

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

7:30 p.m., Tuesday, November 26, 2013

Lifelong Learning Center

601 East Benjamin, Norfolk, Nebraska

The Board of Directors Meeting of the Lower Elkhorn Natural Resources District was called to order by Chairman Joel Hansen on Tuesday, November 26, 2013 at the Lifelong Learning Center, 601 East Benjamin, Norfolk, Nebraska. Chairman Hansen informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on November 21, 2013 and the Nebraska Open Meetings Act information posted.

Roll call was taken by Administrative Secretary Vickie DeJong with 12 of 13 Directors present. Present: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Absent: Huntley. (*Director vacancies in Subdistricts 5 and 7.*)

Motion was made by Kluthe and seconded by Zessin to adopt the agenda. Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION CARRIED.

The reading and/or action on the minutes of the October 24, 2013 Board of Directors meeting was next on the agenda. Motion was made by Schultz and seconded by Zessin that the minutes of the October 24, 2013 Board of Directors meeting be approved as printed. Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION CARRIED.

The Finance Subcommittee report was given by Treasurer Mike Krueger. Motion was made by Krueger and seconded by Kluthe to approve income in the amount of \$67,482.94 and expenses in the amount of \$258,340.42 as printed and distributed. Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION CARRIED.

Motion was made by Krueger and seconded by Loftis to approve income in the amount of \$71,277.23 and expenses in the amount of \$36,095.27 for the Logan East Rural Water System as printed and distributed. Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION CARRIED.

Motion was made by Krueger and seconded by Kluthe to approve the income in the amount of \$16,278.08 and expenses in the amount of \$5,895.90 for the Wau-Col Regional Water System as printed and distributed. Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION CARRIED.

Motion was made by Krueger and seconded by Zessin to approve the income in the amount of \$6.44 and expenses in the amount of \$0.00 for the Lower Elkhorn NRD Rural Water System as printed and distributed. Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION CARRIED.

Motion was made by Krueger and seconded by Kluthe to accept the Fiscal Year 2013 audit as prepared by Dana F Cole & Company. Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer,

Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION CARRIED.

The conservation cost share report was given by Assistant Manager Ken Berney.

The Nebraska Association of Resources Districts report was given by Ken Peitzmeier. He reported on the NARD meeting held on November 11.

The Nebraska Natural Resources Commission report was given by Garry Anderson. He reported on the Water Policy Task Force.

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

The Loess Hills Nebraska RC&D report was given by Gary Loftis.

The Administrative Report was given by staff employees.

Due to the vacancy of the Subdistrict VII director the board advertised for candidates to fill the vacancy. Candidates present and interviewed were Clark Boschult and Roger Gustafson. Unable to attend was Daniel Beerbohm. The appointment will be made at the December 19, 2013 board of directors meeting.

A hearing was held for Burton Lingenfelter concerning the Lower Elkhorn NRD's notice of intent to issue a cease and desist order for irrigating the Northeast Quarter of Section 31, Township 28 North, Range 2 West in Pierce County.

Motion was made by Kluthe and seconded by Shafer that the District finds that a violation of the Groundwater Management Area rules has occurred and ask the staff to issue a cease and desist order to Burton Lingenfelter for the Northeast Quarter of Section 31, Township 28 North, Range 2 West in Pierce County Aye: Carlson, Kluthe, Loftis, Meyer, Schultz, Shafer, Tighe, Zessin, Hansen. Nay: Peitzmeier. Abstain: Anderson, Krueger. Absent: Huntley. MOTION CARRIED.

The Logan East Rural Water System Advisory Committee report was given by Director Gary Loftis. Motion was made by Loftis and seconded by Zessin to accept the Logan East Rural Water System Advisory Committee minutes of November 12, 2013. Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION CARRIED.

The Wau-Col Regional Water System Advisory Committee report was given by Director Garry Anderson. Motion was made by Anderson and seconded by Krueger to accept the bid for \$1950.00 from HOA Solutions to install the splitter for a chlorine pump at the Coleridge meter pit. Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION CARRIED.

Motion was made by Anderson and seconded by Zessin to accept the Wau-Col Regional Water System Advisory Committee minutes of November 14, 2013. Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION CARRIED.

The new Rural Water System Advisory Committee report was given by Director Tim Tighe.

Motion was made by Tighe and seconded by Loftis to accept the Lower Elkhorn NRD Rural Water System Advisory Committee minutes of October 29, 2013 and November 12, 2013. Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION CARRIED.

The Information, Planning & Programs Subcommittee report was given by Subcommittee Chairman Gary Loftis. Motion was made by Loftis and seconded by Zessin to keep the 2014 allocation limits equal to the 2013 limits, which are: 18 acre-inches per irrigated acre for gravity/flood irrigation systems, 13 acre-inches per irrigated acre for subsurface drip irrigation systems, and 14 acre-inches per irrigated acre for all other irrigation systems in the Eastern Madison County Quantity Subarea; and 17 acre-inches per irrigated acre for gravity/flood irrigation systems, 12 acre-inches per irrigated acre for subsurface drip irrigation systems, and 13 acre-inches per irrigated acre for all other irrigation systems in the Wayne County Quantity Subarea. Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION CARRIED.

Motion was made by Loftis and seconded by Kluthe to approve the Irrigation Management Workshop agenda for four hours of credit for education requirements and to require two hours of education programs for 2014 for people in the Quantity Subareas. Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION CARRIED.

Motion was made by Loftis and seconded by Krueger to approve the staff recommendation on the Conservation Cost Share and Lands for Conservation Program for 2014. (Copy attached to the official minutes.) Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION CARRIED.

The Projects, Equipment and Legislation Subcommittee report was given by Subcommittee Chairman Tim Tighe. Motion was made by Tighe and seconded by Kluthe to approve the Community Forestry Program and Forestry Incentive for Public Facilities applications as per staff recommendation: Community Forestry Program:

City of Battle Creek, Park Tree Placement	\$2324.85
City of Clarkson, Golden Living Center Windbreak	\$997.60
City of Scribner, Mohr Auditorium Forestry Project	\$1363.80
SID#1, Planting Trees at Park	<u>\$3780.00</u>
Total	\$8466.25

Forestry Incentive for Public Facilities

Club 91 Golf Course, Tree Replacement	\$975.00
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Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION CARRIED.

The Executive Board report was given by Vice-Chairman Danny Kluthe. Motion was made by Kluthe and seconded by Krueger to accept the resignation of Edd Riley and authorize the staff to advertise for the Subdistrict 5 director vacancy, with candidate interviews at the December board meeting and appointment at the January board meeting (unless only one candidate). Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION CARRIED.

Motion was made by Kluthe and seconded by Krueger to approve the proposed amendments to the ByLaws. (Copy attached to official minutes.) Aye: Anderson, Carlson, Kluthe, Krueger, Loftis, Meyer, Peitzmeier, Schultz, Shafer, Tighe. Zessin, Hansen. Nay: None. Absent: Huntley. MOTION

CARRIED.

The meeting adjourned at 10:45 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 November 26, 2013 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.

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Dennis Schultz, Secretary

Others Present:

Roger Gustafson, Emerson

Kathy Dohmen, Pierce

Clark Boschult, Scribner

Tom Nathan, Meadow Grove

Daniel Rohrer, Creighton

Steve Mossman, Lincoln

Burt Lingenfelter, Neligh

Kimberly Lingenfelter, Neligh