings at 7:00 p.m. with the committees starting at 6:00 p.m. There was some discussion about holding the winter meetings in the afternoon to better accommodate those traveling greater distances after dark.

Godemann moved, seconded by D. Sugden, to amend the motion to start November-March meetings at 2:00 p.m. with committees starting at 1:00. There was some concern about those with daytime jobs who are unable to take off to attend the meetings. Upon roll call vote, **motion failed.**

AYE: Godemann, D. Sugden, Umland

NAY: Beethe, Bohling, Duryea, Goering, Heng, Kudrna, S. Sugden, Walker, Weber,
Wirth

ABSTAINING: Albrecht, Siske, White

NOT PRESENT: Gigstad, Heskett, Rush, Speece, Watermeier

Upon roll call vote on the main motion as presented, **motion carried.**

AYE: Albrecht, Beethe, Bohling, Duryea, Godemann, Goering, Heng, Kudrna, Siske,
D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth
NOT PRESENT: Gigstad, Heskett, Rush, Speece, Watermeier

5. *Cooperative Agreement with NRCS for Technical Assistance in Buck/Duck Creek:*
Hilske explained the purpose of the agreement. Newell added that the agreement had only \$20,000 in it, and the NRCS had several other similar agreements right now; so the additional \$20,000 required for the rest of the year would be added by amendment in March. Newell also explained that by signing this new agreement, the funds would be available sooner than if we tried to continue with the original agreement that had the entire \$40,000 in it. Hilske also pointed out that the original agreement does not refer to any funding beyond the first year of the agreement.

Beethe moved, seconded by Siske, to approve the 2010 Cooperative Agreement with NRCS for technical assistance within the Buck and Duck Creek Watersheds. Motion carried.

AYE: Albrecht, Beethe, Bohling, Duryea, Godemann, Goering, Heng, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth
NOT PRESENT: Gigstad, Heskett, Rush, Speece, Watermeier

11. FY 2010 BUDGET & RESOLUTION SETTING PROPERTY TAX & LEVY REQUEST

Beethe moved, seconded by Siske, to approve the FY2010 budget of \$8,464,107 as presented. Motion carried.

AYE: Albrecht, Beethe, Bohling, Duryea, Godemann, Goering, Heng, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth
NOT PRESENT: Gigstad, Heskett, Rush, Speece, Watermeier

Beethe moved, seconded by Siske, to approve the resolution setting the property tax request at \$1,743,803.38 and the levy at 0.045. Bohling commented that while he was not proud of what was done with the budget, he understood why it was done. Godemann felt anytime we can get an 8:1 return on our funds, that is a good investment. Kudrna replied that all of our tax funds come out of our constituents' pockets. Godemann clarified that we do a good job of using that money to benefit the taxpayers. Steve Sugden felt that directors need to be able to explain that to their constituents. Duane Sugden thought all the board members need to be prepared to explain why this budget was prepared with this levy. Hilske stated that we would be putting out information explaining the budget in our press releases and our newsletter and that he would put together some information for directors so everyone is on the same page when explaining the budget. **Motion carried.**

AYE: Albrecht, Beethe, Bohling, Duryea, Godemann, Goering, Heng, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth
NOT PRESENT: Gigstad, Heskett, Rush, Speece, Watermeier

12. WELL PERMIT APPLICATIONS

White moved, seconded by Wirth, to approve the well permit received from Darrell TeSelle for an irrigation well 3 miles north of Adams. Motion carried.

AYE: Albrecht, Beethe, Bohling, Duryea, Godemann, Goering, Heng, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth
NOT PRESENT: Gigstad, Heskett, Rush, Speece, Watermeier

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

Kudrna reminded directors that in October the meetings will begin at 5:00 for committees and 6:00 for the board meeting.

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, Beethe, Bohling, Duryea, Godemann, Goering, Heng, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth

NOT PRESENT: Gigstad, Heskett, Rush, Speece, Watermeier

15. **ADJOURNMENT**

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

AYE: Albrecht, Beethe, Bohling, Duryea, Godemann, Goering, Heng, Kudrna, Siske, D. Sugden, S. Sugden, Umland, Walker, Weber, White, Wirth

NOT PRESENT: Gigstad, Heskett, Rush, Speece, Watermeier

The meeting adjourned at 9:55 p.m. The next regular meeting of the Board of Directors will be Thursday, October 8, 2009, at 6:00 p.m. at the NRD headquarters at 62161 Hwy 136 in Tecumseh.

Approved 10/8/09

Secretary, Nemaha Natural Resources District