

August 8, 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 thirtieth meeting of the Nemaha Natural Resources District Board of Directors to order at 8:05 p.m. Thursday, August 8, 2019, at the NRD Headquarters in Tecumseh, Nebraska.

<b>DIRECTORS</b>	Rob Bohling	Robert Lassen	Mike Speece
<b>PRESENT:</b>	Jessica Donnelly	Tim Loseke	Dan Stukenholtz
	Jim Gerweck	Michael McDonald	Duane Sugden
	Orval Gigstad	Russel Moss	Kevin Thorne
	Dan Hodges	William Niedfeldt	
	Doug Iske	Don Siske	

<b>DIRECTORS</b>	Lisa Beethe	Alan Romine
<b>ABSENT:</b>	Jon Keithley	Eldon Snoke

<b>STAFF</b>	Bob Hilske, Manager
<b>PRESENT:</b>	Scott Nelson, Assistant Manager
	Jane Kuhl, Administrative Assistant
	Chuck Wingert, Water Resources Manager
	Kerri Miller, Administrative Assistant

<b>GUESTS</b>	Randy Fox, Nebraska City
<b>PRESENT:</b>	Randy Burgett, Humboldt

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. **APPLICATIONS FOR FILLING BOARD VACANCY IN SUBDISTRICT 5**

Niedfeldt reported that Randy Fox was the only applicant for the position and asked him to introduce himself. Mr. Fox provided some background information about himself and his interest in this position.

**Gerweck moved, seconded by Sugden, to appoint Randy Fox to fill the remainder of the term of director in Subdistrict 5. Motion carried.**

**AYE:** Bohling, Donnelly, Gerweck, Gigstad, Hodges, Iske, Lassen, Loseke, McDonald, Moss, Niedfeldt, Siske, Speece, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Beethe, Keithley, Romine, Snoke

Nelson, a notary public, then administered the oath of office to Randy Fox, who took his position on the board.

4. **EXCUSED ABSENCES**

**Siske moved, seconded by Gerweck, to approve the excused absences requested by Lisa Beethe, Jon Keithley, Alan Romine, and Eldon Snoke. Motion carried on consent agenda.**

5. **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 names would be included as part of the meeting minutes.

6. **MINUTES**

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

7. **TREASURER'S REPORT**

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

8. **STAFF REPORTS**

Hilske reviewed his written report. Nelson reviewed his written report.

9. **AGENCY/ASSOCIATION REPORTS**

**A. Natural Resources Conservation Service**

No report.

**B. Five Rivers RC&D**

Sugden reported on the electronics collections that were held the previous month. He added that information on upcoming household hazardous waste collections would be coming out soon.

**C. Nebraska Association of Resources Districts**

Gigstad encouraged directors to consider attending this year's annual conference in Kearney in September. He also mentioned opportunities to help at Husker Harvest Days. Gigstad had attended a recent NACD board meeting and provided a review.

**D. Nebraska Natural Resources Commission**

McDonald reported that 19 applications had been received for Water Sustainability Funds totaling \$28 million in requests.

## 10. STANDING COMMITTEES

### **A. Programs & Projects Committee**

1. *Well Permit Applications:* No applications were received.
2. *Bids for Construction of Haug Small Dam:* Nelson reported that only one bid was received from Tim Sisco Construction for \$94,181.60. The engineer's estimate was \$89,000.

**Gerweck moved, seconded by Sugden, to approve the bid of \$94,181.60 from Tim Sisco Construction for the Haug small dam project. Motion carried.**

**AYE:** Bohling, Donnelly, Fox, Gerweck, Gigstad, Hodges, Iske, Lassen, Loseke, McDonald, Moss, Niedfeldt, Siske, Speece, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Beethe, Keithley, Romine, Snoke

3. *Revised Contract with FYRA Engineering for Duck Creek Sediment Basin:* Hilske explained the purpose of the contract which was for work on the environmental assessment and 404 permit application. He further explained there was a need to revise the contract based upon additional information required by NRCS.

**Gerweck moved, seconded by Gigstad, to approve the revised contract with FYRA Engineering which increases the not-to-exceed limit from \$90,000 to \$105,485. Motion carried.**

**AYE:** Bohling, Donnelly, Fox, Gerweck, Gigstad, Hodges, Iske, Lassen, Loseke, McDonald, Moss, Niedfeldt, Siske, Speece, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Beethe, Keithley, Romine, Snoke

4. *Update on Water Sustainability Fund Application for AEM Flights:* Wingert updated the board on the grant application requesting \$236,100 with the District to match with \$157,400. If funded this would complete our AEM data collection needs, which would be in the central/western portion of the District.
5. *Update on Groundwater Rules, Projects, & Other Programs:* Gerweck reported that the committee reviewed the finished version. The next step is to submit it to DNR for review. Wingert reviewed the steps following DNR approval which include holding a public hearing prior to final approval by the board.

### **B. Operations & Education Committee – No meeting**

### **C. Executive Committee**

1. *Approval of District's Annual Plan:* McDonald provided a few minor corrections to the plan. There was also some discussion about election subdistricts which will likely require some adjustment following the 2020 census.

