

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

7:30 p.m., Thursday, January 24, 2019

Lower Elkhorn NRD

1508 Square Turn Blvd, Norfolk, Nebraska

The Board of Directors Meeting of the Lower Elkhorn Natural Resources District was called to order by Chairman Dennis Schultz on Thursday, January 24, 2019 at the Lower Elkhorn NRD, 1508 Square Turn Blvd, Norfolk, Nebraska. Chairman Schultz informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on January 18, 2019 and the Nebraska Open Meetings Act information posted.

Roll call was taken by Administrative Supervisor Vickie DeJong with 14 of 15 Directors present. Present: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Loftis, McHenry, Noonan, Steffen, Schultz. Absent: Zimmerman.

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

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

The reading and/or action on the minutes of the December 20, 2018 Board of Directors meeting was next on the agenda. Motion was made by Hall and seconded by Janke that the minutes of the December 20, 2018 Board of Directors meeting be approved. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Zimmerman. Motion Carried.

The Finance Subcommittee report was given by Treasurer Dave Kathol. Motion was made by Kathol and seconded by Huntley to approve income in the amount of \$650,574.49 and expenses in the amount of \$229,213.46 and a building loan payment for Bank First in the amount of \$50,000.00 as printed and distributed. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Zimmerman. Motion Carried.

Motion was made by Kathol and seconded by Noonan to approve income in the amount of \$77,810.52 and expenses in the amount of \$39,018.35 for the Logan East Rural Water System as printed and distributed. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Zimmerman. Motion Carried.

Motion was made by Kathol and seconded by Hansen to approve income in the amount of \$5,973.92 and expenses in the amount of \$5,687.04 for the Wau-Col Regional Water System. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Zimmerman. 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 Gary Loftis. He reported on the upcoming NARD Legislative Conference to be held in Lincoln in January.

No Nebraska Natural Resources Commission report was given.

The Natural Resources Conservation Service report was given by Robin Sutherland, District Conservationist. Her written report is attached to the official minutes.

Bob Huntley reported on the Northeast Nebraska RC&D and Gary Loftis reported on the Loess Hills RC&D. (Copy attached to official minutes.)

The Bazile Groundwater Management Area report was given by Assistant Manager Brian Bruckner. A copy of a written report is attached to the official minutes.

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 retain the current Logan East Rural Water System Advisory Committee members Gary Kruger, Bev Lydick and Terry Rasmussen for an additional 3-year term. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Zimmerman. Motion Carried.

Motion was made by Loftis and seconded by Gustafson to accept the Logan East Rural Water System Advisory Committee minutes of January 14, 2019. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Zimmerman. Motion Carried.

The Wau-Col Regional Water System Advisory Committee report was given by Joel Hansen. Motion was made by Hansen and seconded by Clausen to reappoint the current Wau-Col Regional Water System Advisory Committee members for a three-year term: Lee Cautrell (Coleridge), Rod Patent (User) and Sue Dyke (Magnet). Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Zimmerman. Motion Carried.

Motion was made by Hansen and seconded by Kathol to accept the Wau-Col Regional Water System minutes of January 3, 2019. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Zimmerman. Motion Carried.

The Information, Planning, Programs, Projects, Equipment & Legislation Committee of the Whole report was given by Gary Loftis. Motion was made by Loftis and seconded by Hansen to direct District staff to authorize District legal counsel to send non-compliance notification letters containing an April 1, 2019 installation deadline, to irrigation well owners who have not installed flow meters on active irrigation wells as required by Section 11.2.2 of the Lower Elkhorn Natural Resources District Groundwater Management Area Rules and Regulations for the Enforcement of the Nebraska Groundwater Management and Protection Act. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: Korth. Absent: Zimmerman. Motion Carried.

Motion was made by Loftis and seconded by Korth to authorize the General Manager to sign the proposed contract with HDR to evaluate the piezometric pressures, relief well system function and potential underseepage of Willow Creek Dam near Pierce, Nebraska for \$19,950. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Zimmerman. Motion Carried.

Motion was made by Loftis and seconded by Huntley to instruct staff to contract with Pruss Excavation to place rip rap along the shoreline at Maple Creek Recreation Area and to complete as many feet of shoreline as possible, not to exceed \$20,000. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Zimmerman. Motion Carried.

Motion was made by Loftis and seconded by Noonan to authorize the staff to send a letter confirming the Lower Elkhorn Natural Resources District partnership with the Nebraska Loess Hills RC&D and the Papio-Missouri River NRD for the 2019 and 2020 Scrap Tire Collections. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Loftis, McHenry, Noonan, Steffen, Schultz. Nay: None. Absent: Zimmerman. Motion Carried.

According to the By-Laws, 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. The only current officer that has not served a term of two years is Treasurer Dave Kathol. Also, Dennis Schultz will move to the Past-Chairman position on the Executive Board. Voting will be held by ballot. Ballots will be held in the headquarters office for 30 days for public review.

Nominated for Chairman was Gary Loftis and Mark Hall. After ballots were counted it was announced that Director Gary Loftis was elected Chairman for 2019-2020. (Loftis – 7, Hall – 6, Gustafson – 1)

Nominated for Vice-Chairman was Kurt Janke and Mark Hall. After ballots were counted it was announced that Director Kurt Janke was elected Vice-Chairman for 2019-2020. (Janke – 8, Hall – 6)

Nominated for Secretary was Scott McHenry and Matt Steffen. After ballots were counted it was announced that it was a tie vote. (McHenry – 7, Steffen – 7)

Second Ballot: After ballots were counted it was announced that Director Matt Steffen was elected Secretary for 2019-2020. (Steffen – 7, McHenry – 6, Hall – 1)

Treasurer Dave Kathol retained his position.

Nominated for NARD Delegate was Scott McHenry and Jerry Allemann. After ballots were counted it was announced that Director Scott McHenry was elected NARD Delegate for 2019. (McHenry – 7, Allemann – 6)

Nominated for NARD Alternate was Joel Hansen and Scott Clausen. After ballots were counted it was announced that Director Joel Hansen was elected NARD Alternate for 2019. (Hansen – 8, Clausen 4, McHenry 1)

Meeting adjourned at 8:40 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 January 24, 2019, 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