

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

7:30 p.m. Thursday, March 25, 2021

Nielsen Center, 200 Anna Stalp Drive, West Point Nebraska

The Board of Directors Meeting of the Lower Elkhorn Natural Resources District was called to order by Chairman Mark Hall on Thursday, March 25, 2021 at the Nielsen Center, 200 Anna Stalp Drive, West Point, Nebraska. Chairman Hall informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on March 18, 2021 and The West Point News on March 17, 2021.

Roll call was taken by Programs Coordinator Patty Martens with 11 of 15 Directors present. Present: Allemann, Clausen, Gustafson, Hansen, Korth, Loftis, Reikofski, Schultz, Steffen, Zohner, Hall. Absent: Huntley, Janke, McHenry, Noonan.

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

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

The reading and/or action on the minutes of the February 25, 2021 Board of Directors meeting was next on the agenda. Motion was made by Allemann and seconded by Clausen that the minutes of the February 25, 2021 Board of Directors meetings be approved. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, Loftis, Reikofski, Schultz, Steffen, Zohner, Hall. Nay: None. Absent: Huntley, Janke, McHenry, Noonan. Motion Carried.

The Finance Subcommittee report was given by Dennis Schultz. Motion was made by Schultz and seconded by Clausen to approve income in the amount of \$265,115.13 and expenses in the amount of \$361,780.28 for the Lower Elkhorn Natural Resources District. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, Loftis, Reikofski, Schultz, Steffen, Zohner, Hall. Nay: None. Absent: Huntley, Janke, McHenry, Noonan. Motion Carried.

Motion was made by Schultz and seconded by Loftis to approve income in the amount of \$75,307.95 and expenses in the amount of \$32,150.56 for the Logan East Rural Water System as printed and distributed. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, Loftis, Reikofski, Schultz, Steffen, Zohner, Hall. Nay: None. Absent: Huntley, Janke, McHenry, Noonan. Motion Carried.

Motion was made by Schultz and seconded by Clausen to approve income in the amount of \$7,475.71 and expenses in the amount of \$4,875.95 for the Wau-Col Regional Water System. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, Loftis, Reikofski, Schultz, Steffen, Zohner, Hall. Nay: None. Absent: Huntley, Janke, McHenry, Noonan. 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. A copy of the report is attached to the official minutes.

The Nebraska Natural Resources Commission report was not given.

The Natural Resources Conservation Service report was given by Kristin Schlueter, Resource Conservationist. A copy of the report is attached to the official minutes.

Mark Hall reported on the Northeast Nebraska RC&D and Gary Loftis reported on the Loess Hills RC&D. A copy of the Loess Hills report is attached to the official minutes.

A written Bazile Groundwater Management Area report was given by Whitney Gappa, Bazile Groundwater Management Area Project Coordinator. A copy of the 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.

The Logan East Rural Water System Advisory Committee report was given by RWS Manager Shawn Blahak, Chairman Ron Dierking, and Roger Gustafson. Motion was made by Gustafson and seconded by Loftis to accept the Logan East Rural Water System Advisory Committee minutes of March 8, 2021. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, Loftis, Reikofski, Schultz, Steffen, Zohner, Hall. Nay: None. Absent: Huntley, Janke, McHenry, Noonan. Motion Carried.

The Wau-Col Regional Water System report was given by Joel Hansen. Motion was made by Hansen and seconded by Clausen to accept the Wau-Col Regional Water System Advisory Committee minutes of March 4, 2021. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, Loftis, Reikofski, Schultz, Steffen, Zohner, Hall. Nay: None. Absent: Huntley, Janke, McHenry, Noonan. Motion Carried.

The Information, Planning, Programs, Projects, Equipment & Legislation Committee of the Whole report was given by Roger Gustafson.

