

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

7:30 p.m., Thursday, September 25, 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, September 25, 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 September 20, 2014 and the Nebraska Open Meetings Act information posted.

The Public Hearing to set the levy for the Fiscal Year 2015 Budget was held. Notice of the levy hearing was in Norfolk Daily News on September 18, 2014, Wayne Herald on September 18, 2014, and West Point News on September 17, 2014.

Roll call was taken by Administrative Assistant Vickie DeJong with 12 of 15 Directors present. Present: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Absent: Peitzmeier, Shafer, Shelton. Motion was made by Kluthe and seconded by Loftis to excuse the absence of Ken Peitzmeier, Marion Shafer and Dave Shelton. Aye: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Nay: None. Absent: Peitzmeier, Shafer, Shelton. MOTION CARRIED.

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

The reading and/or action on the minutes of the August 28, 2014 Board of Directors meetings was next on the agenda. Motion was made by Schultz and seconded by Anderson that the minutes of the August 28, 2014 Board of Directors meetings be approved as printed. Aye: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Nay: None. Absent: Peitzmeier, Shafer, Shelton. 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 \$855,758.32 and expenses in the amount of \$369,830.69 as printed and distributed. Aye: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Nay: None. Absent: Peitzmeier, Shafer, Shelton. MOTION CARRIED.

Motion was made by Carlson and seconded by Zessin to approve income in the amount of \$88,612.05 and expenses in the amount of \$44,216.23 for the Logan East Rural Water System as printed and distributed. Aye: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Nay: None. Absent: Peitzmeier, Shafer, Shelton. MOTION CARRIED.

Motion was made by Carlson and seconded by Anderson to approve the income in the amount of \$4,797.89 and expenses in the amount of \$4,241.31 for the Wau-Col Regional Water System as printed and distributed. Aye: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Nay: None. Absent: Peitzmeier, Shafer, Shelton. MOTION CARRIED.

Motion was made by Carlson and seconded by Krueger to approve the update of Operating Policy – Financial – District Credit Cards and Charge Accounts. (Copy attached to official minutes.) Aye: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Nay: None. Absent: Peitzmeier, Shafer, Shelton. MOTION CARRIED.

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

The Nebraska Association of Resources Districts report was given by Chris Carlson. He reported on the NARD Annual Conference held in Kearney in September 22 and 23.

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

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

Bob Huntley gave the Northeast Nebraska RC&D report and Gary Loftis gave the Loess Hills RC&D report.

The Bazile Groundwater Management Area Project report was given by Brian Bruckner with a written report by Stephanie Butler included in the packets.

The Administrative Report was given by the staff.

The Logan East Rural Water System Advisory Committee report was given by Gary Loftis. Motion was made by Loftis and seconded by Krueger to accept the Logan East Rural Water System Advisory Committee minutes of September 8, 2014. Aye: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Nay: None. Absent: Peitzmeier, Shafer, Shelton. 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 September 11, 2014. Aye: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Nay: None. Absent: Peitzmeier, Shafer, Shelton. MOTION CARRIED.

The Information, Planning & Programs Subcommittee report was given by Subcommittee Chairman Gary Loftis. Motion was made by Loftis and seconded by Kluthe to approve the procedures for conducting certification hearings, as proposed by staff, and to hold the first public hearing on October 28, 2014 in the Lifelong Learning Center at 7:00 p.m. (Copy of the procedures attached to the official minutes.)

Motion was made by Loftis and seconded by Anderson to amend the procedures for conducting certification hearings to delete from Article 7, Section 3 “Neither the petitioner nor any member of the public may themselves take audio or video recordings of the proceedings.” Aye: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Nay: None. Absent: Peitzmeier, Shafer, Shelton. AMENDMENT CARRIED.

Vote on amended motion: Aye: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Nay: None. Absent: Peitzmeier, Shafer, Shelton. AMENDED MOTION CARRIED.

Motion was made by Loftis and seconded by Krueger to accept the bid of Downey Drilling Inc in the amount of \$85,959.50 for the construction of 13 monitoring wells. (Actual cost may vary with total feet of drilling required.) Aye: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Nay: None. Absent: Peitzmeier, Shafer, Shelton. MOTION CARRIED.

The Projects, Equipment & Legislative Subcommittee report was given by Subcommittee Chairman Tim Tighe. Motion was made by Tighe and seconded by Huntley to approve 50% cost share for amendment 2 of the City of West Point flood levee accreditation agreement with JEO Consulting Group in the amount of \$28,305 (\$14,152.50 Lower Elkhorn NRD share). Aye: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Nay: None. Absent: Peitzmeier, Shafer, Shelton. MOTION CARRIED.

Motion was made by Tighe and seconded by Anderson to update the Maple Creek Recreation Area Emergency Action Plan with Olsson Associates in the amount of \$2400. Aye: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Nay: None. Absent: Peitzmeier, Shafer, Shelton. MOTION CARRIED.

The Ad Hoc Building Committee report was given by Committee Chairman Tim Tighe. Motion was made by Tighe and seconded by Zessin to move the Maskenthine Superintendent's residence approximately 400 feet north of the previous house. Aye: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Nay: None. Absent: Peitzmeier, Shafer, Shelton. MOTION CARRIED.

Motion was made by Tighe and seconded by Huntley to ratify the Executive Board's direction to approve the September 17, 2014 change order for new concrete footings, stem walls and floor, not to exceed \$78,242.00. Aye: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Nay: None. Absent: Peitzmeier, Shafer, Shelton. MOTION CARRIED.

The Budget Subcommittee report was given by Treasurer Chris Carlson. Motion was made by Carlson and seconded by Kluthe to approve the resolution certifying the Fiscal Year 2015 Lower Elkhorn Natural Resources District levy at .025105 cents per \$100 actual valuation. Aye: Anderson, Carlson, Gustafson, Huntley, Kluthe, Krueger, Loftis, Meyer, Schultz, Tighe, Zessin, Hansen. Nay: None. Absent: Peitzmeier, Shafer, Shelton. MOTION CARRIED.

The meeting adjourned at 9:05 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 August 28, 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.

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Dennis Schultz, Secretary

Others Present:  
Ron Dierking, Scribner  
Tom Nathan, Meadow Grove