

March 10, 2022
Nemaha Natural Resources District
Regular Meeting
Tecumseh, Nebraska

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

Doug Iske called the five hundred sixty-first meeting of the Nemaha Natural Resources District Board of Directors to order at 7:05 p.m. Thursday, March 10, 2022, at the NRD headquarters at Tecumseh, Nebraska.

DIRECTORS PRESENT:	Lisa Beethe	Doug Iske	Eldon Snoke
	Randy Fox	Jon Keithley	Mike Speece
	Jim Gerweck	Michael McDonald	Dan Stukenholtz
	Orval Gigstad	Russel Moss	Duane Sugden
	Dan Giittinger	Bill Niedfeldt	Kevin Thorne
	Dan Hodges	Alan Romine	

DIRECTORS ABSENT:	Rob Bohling	Tim Loseke
	Robert Lassen	Don Siske

STAFF PRESENT:	Kyle Hauschild, General Manager
	Jill Rogman, Administrative Assistant
	Chuck Wingert, Water Resources Manager
	Steve Bartels, Field Representative

GUESTS PRESENT:	Jeremiah Schutz, NRCS, Tecumseh
	Andy Wellensiek, Cook

Following the Pledge of Allegiance and a moment of silence, Iske 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**

Hodges moved, seconded by Thorne, to approve the requests for excused absences received from Rob Bohling, Bob Lassen, Tim Loseke, and Don Siske. Motion carried on consent agenda.

4. **OPEN FORUMS**

Directors and staff introduced themselves.

5. **MINUTES**

Sugden moved, seconded by Fox, to approve the minutes as submitted. Motion carried on consent agenda.

6. **TREASURER’S REPORT**

Sugden moved, seconded by Hodges, to approve the Treasurer’s Report as submitted.

Beethe had some questions about items that were listed on the budget vs. actual report that was mailed out. McDonald asked for a breakdown of watershed repair work. Hauschild explained he had reported last month that work not done on another project was being shifted to the rip rap work under consideration this month. McDonald also had questions about the management salary expense, sinking funds, and trash pickup expense. **Motion carried on consent agenda.**

7. **STAFF REPORTS**

Hauschild provided a written report and some additional updates. Wingert provided a written report.

8. **PRESENTATION BY ELLEN KREIFELS** – Postponed due to weather.

9. **AGENCY/ASSOCIATION REPORTS**

A. Natural Resources Conservation Service

Schutz briefly reviewed his written report.

B. Five Rivers RC&D

Sugden reported he was elected Chairman at their last meeting. He also reported on their upcoming household hazardous waste collections.

C. Nebraska Association of Resources Districts

Gigstad provided a report from the NACD meeting in Orlando. He also reported he is the new President of NARD. He reviewed some legislation, a property tax exemption on the NARD’s building, approval of the budget, the status of the employee insurance program, and the awards programs. He reviewed some 50th anniversary plans.

D. Nebraska Natural Resources Commission

McDonald reported DNR would be moving their offices in March. He reported on the various funds and specifically the water quality funds. He also reported on some of the appointed positions on the Commission and their upcoming meeting schedules.

E. Steamboat Trace Volunteer Group

Giittinger stated they did not meet this month.

10. **STANDING COMMITTEES**

A. PROGRAMS & PROJECTS COMMITTEE

1. Well Permit Applications: Wingert reviewed the well permit application N760.

Permit #	Landowner Name	Well Location	GPM	Purpose	Score
N760	Michael Bean	SW¼ NW¼ Section 30-8-15, Otoe Co.	1500	Irrigation	208

Sugden moved, seconded by Stukenholtz to approve well permit N760. Motion carried.

AYE: Beethe, Fox, Gerweck, Gigstad, Giittinger, Hodges, Iske, Keithley, McDonald, Moss, Niedfeldt, Romine, Snoke, Speece, Stukenholtz, Sugden, Thorne

NOT PRESENT: Bohling, Lassen, Loseke, Siske

2. *Andy Wellensiek Well Permit No. N755:*

Permit #	Landowner Name	Well Location	GPM	Purpose	Score
N755	Andrew Wellensiek	SW¼NW¼ Section 3-6-11 of Johnson Co.	800	Irrigation	149

Wingert explained the request from Mr. Wellensiek to add acres to property with a previously permitted well north of Cook. He reviewed how the original well would have scored. Beethe clarified that the well permit scoring was not actually in place at the time his permit was approved. Wellensiek explained his reasoning for adding acres. Hodges added that the committee was concerned that this permit does not technically score enough to meet the requirements and that this is an unusual circumstance that is not currently addressed in our rules.

