

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

7:30 p.m., Thursday, March 26, 2015  
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 Danny Kluthe on Thursday, March 26, 2015 at the Lifelong Learning Center, 601 East Benjamin, Norfolk, Nebraska. Chairman Kluthe informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on March 20, 2015 and the Nebraska Open Meetings Act information posted.

Roll call was taken by Administrative Assistant Vickie DeJong with 14 of 15 Directors present. Present: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Absent: Tighe. Motion was made by Huntley and seconded by Loftis to excuse the absence of Tim Tighe. Aye: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Nay: None. Absent: Tighe. MOTION CARRIED.

Motion was made by Hansen and seconded by Schultz to adopt the agenda. Aye: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Nay: None. Absent: Tighe. MOTION CARRIED.

The reading and/or action on the minutes of the February 26, 2015 Board of Directors meetings was next on the agenda. Motion was made by Loftis and seconded by Schultz that the minutes of the February 26, 2015 Board of Directors meeting be approved as printed. Aye: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Nay: None. Absent: Tighe. 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 \$150,413.58 and expenses in the amount of \$265,837.88 as printed and distributed. Aye: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Nay: None. Absent: Tighe. MOTION CARRIED.

Motion was made by Carlson and seconded by Shelton to approve income in the amount of \$70,542.64 and expenses in the amount of \$27,044.32 for the Logan East Rural Water System as printed and distributed. Aye: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Nay: None. Absent: Tighe. MOTION CARRIED.

Motion was made by Carlson and seconded by Shelton to approve the income in the amount of \$4,851.90 and expenses in the amount of \$3,280.65 for the Wau-Col Regional Water System as printed and distributed. Aye: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Nay: None. Absent: Tighe. MOTION CARRIED.

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

The Nebraska Association of Resources Districts report was given by Bob Huntley. He reported on the NARD meeting held on March 9 in Lincoln.

Nebraska Natural Resources Commission report was given by Garry Anderson. He reported on the Water Stainability Fund.

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 written report was submitted by Stephanie Butler. (A copy of the report attached to the official minutes.)

The Administrative Report was given by the staff. General Manager Mike Sousek gave a manager's report. (A copy of the report attached to the official minutes.)

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 March 9, 2015*. Aye: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Nay: None. Absent: Tighe. MOTION CARRIED.

The Wau-Col Regional Water System Advisory Committee report was given by Joel Hansen. Motion was made by Hansen and seconded by Shelton *to accept the Wau-Col Regional Water System Advisory Committee minutes of March 12, 2015*. Aye: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Nay: None. Absent: Tighe. MOTION CARRIED.

The Committee of the Whole report was given. Motion was made by Carlson and seconded by Krueger *to schedule and hold a public hearing on April 23, 2015 at 7:30 p.m. to receive testimony concerning proposed amendments to the District's Groundwater Management Area rules and regulations and for adopting or amending controls in the Groundwater Management Area. The proposed amendments include: a) changing the due date for flow meter reports to December 1<sup>st</sup> of each year; b) exempting land that is irrigated by one or more wells with a combined pumping rate of less than 50 gallons per minute from the requirement of certification by the District; c) changing the date that the District determines the upcoming year's allocations from December 1<sup>st</sup> to December 31<sup>st</sup> of each year; d) establishing an Expedited Variance process for Good Cause Shown, limited to approval of no more than 35 New Groundwater Irrigated Acres with the General Manager having authority to administratively approve applications subject to discretionary factors; and e) allowing applications for Variances for Good Cause Shown under the Expedited Variance Process within Quantity Subareas*. Aye: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Krueger, Loftis, Otten, Schultz, Winkelbauer, Kluthe. Nay: Korth, Shelton. Absent: Tighe. MOTION CARRIED.

Motion was made by Hansen and seconded by Krueger *to approve two hours of subarea educational credits for either 2014 or 2015 for passing the 2015 Chemigation Applicator's exam*. Aye: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Nay: None. Absent: Tighe. MOTION CARRIED.

Motion was made by Hansen and seconded by Shelton to authorize the staff to provide further education credits for programs sponsored by the district, provided that the board is given a summary of programs and number of educational credits offered for each program. Aye: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Nay: None. Absent: Tighe. MOTION CARRIED.

Motion was made by Shelton and seconded by Carlson to approve the addition of a "Conservation Cover (native mix)" practice to the Lower Elkhorn Natural Resources District Conservation Cost Share program; to convert either cropland or cool season pasture to wildlife habitat. Aye: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Nay: None. Absent: Tighe. MOTION CARRIED.

Motion was made by Shelton and seconded by Hansen to purchase a 2015 Polaris Sportsman 570LE with a 52 inch snowblade and winch from Motoplex of Norfolk for \$4010, contingent on the fact that the Lower Elkhorn Natural Resources District does receive \$5200 for trade-in, receives a \$500 manufacture rebate, and a \$100 rear rack extension as quoted by Motoplex of Norfolk. Aye: Carlson, Gustafson, Hansen, Huntley, Janke, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Nay: Beller, Korth, Krueger. Absent: Tighe. MOTION CARRIED.

Motion was made by Hansen and seconded by Korth to approve the amended Financial Operating Policy – District Credit Cards and Charge Accounts. This change addresses purchasing items outside the realm of NRD business. (Copy attached to the official minutes.) Aye: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Nay: None. Absent: Tighe. MOTION CARRIED.

Motion was made by Krueger and seconded by Korth to approve the addition of Personnel Policy 40 – Attendance and Punctuality. This change sets the expectations of what is required as a Lower Elkhorn Natural Resources District employee in terms of attendance and punctuality. (Copy attached to the official minutes.) Aye: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Nay: None. Absent: Tighe. MOTION CARRIED.

Motion was made by Korth and seconded by Beller to approve the changes in Personnel Policy 32 – Sick Leave. The changes in this policy set guidelines for when doctors notes are needed, criteria for advancing sick leave, the consequences of taking leave without pay and a retirement savings plan to encourage accumulation of sick leave. (Copy attached to the official minutes.) Aye: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Nay: None. Absent: Tighe. MOTION CARRIED.

Motion was made by Krueger and seconded by Schultz to approve the Interlocal Cooperation Agreement with the City of Scribner and Dodge County for the Scribner Bank Stabilization Project and authorize the Chairman to sign it. (Copy attached to the official minutes.) Aye: Beller, Carlson, Gustafson, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Otten, Schultz, Shelton, Winkelbauer, Kluthe. Nay: None. Absent: Tighe. MOTION CARRIED.

The meeting adjourned at 9:34 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 February 26, 2015 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

Others Present:

Garry Anderson, Dixon

Tom Nathan, Meadow Grove

Carlin Synovec, Pierce