Motion was made by Gustafson and seconded by Loftis to authorize the General Manager to sign the interlocal agreement with the Village of Winslow for their Acquisition Project as presented. This interlocal agreement is for 50% of the local costs for the demolition portion of the project not to exceed \$109,562.50 of District funds. Aye: Allemann, Clausen, Gustafson, Hansen, Loftis, Reikofski, Schultz, Steffen, Zohner, Hall. Nay: Korth. Absent: Huntley, Janke, McHenry, Noonan. Motion Carried.

Motion was made by Gustafson and seconded by Clausen to authorize the General Manager to sign the interlocal agreement with the Village of Pender for flood mitigation projects

as presented. This interlocal agreement is for 50% of the local costs for the West Detention Cell and West Drainage Ditch projects along with the Rattlesnake Creek Improvement Project(not including the storm sewer removal and channel cleanout from Whitney Street up to Slaughter Avenue) not to exceed \$527,671.88. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, Loftis, Reikofski, Schultz, Steffen, Zohner, Hall. Nay: None. Absent: Huntley, Janke, McHenry, Noonan. Motion Carried.

Motion was made by Gustafson and seconded by Loftis to authorize the General Manager to sign an agreement with Gary and Kathryn Krueger as presented. The agreement would provide funds in an amount not to exceed \$23,142.00 for the installation of drainage tile in the SE1/4 of Section 33, Township 26 North, Range 2 West in Pierce County to help drain wet areas downstream of Willow Creek Dam.

Discussion followed.

Moved to amend by Clausen and seconded by Korth to amend "The Agreement" to delete wording "Further, the LENRD has no duty to pay for any future repair costs or installation of drainage tile that may be necessary to maintain such desired conditions." Aye: Allemann, Clausen, Gustafson, Hansen, Korth, Loftis, Reikofski, Schultz, Zohner, Hall. Nay: Steffen. Absent: Huntley, Janke, McHenry, Noonan. Amendment Carried.

Motion was made by Schultz and seconded by Steffen to table amended motion until legal counsel can review. Aye: Schultz, Steffen, Hall. Nay: Allemann, Clausen, Gustafson, Hansen, Korth, Loftis, Reikofski, Zohner. Absent: Huntley, Janke, McHenry, Noonan. Motion Failed.

Moved to amend by Loftis and seconded by Korth to amend "The Agreement" wording to "....Further, any request that the LENRD pay for any future repair costs or installation of drainage tile that may be necessary to maintain such desired conditions, shall be subject to approval by the LENRD Board" and in addition be reviewed by legal counsel. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, Loftis, Reikofski, Schultz, Steffen, Zohner, Hall. Nay: None. Absent: Huntley, Janke, McHenry, Noonan. Amendment Carried.

Vote on the amended motion: to authorize the General Manger to sign an agreement with Gary and Kathryn Krueger as presented. The agreement would provide funds in an amount not to exceed \$23,142.00 for the installation of drainage tile in the SE1/4 of Section 33, Township 26 North, Range 2 West in Pierce County to help drain wet areas downstream of Willow Creek Dam and to amend "The Agreement" wording to "....Further, any request that the LENRD pay for any future repair costs or installation of drainage tile that may be necessary to maintain such desired conditions, shall be subject to approval by the LENRD Board" and in addition be reviewed by legal counsel. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, Loftis, Reikofski, Schultz, Steffen, Zohner, Hall. Nay: None. Absent: Huntley, Janke, McHenry, Noonan. Motion Carried.

Motion was made by Gustafson and seconded by Hansen to instruct staff to readvertise the Willow Creek Dam Pore Pressure Mitigation – Phase 1 Project with a bid opening scheduled

for May 10, 2021. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, Loftis, Reikofski, Schultz, Steffen, Zohner, Hall. Nay: None. Absent: Huntley, Janke, McHenry, Noonan. Motion Carried.

Meeting adjourned at 9:09 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 March 25, 2021 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.

Jerry Allemann, Secretary

Others Present:

Gary Krueger
Zachary Klein
Shawn Kotik
Matt Jorcton