

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

7:30 p.m. Thursday, March 24, 2022

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 Mark Hall on Thursday, March 24, 2022, at the Lower Elkhorn NRD, 1508 Square Turn Blvd, Norfolk, Nebraska. Chairman Mark Hall informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on March 17, 2022.

Roll call was taken by Administrative Assistant Patty Martens with 14 of 15 Directors present. Present: Allemann, Clausen, Gustafson, Hansen, Janke, Korth, Loftis, McHenry, Noonan, Reikofski, Steffen, Wisnieski, Zohner, Hall. Absent: Schultz.

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

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

The reading and/or action on the minutes of the February 24, 2022 Board of Directors meeting was next on the agenda. Motion was made by Allemann and seconded by Clausen that the minutes of the February 24, 2022 Board of Directors meeting be approved. Aye: Allemann, Clausen, Gustafson, Hansen, Janke, Korth, Loftis, McHenry, Noonan, Reikofski, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Schultz. Motion carried.

The Finance Subcommittee report was given by Anthony Wisnieski. Motion was made by Wisnieski and seconded by Gustafson to approve income in the amount of \$454,742.16 and expenses in the amount of \$318,752.14 for the Lower Elkhorn Natural Resources District. Aye: Allemann, Clausen, Gustafson, Hansen, Janke, Korth, Loftis, McHenry, Noonan, Reikofski, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Schultz. Motion carried.

Motion was made by Wisnieski and seconded by Loftis to approve income in the amount of \$82,509.57 and expenses in the amount of \$71,391.52 for the Logan East Rural Water System as printed and distributed. Aye: Allemann, Clausen, Gustafson, Hansen, Janke, Korth, Loftis, McHenry, Noonan, Reikofski, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Schultz. Motion carried.

Motion was made by Wisnieski and seconded by Hansen to approve income in the amount of \$7,213.35 and expenses in the amount of \$5,357.57 for the Wau-Col Regional Water System. Aye: Allemann, Clausen, Gustafson, Hansen, Janke, Korth, Loftis, McHenry, Noonan, Reikofski, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Schultz. 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.

NARD board member Joel Hansen reported on some legislative updates from the March 7, 2022 quarterly meeting. He also noted of the upcoming Envirothon to be held on April 27, 2022 and the next NARD meeting on June 6 and 7 in the Nebraska Panhandle.

There was nothing to report from the Nebraska Natural Resources Commission.

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

Gary Loftis reported on the Nebraska Loess Hills RC&D. Loftis reported that the Papio-Missouri River NRD is coordinating (4) electronic waste collections on May 24 and 26 in Dakota City, Walthill, Tekamah, and Blair. The RC&D will help with the project.

Whitney Gappa reported on the Bazile Groundwater Management Area. A 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.

An annual report to the Board on the Pierce County Pilot Project was provided by Craig Marsh on behalf of Dan and John Schmit of the Osmond area who are involved in the project. Craig reviewed various pieces of monitoring information which are routinely collected to assess the nitrogen application using the TAAPS concept. Soil sampling is conducted at multiple frequencies to monitor movement within the soil profile, in addition to regular testing of groundwater and surface water that is artificially drained via subsurface drainage tile. Yield data is collected and evaluated by site in comparison to units of nitrogen applied per field. The project is entering the fourth growing season, and some supplemental soil and water monitoring will be discussed with the project partners.

Motion was made by Loftis and seconded by Clausen to recommend the LENRD board approve the purchase by the Logan East RWS of a 2021 Chevy Silverado 1/2 ton from Sid Dillon for \$37,833 including trade in. Aye: Allemann, Clausen, Gustafson, Hansen, Janke, Korth, Loftis, McHenry, Noonan, Reikofski, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Schultz. Motion carried.

Motion was made by Loftis and seconded by Korth to accept the Logan East Rural Water System Advisory Committee Minutes of March 14, 2022. Aye: Allemann, Clausen, Gustafson, Hansen, Janke, Korth, Loftis, McHenry, Noonan, Reikofski, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Schultz. Motion carried.

Motion was made by Hansen and seconded by Korth to approve, as recommended by the Wau-Col Rural Water System Advisory Committee, a Contract for Services in the amount of \$1,850.00 with Maguire Iron Inc of South Dakota for tower inspection of the Wau-Col water tower. Aye: Allemann, Clausen, Gustafson, Hansen, Janke, Korth, Loftis, McHenry, Noonan,

Reikofski, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Schultz. Motion carried.

