

April 11, 2019
Nemaha Natural Resources District
Regular Meeting
Tecumseh, Nebraska

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

Chair Bill Niedfeldt called the five hundred twenty-sixth meeting of the Nemaha Natural Resources District Board of Directors to order at 8:11 p.m. Thursday, April 11, 2019, at the NRD Headquarters in Tecumseh, Nebraska.

DIRECTORS PRESENT:	Lisa Beethe Rob Bohling Jessica Donnelly Jim Gerweck Orval Gigstad Dan Hodges	Jon Keithley Tim Loseke Michael McDonald Russel Moss William Niedfeldt Alan Romine	Don Siske Eldon Snoke Duane Sugden Kevin Thorne
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DIRECTORS ABSENT:	Dave Guhde Doug Iske	Robert Lassen Mike Speece	Dan Stukenholtz
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STAFF PRESENT:	Bob Hilske, Manager Scott Nelson, Assistant Manager Jane Kuhl, Administrative Assistant Chuck Wingert, Water Resources Manager
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GUESTS PRESENT:	Ron & Susan Meyer, Johnson Mike Hays, Eagle Don Blankenau, Lincoln
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Following the Pledge of Allegiance and a moment of silence, Niedfeldt 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**

Siske moved, seconded by Gerweck, to approve the excused absences requested by Dave Guhde, Doug Iske, Bob Lassen, Mike Speece, and Dan Stukenholtz. Motion carried on consent agenda.

4. **OPEN FORUMS**

NRD directors and staff introduced themselves. Niedfeldt announced that guests have the option to introduce themselves at this time, and by doing so their name would be included as part of the meeting minutes.

5. **MINUTES**

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

6. **TREASURER'S REPORT**

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

7. **STAFF REPORTS**

Hilske reviewed his written report and provided a PowerPoint presentation of recent flood damage in the District. Nelson reviewed his written report. Mike McDonald briefly commented on the Washington, DC, trip.

8. **AGENCY/ASSOCIATION REPORTS**

A. Natural Resources Conservation Service

No report. Hilske noted that NRCS has some emergency funds available for repairs on public land.

B. Five Rivers RC&D

Sugden reported they are still looking for new members. He reviewed the recent grants they have received.

C. Nebraska Association of Resources Districts

Gigstad reviewed the proposed budget detailing both revenue sources and expenditures.

D. Nebraska Natural Resources Commission

McDonald stated they had not had a meeting since last month.

9. **PRESENTATION ON DEVELOPMENT PROJECT FOR UPPER LITTLE NEMAHA 17**

Don Blankenau explained the plans for the structure by Mike Hayes, the landowner, and how it would affect the structure. He has drained the lake to allow removal of sediment; and he wants to increase the size of the pool, which will require a permit from the State. He wants to add a cabin on the dam itself, which will also require DNR approval. Hilske explained that anything that is done must fit within the requirements of our easement. We won't know if it does until a final proposal outlining their plans is provided to the District. A question of setting a precedence for other structures was also a concern brought up by the board. Hayes asked for input or questions from the board on his proposal as they proceed.

10. STANDING COMMITTEES

A. Programs & Projects Committee

1. *Bids to Rehab Upper Big Nemaha 25-C*: Bids received were as follows:

Bidder	Total Bid
Dixon Construction, Correctionville IA	\$2,498,454.70
Tiemann Construction, Beatrice NE	\$2,758,388.45

Nelson reviewed the bids and explained that our original agreement with NRCS was for a \$2.2 million project. Therefore, NRCS would have to provide an additional \$131,000, and the NRD would contribute an additional \$71,000. In discussions with NRCS it appears they would be willing to increase their portion of the cost.

Gerweck moved, seconded by Siske, to approve the low bid of \$2,498,454.70 from Dixon Construction for the rehabilitation of Upper Big Nemaha 25-C contingent upon NRCS agreeing to provide the additional \$131,000 for the project. Nelson also explained that some contractors that might have bid were now tasked with flood related work this year. After further discussion, **motion carried.**

AYE: Beethe, Bohling, Donnelly, Gerweck, Gigstad, Hodges, Loseke, McDonald, Moss, Niedfeldt, Romine, Siske, Snoke, Sugden, Thorne

ABSTAINING: Keithley

NOT PRESENT: Guhde, Iske, Lassen, Speece, Stukenholtz

2. *Well Permit Applications*: Applications received were as follows:

Permit#	Landowner Name	Well Location	GPM	Purpose	Score
N716	CAMKAT, LLC % Lyle Kinley, Jr.	SW¼ SE¼ Section 3-6-10 Johnson Co.	900	Irrigation	228
N717	Leroy & Jane Meyer	SW¼ SW¼ Section 27-5-12 Nemaha Co.	800	Irrigation	253

Sugden moved, seconded by Gigstad, to approve well permits N716 and N717. Wingert reviewed each application's details. After some discussion, **motion carried.**