Stukenholtz moved, seconded by Keithley, to approve well permit No. N755 for Andrew Wellensiek. McDonald asked whether a rule change to address this would require a public hearing, which it would. There was discussion about whether this would meet the definition of a case-by-case basis for approval After further discussion, **motion carried.**

AYE: Fox, Gerweck, Gigstad, Giittinger, Iske, Keithley, Moss, Speece, Stukenholtz, Sugden, Thorne

NO: Beethe, Hodges, McDonald, Niedfeldt, Romine, Snoke

NOT PRESENT: Bohling, Lassen, Loseke, Siske

3. *Dam Repair Bids for Rip Rap Placement – UBN 3-A; Long Branch 41, 42, & R-3:*

Bids received for both contracts (Contract for UBN 3-A contract; Contract for Long Branch 41, 42 & R-3) were as follows:

Bids for 720 Tons Rip Rap Placement on UBN 3-A		
Contractor	Unit Cost	Total Cost
Kuhl Construction, LLC	\$9.70	\$6,984.00
Borrenpohl Excavating	\$9.75	\$7,020.00
Mount Farm Drainage	\$9.90	\$7,128.00
B.A.B., Inc.	\$13.25	\$9,540.00

Bids for 350 Tons Rip Rap Placement on Long Branch 41		
Contractor	Unit Cost	Total Cost
Kuhl Construction, LLC	\$9.90	\$4,455.00
Borrenpohl Excavating	\$9.90	\$4,455.00
B.A.B., Inc.	\$16.50	\$7,425.00
Mount Farm Drainage	\$9.90	\$4,455.00
Bids for 500 Tons Rip Rap Placement on Long Branch 42		
Contractor	Unit Cost	Total Cost
Kuhl Construction, LLC	\$9.90	\$4,950.00
Borrenpohl Excavating	\$9.90	\$4,950.00
B.A.B., Inc.	\$12.25	\$6,125.00
Mount Farm Drainage	\$7.00	\$3,500.00
Bids for 350 Tons Rip Rap Placement on Long Branch R-3		
Contractor	Unit Cost	Total Cost
Kuhl Construction, LLC	\$10.10	\$3,535.00
Borrenpohl Excavating	\$14.00	\$4,900.00
B.A.B., Inc.	\$15.00	\$5,250.00
Mount Farm Drainage	\$33.00	\$11,550.00
Total Combined Bid for Long Branch 41, 42, & R-3		
Kuhl Construction, LLC		\$12,940.00
Borrenpohl Excavating		\$14,305.00
B.A.B., Inc.		\$18,800.00
Mount Farm Drainage		\$19,505.00

Hodges moved, seconded by Sugden, to approve the low bids submitted by Kuhl Construction, LLC, for shaping and placement of rip rap on UBN 3-A, and on Long Branch 41, 42, and R-3. After some discussion on the budget, motion carried.

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

- VIMP Approval Following Public Hearing:*** Since the hearing was postponed due to weather, this item will be placed on the April agenda. No action.
- ENWRA Interlocal Agreement Amendment #7 Renewal:*** Wingert explained that this would renew our agreement for this project for another five years.

McDonald moved, seconded by Speece, to approve the ENWRA Interlocal Agreement Amendment #7. Motion carried.

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

B. OPERATIONS & EDUCATION COMMITTEE

1. **Discussion on Policy for Operation of Motorized Devices by Disabled Persons at NNRD Recreation Areas:** Fox reviewed the discussion on this issue. They also discussed following some guidelines that Game & Parks uses. Another suggestion was to add that anyone allowed to use one of these devices be required to provide proof of liability insurance. The committee is still considering how to identify what types of vehicles would be allowed. No action.

C. EXECUTIVE COMMITTEE

1. **Live Streaming NNRD Board Meetings:** Moss explained the committee discussed safety concerns and lack of bandwidth available. Because we have not had issues with space for our meeting attendees or a lot of requests for live streaming, the committee didn't feel it would be recommended at this time. Should there be a situation requiring a larger venue or live streaming, that could be handled on a case-by-case basis.

