

March 10, 2016
Nemaha Natural Resources District
Regular Meeting
Tecumseh, Nebraska

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

Acting Chair Bill Niedfeldt called the four hundred ninetieth meeting of the Nemaha Natural Resources District Board of Directors to order at 7:00 p.m. Thursday, March 10, 2016, at the NRD Headquarters in Tecumseh, Nebraska.

DIRECTORS	Lisa Beethe	Jon Keithley	Don Siske
PRESENT:	Rob Bohling	Tim Loseke	Mike Speece*
	Charles Duryea	Michael McDonald	Dan Stukenholtz
<i>*Left early</i>	Jim Gerweck	Russel Moss	Duane Sugden
	Orval Gigstad	William Niedfeldt	Kevin Thorne
	Doug Iske	Alan Romine	

DIRECTORS	Dave Guhde	Jenny Kearney
ABSENT:	Dan Hodges	Steve Sugden

STAFF	Bob Hilske, Manager
PRESENT:	Scott Nelson, Assistant Manager
	Jane Kuhl, Administrative Assistant
	Chuck Wingert, Water Resources Manager

GUESTS	Richard Wing, Shubert	Jim Rush, Tecumseh
PRESENT:	Patsy Wing, Shubert	Duane Caspers, Tecumseh
	Linda Patchen, Shubert	Don Jorn, Verdon
	Dwight Elliott, Dawson	Matthew Bauman, Verdon
	Dustin Elliott, Verdon	Keith Grimm, Hiawatha, KS
	Zeb Shafer, Shubert	Roger Reichmuth, NRCS, Tecumseh
	Kathy Grotrian, Humboldt	Ryan Gobber, Humboldt
	Ryan Rieschick, Auburn	

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, Dan Hodges, Jenny Kearney, and Steve Sugden. Motion carried on consent agenda.

4. **OPEN FORUMS**

All NRD directors, staff, and guests introduced themselves.

5. **MINUTES**

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

6. **TREASURER'S REPORT**

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

7. **STAFF REPORTS**

Hilske reviewed his report. Nelson reviewed his report. (Both are filed with the minutes.)

8. **AGENCY/ASSOCIATION REPORTS**

A. Natural Resources Conservation Service

Reichmuth provided a written report and briefly reviewed the activities in the various offices.

B. Five Rivers RC&D

D. Sugden reported that their budget is looking better. He added that a couple of members are considering retiring from the board. The annual Doc Gigstad Run will be September 10 on the Steamboat Trace. A weed management conference will be held in Syracuse on September 18.

C. Nebraska Association of Resources Districts

Gigstad provided reports on both the recent NARD meeting and the NACD annual meeting.

D. Nebraska Natural Resources Commission

Hilske stated Steve Sugden had emailed him some dates when the Commission would be meeting in Kearney and Gothenburg to go through and score applications for the water sustainability funds.

9. **STANDING COMMITTEES**

A. Programs & Projects Committee

1. *Village of Shubert Pressure Transducer Installation:* Wingert reported on the installation of the transducer in the newer well and issues with installing one in the older well. The Village requested the NRD help by paying to make changes to the older well to allow the transducer to be installed and to also provide a laptop or tablet for their use in recording readings. The quote for the work needed on the well was \$4,100, and a laptop was estimated at \$300. No action was taken, and this item will be considered at the April board meeting.

2. Review/Action on Well Permit Applications: Applications received were as follows:

Permit#	Landowner Name	Well Location	GPM	Purpose	Score
N657	Matthew Bauman	Center NE¼ 5-2N-15E, Richardson Co.	200	Irrigation	260
N658	Matthew Bauman	NW¼ NE¼ 5-2N-15E, Richardson Co.	200	Irrigation	288
N659	Shawn Kreienhop	NW¼ NW¼ 36-4N-13E, Nemaha Co.	500	Irrigation	236
N660	Deborah Kreienhop	SW¼ SW¼ 25-4N-13E, Nemaha Co.	500	Irrigation	220
N661	Arlen Grotrian	NE¼ NW¼ 35-6N-11E, Johnson Co.	400	Irrigation	253
N662	Leroy Caspers	SE¼ SW¼ 29-5N-12E, Johnson Co.	800	Irrigation	234
N663	Duane Caspers	NE¼ SE¼ 20-5N-12E, Johnson Co.	600	Irrigation	234
N664	Duane Caspers	NE¼ SW ¼ 28-5N-12E, Johnson Co.	500	Irrigation	213
N665	David Bohling	NE¼ SE¼ 3-4N-12E, Nemaha Co.	600	Irrigation	222
N666	Raymond Gerdes	NE¼ SW¼ 5-3N-13E, Richardson Co.	800	Irrigation	219
N667	Ryan Gobber	NE¼ NW¼ 3-3N-12E, Pawnee Co.	800	Irrigation	298
N668	Gary Phelps	SE¼ NE¼ 33-4N-12E, Johnson Co.	900	Irrigation	329