AYE: Beethe, Bohling, Donnelly, Gerweck, Gigstad, Hodges, Keithley, Loseke, McDonald, Moss, Niedfeldt, Romine, Siske, Snoke, Sugden, Thorne

NOT PRESENT: Guhde, Iske, Lassen, Speece, Stukenholtz

3. *Irrigation Transfer Permit Request*: Wingert explained the request from Ron Meyer and that his request meets two out of the three requirements for approval: (1) the land is contiguous; (2) the maximum number of acres does not exceed what the supply well has historically irrigated; (3) the score for the well, however, is now less than the required 201 points. He explained that the score for the original, approved well was based on the test hole at that time. However, our rules require the score for the well

now be based on the well log, which resulted in some minor differences. This is something the committee has been considering changing in our rules updates. Therefore, the committee suggested the landowner wait until the board decides whether to change this rule as part of the update process. Meyer indicated he would agree to waiting for a decision.

4. ***E-Energy Adams Letter of Support for REAP Grant:*** Wingert explained the grant was to help fund an expansion project. He provided maps showing the area and nearby observation well readings. They are requesting a letter of support from the NRD since their project will increase their annual groundwater withdrawal.

Sugden moved, seconded by Siske, to send a letter of support for the REAP grant application for E Energy Adams. Motion carried.

AYE: Beethe, Bohling, Donnelly, Gerweck, Gigstad, Hodges, Keithley, Loseke, McDonald, Moss, Niedfeldt, Romine, Siske, Snoke, Sugden, Thorne

NOT PRESENT: Guhde, Iske, Lassen, Speece, Stukenholtz

5. ***Update on Groundwater Rules, Projects, & Other Programs:*** Gerweck reported that the committee did not have time to address this agenda item. No action.
6. ***Update on AEM Flight Data & Report:*** Wingert stated the report is available in hard copy for anyone wishing to check it out, and he also made it available to directors via Dropbox. There will be a formal presentation on the report at the May board meeting.

B. Operations & Education Committee-No meeting

C. Executive Committee

1. ***Rules & Fees for Persons Staying at Duck Creek due to Flooding:*** Hilske reviewed the activities to date to allow those displaced due to flooding to stay at Duck Creek free of charge. The committee discussed whether to begin charging for camping and park permits as well as how long those folks should be allowed to stay. It was consensus that they should begin paying for their camping and park permits beginning on Monday, April 15. They will be allowed to stay through the May 9 board meeting when the board will again review this situation.
2. ***Update on Duck Sediment Basin Land Rights:*** McDonald reported that staff is working on a proposal based upon the assessor's values.
3. ***New Contract with Schulz and Associates to Perform Annual District Audit:*** McDonald reported that this firm, which has prepared our audit for the past nine years, submitted a proposal for another three years at the same rate of \$6,600 for the base audit and \$1,500 for a single (federal) audit, if needed, per year.

McDonald moved, seconded by Siske, to approve the proposal from Schulz and Associates to prepare the District audit for fiscal years 2019, 2020, and 2021 at an annual rate of \$6,600 for the base audit and \$1,500 for single audit, if required. Motion carried.

AYE: Beethe, Bohling, Donnelly, Gerweck, Gigstad, Hodges, Keithley, Loseke, McDonald, Moss, Niedfeldt, Romine, Siske, Snoke, Sugden, Thorne

NOT PRESENT: Guhde, Iske, Lassen, Speece, Stukenholtz

4. ***Update on Annual District Report and Plan:*** The committee reviewed a draft outline of the long-range plan required by state statute. A detailed plan will be provided for further review and approval next month. No action.
5. ***Discussion on District Salary Schedule:*** McDonald reported that the committee has copies of all the job descriptions and that they are looking at how to move forward. Next month they will look closely at base pay, merit, and job descriptions and discuss how to address wages for long-term employees who have reached their maximum increases according to the current schedule. No action.

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

The next meeting on May 9, 2019, at 8:00 p.m. with committee meetings prior to the regular meeting.

12. CONSENT AGENDA

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

AYE: Beethe, Bohling, Donnelly, Gerweck, Gigstad, Hodges, Keithley, Loseke, McDonald, Moss, Niedfeldt, Romine, Siske, Snoke, Sugden, Thorne

NOT PRESENT: Guhde, Iske, Lassen, Speece, Stukenholtz

13. ADJOURNMENT

Gerweck moved, seconded by Bohling, to adjourn. Motion carried.

AYE: Beethe, Bohling, Donnelly, Gerweck, Gigstad, Hodges, Keithley, Loseke, McDonald, Moss, Niedfeldt, Romine, Siske, Snoke, Sugden, Thorne

NOT PRESENT: Guhde, Iske, Lassen, Speece, Stukenholtz

The meeting adjourned at 10:00 p.m.

Approved May 9, 2019

Secretary, Nemaha Natural Resources District