

November 14, 2024  
Nemaha Natural Resources District  
Regular Meeting  
Tecumseh, Nebraska

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

Chair Doug Iske called the five hundred ninety-third meeting of the Nemaha Natural Resources District Board of Directors to order at 7:04 p.m. Thursday, November 14, 2024, at the NRD headquarters at Tecumseh, Nebraska.

<b>DIRECTORS PRESENT:</b>	Rob Bohling	Dan Hodges	Eldon Snoke
	Patty Coates	Doug Iske	Dan Stukenholtz
	Kraig Coonce	Jon Keithley	Duane Sugden
	Tracy Ensor	Tim Loseke	Kevin Thorne
	Randy Fox	Russel Moss	
	Orval Gigstad	Alan Romine	

<b>DIRECTORS ABSENT:</b>	Todd Boellstorff	Robert Lassen
	Tim Schardt	Mike Speece

<b>STAFF PRESENT:</b>	Kyle Hauschild, Manager
	Jane Kuhl, Assistant Manager
	Chuck Wingert, Water Resources Manager

<b>GUESTS PRESENT:</b>	Mike Burgert, NRCS, Syracuse
	Dick James, Verdon
	Christy Haddan, Schulz & Associates
	Chris Meeks, OPPD
	Kayla Valentine, OPPD
	Megan Seymour, OPPD

Iske announced that the Open Meetings Act is posted on the wall at the back of the room.

2. **PROOF OF PUBLICATION**

Proof of publication was presented and is on file.

3. **CONSIDERATION OF APPLICATIONS TO FILL VACANCY IN SUBDISTRICT 8**

Dick James was invited to address the board regarding his interest in filling the vacancy in Subdistrict 8.

**Moss moved, seconded by Romine, to appoint Dick James to fill the vacancy in Subdistrict 8. Motion carried.**

**AYE:** Bohling, Coates, Coonce, Ensor, Fox, Gigstad, Hodges, Iske, Keithley, Loseke, Moss, Romine, Snoke, Stukenholtz, Sugden, Thorne

**NOT PRESENT:** Boellstorff, Lassen, Schardt, Speece

The oath of office was then administered to Mr. James.

4. **CONSENT AGENDA**

- a. Excused Absences: Todd Boellstorff, Tim Schardt
- b. Minutes: Romine pointed out a correction to the minutes on the first page, replacing Iske with Loseke at the end of Item 1.
- c. Treasurer's Report: No changes.

**Bohling moved, seconded by Sugden, to approve the consent agenda with the noted correction to the minutes. Motion carried.**

**AYE:** Bohling, Coates, Coonce, Ensor, Fox, Gigstad, Hodges, Iske, Keithley, Loseke, Moss, Romine, Snoke, Stukenholtz, Sugden, Thorne

**ABSTAINING:** James

**NOT PRESENT:** Boellstorff, Lassen, Schardt, Speece

5. **OPEN FORUMS**

Directors and staff introduced themselves.

6. **PRESENTATION/ACTION ON FY24 AUDIT REPORT**

Christy Haddan reviewed the audit report for the fiscal year ending June 30, 2024.

**Sugden moved, seconded by Gigstad, to approve the FY24 audit report as presented. Motion carried.**

**AYE:** Bohling, Coates, Coonce, Ensor, Fox, Gigstad, Hodges, Iske, James, Keithley, Loseke, Moss, Romine, Snoke, Stukenholtz, Sugden, Thorne

**NOT PRESENT:** Boellstorff, Lassen, Schardt, Speece

7. **STAFF REPORTS**

Hauschild updated the board on the status of Upper Big Nemaha 7-A rehab as well as recent benefits, partnership, and managers meetings.

8. **AGENCY/ASSOCIATION REPORTS**

**A. Natural Resources Conservation Service**

Burgert reviewed the written report he had provided.

**B. Nebraska Association of Resources Districts**

Gigstad reported on the insurance fund and upcoming changes. He also talked about efforts to address property tax issues and the Governor's desire to merge NDNR and NDEE. He encouraged board members to attend the upcoming Legislative Conference.

**C. Nebraska Natural Resources Commission**

Fox stated he is trying to get caught up on the Commission's activities and planned to attend upcoming meetings as he is able.

