

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

7:30 p.m. Thursday, May 26, 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, May 26, 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 May 19, 2022.

Roll call was taken by Administrative Assistant Patty Martens with 13 of 15 Directors present. Present: Allemann, Clausen, Gustafson, Hansen, Korth, McHenry, Noonan, Reikofski, Schultz, Steffen, Wisnieski, Zohner, Hall. Absent: Janke, Loftis.

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

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

The Public Hearing on Amending the Fiscal Year 2022 Budget to reflect refinancing the debt of Logan East Rural Water System Project was held. Notice of the budget hearing was in the Norfolk Daily News, The West Point News, and The Wayne Herald on May 19, 2022.

Motion was made by Gustafson and seconded by Clausen to approve the amended Fiscal Year 2022 Lower Elkhorn Natural Resources District budget to reflect refinancing of the debt of the Logan East Rural Water System. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, McHenry, Noonan, Reikofski, Schultz, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Janke, Loftis. Motion carried.

The reading and/or action on the minutes of the April 28, 2022 Board of Directors meeting was next on the agenda. Motion was made by Allemann and seconded by Clausen that the minutes of the April 28, 2022 Board of Directors meeting be approved. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, McHenry, Noonan, Reikofski, Schultz, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Janke, Loftis. Motion carried.

The Finance Subcommittee report was given by Anthony Wisnieski. Motion was made by Wisnieski and seconded by Noonan to approve income in the amount of \$1,221,260.21 and expenses in the amount of \$1,508,329.05 for the Lower Elkhorn Natural Resources District. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, McHenry, Noonan, Reikofski, Schultz, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Janke, Loftis. Motion carried.

Motion was made by Wisnieski and seconded by Noonan to approve income in the amount of \$73,106.70 and expenses in the amount of \$75,414.60 for the Logan East Rural Water System as printed and distributed. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, McHenry, Noonan, Reikofski, Schultz, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Janke, Loftis. Motion carried.

Motion was made by Wisnieski and seconded by Hansen to approve income in the amount of \$7,100.48 and expenses in the amount of \$7,667.26 for the Wau-Col Regional Water System. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, McHenry, Noonan, Reikofski, Schultz, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Janke, Loftis. Motion carried.

Motion was made by Wisnieski and seconded by Clausen to approve the Fiscal Year 2022 auditing agreement with Dana F. Cole & Company. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, McHenry, Noonan, Reikofski, Schultz, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Janke, Loftis. 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. He reported that the NARD board meeting, along with the NRD 2022 Basin Tour, will be based out of Scottsbluff on June 6-7.

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.

The Loess Hills RC&D report was referenced in Dropbox by General Manager Mike Sousek. A copy of the report is attached to the official minutes.

There was not a report on the Bazile Groundwater Management Area since the Project Coordinator position is currently vacant. Applications are currently being reviewed, with interviews of qualified candidates to follow.

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

Motion was made by Gustafson and seconded by Schultz to accept the Logan East Rural Water System Advisory Committee Minutes of May 9, 2022. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, McHenry, Noonan, Reikofski, Schultz, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Janke, Loftis. Motion carried.

Motion was made by Hansen and seconded by Zohner to accept the Wau-Col Rural Water System Advisory Committee Minutes of May 5, 2022. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, McHenry, Noonan, Reikofski, Schultz, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Janke, Loftis. 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 Wisnieski to provide permission to Joseph A. Sisco to conduct the study entitled “Nebraska’s Natural Resource Districts and the Emergent Theory of Non-Participation” in the Lower Elkhorn Natural Resources District, and to direct staff to provide a random list of potential participants. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, McHenry, Noonan, Reikofski, Schultz, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Janke, Loftis. Motion carried.

Motion was made by Gustafson and seconded by Korth to authorize District staff to prepare and send Cease and Desist Orders to any impacted farm operator and/or landowner for failure to comply with the LENRD Management Area requirements, as necessary. Aye: Allemann, Gustafson, Hansen, Korth, McHenry, Noonan, Reikofski, Schultz, Steffen, Wisnieski, Zohner, Hall. Nay: Clausen. Absent: Janke, Loftis. Motion carried.

Motion was made by Gustafson and seconded by Korth to accept the terms of Research Agreement #141610 between the University of Nebraska-Lincoln and the Lower Elkhorn Natural Resources District for the Vadose Zone Coring Project in Cuming, Colfax, and Dodge Counties, not to exceed a cost of \$89,068.00. Aye: Allemann, Clausen, Gustafson, Hansen, Korth, McHenry, Noonan, Reikofski, Schultz, Steffen, Wisnieski, Zohner, Hall. Nay: None. Absent: Janke, Loftis. Motion carried.

Meeting adjourned at 8:36 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 May 26, 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