

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

8:00 p.m., Thursday, September 27, 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, September 27, 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 September 21, 2012 and the Nebraska Open Meetings Act information posted by the entrance door.

The Public Hearing was held on setting the Fiscal Year 2013 levy. Notice of the budget hearing was in the Norfolk Daily News on September 17, 2012, Wayne Herald on September 20, 2012 and West Point News on September 19, 2012.

Roll call was taken by Programs Secretary Linda Unkel with 13 of 15 Directors present. Present: Anderson, Baier, Hansen, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Zessin. Absent: Carlson. Absent, Present Later: Krueger.

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

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

The Finance Subcommittee report was given by Vice-Chairman Tim Tighe. Motion was made by Tighe and seconded by Kluthe to approve income in the amount of \$1,017,743.93 and expenses in the amount of \$317,442.91 as printed and distributed. Aye: Anderson, Baier, Hansen, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Zessin. Nay: None. Absent: Carlson, Krueger. MOTION CARRIED.

Motion was made by Tighe and seconded by Schultz to approve income in the amount of \$97,843.32 and expenses in the amount of \$31,012.86 for the Logan East Rural Water System as printed and distributed. Aye: Anderson, Baier, Hansen, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Zessin. Nay: None. Absent: Carlson, Krueger. MOTION CARRIED.

Motion was made by Tighe and seconded by Baier to approve the income in the amount of \$63,374.95 and expenses in the amount of \$75,445.78 for the Wau-Col Regional Water System as printed and distributed. Aye: Anderson, Baier, Hansen, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Zessin. Nay: None. Absent: Carlson, Krueger. 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. He reported on the NARD annual conference held earlier in the week in Kearney.

The Nebraska Natural Resources Commission report was given by Garry Anderson. He reported on the Commission meeting held earlier in the week in Kearney.

The Natural Resources Conservation Service report was given by Robin Sutherland, District Conservationist. 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 Bob Huntley, the Northeast Nebraska RC&D report was given by Stan Baier and Elden Wesely gave the Loess Hills RC&D report.

The Administrative Report was given by staff employees. It was announced that Recreation Area Superintendent Leonard Boryca was honored by the Nebraska Statewide Arboretum with the Jim Kluck Curator Award. Programs Secretary Linda Unkel announced that the Lower Elkhorn NRD was the recipients of the Governor's Wellness Award for the employee wellness activities of the district.

The Logan East Rural Water System Advisory Committee report was given by RWS Manager Shawn Blahak. Motion was made by Loftis and seconded by Wesely to accept the Logan East Rural Water System Advisory Committee minutes of September 10, 2012. Aye: Anderson, Baier, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Zessin. Nay: None. Absent: Carlson. MOTION CARRIED.

The Wau-Col Regional Water System Advisory Committee report was given by RWS Manager Jim Cautrell. Motion was made by Baier and seconded by Anderson to accept the Wau-Col Regional Water System Advisory Committee minutes of September 13, 2012. Aye: Anderson, Baier, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Zessin. Nay: None. Absent: Carlson. MOTION CARRIED.

The Ad-Hoc Variance Committee report was given by Committee Chairman Joel Hansen. Michael and Nancy Hochstein of Hartington, Nebraska addressed the board concerning the order to decommission the illegal well on the Hochstein property in Cedar County, Nebraska.

Motion was made by Hansen and seconded by Shafer to ratify the order issued to Michael and Nancy Hochstein to decommission their irrigation well (by October 22, 2012). Aye: Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Zessin. Nay: Anderson, Baier. Absent: Carlson. MOTION CARRIED.

Motion was made by Hansen and seconded by Wesely to authorize the district staff and legal counsel to pursue any remedies necessary to enforce the cease and desist order and the order issued to Michael and Nancy Hochstein to decommission their irrigation well. Aye: Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Zessin. Nay: Anderson, Baier. Absent: Carlson. 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 make sand point wells that go dry eligible for the Domestic Well Assistance Program. Aye: Anderson, Baier, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Wesely, Zessin. Nay: Tighe. Absent: Carlson. MOTION CARRIED.

The Projects, Equipment & Legislation Subcommittee report was given by Subcommittee Chairman Garry Anderson. Motion was made by Anderson and seconded by Huntley to approve cost share for 50% of Meadow Grove Drainage Ditch Project, not to exceed \$2500. Anderson, Baier, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Zessin. Nay: None. Absent: Carlson. MOTION CARRIED.

Motion was made by Anderson and seconded by Huntley to approve the concrete project at Maple Creek Recreation Area, not to exceed \$6500. Anderson, Baier, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Zessin. Nay: None. Absent: Carlson. MOTION CARRIED.

The Budget Subcommittee report was given by Treasurer Mike Krueger. Motion was made by Krueger and seconded by Kluthe to approve the resolution certifying the Fiscal Year 2013 Lower Elkhorn Natural Resources District levy at .0296090 cents per \$100 actual valuation. Anderson, Baier, Hansen, Huntley, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Zessin. Nay: None. Absent: Carlson. MOTION CARRIED.

Motion was made by Hansen and seconded by Krueger to adjourn. Motion carried with all ayes. The meeting adjourned at 9:40 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 September 27, 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

Other Present:

Louis Pofahl, Norfolk  
Michael Hochstein, Hartington  
Tom Nathan, Meadow Grove  
Kent Franzen, Wayne  
Todd Zohner, Stanton  
Greg Wees, Norfolk  
Ronald Dierking, Scribner  
Jovan Lansterer, Wahoo