

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

7:30 p.m., Tuesday, March 22, 2016
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 Tuesday, March 22, 2016 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 16, 2016 and the Nebraska Open Meetings Act information posted.

Roll call was taken by Administrative Assistant Vickie DeJong with 13 of 15 Directors present. Present: Carlson, Gustafson, Hansen, Huntley, Janke, Krueger, Loftis, Noonan, Schultz, Shelton, Tighe, Winkelbauer Kluthe. Absent: Korth, Otten.

Motion was made by Schultz and seconded by Hansen to excuse the absence of Chad Korth and Jarvis Otten. Aye: Carlson, Gustafson, Hansen, Huntley, Janke, Krueger, Loftis, Noonan, Schultz, Shelton, Tighe, Winkelbauer, Kluthe. Nay: None. Absent: Korth, Otten. MOTION CARRIED.

A Public Hearing was held regarding the adoption of Chemigation Rules and Regulations. The Public Notice for the hearing was in the Norfolk Daily News on March 2, 2016, March 8, 2016 and March 15, 2016. No comments were received from the public.

It was noted that the amendments to the chemigation rules and regulations will correct the alphabetical order of two definitions; specify that the General Manager of the District or his or her designee is authorized to administer the Rules for Chemigation; change the minimum frequency of inspections from once every two years to once every three years; and clarify that 0.75 inches is the minimum inside diameter of the slow drain hose.

Motion was made by Hansen and seconded by Shelton to approve the proposed amendments to the Lower Elkhorn Natural Resources District Rules for Chemigation and forward the approved rules and all other necessary documentation to the Director of the Nebraska Department of Environmental Quality for their consideration and approval. Aye: Carlson, Gustafson, Hansen, Huntley, Janke, Krueger, Loftis, Noonan, Schultz, Shelton, Tighe, Winkelbauer, Kluthe. Nay: None. Absent: Korth, Otten. MOTION CARRIED.

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

The reading and/or action on the minutes of the February 28, 2016 and March 20, 2016 Board of Directors meeting was next on the agenda. Motion was made by Loftis and seconded by Krueger that the minutes of the February 28, 2016 and March 20, 2016 Board of Directors meeting be approved as printed. Aye: Carlson, Gustafson, Hansen, Huntley, Janke, Krueger, Loftis, Noonan, Schultz, Shelton, Tighe, Winkelbauer, Kluthe. Nay: None. Absent: Korth, Otten. MOTION CARRIED.

The Finance Subcommittee report was given by Treasurer Bob Huntley. Motion was made by

Huntley and seconded by Shelton to approve income in the amount of \$247,440.69 and expenses in the amount of \$240,168.99 as printed and distributed. Aye: Carlson, Gustafson, Hansen, Huntley, Janke, Krueger, Loftis, Noonan, Schultz, Shelton, Tighe, Winkelbauer, Kluthe. Nay: None. Absent: Korth, Otten. MOTION CARRIED.

Motion was made by Huntley and seconded by Shelton to approve income in the amount of \$76,903.60 and expenses in the amount of \$60,068.60 for the Logan East Rural Water System as printed and distributed. Aye: Carlson, Gustafson, Hansen, Huntley, Janke, Krueger, Loftis, Noonan, Schultz, Shelton, Tighe, Winkelbauer, Kluthe. Nay: None. Absent: Korth, Otten. MOTION CARRIED.

Motion was made by Huntley and seconded by Shelton to approve the income in the amount of \$4,845.91 and expenses in the amount of \$3,285.24 for the Wau-Col Regional Water System as printed and distributed. Aye: Carlson, Gustafson, Hansen, Huntley, Janke, Krueger, Loftis, Noonan, Schultz, Shelton, Tighe, Winkelbauer, Kluthe. Nay: None. Absent: Korth, Otten. MOTION CARRIED.

The conservation cost share report is attached to the official minutes.

The Nebraska Association of Resources Districts report was given by Kurt Janke. He reported on the NARD meeting held March 7th in Lincoln and shared with the board the NARD proposed budget.

A written report was received from Garry Anderson for the Nebraska Natural Resources Commission. (A copy of the report is attached to the official minutes.)

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. (A copy of the report attached to the official minutes.)

Jim Schneider and Mike Placke from Olsson Associates gave a presentation to the board on the Reservoir Evaluation Project; results of a preliminary evaluation and ranking of ten potential reservoir sites in the Lower Elkhorn NRD.

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 Shelton to accept the Logan East Rural Water System minutes of March 14, 2016. Aye: Carlson, Gustafson, Hansen, Huntley, Janke, Krueger, Loftis, Noonan, Schultz, Shelton, Tighe, Winkelbauer, Kluthe. Nay: None. Absent: Korth, Otten. MOTION CARRIED.

The Wau-Col Regional Water System Advisory Committee report was given by Joel Hansen. Motion was made by Hansen and seconded by Krueger to accept the Wau-Col Regional Water System minutes of March 3, 2016. Aye: Carlson, Gustafson, Hansen, Huntley, Janke, Krueger, Loftis, Noonan, Schultz, Shelton, Tighe, Winkelbauer, Kluthe. Nay: None. Absent: Korth, Otten. MOTION CARRIED.

The Committee of the Whole report was given by Vice-Chairman Dennis Schultz. Motion was made by Schultz and seconded by Hansen to add Guideline 3 – Consideration for Approval of Applications for Supplemental Well Permits for Orphaned Land, to the document entitled “Staff Policy to Approve or Deny Expedited Variance Applications for Good Cause” as presented by staff, and to approve this Policy for use within the administrative procedures of the General Manager when considering applications under the District’s good cause shown expedited variance category. Aye: Carlson, Gustafson, Hansen, Huntley, Janke, Krueger, Loftis, Noonan, Schultz, Shelton, Tighe, Winkelbauer, Kluthe. Nay: None. Absent: Korth, Otten. MOTION CARRIED.

Motion was made by Schulz and seconded by Shelton to approve the City of Randolph’s request for 50% cost share, up to \$20, 000, to complete the Corps of Engineers Section 205 Flood Risk Management Study. Aye: Carlson, Gustafson, Hansen, Huntley, Janke, Krueger, Loftis, Noonan, Schultz, Shelton, Tighe, Winkelbauer, Kluthe. Nay: None. Absent: Korth, Otten. MOTION CARRIED.

Motion was made by Schulz and seconded by Shelton to approve the updated Personnel Policies – 35 – Termination of Employment; 27 – Employee Conduct and Discipline and 34 – Code of Ethics. (Policies attached to the official minutes.) Aye: Carlson, Gustafson, Hansen, Huntley, Janke, Krueger, Loftis, Noonan, Schultz, Shelton, Tighe, Winkelbauer, Kluthe. Nay: None. Absent: Korth, Otten. MOTION CARRIED.

Motion was made by Schulz and seconded by Shelton to approve the changes to Bylaws; Article II – Officers (2): Each officer shall hold office until they become incapacitated as determined by the Board of Directors, leaves or is removed from the Board of Directors, or a successor has been elected. Any officer is limited to one term of two years, but is immediately eligible for a different office; however, a Director is eligible for the same office after a two year absence from that office. Aye: Carlson, Gustafson, Hansen, Huntley, Janke, Krueger, Loftis, Noonan, Schultz, Shelton, Tighe, Winkelbauer, Kluthe. Nay: None. Absent: Korth, Otten. MOTION CARRIED.

The meeting adjourned at 9:21 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 22, 2016 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

Others Present:
Bruce Bloedorn, Wisner
Lorin Batenhorst, Wisner