

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

7:30 p.m., Thursday, December 20, 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, December 20, 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 December 13, 2012 and the Nebraska Open Meetings Act information posted by the entrance door.

Roll call was taken by Administrative Secretary Vickie DeJong with 10 of 15 Directors present. Present: Carlson, Hansen, Huntley, Kluthe, Krueger, Meyer, Peitzmeier, Schultz, Tighe, Zessin. Absent: Anderson, Baier, Loftis, Shafer, Wesely.

Director Tim Tighe was appointed as acting secretary.

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

The reading and/or action on the minutes of the November 20, 2012 Board of Directors meeting was next on the agenda. Motion was made by Tighe and seconded by Huntley *that the minutes of the November 20, 2012 Board of Directors meeting be approved as printed*. Aye: Carlson, Hansen, Huntley, Kluthe, Krueger, Meyer, Peitzmeier, Schultz, Tighe, Zessin. Nay: None. Absent: Anderson, Baier, Loftis, Shafer, Wesely. MOTION CARRIED.

The Finance Subcommittee report was given by Treasurer Mike Krueger. Motion was made by Krueger and seconded by Kluthe *to approve income in the amount of \$90,022.77 and expenses in the amount of \$220,187.33 as printed and distributed*. Aye: Carlson, Hansen, Huntley, Kluthe, Krueger, Meyer, Peitzmeier, Schultz, Tighe, Zessin. Nay: None. Absent: Anderson, Baier, Loftis, Shafer, Wesely. MOTION CARRIED.

Motion was made by Krueger and seconded by Huntley *to approve income in the amount of \$71,448.97 and expenses in the amount of \$44,338.83 for the Logan East Rural Water System as printed and distributed*. Aye: Carlson, Hansen, Huntley, Kluthe, Krueger, Meyer, Peitzmeier, Schultz, Tighe, Zessin. Nay: None. Absent: Anderson, Baier, Loftis, Shafer, Wesely. MOTION CARRIED.

Motion was made by Krueger and seconded by Huntley *to approve the income in the amount of \$31,430.42 and expenses in the amount of \$2,989.32 for the Wau-Col Regional Water System as printed and distributed*. Aye: Carlson, Hansen, Huntley, Kluthe, Krueger, Meyer, Peitzmeier, Schultz, Tighe, Zessin. Nay: None. Absent: Anderson, Baier, Loftis, Shafer, Wesely. MOTION CARRIED.

Motion was made by Krueger and seconded by Kluthe *to accept the Fiscal Year 2012 audit as prepared by Dana F. Cole & Company*. Aye: Carlson, Hansen, Huntley, Kluthe, Krueger, Meyer, Peitzmeier, Schultz, Tighe, Zessin. Nay: None. Absent: Anderson, Baier, Loftis, Shafer, Wesely. 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 NARD Legislative Conference will be held in January in Lincoln. A Voting Delegate and Alternate were needed.

Nominated for Voting Delegate was Ken Peitzmeier. Nominations Ceased. After ballots were counted it was announced that Director Ken Peitzmeier was elected Voting Delegate. (Peitzmeier – 10)

Nominated for Voting Alternate was Bob Huntley. Nominations Ceased. After ballots were counted it was announced that Director Bob Huntley was elected Voting Alternate. (Huntley – 10)

The Nebraska Natural Resources Commission report was not given due to the absence of director Garry Anderson.

The Natural Resources Conservation Service report was given by Cory Schmidt, Resource Conservationist. He 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. Jan Jorgensen gave the Annual Report of the Northeast Nebraska RC&D. The Loess Hills RC&D Annual Report was also given to the board.

The Administrative Report was given by staff employees.

Motion was made by Hansen and seconded by Meyer to approve the 2013 Board of Directors meeting schedule.

January 24 (Thursday)

February 28 (Thursday)

March 26 (Tuesday)

April 25 (Thursday)

May 23 (Thursday)

June 27 (Thursday)

July 25 (Thursday)

August 22 (Thursday)

September 26 (Thursday)

October 24 (Thursday)

November 26 (Tuesday)

December 19 (Thursday)

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

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

The Wau-Col Regional Water System Advisory Committee report was given by Director Joel Hansen. Motion was made by Hansen and seconded by Kluthe to amend the engineering agreement between the Lower Elkhorn NRD and JEO Consulting Group; and to pay the \$12,613.25 to JEO out of contingency funds. Aye: Carlson, Hansen, Huntley, Kluthe, Krueger, Meyer, Peitzmeier, Schultz, Tighe, Zessin. Nay: None. Absent: Anderson, Baier, Loftis, Shafer, Wesely. MOTION CARRIED.

Motion was made by Hansen and seconded by Meyer to approve the appointments to the Wau-

Col Regional Water System Advisory Committee:

One Year Term: Rod Patent (User); Mike Burns (Wausa); Harold Reynolds (At-Large)

Two Year Term: Gary Howey (Lewis & Clark NRD); Angie Ohlrich (Belden); Lower Elkhorn NRD Representative

Three Year Term: Lee Cautrell (Coleridge); Jim Backus (McLean); Sue Dyke (Magnet)

Aye: Carlson, Hansen, Huntley, Kluthe, Krueger, Meyer, Peitzmeier, Schultz, Tighe, Zessin. Nay: None.

Absent: Anderson, Baier, Loftis, Shafer, Wesely. MOTION CARRIED.

Motion was made by Hansen and seconded by Huntley to accept the Wau-Col Regional Water System Advisory Committee minutes of December 6, 2012. Aye: Carlson, Hansen, Huntley, Kluthe, Krueger, Meyer, Peitzmeier, Schultz, Tighe, Zessin. Nay: None. Absent: Anderson, Baier, Loftis, Shafer, Wesely. MOTION CARRIED.

The Projects, Equipment & Legislation Subcommittee report was given by Subcommittee Vice-Chairman Dennis Schultz. Motion was made by Schultz and seconded by Meyer to cost share 50% of four (4) single CXT concrete restrooms at Willow Creek State Recreation Area with Nebraska Game & Parks Commission, up to a cost of \$34,000. Aye: Carlson, Hansen, Huntley, Kluthe, Krueger, Meyer, Peitzmeier, Schultz, Tighe, Zessin. Nay: None. Absent: Anderson, Baier, Loftis, Shafer, Wesely. MOTION CARRIED.

The Information, Planning & Programs Subcommittee report was given by Subcommittee Chairman Danny Kluthe. Water Resources Manager Rick Wozniak led a presentation explaining the significant concerns to declining groundwater levels in areas of the district and proposed changes to the district's Groundwater Management Area Rules and Regulations. NRD Legal Counsel Jovan Lausterer reviewed a draft of rule changes. Comments were then received from the members of the public and the board of directors.

Motion was made by Kluthe and seconded by Krueger to approve publication of the Notice of Public Hearing Relating to Proposed Amendments to the Lower Elkhorn Natural Resources District Groundwater Management Area Rules and Regulations (Copy attached to the official minutes) Aye: Carlson, Hansen, Huntley, Kluthe, Krueger, Meyer, Peitzmeier, Schultz, Tighe, Zessin. Nay: None. Absent: Anderson, Baier, Loftis, Shafer, Wesely. MOTION CARRIED.

Motion was made by Meyer and seconded by Hansen to adjourn. Motion carried with all ayes. The meeting adjourned at 9:50 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 December 20, 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.

Tim Tighe, Acting Secretary