

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

7:30 p.m., Thursday, September 28, 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 Thursday, September 28, 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 September 21, 2017 and the Nebraska Open Meetings Act information posted.

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

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

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

A Public Hearing was held regarding the Certification of Acres. Refer to the minutes for Certification of Acres Public Hearing.

The reading and/or action on the minutes of the August 24, 2017 and September 14, 2017 Board of Directors meetings was next on the agenda. Motion was made by Hall and seconded by Hansen that the minutes of the August 24, 2017 and September 14, 2017 Board of Directors meeting be approved. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Krueger, Loftis, Noonan, Steffen, Schultz. Nay: None. Absent: Janke, McHenry. 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 \$982,487.97 and expenses in the amount of \$359,065.20 and authorize the General Manager and Treasurer to invest \$35,000 in the building sinking fund and \$350,000 in the West Point Levee sinking fund. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Krueger, Loftis, Noonan, Steffen, Schultz. Nay: None. Absent: Janke, McHenry. Motion Carried.

Motion was made by Huntley and seconded by Krueger to approve income in the amount of \$87,599.96 and expenses in the amount of \$89,815.76 for the Logan East Rural Water System as printed and distributed. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Krueger, Loftis, Noonan, Steffen, Schultz. Nay: None. Absent: Janke, McHenry. Motion Carried.

Motion was made by Huntley and seconded by Kathol to approve income in the amount of \$6,092.38 and expenses in the amount of \$3,986.94 for the Wau-Col Regional Water System and authorize the General Manager and Treasurer to invest \$25,000 for Wau-Col Regional Water System.

Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Krueger, Loftis, Noonan, Steffen, Schultz. Nay: None. Absent: Janke, McHenry. Motion Carried.

The conservation cost share report was given by Project Manager Curt Becker. A copy of the report is attached to the official minutes.

The Nebraska Association of Resources Districts report was given by Joel Hansen. He reported on the NARD Annual Conference held in Kearney on September 25 and 26.

The Nebraska Natural Resources Commission report was given by Elkhorn Basin representative Garry Anderson.

A Natural Resources Conservation Service report was given by Waylon Petsche, Resource Conservationist from the Stanton office. (A copy of the report attached to the official minutes.)

Gary Loftis reported on the Loess Hills RC&D and Bob Huntly reported on the Northeast Nebraska RC&D.

The NRCS agreement for the Bazile Groundwater Management Area Coordinator position has been approved. The new coordinator, Phil Steinkamp will begin his duties on October 2 and will be located at the Pierce NRCS office.

The Administrative Report was given by General Manager Mike Sousek. (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 Gustafson to accept the Logan East Rural Water System Advisory Committee minutes of September 11, 2017. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Krueger, Loftis, Noonan, Steffen, Schultz. Nay: None. Absent: Janke, McHenry. 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 Advisory Committee minutes of September 7, 2017. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Krueger, Loftis, Noonan, Steffen, Schultz. Nay: None. Absent: Janke, McHenry. Motion Carried.

The Committee of the Whole report was given by Vice-Chairman Mike Krueger. Motion was made by Krueger and seconded by Hansen to recognize the amount of 6018 Acre-feet as the total amount of available depletion for the first five (5) year increment for the Elkhorn Basin and to agree to adhere to the recommended sub-basin proportions for the first five (5) year increment; 75% of the available depletion to the Lower Elkhorn NRD and 25% of the available depletion to the Upper Elkhorn NRD, with each District cooperating independently with the Nebraska Department of Natural Resources (NDNR) to determine the NDNR's proportion (of each sub-basin) for the Elkhorn Basin portion of the Lower Platte Basin.

Discussion followed. Motion was made by Krueger and seconded by Hansen to table the motion for further clarification. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Krueger, Loftis, Noonan, Steffen, Schultz. Nay: None. Absent: Janke, McHenry. Motion Carried.

Motion was made by Krueger and seconded by Barr to approve the contract with Phoenix Web Group for the Field Meter Maintenance Software Application tool in the amount of \$36,000. Aye: Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Krueger, Loftis, Noonan, Schultz. Nay: Allemann, Korth, Steffen. Absent: Janke, McHenry. Motion Carried.

The Ad-Hoc Variance Committee report was given by Gary Loftis. The committee will meet again before the October Committee of the Whole meeting.

Motion was made by Huntley and seconded by Hansen to enter into Executive Session for the protection of public interest. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Krueger, Loftis, Noonan, Steffen, Schultz. Nay: None. Absent: Janke, McHenry. Motion Carried.

Moved into Executive Session at 8:56 p.m. for the protection of public interest.

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

Reentered regular session at 9:07 p.m.

The meeting adjourned at 9:08 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 September 28, 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.

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Mark Hall, Secretary