Gerweck stated the committee discussed the two wells for Matthew Bauman (N657 & N658) that were carried over from last month, and they were 5-1 in favor of approving them. D. Sugden expressed his concern that domestic water use should always come first when considering wells for approval.

Gerweck moved, seconded by Beethe, to approve well permits #N657 and N658 for Matthew Bauman. Wingert reviewed the new scores that would apply to these wells after some of the nearby domestic wells were registered. The scores still exceeded the minimum requirement. Don Jorn expressed concern for the amount of evaporation that occurs during irrigation and the effect on his well. Dustin Elliott thanked the board for listening to their concerns, and he added that the recent article in the newsletter should have educated some people on the need to register their wells. Ryan Rieschick felt the board developed these rules to determine who should get approved and, in order to be fair, they should abide by them. Jim Rush agreed that the rules are in place to determine who to approve or deny and that the board should obey the rules that they created. There was discussion about what can be done in the event of a drought’s adverse effects on a domestic well. Wingert explained that the only step would be to limit allocations, which would start at 12 inches. Wingert added that the District’s rules have been updated six times in the last 18 years. Upon roll call vote, **motion carried.**

AYE: Beethe, Bohling, Gerweck, Gigstad, Iske, Keithley, Loseke, Moss, Romine, Speece, Stukenholtz

NAY: Duryea, McDonald, Niedfeldt, Siske, D. Sugden, Thorne

NOT PRESENT: Guhde, Hodges, Kearney, S. Sugden

Gerweck moved, seconded by Gigstad, to approve the following well permits: N659, N660, N661, N662, N663, N664, N665, and N666. (N667 and N668 were omitted from this motion at the request of Charles Duryea since they are very close to a public water supply well.) **Motion carried.**

AYE: Beethe, Bohling, Duryea, Gerweck, Gigstad, Iske, Keithley, Loseke, McDonald, Moss, Niedfeldt, Romine, Speece, Stukenholtz, D. Sugden, Thorne

NAY: Siske

NOT PRESENT: Guhde, Hodges, Kearney, S. Sugden

Gerweck moved, seconded by Beethe, to approve well permits N667 and N668.

Duryea felt there were several wells around the area of these two proposed wells, which are also near the Pawnee Rural Water wells. He added that the board needs to take a hard look at its rules, and these wells might not be approved in the future. Ryan Rieschick asked why exclude these wells if they scored high enough? Jim Rush added that there are more wells near the Johnson County Rural Water wells and they aren't affected. Ryan Gobber said he spent a lot of money to do test holes and that he knows the body of water there is very large. After further discussion, **motion carried.**

AYE: Beethe, Bohling, Gerweck, Gigstad, Iske, Keithley, Loseke, McDonald, Moss, Niedfeldt, Romine, Speece, Stukenholtz, D. Sugden, Thorne

NAY: Duryea, Siske

NOT PRESENT: Guhde, Hodges, Kearney, S. Sugden

- 3. *Options & Need for Additional Controls on New Well Permit Applications & Consideration of Registered Wells:*** Gerweck stated the Programs & Projects Committee is going to meet an hour earlier next month to allow more time to go over the rules and decide what needs to be changed. McDonald asked how this addresses the issues we are facing until we change the rules. He questioned if there is another option besides a moratorium on well permits. Wingert said we could just change the score required. McDonald felt it is bigger than just the number of wells; it's the misinformation. Ryan Rieschick suggested that there needs to be some evidence in the areas of concern before making a rash decision. Wingert explained the data and process used to come up with the scoring system in the first place. Dustin Elliott asked if surface water has any effect on groundwater levels. Hilske replied that actually in this part of the state the effect is less than in other areas, and sometimes it's the groundwater that is influencing the surface water. Niedfeldt thanked everyone for their input and stated the committee would continue to work on this to come up with the best solution they can.

