

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

7:30 p.m., Tuesday, December 22, 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 Vice-Chairman Kurt Janke on Tuesday, December 22, 2020 at the Lower Elkhorn Natural Resources District, 1508 Square Turn Blvd., Norfolk, Nebraska. Vice-Chairman Janke informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on December 16, 2020. As per the Governor's Executive Order 20-36, the Lower Elkhorn Natural Resources District Board of Directors meeting was held as an audio/video meeting only. A copy of the Open Meetings Act (Neb. Rev. State Statute 84-1407 through 84-1414) is posted at the Lower Elkhorn Natural Resources District office and a copy is available upon request.

Roll call was taken by Programs Coordinator Patty Martens with 14 of 15 Directors present. Present: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Janke, Kathol, Korth, Loftis, McHenry, Noonan, Schultz, Steffen. Absent: Zimmerman

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

The reading and/or action on the minutes of the November 24, 2020 Board of Directors meeting was next on the agenda. Motion was made by Steffen and seconded by Schultz that the minutes of the November 24, 2020 Board of Directors meetings be approved. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Loftis, McHenry, Noonan, Schultz, Steffen, Janke. Nay: None. Absent: Zimmerman. Motion Carried.

The Finance Subcommittee report was given by Dennis Schultz. Motion was made by Schultz and seconded by Huntley to approve income in the amount of \$223,137.75 and expenses in the amount of \$486,242.63 for the Lower Elkhorn Natural Resources District. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Loftis, Noonan, Schultz, Steffen, Janke. Nay: None. Abstain: McHenry. Absent: Zimmerman. Motion Carried.

Motion was made by Schultz and seconded by Hall to approve income in the amount of \$81,545.74 and expenses in the amount of \$42,009.45 for the Logan East Rural Water System as printed and distributed. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Loftis, McHenry, Noonan, Schultz, Steffen, Janke. Nay: None. Absent: Zimmerman. Motion Carried.

Motion was made by Schultz and seconded by Hansen to approve income in the amount of \$7,097.67 and expenses in the amount of \$11,043.92 for the Wau-Col Regional Water System. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Loftis, McHenry, Noonan, Schultz, Steffen, Janke. 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 Scott McHenry. He reported that the NARD conference in Washington D.C. scheduled for March 2021 was canceled. A copy of the report is attached to the official minutes.

The Nebraska Natural Resources Commission written report from Gary Anderson is attached to official minutes.

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

There were no RC&D reports due to cancelled meetings.

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

The Administrative Report was given by General Manager Mike Sousek. A copy is attached to the official minutes.

Motion was made by Schultz and seconded by Loftis to approve the 2021 meeting schedule. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Kathol, Loftis, McHenry, Noonan, Schultz, Steffen, Janke. Nay: Korth. Absent: Zimmerman. Motion Carried.

Motion was made by Steffen and seconded by Kathol to authorize the General Manager to sign the professional services agreement with HDR Engineering for the Willow Creek Dam Phase 1 Design to mitigate the high artesian pressures with a cost not to exceed \$50,032.00, with an option to be determined at a later date to complete Task 520 (recommendations for phase 2), which is an additional not to exceed \$51,761.00. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Loftis, McHenry, Noonan, Schultz, Steffen, Janke. Nay: None. Absent: Zimmerman. Motion Carried.

Motion was made by Steffen and seconded by Clausen to approve the 2020 Crop Damage Agreement on the Norman and Agnes Herian – Willow Creek Project easement and approve payment in the amount of \$6,672.73. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Loftis, McHenry, Noonan, Schultz, Steffen, Janke. Nay: None. Absent: Zimmerman. Motion Carried.

Motion was made by Schultz and seconded by Clausen to amend the motions that pertain to the Non 10/50 Area approved at the November 24, 2020 Lower Elkhorn Natural Resources District Board of Directors meeting to reflect the corrected number: 2676.77 new groundwater irrigated acres. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Kathol, Loftis, McHenry, Noonan, Schultz, Janke. Nay: Korth. Abstain: Steffen. Absent: Zimmerman. Motion Carried.

Motion was made by Steffen and seconded by Noonan to accept the bid from Precision IT for audio/video equipment for the board room in the amount of \$6905. Aye: Gustafson, Hall, Hansen, Huntley, Kathol, Loftis, McHenry, Noonan, Schultz, Steffen, Janke. Nay: Allemann, Clausen, Korth. Absent: Zimmerman. Motion Carried.

Motion was made by Steffen and seconded by Hansen to approve the service agreement with University of Nebraska – Lincoln for research project: Visualizing and Assessing Nitrogen Contamination in Northeastern Nebraska. Contract amount not to exceed \$40,216. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Kathol, Loftis, McHenry, Noonan, Schultz, Steffen, Janke. Nay: Korth. Absent: Zimmerman. Motion Carried.

Motion was made by Steffen and seconded by Huntley to accept the marketing proposal from Hollman Media to assist with a media campaign dealing with the perception of the NRD and to bring public awareness of nitrate use and contamination. This will be a month to month contract not to exceed the amount of \$1,867.50 per month and a one- time fee for website development of \$3,180. Aye: Hansen, Huntley, Kathol, Loftis, McHenry, Noonan, Schultz, Steffen, Janke. Nay: Allemann, Clausen, Gustafson, Hall, Korth. Absent: Zimmerman. Motion Carried.

Motion was made by Steffen and seconded by McHenry to approve the Dividend Resolution for the NARD Office in regard to the NARD Risk Pool financing of the purchase of an office building for the Nebraska Association of Resources District and authorize the Chairman to sign the resolution. Aye: Allemann, Clausen, Gustafson, Hall, Hansen, Huntley, Kathol, Loftis, McHenry, Noonan, Schultz, Steffen, Janke. Nay: Korth. Absent: Zimmerman. Motion Carried.

Motion was made by Steffen and seconded by Huntley to have the General Manager sign the Interlocal Agreement with the City of Norfolk to perform an east drainage study not to exceed the 50% cost share amount of \$18,828.95. Aye: Allemann, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Loftis, McHenry, Noonan, Schultz, Steffen, Janke. Nay: Clausen. Absent: Zimmerman. Motion Carried.

Motion was made by Steffen and seconded by McHenry to delay the election of officers for the Lower Elkhorn NRD Board until February at a time when the board will convene in person. Aye: Hansen, Huntley, Kathol, Loftis, McHenry, Noonan, Schultz, Steffen, Janke. Nay: Allemann, Clausen, Gustafson, Hall. Absent: Zimmerman, Korth. Motion Carried.

Meeting adjourned at 9:00 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 December 22, 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: