

**MINUTES OF  
LOWER ELKHORN NATURAL RESOURCES DISTRICT  
BOARD OF DIRECTORS MEETING**

7:30 p.m., Thursday, March 22, 2012

Lifelong Learning Center

601 East Benjamin, Norfolk, Nebraska

The Board of Directors Meeting of the Lower Elkhorn Natural Resources District was called to order by Chairman Rod Zessin on Thursday, March 22, 2012 at the Lifelong Learning Center, 601 East Benjamin, Norfolk, Nebraska. Chairman Zessin informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on March 16, 2012 and the Nebraska Open Meetings Act information posted by the entrance door.

Roll call was taken by Administrative Secretary Vickie DeJong with 14 of 15 Directors present. Present: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Absent: Shafer.

Motion was made by Hansen and seconded by Kluthe to adopt the agenda. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

The reading and/or action on the minutes of the February 23, 2012 Board of Directors meeting was next on the agenda. Motion was made by Loftis and seconded by Kluthe that the minutes of the February 23, 2012 Board of Directors meeting be approved as corrected. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

The Finance Subcommittee report was given by Treasurer Mike Krueger. Motion was made by Krueger and seconded by Tighe to approve income in the amount of \$177,494.96 and expenses in the amount of \$183,930.82 as printed and distributed. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

Motion was made by Krueger and seconded by Anderson to approve income in the amount of \$69,150.65 and expenses in the amount of \$30,882.09 for the Logan East Rural Water System as printed and distributed. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

Motion was made by Krueger and seconded by Baier to approve the income in the amount of \$9,151.35 and expenses in the amount of \$1,091.22 for the Wau-Col Regional Water System as printed and distributed. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

The conservation cost share report was given by Assistant Manager Ken Berney.

The Nebraska Association of Resources Districts report was given by Ken Peitzmeier.

The Nebraska Natural Resources Commission report was given by Garry Anderson.

The Natural Resources Conservation Service report was given by Robin Sutherland. She reported on personnel, activities, land treatment, programs and upcoming events. (A copy of the report attached to the official minutes.)

The PrairieLand RC&D report was given by Chris Carlson, the Northeast Nebraska RC&D report was given by Stan Baier and the Nebraska Loess Hills RC&D report was given by Gary Loftis.

The Administrative Report was given by staff employees.

Motion was made by Meyer and seconded by Krueger to thank Skip Kahler for 36 years of service to the Lower Elkhorn NRD. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

The Logan East Rural Water System Advisory Committee report was given by Gary Loftis and RWS Advisory Committee Chairman Ron Dierking. Motion was made by Loftis and seconded by Wesely to purchase three MainGuard #94 WM sampling stations and the sampling rod with case for the Logan East RWS. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

Motion was made by Loftis and seconded by Wesely to accept the Logan East Rural Water System Advisory Committee minutes of March 12, 2012. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

The Wau-Col Regional Water System Advisory Committee report was given by Stan Baier and RWS Advisory Committee Chairman Lee Cautrell. Motion was made by Baier and seconded by Anderson to approve the Maguire Iron change order for \$1300 for additional stencil cost for the Wausa water tower. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

Motion was made by Baier and seconded by Tighe to purchase signs and posts at a cost of \$1514.20 for the Wau-Col RWS. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

Motion was made by Baier and seconded by Huntley to approve the Wau-Col Regional Water System Rules and Regulations and authorize the Chairman to sign the Wau-Col Regional Water System Wellhead Protection Boundaries resolution. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

Motion was made by Baier and seconded by Anderson to accept the Wau-Col Regional Water System Advisory Committee minutes of March 8, 2012. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

Motion was made by Baier and seconded by Tighe to approve the Wau-Col Regional Water System crop damage payment in the amount of \$1952.00. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None.

Absent: Shafer. MOTION CARRIED.

The Information, Planning & Programs Subcommittee report was given by Subcommittee Chairman Danny Kluthe. Motion was made by Kluthe and seconded by Krueger to study the feasibility of a cost share program for real-time soil moisture monitoring equipment with a pilot project that will provide \$500 cost share per operator for this equipment, up to \$10,000; and require the cost share participants to provide all data derived from the equipment to the district. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

Motion was made by Kluthe and seconded by Anderson to begin the process of developing a voluntary Integrated Management Plan for the district and to work with other districts in the Lower Platte Basin and the Nebraska Department of Natural Resources on a basin-wide Integrated Management Plan. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

Motion was made by Kluthe and seconded by Krueger to continue the variance process used for the past three years and allow up to 2500 new irrigated acres on the hydrologically connected area and up to 5000 acres in the non-hydrologically connected area of the district, with an application period from August 1<sup>st</sup> through August 22<sup>nd</sup>, 2012. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

The Projects, Equipment & Legislation Subcommittee report was given by Subcommittee Vice-Chairman Dennis Schultz. Motion was made by Schultz and seconded by Huntley to approve the requested assistance for landscaping of the Norfolk Veteran's Home "Heroes Park", up to a limit of \$5000. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

Motion was made by Schultz and seconded by Tighe to authorize the staff to obtain bids and to purchase a copier at a cost not to exceed \$11,000. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

Motion was made by Schultz and seconded by Huntley to approve the Environmental Trust Grant Contract for the Willow Creek Toxic Algae Study and authorize the Chairman to sign it and appoint Assistant Manager Ken Berney as Grant Manager. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

Motion was made by Schultz and seconded by Huntley to authorize Assistant Manager Ken Berney to contract with agencies to carry out the Willow Creek Toxic Algae Study. Aye: Anderson, Baier, Carlson, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Wesely, Zessin. Nay: None. Absent: Shafer. MOTION CARRIED.

The Ad-Hoc Variance Committee report was given by Committee Chairman Joel Hansen. No action was taken.

The Executive Board report was given by Vice-Chairman Joel Hansen. No action was taken.

Motion was made by Meyer and seconded by Kluthe to adjourn. Motion carried with all ayes.  
The meeting adjourned at 9:30 p.m.

I, the undersigned Secretary of the Lower Elkhorn Natural Resources District hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Board of Directors on March 22, 2012 that all of the subjects included in the foregoing proceedings were contained in the agenda for at least twenty-four hours prior to said meeting, the minutes of the Chairman and the Board were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body, that all news media requesting notification of the time and place of said meeting and the subjects to be discussed at said meeting.

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Gary Loftis, Secretary

Others Present:

Ron Dierking, Scribner

Tom Nathan, Meadow Grove

Ron Stauffer, Norfolk

Leroy Cautrell, Coleridge