9. STANDING COMMITTEES

**A. PROGRAMS & PROJECTS COMMITTEE**

1. *Bids to Place Rip Rap on Two Watershed Structures:* Bids received to place the rip rap were as follows:

	UBN 14-C (150 tons)		UBN G-33 (650 tons)		Grand Total
	Unit Cost	Total Cost	Unit Cost	Total Cost	
Dynamic Dirtwork & Demo	\$14.00	\$2,100.00	\$13.00	\$8,450.00	\$10,550.00
Borrenpohl Excavating	\$14.00	\$2,100.00	\$14.00	\$9,100.00	\$11,200.00
Gana Trucking & Exc.	\$93.03	\$13,954.50	\$92.47	\$60,105.50	\$74,060.00

Proposals to deliver rip rap to the sites were:

	UBN 14-C (150 tons)		UBN G-33 (650 tons)		Grand Total
	Unit Cost	Total Cost	Unit Cost	Total Cost	
Armstrong Rentals	\$11.58	\$1,737.00	\$11.58	\$7,527.00	\$9,264.00
Gana Trucking & Exc.	\$11.48	\$1,722.00	\$11.92	\$7,748.00	\$9,470.00

**Hodges moved, seconded by Stukenholtz, to approve the bid from Dynamic Dirtwork & Demo for placement of rip rap and from Armstrong Rentals for delivery of rip rap on UBN 14-C and UBN G-33. Motion carried.**

**AYE:** Bohling, Coates, Coonce, Ensor, Fox, Gigstad, Hodges, Iske, James, Keithley, Loseke, Moss, Romine, Snoke, Stukenholtz, Sugden, Thorne

**NOT PRESENT:** Boellstorff, Lassen, Schardt, Speece

2. *Bids for Tree/Brush Removal on 14 Watershed Structures:* Bids received were as follows:

Site	Borrenpohl Excavating	Goracke Contracting	BF Construction	East-South Trucking/Exc
Brownell 7-A	\$1,650.00	\$1,895.00	\$3,200.00	\$1,650.00
Brownell 8-A	\$950.00	\$1,245.00	\$600.00	\$1,200.00
Brownell 10-2	\$1,575.00	\$1,230.00	\$2,600.00	\$1,800.00
Brownell 11-6	\$1,175.00	\$1,295.00	\$850.00	\$1,700.00
Wilson Creek 6-4	\$1,375.00	\$2,800.00	\$2,300.00	\$1,750.00
Wilson Creek 6-8	\$1,275.00	\$2,480.00	\$2,600.00	\$1,550.00
Wilson Creek 9-C	\$1,675.00	\$2,950.00	\$2,800.00	\$1,650.00

Wilson Creek 9-1	\$995.00	\$980.00	\$2,400.00	\$1,800.00
Wilson Creek 12-9B	\$1,275.00	\$1,140.00	\$1,800.00	\$1,700.00
Wilson Creek 2-14	\$1,175.00	\$1,440.00	\$2,600.00	\$1,600.00
Wilson Creek 2-26	\$995.00	\$1,600.00	\$2,200.00	\$1,700.00
ULN 34	\$1,875.00	\$1,280.00	\$6,800.00	\$1,700.00
ULN 37	\$2,575.00	\$2,700.00	\$8,100.00	\$1,550.00
South Branch 84	\$995.00	\$990.00	\$5,800.00	\$1,800.00

A tie between Borrenpohl Excavating and East-South Trucking/Excavating for the Brownell 7-A site was broken by a coin toss held during the meeting. East-South Trucking/Excavating was the winner of the toss.

**Hodges moved, seconded by Stukenholtz, to approve the low bids for tree cutting as follows: Borrenpohl Excavating-Wilson Creek 6-4, 6-8, 2-14, and 2-26; Goracke Contracting-Brownell 10-2, Wilson Creek 9-1, 12-9B, ULN 34, South Branch 84; BF Construction-Brownell 8-A, 11-6; East-South Trucking/Excavating: Brownell 7-A, Wilson Creek 9-C, and ULN 37. Motion carried.**

**AYE:** Bohling, Coates, Coonce, Ensor, Fox, Gigstad, Hodges, Iske, James, Keithley, Loseke, Moss, Romine, Snoke, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Boellstorff, Lassen, Schardt, Speece

- Well Permit Applications:** Wingert reviewed the permit applications. He also reviewed two testhole logs and one transfer request received which did not score high enough for consideration.

