

**Minutes of the
Lower Elkhorn Natural Resources District
Committee of the Whole Meeting
Thursday, December 14, 2023 at 7:00 pm
Lower Elkhorn NRD - 1508 Square Turn Blvd, Norfolk, Nebraska**

Chairman Roger Gustafson informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on December 6, 2023, and of the Nebraska Open Meetings Act information posted on the wall.

Directors in attendance were Jim Aschoff, Scott Clausen, Michael Fleeer, Roger Gustafson, Mark Hall, Kris Loberg, Gary Loftis, Jay Reikofski, Melissa Temple, Anthony Wisnieski, and Rod Zohner. Directors Jerry Allemann, Mark Burenheide, and Matt Steffen were absent.

1. Projects and Programs

- a. Update on Current Grants and Grant Opportunities – Grant Coordinator Julie Wragge gave a presentation on the various aspects of the grant management process. Included in her presentation was information on grant opportunities and partners, grants that have been secured by the LENRD, and factors to consider when searching for grants.
- b. Discussion on Possible Bureau of Reclamation WaterSMART Small-Scale Water Efficiency Projects Grant Partnership/Proposal – The District is considering the preparation of a proposal, in partnership with the McCrometer Company, that would provide funding to equip flow meters with remote-read telemetry. A resolution approved by the Board is required to apply for this grant. Julie Wragge presented and answered questions from the Board. General Manager Brian Bruckner explained that the meter would need to be a McCrometer prop style meter with a digital head or a head with an electronic insert. A resolution will need to be passed by the Board in support of the grant.

Recommended Motion: To approve Resolution NO. 2023-01 for the Lower Elkhorn Natural Resources District. Approval of this resolution indicates the District's commitment to providing funding, and to the development and execution of a cooperative agreement for the Bureau of Reclamation WaterSMART Grant for Small-Scale Water Efficiency Projects

2. Water Resources

- a. LENRD Policy for Orphaned Irrigated Acres – The District has been presented a situation where a landowner has acquired property that currently has certified irrigated acres and they would like to use an existing irrigation well on an adjacent property as a source of irrigation water. Water Resources Coordinator Josh Schnitzler provided

information regarding certified irrigated land within the District that has been severed from its original source of irrigation water due to a real estate transaction. The new owner would like to use an existing irrigation well that is located on an adjacent property as a source of irrigation water to continue irrigation activities on the newly purchased property.

Recommended Motion: To approve an additional guideline to be used in conjunction with the LENRD's Good Cause Variance to grant District staff the authorization to consider for approval a Good Cause Shown Expedited Variance request to utilize an existing irrigation well as a source of irrigation water for orphaned irrigated acres

- b. LENRD Quantity Management Subareas - Report and Discussion Regarding the Determination of Groundwater Allocations for the Quantity Management Subareas for the 2024 Growing Season – General Manager Brian Bruckner provided the Board with information regarding irrigation water use amounts for irrigation wells located in the Eastern Madison and Wayne County Quantity Management Subareas for the 2023 pumping season.

Recommended Motion: To set the 2024 allocation amounts for the Lower Elkhorn NRD Quantity Management Subareas at: 18 inches per irrigated acre for gravity/flood systems, 13 inches per irrigated acre for subsurface drip irrigation systems, and 14 inches per irrigated acre for all other irrigation systems in the Eastern Madison County Quantity Management Subarea; and 17 inches per irrigated acre for gravity/flood irrigation systems, 12 inches per irrigated acre for subsurface drip irrigation systems, and 13 inches per irrigated acre for all other irrigation systems in the Wayne County Quantity Management Subarea

- c. Update and Inventory of the Standard Variance Applications Received during the November 1st through December 1st, 2023 sign-up period – Water Resources Coordinator Josh Schnitzler provided an inventory of the applications for Standard Variances received by the District during the recent sign-up period. District staff is continuing its work to process the requests, with an official scoring and ranking recommendation brought forward for the Board's consideration at a later date.
- d. Update and Inventory of Flow Meter Readings Submitted by the December 1st deadline, and report on follow-up correspondence that has been mailed to those who have failed to submit their season-ending readings. - GIS Specialist Mike Murphy provided an update to the Board regarding the status of submittal of flow meter reports, which are due each December 1st. A reminder letter was recently mailed to those who had yet to submit the requested information, and a follow-up report will be provided to the Board at the December 28th meeting.

3. Administrative

- a. NARD 414 (h) Contribution Levels – The NARD is proposing raising the employee and NRD contribution levels for the NARD 414(h) Retirement Plan and would like

feedback from each Nebraska Natural Resources District. General Manager Brian Bruckner presented figures on the possible one percent increase and will report Director feedback at the 2024 January Legislative Conference.

- b. NARD Flexible Benefits Plan – Bruckner reported that the NARD Risk Pool Board of Directors has recently approved Omnify for administration of the NRD Flexible Spending Account (FSA) plan. The Lower Elkhorn NRD has administered the FSA Plan in-house in the past, but would prefer participating in the NARD plan using Omnify as the administrator. Employee participation would begin January 1, 2024.

Recommended Motion: To amend and restate the Lower Elkhorn NRD current Cafeteria Plan to become a participating employer in the NARD Flexible Benefits Plan

Recommended Motion: To adopt the NARD Flexible Benefits Plan

- c. NRD Directors Per Diem – District staff and Directors discussed the development of possible guidelines to assist in defining eligible activities to be used when processing claims for Director per diem. Bruckner led a discussion regarding the possible development of a guideline that would outline eligible activities to be used when reviewing and processing claims for Director per diem. Information was also presented regarding an inquiry in 2017 by the Nebraska Auditor of Public Accounts to the records of the Little Blue NRD regarding payments for per diem. District staff will continue to research this matter and will report back at a later date.
- d. Fiscal Year 2023 Audit – The fiscal year 2023 audit will be presented by Dana F. Cole & Company at the December board meeting.

Recommended Motion: To accept the Fiscal Year 2023 Audit as prepared by Dana F Cole & Company

- e. 2024 Meetings Calendar – Staff presented a draft 2024 meeting calendar and asked for comments on proposed meeting dates for next year.

Recommended Motion: To approve the 2024 meeting schedule

4. Executive Board

- a. GMDA Conference – General Manager Brian Bruckner reminded Directors of the upcoming GMDA conference to be held in January of 2021. Directors were asked to let staff know as soon as possible.
- b. Legislative Conference - General Manager Brian Bruckner reminded Directors of the upcoming Legislative conference to be held in January of 2024.