

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

7:30 p.m., Thursday, March 27, 2014

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 Joel Hansen on Thursday, March 27, 2014 at the Lifelong Learning Center, 601 East Benjamin, Norfolk, Nebraska. Chairman Hansen informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on March 21, 2014 and the Nebraska Open Meetings Act information posted.

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

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

The reading and/or action on the minutes of the February 27, 2014 Board of Directors meeting was next on the agenda. Motion was made by Schultz and seconded by Zessin that the minutes of the February 27, 2014 Board of Directors meeting be approved as printed. Aye: Anderson, Carlson, Gustafson, Krueger Loftis, Meyer, Peitzmeier, Schultz, Shelton, Tighe, Zessin, Hansen. Nay: None. Absent: Huntley, Kluthe, Shafer. MOTION CARRIED.

The Finance Subcommittee report was given by Treasurer Chris Carlson. Motion was made by Carlson and seconded by Krueger to approve income in the amount of \$158,668.58 and expenses in the amount of \$342,775.48 as printed and distributed. Aye: Anderson, Carlson, Gustafson, Krueger Loftis, Meyer, Peitzmeier, Schultz, Shelton, Tighe, Zessin, Hansen. Nay: None. Absent: Huntley, Kluthe, Shafer. MOTION CARRIED.

Motion was made by Carlson and seconded by Krueger to approve income in the amount of \$75,899.50 and expenses in the amount of \$31,927.42 for the Logan East Rural Water System as printed and distributed. Aye: Anderson, Carlson, Gustafson, Krueger Loftis, Meyer, Peitzmeier, Schultz, Shelton, Tighe, Zessin, Hansen. Nay: None. Absent: Huntley, Kluthe, Shafer. MOTION CARRIED.

Motion was made by Carlson and seconded by Anderson to approve the income in the amount of \$22,625.85 and expenses in the amount of \$4,262.93 for the Wau-Col Regional Water System as printed and distributed. Aye: Anderson, Carlson, Gustafson, Krueger Loftis, Meyer, Peitzmeier, Schultz, Shelton, Tighe, Zessin, Hansen. Nay: None. Absent: Huntley, Kluthe, 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. He reported on the NARD Washington DC trip was held on March 24-26.

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

there has not been a meeting held since his last report.

A Natural Resources Conservation Service report was given by Scott Bohaty. (A copy of the report attached to the official minutes.)

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

The Administrative Report was given by staff employees.

Discussion was held as to the Preliminary Certification of the J E K J K LLC property in the Southeast Quarter (SE ¼) Section 3, Township 22 North, Range 2 West, Madison County.

Motion was made by Loftis and seconded by Krueger to go into closed session for the protection of public interest due to pending or threatened litigation, and allow the board, staff and NRD legal counsel attend the closed session. Aye: Anderson, Carlson, Gustafson, Krueger Loftis, Meyer, Peitzmeier, Schultz, Shelton, Tighe, Zessin, Hansen. Nay: None. Absent: Huntley, Kluthe, Shafer. MOTION CARRIED.

Chairman Hansen announced that the board will be going into closed session at 8:44 p.m. for the protection of public interest due to pending or threatened litigation.

Entered into Executive Session at 8:44 p.m.

Motion was made by Tighe and seconded by Meyer to reenter regular session. Aye: Anderson, Carlson, Gustafson, Krueger Loftis, Meyer, Peitzmeier, Schultz, Shelton, Tighe, Zessin, Hansen. Nay: None. Absent: Huntley, Kluthe, Shafer. MOTION CARRIED.

Entered into Regular Session at 10:01 p.m.

The Logan East Rural Water System Advisory Committee report was given by Director Gary Loftis and RWS Manager Shawn Blahak. Motion was made by Loftis and seconded by Anderson to approve Sargent Irrigation to do the refurbishing work on Logan East RWS well #1 at the cost of \$19,076.00. Aye: Anderson, Carlson, Gustafson, Krueger Loftis, Meyer, Peitzmeier, Schultz, Shelton, Tighe, Zessin, Hansen. Nay: None. Absent: Huntley, Kluthe, Shafer. MOTION CARRIED.

Motion was made by Loftis and seconded by Shelton to approve the optional blow off valve be installed on the piping for well #1 at the time of refurbishing work at a cost of \$4774.00. Aye: Anderson, Carlson, Gustafson, Krueger Loftis, Meyer, Peitzmeier, Schultz, Shelton, Tighe, Zessin, Hansen. Nay: None. Absent: Huntley, Kluthe, Shafer. MOTION CARRIED.

Motion was made by Loftis and seconded by Shelton to accept the Logan East Rural Water System Advisory Committee minutes of March 10, 2014. Aye: Anderson, Carlson, Gustafson, Krueger Loftis, Meyer, Peitzmeier, Schultz, Shelton, Tighe, Zessin, Hansen. Nay: None. Absent: Huntley, Kluthe, Shafer. MOTION CARRIED.

The Wau-Col Regional Water System Advisory Committee report was given by Director Garry Anderson. Motion was made by Anderson and seconded by Zessin to accept the Wau-Col Regional Water System Advisory Committee minutes of March 13, 2014. Aye: Anderson, Carlson, Gustafson, Krueger Loftis, Meyer, Peitzmeier, Schultz, Shelton, Tighe, Zessin, Hansen. Nay: None. Absent:

Huntley, Kluthe, Shafer. MOTION CARRIED.

The Information, Planning & Programs Subcommittee report was given by Subcommittee Chairman Gary Loftis. Motion was made by Loftis and seconded by Shelton to contract with Beehive Industries to convert field data collection of spring and fall groundwater levels from paper based field sheets into an electronic format at a cost of \$5000 (set up and first year service). Aye: Anderson, Carlson, Gustafson, Krueger Loftis, Meyer, Peitzmeier, Schultz, Shelton, Tighe, Zessin, Hansen. Nay: None. Absent: Huntley, Kluthe, Shafer. MOTION CARRIED.

The Executive Board report was given by Secretary Dennis Schultz. Motion was made by Schultz and seconded by Zessin to approve the updated job descriptions and job titles effective immediately. Aye: Anderson, Carlson, Gustafson, Krueger Loftis, Meyer, Peitzmeier, Schultz, Shelton, Tighe, Zessin, Hansen. Nay: None. Absent: Huntley, Kluthe, Shafer. MOTION CARRIED.

Motion was made by Schultz and seconded by Zessin to update sick leave and annual leave as per the Wage Comparability Study, effective July 1, 2014.

Motion was made by Tighe and seconded by Krueger to table the motion. Aye: Anderson, Carlson, Gustafson, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Tighe, Hansen. Nay: Shelton, Zessin. Absent: Huntley, Kluthe, Shafer. MOTION CARRIED.

The meeting adjourned at 10:31 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 27, 2014 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.

Dennis Schultz, Secretary

Others Present:

Ron Schmidt, Humphrey
Tom Nathan, Meadow Grove
Kent Franzen, Wayne
Ryan Zimmerman, Pierce
Aaron Zimmerman, Pierce
Jovan Lausterer, Wahoo
Adam Hemmer,
Chad Hemmer, Humphrey
Steve Moseman, Lincoln
Keith Hemmer, Norfolk
Greg Wees, Norfolk
Regan Kucera, Madison
Nate Gronnet, Norfolk
Dr Joel Gillespie, Norfolk