

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

7:30 p.m., Thursday, September 24, 2020

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 Gary Loftis on Thursday, September 24, 2020 at the Lower Elkhorn Natural Resources District, 1508 Square Turn Blvd., Norfolk, Nebraska. Chairman Loftis informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on September 18, 2020.

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, Noonan, Schultz, Steffen, Zimmerman, Loftis. Absent: McHenry.

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

Motion was made by Hansen and seconded by Schultz to adopt the agenda. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Noonan, Schultz, Steffen, Zimmerman, Loftis. Nay: None. Absent: 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 27, 2020 and September 10, 2020 Board of Directors meeting was next on the agenda. Motion was made by Steffen and seconded by Janke that the minutes of the August 27, 2020 and September 10, 2020 Board of Directors meeting be approved. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Noonan, Schultz, Steffen, Zimmerman, Loftis. Nay: None. Absent: McHenry. Motion Carried.

The Finance Subcommittee report was given by Treasurer Dennis Schultz. Motion was made by Schultz and seconded by Huntley to approve income in the amount of \$1,190,619.15 and expenses in the amount of \$325,649.84. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Noonan, Schultz, Steffen, Zimmerman, Loftis. Nay: None. Absent: McHenry. Motion Carried.

Motion was made by Schultz and seconded by Clausen to approve income in the amount of \$101,614.24 and expenses in the amount of \$51,542.48 for the Logan East Rural Water System as printed and distributed. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Noonan, Schultz, Steffen, Zimmerman, Loftis. Nay: None. Absent: McHenry. Motion Carried.

Motion was made by Schultz and seconded by Hansen to approve income in the amount of \$10,257.01 and expenses in the amount of \$7,640.36 for the Wau-Col Regional Water System. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Noonan, Schultz, Steffen, Zimmerman, Loftis. Nay: None. Absent: McHenry. Motion Carried.

A copy of the conservation cost share report is attached to the official minutes.

The Nebraska Association of Resources Districts meeting will be held in Kearney and the Lower Elkhorn NRD representative will be Mark Hall.

No Nebraska Natural Resources Commission report was presented.

A copy of the Natural Resources Conservation Service 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.)

A written Bazile Groundwater Management Area report was given by Connor Baldwin, Bazile Groundwater Management Area Project Coordinator. (Copy attached to the official minutes)

The Administrative Report was given by General Manager Mike Sousek. (Copy attached to the official minutes.)

The Logan East Rural Water System report was given by Roger Gustafson and RWS Manager Shawn Blahak. Motion was made by Gustafson and seconded by Clausen to accept the Logan East Rural Water System minutes of September 14, 2020. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Noonan, Schultz, Steffen, Zimmerman, Loftis. Nay: None. Absent: McHenry. Motion Carried.

The Information, Planning, Programs, Projects, Equipment & Legislation Committee of the Whole report was given by Kurt Janke. Motion was made by Janke and seconded by Huntley that the Lower Elkhorn NRD enter into a contract to complete Flow Meter Preventative Maintenance Services with Derek and Austin Becker in the district's portion of Knox, Cedar, Dixon, Wayne and Thurston Counties (724 estimated meters), and to authorize the General Manager to sign the contract on behalf of the district. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Noonan, Schultz, Steffen, Zimmerman, Loftis. Nay: None. Absent: McHenry. Motion Carried.

Motion was made by Janke and seconded by Noonan to establish the average cost of Deep Soil Sampling for Fiscal Year 2021 as \$55.99 per sample and to limit the number of cost-sharable samples to one (1) sample per every 25 acres. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Noonan, Schultz, Steffen, Zimmerman, Loftis. Nay: None. Absent: McHenry. Motion Carried.

The Ad-Hoc Drought Response Committee report was given by Kurt Janke. Motion was made by Janke and seconded by Kathol that the Lower Elkhorn NRD officially declare a drought and implement a plan to respond to said drought to protect the health and welfare of the public as directed by the Lower Elkhorn NRD Groundwater Management Plan. Aye: Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Noonan, Schultz, Steffen, Zimmerman, Loftis. Nay: Allemann, Clausen, Korth. Absent: McHenry. Motion Carried.

Motion was made by Janke and seconded by Hansen that in order to protect the public health and welfare, all new irrigation wells constructed under an approved variance within the Lower Elkhorn NRD from this point on (September 24, 2020) will have a condition for approval attached that will prohibit use of the well if located in a portion of the Lower Elkhorn NRD identified as a D4 intensity designation as determined by the U.S. Drought Monitor. In essence, during times of D4 drought, these wells will be shut down to protect the public health and welfare. This condition will only apply if the Lower Elkhorn NRD has issued an official drought declaration. Aye: Janke, Kathol, Steffen, Zimmerman, Loftis. Nay: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Korth, Noonan, Schultz. Absent: McHenry. Motion Failed.

Motion was made by Janke and seconded by Zimmerman that a 12 inch allocation be set for all areas that fall within a D3 or greater drought area that fall within a Wellhead Protection Area within the Lower Elkhorn NRD.

Move to amend by Hansen and seconded by Zimmerman that a 12 acre-inch annual allocation be set for all areas that fall within a D3 or greater drought area that fall within a Wellhead Protection Area within the LENRD on November 1, 2020, and that the annual allocation be lifted if the area is removed from the D3 or greater designation. Aye: Hansen, Huntley, Janke, Kathol, Noonan, Schultz, Steffen, Zimmerman, Loftis. Nay: Allemann, Clausen, Gustafson, Hall, Korth. Absent: McHenry. Amendment Carried.

Motion was made by Steffen and seconded by Clausen to table the amended motion until the October Board of Directors meeting. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Noonan, Schultz, Steffen, Zimmerman, Loftis. Nay: None. Absent: McHenry. Motion Carried.

Meeting adjourned at 9:49 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 24, 2020, 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.

Matt Steffen, Secretary

Others Present:
Ryan Zimmerman, Pierce