

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

**The meeting notice was posted on the District's Website (www.lenrd.org)
on August 4, 2023 through August 15, 2023. The agenda was posted on the District's
website on August 4, 2023 and will be available for six months.**

7:00 p.m. Thursday, August 10, 2023
Lower Elkhorn NRD, 1508 Square Turn Blvd., Norfolk, Nebraska

The Special Board of Directors Meeting of the Lower Elkhorn Natural Resources District was called to order by Chairman Roger Gustafson on Thursday, August 10, 2023, at the Lower Elkhorn NRD, 1508 Square Turn Blvd., Norfolk, Nebraska. Chairman Gustafson informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on August 7, 2023. The agenda for the Special Board Meeting was also available to the public on the District's website on August 4, 2023 and was not changed or amended thereafter.

Roll call was taken by Administrative Assistant Patty Martens with 13 of 15 Directors present. Present: Jerry Allemann, James Aschoff, Mark Burenheide, Michael Fler, Mark Hall, Chad Korth, Kris Loberg, Gary Loftis, Jay Reikofski, Matt Steffen, Anthony Wisnieski, Rod Zohner, Roger Gustafson. Absent: Scott Clausen, Melissa Temple.

Motion was made by Korth and seconded by Zohner *to excuse the absences of Scott Clausen and Melissa Temple*. Aye: Allemann, Aschoff, Burenheide, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Clausen, Temple. Motion carried.

Motion was made by Korth and seconded by Hall *to adopt the agenda*. Aye: Allemann, Aschoff, Burenheide, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Clausen, Temple. Motion carried.

Chairman Gustafson announced that the purpose of the meeting is to report on the investigation and consideration of sanctions. His announcement also included the procedure that would be followed during the meeting and that Director Temple, who was out of town, will be represented by her attorney, Vanessa Silke, who requested to speak on her behalf.

Gustafson continued with a timeline of past events which included conversations with the Executive Board, and actions that led to the scheduling and subsequent proposed sanctions of the August 10, 2023 Special Board meeting. Board members were provided with a copy of the complaint, Director Temple's response to the complaint, and associated documents including a letter from Temple's legal counsel.

Legal counsel Vanessa Silke was then invited to the podium and addressed the board without limitation.

After Ms. Silke addressed the board, thirteen members of the audience in support of

Director Temple were given the opportunity to speak.

At the conclusion of public comments, Interim Manager Brian Bruckner informed the Board and members of the public of his receipt and forwarding to the Board, emails received from Ann Berry, Josh Moenning, Darrek Schmidt and Anneka Ramirez.

At 8:06 p.m., Chairman Gustafson proposed the board enter into Executive Session. Motion was made by Loftis and seconded by Korth to enter into closed session for protection of the reputation of the individual. Aye: Allemann, Aschoff, Burenheide, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Clausen, Temple. Motion carried.

At 9:23 p.m., motion was made by Korth and seconded by Fler to reenter regular session. Aye: Allemann, Aschoff, Burenheide, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Wisnieski, Zohner, Gustafson. Nay: None. Absent: Clausen, Temple. Motion carried.

Motion was made by Steffen and seconded by Alleman to recommend sanctions against Director Melissa Temple for violation of Bylaw Article VI, 5 (serve as a model of leadership and civility) that include: public reprimand; removal from all subcommittees for a period of one year; suspension of right to make motions for a period of one year; no reimbursement for any out of District related travel expenses for a period of one year. Melissa will retain her right to vote on all motions.

Discussion followed.

Motion was made by Hall and seconded by Burenheide to amend the original motion by removing the sanction: "suspension of right to make motions for a period of one year" from the original motion. Discussion followed. Aye: Burenheide, Fler, Hall, Korth, Loberg, Loftis, Steffen, Zohner. Nay: Allemann, Aschoff, Reikofski, Wisnieski, Gustafson. Absent: Clausen, Temple. Motion carried.

Motion was made by Korth and seconded by Loftis to table the amended motion to a time when Melissa Temple can be present. Discussion followed. Aye: Burenheide, Fler, Korth, Loftis. Nay: Allemann, Aschoff, Hall, Loberg, Reikofski, Steffen, Wisnieski, Zohner, Gustafson. Absent: Clausen, Temple. Motion failed.

Motion was made by Steffen and seconded by Allemann to vote on amended motion "to recommend sanctions against Director Melissa Temple for violation of Bylaw Article VI, 5 (serve as a model of leadership and civility) that include: public reprimand; removal from all subcommittees for a period of one year; no reimbursement for any out of District related travel expenses for a period of one year. Melissa will retain her right to vote on all motions." Aye: Allemann, Aschoff, Burenheide, Hall, Loberg, Reikofski, Steffen, Wisnieski, Zohner, Gustafson. Nay: Fler, Korth, Loftis. Absent: Clausen, Temple. Motion carried.

Meeting adjourned at 9:32 p.m.

Others present and speaking: Terry Becker, Mo Bailey, Angie Bailey, Jennifer Ippensen, Natalie Kent, Molly Bradley, Joel Hansen, Celeste Kaufman, Mark Zimmerer, Scott McHenry, Layne Roth, Vickie DeJong, Melinda Heller

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 August 10, 2023 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.

Jay Reikofski, Secretary