Moss moved, seconded by Romine, to not live stream monthly board meetings at this time. McDonald asked if there were any positive reasons for live streaming discussed, but Moss stated the committee did not have any because it doesn't work well here and we don't have a public outcry for it now. Hauschild added that live streaming would be only for spectators to watch and listen but no interaction per the public meeting law. Upon further discussion, **motion carried.**

AYE: Beethe, Fox, Gerweck, Gigstad, Giittinger, Hodges, Iske, Keithley, Moss, Niedfeldt, Romine, Snoke, Speece, Stukenholtz, Sugden, Thorne

NAY: McDonald

NOT PRESENT: Bohling, Lassen, Loseke, Siske

2. **General Manager Evaluation:** Iske distributed copies of results from evaluations completed by board members (excluding the executive committee members). He read some of the results from the staff and executive committee adding that it was not possible to edit anything submitted and that it was completely confidential. Some directors questioned whether this should be discussed in closed session, but Hauschild stated he was okay with it being discussed in open session. Beethe asked why there were two separate surveys. Iske didn't feel the full board had enough interaction to be able to do a well-informed survey. The full board surveys would be used to help build and set goals. Beethe felt it would be easier to determine who submitted the surveys when it was done this way. She also expressed concern with the method for distributing and completing the survey electronically and the timetable for returning it. Sugden questioned why it was such a big deal to do this survey when in the past this has been handled one-on-one between the manager and executive committee. He felt Hauschild is doing a good job and is happy with him and the work he is doing. McDonald expressed concern about transparency. He stated he talked to Gerald Royal, who hired Bob Hilske, and Dan Watermeier, Steve Sugden, and Bill Umland,

all prior board members. McDonald felt that five goals he thought were in place when Hauschild was hired were not addressed in the survey, and he felt there was not enough time for people to complete the survey and that some members do not type or do electronic submission. Iske admitted that this could have been a reason for fewer responses but that he was pushed to get it done. McDonald expressed that this process was to have been done a year ago already and felt it was unduly delayed. Iske stated he has also talked to Dan Watermeier, who explicitly told him that McDonald does not speak for Watermeier. McDonald stated his input to the questions on the survey was not taken into consideration, but Iske stated that the several pages of input from McDonald were provided at the last minute and could not be incorporated at that late notice. Iske pointed out that McDonald was Chair in the first six months of the manager's employment and therefore at blame for not getting this done. McDonald stated he was not the reason this didn't get done. Iske then declared McDonald out of order and done speaking. Gigstad thought the executive committee tried to do this survey and that it probably is not perfect since they have never done it before. He felt they had a good start and could learn from it and improve it in the future. No action.

3. ***NNRD Board Bylaw Changes:*** Moss explained one of the changes to be addressed would be the makeup of the executive committee. They are recommending that the NRC member not be an automatic member of the executive committee. They are also suggesting the committee consist of seven members instead of six. McDonald felt it would be an oversight not to include the NRC member and there should be consideration for an exemption in the future. Hauschild explained this position could actually be held by someone who is not a board member, so that is why it would not automatically be a member of the executive committee. Moss stated this would be on the agenda for the upcoming April board meeting.

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

The next meeting will be Thursday, April 14, at 8:00 p.m. with committee meetings prior to the regular meeting. Beethe asked for updated job descriptions to be provided. McDonald asked for staff evaluations (especially for clerks) to be reviewed with the executive committee. He also stated he's heard from several staff about the telework policy and would like to see that discussed. Hauschild stated we don't have one. McDonald added that's why it's being brought up. Sugden asked if returning to 8:00 p.m. board meetings would occur automatically. McDonald said he asked for that to be on this agenda, but it was not, and that it should be handled by a survey of directors. Hauschild said this would be discussed at the same time as the bylaw changes. McDonald also asked if Ellen Kreifels could provide a balanced approach by looking at manager's responsibility and board chair in addition to the board in general.

12. CONSENT AGENDA

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

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

13. **ADJOURNMENT**

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

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

The meeting adjourned at 9:04 p.m.

Approved April 14, 2022

Secretary, Nemaha Natural Resources District