B. Operations & Education Committee

- 1. *Changes to District's Park Rules & Regulations:*** Duryea reported that there were no public comments received during the hearing on the park rules and regulations revisions.

Duryea moved, seconded by D. Sugden, to adopt the revisions to the park rules and regulations. It was clarified that these would take effect immediately. **Motion carried.**

AYE: Beethe, Bohling, Duryea, Gerweck, Gigstad, Iske, Keithley, Loseke, McDonald, Moss, Niedfeldt, Romine, Siske, Stukenholtz, D. Sugden, Thorne
NOT PRESENT: Guhde, Hodges, Kearney, Speece, S. Sugden

2. ***Bartlett Grain Lease Agreement-Steamboat Trace:*** Duryea reported that the property formerly owned by Bartlett Grain had been sold, and staff had been unsuccessful in contacting the new owners.

Duryea moved, seconded by Siske, to offer to extend the lease with Lakeshore Farms, Inc. for one year at the current rate of \$600. There was some discussion about the expectations of Bartlett to correct some deficiencies and whether the new owner would make the improvements. After further discussion, **motion carried.**

AYE: Beethe, Bohling, Duryea, Gerweck, Gigstad, Iske, Keithley, Loseke, McDonald, Moss, Niedfeldt, Romine, Siske, Stukenholtz, D. Sugden, Thorne
NOT PRESENT: Guhde, Hodges, Kearney, Speece, S. Sugden

3. ***Potential Award Nominations:*** Duryea referred to the list of awards available and asked directors to submit any ideas to staff before the next board meeting. No action.
4. ***Request by Norris School for Funding to Participate in 2016 State Envirothon:*** Duryea explained that Norris had once again qualified to compete at the Nebraska Envirothon on April 27 in Nebraska City. In the past we have paid their \$100 registration fee.

Duryea moved, seconded by Gigstad, to pay the \$100 registration fee for the Norris Envirothon team to compete at the state contest on April 27. Motion carried.

AYE: Beethe, Bohling, Duryea, Gerweck, Gigstad, Iske, Keithley, Loseke, McDonald, Moss, Niedfeldt, Romine, Siske, Stukenholtz, D. Sugden, Thorne
NOT PRESENT: Guhde, Hodges, Kearney, Speece, S. Sugden

C. **Executive Committee**

1. ***Renewal of Audit Contract with Schulz & Associates:*** Iske reported that the committee recommended asking Schulz & Associates to provide a proposal for extending their contract for another three years. No action; their proposal will be considered at the April meeting.

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

The next meeting is scheduled for Thursday, April 14, at 8:00 p.m. Hilske explained that the Erosion Rules & Regulations would be on that agenda for consideration of approval; no public comments were received during the hearing held earlier in the evening. There was some discussion about adding something to next month's agenda about a possible stay on approval of new wells so that the board can again review its rules and scoring system. Gerweck asked to have the Programs & Projects Committee meet at 6:00 to allow more time to discuss the rules.

Matt Bauman thanked the board for their approval of his well permits. He added that he felt the NRD's water staff work hard to check things out and that they are doing a good job and he appreciates that.

11. CONSENT AGENDA

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

AYE: Beethe, Bohling, Duryea, Gerweck, Gigstad, Iske, Keithley, Loseke, McDonald, Moss, Niedfeldt, Romine, Siske, Stukenholtz, D. Sugden, Thorne

NOT PRESENT: Guhde, Hodges, Kearney, Speece, S. Sugden

12. ADJOURNMENT

Gigstad moved, seconded by Duryea, to adjourn. Motion carried.

AYE: Beethe, Bohling, Duryea, Gerweck, Gigstad, Iske, Keithley, Loseke, McDonald, Moss, Niedfeldt, Romine, Siske, Stukenholtz, D. Sugden, Thorne

NOT PRESENT: Guhde, Hodges, Kearney, Speece, S. Sugden

The meeting adjourned at 8:40 p.m. The next regular meeting of the Board of Directors will be Thursday, April 14, 2016, at 8:00 p.m. at the NRD headquarters at 62161 Hwy 136 in Tecumseh.

Approved April 14, 2016

Secretary, Nemaha Natural Resources District