Motion was made by Hansen and seconded by Korth to accept the Wau-Col Rural Water System Advisory Committee Minutes of March 2, 2022. Aye: Allemann, Clausen, Gustafson, Hansen, Janke, Korth, Loftis, McHenry, Noonan, Reikofski, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Schultz. 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 Professional Services Agreement – Amendment 1, with FYRA Engineering for the Elkhorn River Bank Stabilization at Scribner Project as presented, in the amount of \$48,320.00 once the City of Scribner and Dodge County approve this amendment. Aye: Allemann, Clausen, Gustafson, Hansen, Janke, Korth, Loftis, McHenry, Noonan, Reikofski, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Schultz. Motion carried.

Motion was made by Gustafson and seconded by Korth to authorize the General Manager to sign the scope of services contract with JEO Consulting Group for the Battle Creek – Diversion Channel Study (JEO Project No. 190648.02) as presented, for an amount not to exceed \$78,970. Aye: Korth. Nay: Allemann, Clausen, Gustafson, Hansen, Janke, Loftis, McHenry, Noonan, Reikofski, Steffen, Wisnieski, Zohner, Hall. Absent: Schultz. Motion Failed.

Motion was made by Gustafson and seconded by Loftis to accept the terms of Amendment #7 to the Eastern Nebraska Water Resources Assessment Interlocal Cooperative Agreement and to authorize the General Manager to sign the agreement on behalf of the LENRD. Aye: Allemann, Clausen, Gustafson, Hansen, Janke, Loftis, McHenry, Noonan, Reikofski, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Schultz. Absent Later: Korth. Motion carried.

Motion was made by Gustafson and seconded by Hansen to accept the terms of renewal for the Interlocal Cooperative Agreement #3 for the Lower Platte River Basin Water Management Coalition and to authorize the General Manager to sign the agreement on behalf of the LENRD. Aye: Allemann, Clausen, Hansen, Janke, Loftis, McHenry, Noonan, Reikofski, Steffen, Wisnieski, Zohner, Hall. Nay: Gustafson. Absent: Schultz. Absent Later: Korth. Motion carried.

Connor Baldwin, LENRD Groundwater Management Area Specialist, provided an update to the Board regarding compliance of Phase 2 and 3 Area requirements. Connor informed the Board that the submittal of management area reports, which were due on March 15, is moving along on a pace with previous reporting cycles, and reminders were recently mailed to ensure that farm operators get those submitted to avoid compliance action. Also discussed was the District's Nitrogen Certification requirement, and that approximately 60 operators had yet to achieve their requirement. Notifications of non-compliance will be mailed to inform these operators of the need to obtain the necessary education credits, and to inform them of their options which include an in-person event on April 7th, or by successfully completing a take-home exam provided by the District.

Brian Bruckner, LENRD Assistant General Manager, gave an update on compliance with Notices of Violations for non-submittal of flow meter reporting. It was reported that one landowner had yet to comply with the Notice of Violation and had yet to submit flow meter reading for four irrigation wells for which they own and operate. District staff would again contact the party to attempt to obtain the information, and it was suggested that five business days be allowed prior to issuing a cease and desist order, to allow the individual to come into compliance.

Motion was made by Hansen and seconded by Allemann to direct staff to issue cease and desist orders to those producers who have not turned in their flow meter readings. The LENRD will contact producers one last time via phone, giving the individuals (5) business days to respond after contact. Aye: Allemann, Clausen, Gustafson, Hansen, Janke, Loftis, McHenry, Noonan, Reikofski, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Schultz. Absent Later: Korth. Motion carried.

Motion was made by Gustafson and seconded by Wisnieski to accept the bid from Reigle Implement of Madison, Nebraska for a 2022 Hustler X-1 Zero Turn mower in the amount of \$8,500.00, no trade-in, for use at Maple Creek Recreation Area. Aye: Allemann, Clausen, Gustafson, Hansen, Janke, Loftis, McHenry, Noonan, Reikofski, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Schultz. Absent later: Korth. Motion carried.

Motion was made by Gustafson and seconded by McHenry to accept the bid from Mel's Small Engine of Bancroft, Nebraska for a 2022 Grasshopper 729T mower in the amount of \$7,744.00 including trade-in amount, for use at Maskenthine Recreation Area. Aye: Allemann, Clausen, Gustafson, Hansen, Janke, Loftis, McHenry, Noonan, Reikofski, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Schultz. Absent later: Korth. Motion carried.

Meeting adjourned at 11:37 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 24, 2022 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:

Terry Becker	James Geyer
Joe Kuchar	Keith Dittrich
John Dittrich	Matt Johnson
Kenny Kuchar	Eric Kraft