

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

7:30 p.m., Monday, February 27, 2017

Lower Elkhorn NRD

601 East Benjamin, Norfolk, Nebraska

The Board of Directors Meeting of the Lower Elkhorn Natural Resources District was called to order by Chairman Dennis Schultz on Monday, February 27, 2017 at the Lower Elkhorn NRD, 601 East Benjamin, Norfolk, Nebraska. Chairman Schultz informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on February 25, 2017 and the Nebraska Open Meetings Act information posted. (The meeting had been originally scheduled for Thursday, February 23, 2017, but postponed because of weather.)

Roll call was taken by Administrative Assistant Vickie DeJong with 13 of 15 Directors present. Present: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Absent: Kathol, Korth.

Motion was made by Hansen and seconded by Huntley to excuse the absence of Dave Kathol and Chad Korth. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Kathol, Korth. Motion Carried.

Motion was made by Krueger and seconded by Loftis to adopt the agenda. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Kathol, Korth. Motion Carried.

The reading and/or action on the minutes of the January 26, 2017 Board of Directors meeting was next on the agenda. Motion was made by Hall and seconded by Huntley that the minutes of the January 26, 2017 Board of Directors meeting be approved. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Kathol, Korth. Motion Carried.

The Finance Subcommittee report was given by Treasurer Bob Huntley. Motion was made by Huntley and seconded by Barr to approve income in the amount of \$307,010.15 and expenses in the amount of \$371,477.30 as printed and distributed. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Kathol, Korth. Motion Carried.

Motion was made by Huntley and seconded by Steffen to approve income in the amount of \$75,603.19 and expenses in the amount of \$30,734.95 for the Logan East Rural Water System as printed and distributed. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Kathol, Korth. Motion Carried.

Motion was made by Huntley and seconded by Barr to approve the income in the amount of \$7,180.88 and expenses in the amount of \$3,848.55 for the Wau-Col Regional Water System as printed and distributed. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Kathol, Korth. Motion Carried.

The conservation cost share report was given by Assistant Manager Ken Berney. A copy of the report is attached to the official minutes.

The Nebraska Association of Resources Districts report was given by Kurt Janke. He reported on the upcoming meetings and legislation.

No Nebraska Natural Resources Commission report was given due to the absence of Garry Anderson.

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 reported on the Loess Hills RC&D.

The Bazile Groundwater Management Area Project written report was received from Tanner Jenkins, Bazile GMA Project Coordinator. (A copy of the report is 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 February 13, 2017. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Kathol, Korth. Motion Carried.

The Wau-Col Regional Water System Advisory Committee report was given by Joel Hansen. Motion was made by Hansen and seconded by Huntley to accept the appointments of: Ken Bloomquist, Wausa; Jim Backhaus (Doug Whalen, Alternate), McLean; and Harold Reynolds, At-Large to the Wau-Col Regional Water System Advisory Committee. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Kathol, Korth. Motion Carried.

Motion was made by Hansen and seconded by Steffen to accept the Wau-Col Regional Water System Advisory Committee Minutes of February 2, 2017. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Kathol, Korth. Motion Carried.

The Committee of the Whole report was given by Mike Krueger. Motion was made by Krueger and seconded by Hansen to approve the staff recommendations for the conservation cost share program:
1. On combination LENRD/EQIP projects, the 25% Lower Elkhorn NRD share will be half of the EQIP pay rate for each practice. On projects not involving EQIP, the Lower Elkhorn NRD 75% pay rate will be 1.5 times (X) the EQIP rate.
2. To be considered for Lower Elkhorn NRD cost share on construction projects, the producer must submit at least one bid from a contractor, so the producer knows up front how much he will be obligated to pay.
Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Kathol, Korth. Motion Carried.

Motion was made by Krueger and seconded by Loftis to accept the proposed changes to the Lower Elkhorn NRD Groundwater Management Area Rules & Regulations for the Enforcement of the Nebraska Groundwater Management and Protection Act as presented by staff, and direct the staff to advertise and schedule a hearing for March 23, 2017 to receive public testimony on the proposed changes. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Kathol, Korth. Motion Carried.

Motion was made by Krueger and seconded by Barr to authorize the General Manager to sign a contract with the Flatwater Group Inc., in the amount of \$68,250.00 to complete the scope of work as listed in the attached "Scope of Work for LENRD", dated February 8, 2017. The purpose of this contract is to begin using our AEM data to delineate aquifers in the Lower Elkhorn NRD and create Management Areas. Aye: Barr, Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, McHenry, Noonan, Schultz. Nay: Allemann, Steffen. Absent: Kathol, Korth. Motion Carried.

Motion was made by Krueger and seconded by Barr to authorize the General Manager to sign the Interlocal Cooperative Agreement between the Lewis & Clark NRD, Lower Elkhorn NRD, Lower Platte North NRD, Lower Platte South NRD, Nemaha NRD, Papio-Missouri NRD, Lower Loup NRD, Upper Elkhorn NRD, Twin Platte NRD and Central Platte NRD for the purpose of participation in the Nebraska GeoCloud and AEM Data Integration Project, as outlined in the Cooperative Agreement. Aye: Barr, Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: Allemann. Absent: Kathol, Korth. Motion Carried.

Motion was made by Krueger and seconded by Hansen to accept the proposed changes to the Lower Elkhorn NRD Rules of Procedure for Groundwater Management Plan, Groundwater Management Area Rules and Regulations, Chemigation Rule and/or Rule 14 (Certification of Irrigated Acres) Hearings, as suggested by District legal counsel. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Kathol, Korth. Motion Carried.

Motion was made by Krueger and seconded by Barr to authorize the General Manager to sign a contract with Phoenix Web Group in the amount of \$52,500, to develop a public web portal for the public to access the information the district currently has available from various programs. Aye: Barr, Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: Allemann. Absent: Kathol, Korth. Motion Carried.

The meeting adjourned at 9:45 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 27, 2017 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.

Mark Hall, Secretary