

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

7:30 p.m., Thursday, October 25, 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 Vice-Chairman Joel Hansen on Thursday, October 25, 2012 at the Lifelong Learning Center, 601 East Benjamin, Norfolk, Nebraska. Vice-Chairman Hansen informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on October 19, 2012 and the Nebraska Open Meetings Act information posted by the entrance door.

Roll call was taken by Administrative Secretary Vickie DeJong with 12 of 15 Directors present. Present: Anderson, Baier, Hansen, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely. Absent: Carlson, Krueger, Zessin.

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

Motion was made by Anderson and seconded by Huntley to recess the meeting to attend the presentation from Madison Public Schools Students on the Watershed Dynamics Program. Aye: Anderson, Baier, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: None. Absent: Carlson, Krueger, Zessin. MOTION CARRIED. Meeting recessed at 7:33 p.m.

Motion was made by Schultz and seconded by Huntley to resume the meeting. Aye: Anderson, Baier, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: None. Absent: Carlson, Krueger, Zessin. MOTION CARRIED. Meeting resumed at 7:56 p.m.

Due to those in attendance item 13. Ad-Hoc Building Committee report was given. Motion was made by Meyer and seconded by Anderson to authorize staff to contract with Olsson Associates to survey, geotechnical borings, preliminary design, and make application for a Nationwide 404 permit for a marina in the Willow Creek State Recreation Area, at a cost not to exceed \$20,000. Aye: Anderson, Baier, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: Huntley. Absent: Carlson, Krueger, Zessin.

The reading and/or action on the minutes of the September 27, 2012 Board of Directors meeting was next on the agenda. Motion was made by Loftis and seconded by Wesley that the minutes of the September 27, 2012 Board of Directors meeting be approved as printed. Aye: Anderson, Baier, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: None. Absent: Carlson, Krueger, Zessin. 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 \$283,505.88 and expenses in the amount of \$303,235.45 as printed and distributed. Aye: Anderson, Baier, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: None. Absent: Carlson, Krueger, Zessin. MOTION CARRIED.

Motion was made by Tighe and seconded by Anderson to approve income in the amount of \$130,967.01 and expenses in the amount of \$137,741.56 for the Logan East Rural Water System as

printed and distributed. Aye: Anderson, Baier, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: None. Absent: Carlson, Krueger, Zessin. MOTION CARRIED.

Motion was made by Tighe and seconded by Schultz to approve the income in the amount of \$74,142.79 and expenses in the amount of \$71,401.42 for the Wau-Col Regional Water System as printed and distributed. Aye: Anderson, Baier, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: None. Absent: Carlson, Krueger, Zessin. 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 that the next NARD meeting will be held in November.

The Nebraska Natural Resources Commission report was given by Garry Anderson. A copy of his report is attached to the official minutes.

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.

The Logan East Rural Water System Advisory Committee report was given by Gary Loftis and 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 October 8, 2012. Aye: Anderson, Baier, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: None. Absent: Carlson, Krueger, Zessin. MOTION CARRIED

The Wau-Col Regional Water System Advisory Committee report was given by Director Stan Baier. Motion was made by Baier and seconded by Anderson to approve Change Order #5 to Carstensen Contracting in the amount of \$8,400 (\$4300 + \$4100). Aye: Anderson, Baier, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: None. Absent: Carlson, Krueger, Zessin. MOTION CARRIED.

Motion was made by Baier and seconded by Anderson to approve Final Pay Application #6 to Carstensen Contracting in the amount of \$31,600. Aye: Anderson, Baier, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: None. Absent: Carlson, Krueger, Zessin. MOTION CARRIED.

Motion was made by Baier and seconded by Anderson to approve Certificate of Substantial Completion dated September 17, 2012 to Carstensen Contracting. Aye: Anderson, Baier, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: None. Absent: Carlson, Krueger, Zessin. MOTION CARRIED.

Motion was made by Baier and seconded by Anderson to approve Final Pay Application #10 to Maguire Iron in the amount of \$29,350. Aye: Anderson, Baier, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: None. Absent: Carlson, Krueger, Zessin. MOTION CARRIED.

Motion was made by Baier and seconded by Anderson to approve Certificate of Substantial Completion dated August 1, 2012 to Maguire Iron. Aye: Anderson, Baier, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: None. Absent: Carlson, Krueger, Zessin. MOTION CARRIED.

Motion was made by Baier and seconded by Anderson to approve the contracts for the Village of Wausa for the Variable Speed Drives in the amount of \$26,907. Aye: Anderson, Baier, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: None. Absent: Carlson, Krueger, Zessin. MOTION CARRIED.

Motion was made by Baier and seconded by Anderson to accept the Wau-Col Regional Water System Advisory Committee minutes of October 11, 2012. Aye: Anderson, Baier, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: None. Absent: Carlson, Krueger, Zessin. MOTION CARRIED.

The Information, Planning & Programs Subcommittee report was given by Subcommittee Chairman Danny Kluthe. Motion was made by Kluthe and seconded by Shafer to approve Amendment #4 of the Eastern Nebraska Water Resources Assessment (ENWRA) Interlocal Agreement. Aye: Anderson, Baier, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: None. Absent: Carlson, Krueger, Zessin. MOTION CARRIED.

Motion was made by Kluthe and seconded by Baier to extend the application period to November 15th and the completion date to December 31st for the Domestic Well Assistance Program. Aye: Anderson, Baier, Huntley, Kluthe, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe, Wesely, Hansen. Nay: None. Absent: Carlson, Krueger, Zessin. MOTION CARRIED.

The Ad-Hoc Variance Committee report was given by committee Vice-Chairman Bill Meyer. No action was taken.

Motion was made by Meyer and seconded by Anderson to adjourn. Motion carried with all ayes. The meeting adjourned at 9:18 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 October 25, 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.

Gary Loftis, Secretary

Other Present:
Tom Nathan, Meadow Grove