Permit #	Landowner Name	Well Location	GPM	Purpose	Score
N832	Taylor Tekolste	NW¼SE¼ Section 31-7-7, Lancaster Co.	1200	Irrigation	205
N835	Randy Fischer	SE¼NW¼ Section 3-6-8, Gage Co.	800	Irrigation	228
N836	Otto Acres LLC	NE¼SE¼ Section 14-6-10, Johnson Co.	800	Irrigation	266
N837	Otto Acres LLC	SE¼NE¼ Section 14-6-10, Johnson Co.	800	Irrigation	258

**Sugden moved, seconded by Gigstad, to approve well permits N832, N835, N836, and N837. Motion carried.**

**AYE:** Bohling, Coates, Coonce, Ensor, Fox, Gigstad, Hodges, Iske, James, Keithley, Loseke, Moss, Romine, Snoke, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Boellstorff, Lassen, Schardt, Speece

- Discussion/Action on SWCP Policy:** Hodges reviewed the proposed changes which include raising the maximum cost-share from \$8,000 to \$10,000. Iske felt the maximum should be \$14,000 or more. Moss agreed with raising the maximum. Kuhl added that a ranking system had been suggested but would need to be refined prior to taking final action on the policy changes at the December meeting. No action.

- 5. Discussion/Approval of Groundwater Study Area in Sterling-Adams Area:** Wingert reviewed the boundaries of the proposed study area which was showing evidence of increasing nitrate levels. Steps would be taken to encourage well registration and water testing within the area.

**Hodges moved, seconded by Ensor, to approve the designation of a groundwater study area in the Sterling-Adams area. After further discussion, motion carried.**

**AYE:** Bohling, Coates, Coonce, Ensor, Fox, Gigstad, Hodges, Iske, James, Keithley, Loseke, Moss, Romine, Snoke, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Boellstorff, Lassen, Schardt, Speece

- 6. Update on Groundwater Rules & Regulations:**

Wingert reported that he continues to work on some mathematic models and methodology. No additional information was available at this time, however.

## **B. OPERATIONS & EDUCATION COMMITTEE-NO MEETING**

## **C. EXECUTIVE COMMITTEE**

- 1. Review/Action on Agreement with Department of Natural Resources for Nitrogen Reduction Act:** Hauschild reviewed the purpose of the program and the District's role. There was discussion about whether there should be a limit on the number of acres or dollars per producer.

**Moss moved, seconded by Stukenholtz, to approve the Nitrogen Reduction Incentive Act Program guidelines with a maximum per applicant of either \$2,000 or 160 acres. Motion carried.**

**AYE:** Bohling, Coates, Coonce, Ensor, Fox, Gigstad, Hodges, Iske, James, Keithley, Loseke, Moss, Romine, Snoke, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Boellstorff, Lassen, Schardt, Speece

**Hodges moved, seconded by Ensor, to approve the agreement with Department of Natural Resources for the Nitrogen Reduction Incentive Act. Motion carried.**

**AYE:** Bohling, Coates, Coonce, Ensor, Fox, Gigstad, Hodges, Iske, James, Keithley, Loseke, Moss, Romine, Snoke, Stukenholtz, Sugden, Thorne  
**NOT PRESENT:** Boellstorff, Lassen, Schardt, Speece

- 2. Bids for 2024 or 2025 75 hp Tractor:** Bids received were as follows:

Dealer	Description	Unit Price	Less Trade	Total Quote
AKRS Equipment, Auburn	2025 John Deere 5075E w/520M JD Loader	\$50,200.00	\$10,000.00	\$40,200.00
Lewis Implement, Humboldt	2024 New Holland 75 T4A, 550LV MSL	\$51,800.00	\$20,050.00	\$31,750.00
Landmark Implement, Beatrice	2025 John Deere 5075E w/500M JD Loader	\$47,296.48	\$23,755.80	\$26,482.74*

\* price includes transmission upgrade (\$2,942.06)

Trade-in: John Deere 5075E 4WD diesel & Westendorf TA26 loader

There was discussion about the loader included with the low bid as well as the size of the tractor.

**Moss moved, seconded by Thorne, to approve the low bid of \$26,482.74 from Landmark Implement with the manager authorized to negotiate for a different loader. Motion carried.**

**AYE:** Bohling, Coates, Coonce, Ensor, Fox, Gigstad, Hodges, Iske, James, Keithley, Loseke, Moss, Romine, Snoke, Stukenholtz, Sugden, Thorne

**NOT PRESENT:** Boellstorff, Lassen, Schaardt, Speece

3. ***Request from Nebraska Sustainable Ag Society for Conference Support:*** Moss explained the request for monetary support for the conference and the committee’s concern that this was not budgeted.