**McDonald moved, seconded by Sugden, to approve the 2019 Annual Plan. Motion carried.**

**AYE:** Bohling, Donnelly, Fox, Gerweck, Gigstad, Hodges, Iske, Lassen, Loseke, McDonald, Moss, Niedfeldt, Siske, Speece, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Beethe, Keithley, Romine, Snoke

2. *Delegate/Alternate to NARD Annual Conference:*  
**McDonald moved, seconded by Gerweck, to designate Dan Hodges as voting delegate and Duane Sugden as alternate for the NARD Annual Conference. Motion carried.**

**AYE:** Bohling, Donnelly, Fox, Gerweck, Gigstad, Hodges, Iske, Lassen, Loseke, McDonald, Moss, Niedfeldt, Siske, Speece, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Beethe, Keithley, Romine, Snoke

3. *Doug Schmidt Employment Settlement:*  
**McDonald moved, seconded by Lassen, to go into executive session to protect the public interest as provided in State statute and discuss a settlement on a discrimination claim filed against the District. Motion carried.**

**AYE:** Bohling, Donnelly, Fox, Gerweck, Gigstad, Hodges, Iske, Lassen, Loseke, McDonald, Moss, Niedfeldt, Siske, Speece, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Beethe, Keithley, Romine, Snoke

The board went into executive session at 9:12 p.m.

**Sugden moved, seconded by Gerweck, to return to regular session. Motion carried.**

**AYE:** Bohling, Donnelly, Fox, Gerweck, Gigstad, Hodges, Iske, Lassen, Loseke, McDonald, Moss, Niedfeldt, Siske, Speece, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Beethe, Keithley, Romine, Snoke

The board returned to regular session at 9:33 p.m.

**McDonald moved, seconded by Lassen, to approve the Nebraska Equal Opportunity Commission mediation settlement agreement regarding Doug Schmidt's employment. Motion carried.**

**AYE:** Bohling, Donnelly, Fox, Gerweck, Gigstad, Hodges, Iske, Lassen, Loseke, McDonald, Moss, Niedfeldt, Siske, Speece, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Beethe, Keithley, Romine, Snoke

#### 11. FY2020 BUDGET

Hilske reviewed some of the changes made since last month. He explained that the \$50,000 in excess revenue had been placed in the cash reserve. There was some discussion on the future of the trail and how that affects the budget. Iske questioned why funding for SWCP was cut back this year. Hilske explained that we may not need quite as much this year to approve most of the applications.

Funding for Kirkman's Cove Golf Course Project: Hilske asked for board direction and action regarding \$15,000 in proposed cost-share to assist the golf course with drainage improvements as discussed last month. The budget he reviewed included the \$15,000 for this project.

**Gerweck moved, seconded by Sugden, to approve including \$15,000 in the budget for the Kirkman's Cove golf course drainage project. Motion carried.**

**AYE:** Bohling, Donnelly, Fox, Gerweck, Gigstad, Hodges, Iske, Lassen, Loseke, McDonald, Moss, Niedfeldt, Siske, Speece, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Beethe, Keithley, Romine, Snoke

Funding for Potential AEM Project: Hilske discussed options for coming up with the matching funds required for this project if our Water Sustainability Fund grant is approved, which will be known in December. Matching funds will likely not be needed until late in this fiscal year, with most of the costs incurred in FY2021. The budget provided did not include any funds for this year for this project. Consensus was to adjust the budget later in the year if this grant is approved and matching funds are required this fiscal year.

Additional Funding for SWCP: Kuhl reviewed the applications received and the balance of funds remaining after all summer work was approved. Iske expressed concern about lowering the funding. Hilske and Kuhl felt \$20,000 in additional funds would allow most applications to be approved this year.

**Hodges moved, seconded by Gigstad, to put \$20,000 more into the SWCP fund and put the remaining \$30,000 in the cash reserve. Motion carried.**

**AYE:** Bohling, Donnelly, Fox, Gerweck, Gigstad, Hodges, Iske, Lassen, Loseke, McDonald, Moss, Niedfeldt, Siske, Speece, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Beethe, Keithley, Romine, Snoke

**Gerweck moved, seconded by Sugden, to advance the budget as adjusted and hold the public hearing at 7:00 p.m. on September 12.** Hilske mentioned that there could be some additional, minor adjustments to the final budget. **Motion carried.**

**AYE:** Bohling, Donnelly, Fox, Gerweck, Gigstad, Hodges, Iske, Lassen, Loseke, McDonald, Moss, Niedfeldt, Siske, Speece, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Beethe, Keithley, Romine, Snoke

**12. ANNOUNCEMENTS, SEPTEMBER MEETING DATE/TIME & AGENDA ITEM REQUESTS**

The next meeting will be September 12, 2019, at 8:00 p.m. with committee meetings prior to the regular meeting. The budget hearing will precede the meeting at 7:00 p.m.

**13. CONSENT AGENDA**

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

**AYE:** Bohling, Donnelly, Fox, Gerweck, Gigstad, Hodges, Iske, Lassen, Loseke, McDonald, Moss, Niedfeldt, Siske, Speece, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Beethe, Keithley, Romine, Snoke

**14. ADJOURNMENT**

**Gerweck moved, seconded by Siske, to adjourn. Motion carried.**

**AYE:** Bohling, Donnelly, Fox, Gerweck, Gigstad, Hodges, Iske, Lassen, Loseke, McDonald, Moss, Niedfeldt, Siske, Speece, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Beethe, Keithley, Romine, Snoke

The meeting adjourned at 10:03 p.m.

*Approved September 12, 2019*

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Secretary, Nemaha Natural Resources District