

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

7:30 p.m., Thursday, October 27, 2016

Lower Elkhorn NRD

601 East Benjamin, Norfolk, Nebraska

The Board of Directors Meeting of the Lower Elkhorn Natural Resources District was called to order by Chairman Danny Kluthe on Thursday, October 27, 2016 at the Lower Elkhorn NRD, 601 East Benjamin, Norfolk, Nebraska. Chairman Kluthe informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on October 22, 2016 and the Nebraska Open Meetings Act information posted.

Roll call was taken by Administrative Assistant Vickie DeJong with 13 of 13 Directors present. Present: Gustafson, Hall, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Noonan, Otten, Schultz, Shelton, Kluthe. Absent: None. (Subdistrict 4 vacant, due to the resignation of Tim Tighe and Subdistrict 2 vacant, due to the resignation of Luke Winkelbauer.)

Motion was made by Schultz and seconded by Shelton *to adopt the agenda*. Aye: Gustafson, Hall, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Noonan, Otten, Schultz, Shelton, Kluthe. Nay: None. Absent: None. MOTION CARRIED.

The reading and/or action on the minutes of the September 22, 2016 Board of Directors meeting was next on the agenda. Motion was made by Loftis and seconded by Shelton *that the minutes of the September 23, 2016 Board of Directors*. Aye: Gustafson, Hall, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Noonan, Otten, Schultz, Shelton, Kluthe. Nay: None. Absent: None. MOTION CARRIED.

The Finance Subcommittee report was given by Treasurer Bob Huntley. Motion was made by Huntley and seconded by Schultz *to approve income in the amount of \$472,119.15 and expenses in the amount of \$438,648.35 as printed and distributed*. Aye: Gustafson, Hall, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Noonan, Otten, Schultz, Shelton, Kluthe. Nay: None. Absent: None. MOTION CARRIED.

Motion was made by Huntley and seconded by Shelton *to approve income in the amount of \$83,191.44 and expenses in the amount of \$134,369.28 for the Logan East Rural Water System as printed and distributed*. Aye: Gustafson, Hall, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Noonan, Otten, Schultz, Shelton, Kluthe. Nay: None. Absent: None. MOTION CARRIED.

Motion was made by Huntley and seconded by Krueger *to approve the income in the amount of \$8,530.11 and expenses in the amount of \$6,804.90 for the Wau-Col Regional Water System as printed and distributed*. Aye: Gustafson, Hall, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Noonan, Otten, Schultz, Shelton, Kluthe. Nay: None. Absent: None. MOTION CARRIED.

The conservation cost share report is attached to the official minutes.

The Nebraska Association of Resources Districts report was given by Kurt Janke. Bob Huntley reported on the NARD Annual Conference in Kearney in September.

No Nebraska Natural Resources Commission report was given.

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

Bob Huntley gave the Northeast Nebraska RC&D report and Gary Loftis reported on the Loess Hills RC&D.

The Bazile Groundwater Management Area Project report was given by Tanner Jenkins, Bazile GMA Project Coordinator. (A copy of the report is attached to the official minutes.)

The Administrative Report was given by the staff. General Manager Mike Sousek gave a manager's report. (A copy of the report attached to the official minutes.)

The Logan East Rural Water System Advisory Committee report was given by Gary Loftis and RWS Manager Shawn Blahak. Motion was made by Loftis and seconded by Huntley to accept the Logan East Rural Water System minutes of October 10, 2016. Aye: Gustafson, Hall, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Noonan, Otten, Schultz, Shelton, Kluthe. Nay: None. Absent: None. MOTION CARRIED.

The Committee of the Whole report was given by Vice-Chairman Dennis Schultz. Motion was made by Schultz and seconded by Krueger to approve the Interlocal Cooperative Act Agreement (Certification Along District Boundaries) with Lower Platte North Natural Resources District and authorize the Chairman to sign it. Aye: Gustafson, Hall, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Noonan, Otten, Schultz, Shelton, Kluthe. Nay: None. Absent: None. MOTION CARRIED.

Motion was made by Schultz and seconded by Shelton to direct staff to schedule a public hearing to receive public testimony regarding a proposed modification to the District's Groundwater Management Plan, which would require the installation of flow meters on all active, high capacity wells classified as livestock, commercial/industrial, and municipal use, and instruct staff to advertise and make necessary preparations for the hearing. Aye: Gustafson, Hall, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Noonan, Otten, Schultz, Shelton, Kluthe. Nay: None. Absent: None. MOTION CARRIED.

Motion was made by Schultz and seconded by Shelton to direct staff to schedule a public hearing regarding a proposed modification to the District's Rules and Regulations for Management of Groundwater, which modify the requirements for a Phase 2 and Phase 3 Area, and adds an additional set of requirements to the Rules for a Phase 4 Area, all of which could be implemented to address groundwater quality issues within the Lower Elkhorn Natural Resources District, and to instruct staff to advertise and make necessary preparations for the hearing. Aye: Gustafson, Hall, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Noonan, Otten, Schultz, Shelton, Kluthe. Nay: None. Absent: None. MOTION CARRIED.

Motion was made by Schultz and seconded by Shelton to hold a public hearing in conjunction with the monthly board meeting on November 22, 2016 to receive public comments regarding a proposed modification to the District's Rules for Chemigation, which would allow the removal of the chemical line check valve from the chemigation system for storage during the non-pumping season, and to instruct the staff to advertise and make necessary preparations for the hearing. Aye: Gustafson, Hall, Hansen, Huntley, Janke, Korth, Krueger, Loftis, Noonan, Otten, Schultz, Shelton, Kluthe. Nay: None. Absent: None. MOTION CARRIED.

Motion was made by Schultz and seconded by Shelton to have the General Manager sign a

contract with JEO Consulting group for the Lower Elkhorn Natural Resources District Willow Creek Reservoir Economic Study for the contracted amount of \$23,500. Aye: Hansen, Huntley, Loftis, Schultz, Shelton, Kluthe. Nay: Gustafson, Hall, Janke, Korth, Kruger, Noonan, Otten. MOTION FAILED.

Motion was made by Krueger and seconded by Otten to accept the resignation of Luke Winkelbauer, Subdistrict 2, with regret and authorize the staff to advertise the position. Aye: Gustafson, Hall, Hansen, Huntley, Janke, Krueger, Loftis, Noonan, Otten, Schultz, Shelton, Kluthe. Nay: Korth. Absent: None. MOTION CARRIED.

The meeting adjourned at 9:06 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 October 27, 2016 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.

Gary Loftis, Secretary

Others Present:
Doug Hall