**Moss moved, seconded by Loseke, to authorize the Manager to register for and attend the conference in lieu of monetary support. Motion carried.**

**AYE:** Bohling, Coates, Coonce, Ensor, Fox, Gigstad, Hodges, Iske, James, Keithley, Loseke, Moss, Romine, Snoke, Stukenholtz, Sugden, Thorne

**NOT PRESENT:** Boellstorff, Lassen, Schaardt, Speece

4. ***Resolution in Support of OPPD Project near Steamboat Trace:***

After further discussion, **Moss moved, seconded by Romine, to authorize the NRD management to execute a memorandum of understanding and/or lease agreement with OPPD to allow OPPD to relocate the trailhead parking area for the Steamboat Trace trail that is operated by the Nemaha NRD from the location currently at 71<sup>st</sup> & L Road (the existing trailhead) to a location at 71<sup>st</sup> & M Road (the new trailhead) which is approximately ½ mile south of its present site also in Otoe County, Nebraska. In doing so, the Nemaha NRD agrees to forego any objection to support the physical location of OPPD’s proposed, new coal combustion residual CCR facility based at OPPD. A commitment to comply**

**with all applicable state and federal regulations related to a CCR facility including dust and water quality standards set forth by the Nebraska**

**Department of Environment and Energy.** Chris Meeks with OPPD reviewed the plans and answered questions from board members. He confirmed that OPPD would be incurring the expense for moving the trailhead. After further discussion, **motion carried.**

**AYE:** Bohling, Coates, Coonce, Ensor, Fox, Gigstad, Hodges, Iske, James, Keithley, Loseke, Moss, Romine, Snoke, Stukenholtz, Sugden, Thorne

**NOT PRESENT:** Boellstorff, Lassen, Schardt, Speece

6. ***Selection of Nominating Committee Members:*** Moss stated Iske would be chairing the committee and asked for a couple of additional members. Those interested should contact Doug Iske.

5. ***Land Rights for Upper Big Nemaha 7-A Repair Project:***

**Moss moved, seconded by Loseke, to go into closed session to protect the public interest for discussion on land rights negotiations for the Upper Big Nemaha 7-A repair project. Motion carried.**

**AYE:** Bohling, Coates, Coonce, Ensor, Fox, Gigstad, Hodges, Iske, James, Keithley, Loseke, Moss, Romine, Snoke, Stukenholtz, Sugden, Thorne

**NOT PRESENT:** Boellstorff, Lassen, Schardt, Speece

The board went into executive session at 8:58 p.m.

**Thorne moved, seconded by Stukenholtz, to return to open session. Motion carried.**

**AYE:** Bohling, Coates, Coonce, Ensor, Fox, Gigstad, Hodges, Iske, James, Keithley, Loseke, Moss, Romine, Snoke, Stukenholtz, Sugden, Thorne

**NOT PRESENT:** Boellstorff, Lassen, Schardt, Speece

The board returned to open session at 9:05 p.m.

**Gigstad moved, seconded by Fox, to authorize the manager to negotiate a temporary easement with the landowners who are involved with access to Upper Big Nemaha 7-A for repairs. Motion carried.**

**AYE:** Bohling, Coates, Coonce, Ensor, Fox, Gigstad, Hodges, Iske, James, Keithley, Loseke, Moss, Romine, Snoke, Stukenholtz, Sugden, Thorne

**NOT PRESENT:** Boellstorff, Lassen, Schardt, Speece

**10. ANNOUNCEMENTS, DECEMBER AGENDA ITEM REQUESTS**

Stukenholtz gave an update on the levy near Peru. Directors were reminded about the upcoming NARD Legislative Conference in January. The next regular meeting of the board of directors will be Thursday, December 12, 2024, at 4:30 p.m. with committee meetings beginning at 3:30. An informal gathering with staff and directors will begin at 3:00 p.m.

**11. ADJOURNMENT**

**Sugden moved, seconded by Thorne, to adjourn. Motion carried.**

**AYE:** Bohling, Coates, Coonce, Ensor, Fox, Gigstad, Hodges, Iske, James, Keithley, Loseke, Moss, Romine, Snoke, Stukenholtz, Sugden, Thorne

**NOT PRESENT:** Boellstorff, Lassen, Schardt, Speece

The meeting adjourned at 9:11 p.m.

*Approved December 12, 2024*

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Secretary, Nemaha Natural Resources District