

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

Certification of Acres Hearing

7:30 p.m., Thursday, September 28, 2017

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 Dennis Schultz on Thursday, September 28, 2017 at the Lifelong Learning Center, 601 East Benjamin, Norfolk, Nebraska. Chairman Schultz informed the Board and those attending of the Publication of Meeting Notice in the Norfolk Daily News on September 18, 2017 and the Nebraska Open Meetings Act information posted at the entrance to the room.

Chairman Dennis Schultz gave a brief description of the District’s hearing rules for the public, staff and Board: the complete hearing rules were posted on the district website and copies of a summary of those rules was made available to anyone present at the meeting; any member of the public would be given the opportunity to appear in person or through their agent and could present any supporting witnesses, evidence, or statements in support of their position; the Chairman would allow the property owner 10 minutes to testify, followed by 5 minutes for each member of the public, followed by testimony from the District staff, concluded with 5 minutes for rebuttal testimony; once an individual hearing had been closed, neither the public nor the staff could present additional information unless requested by the board; discourteous conduct, disorderly conduct, as well as highly repetitious testimony would not be allowed in the hearings; and anyone wishing to contest the staff’s preliminary determination of the number of certified irrigated acres for a parcel must indicate their desire to do so by writing the unique parcel ID number for the land they wish to contest on the sign-up sheet.

Motion was made by Huntley and seconded by Kathol *to open all public hearings on the agenda.* Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Krueger, Loftis, Noonan, Steffen, Schultz. Nay: None. Absent: Janke, McHenry. Motion Carried.

Chairman Schultz accepted into the record Exhibit number 1, the District’s Hearing Rules of Procedure; Exhibit number 2, the District’s Groundwater Management Area Rules and Regulations; Exhibit number 3, the Public Hearing Notice; and Exhibit number 4, the list of parcels (the “Unique Parcel ID Spreadsheet” prepared by District staff) subject to public hearing.

Chairman Schultz asked the staff if any requests for continuance were received. GIS Specialist Mike Murphy answered that 16 requests for continuance had been received.

A motion was made by Hansen and seconded by Barr *to allow a continuance until the next scheduled Certification Hearing, to be determined at a later date, for the following Unique Parcel ID numbers:*

PRELIMINARY CERTIFIED FIELDS THE OWNER WISHES TO HAVE A CONTINUANCE AND REMOVED FROM THE HEARING						
OWNER NAME	UNIQUE ID	PID (PARCEL)	CERTIFICATION ID	PRELIMINARY CERTIFIED FIELDS		
				GROUND WATER	SURFACE WATER	WASTE WATER
REYNOLDS/DOUGLAS D & JENNIFER M	538598	270137330	1908E10-002	12.56	0.57	0.00
STOLLBERG/PHILIP A	516091	270098965	2006E27-004	0.00	0.00	0.00

SINTEK, CO-TRS/WAYNE V & PATRICIA C	20293	590151959	2404W15-002	64.49	0.00	0.00
SINTEK, CO-TRS/WAYNE V & PATRICIA C	491726	590151940	2404W15-003	0.00	0.00	0.00
ORTMEIER/ALLAN R. & JENNIFER A.	141617	1180030	1804E13-008	52.59	0.00	0.00
VICTOR/LOREN H	478732	1160027	2606E18-004	71.33	0.00	0.00
VICTOR/LOREN H	478734	1160021	2606E18-005	71.10	0.00	0.00
VICTOR/LOREN H	478334	1160002	2605E12-003	193.08	0.00	0.00
VICTOR/LOREN H	478338	1160001	2605E12-004	77.78	0.00	0.00
VICTOR/LOREN H	478327	1160028	2605E12-005	38.55	0.00	0.00
VICTOR/LOREN H	478342	1160007	2605E12-006	111.39	0.00	0.00
VICTOR/LOREN H	478728	1160017	2606E07-001	156.31	0.00	0.00
VICTOR/LOREN H	428421	1160030	2606E07-002	148.82	0.00	0.00
VICTOR/LOREN	477948	2481	2605E03-003	86.30	0.00	0.00
VICTOR/LOREN	477958	2482	2605E03-004	142.90	0.00	0.00
VICTOR/LOREN	477959	2535	2605E10-004	8.38	0.00	0.00

Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Krueger, Loftis, Noonan, Steffen, Schultz. Nay: None. Absent: Janke, McHenry. Motion Carried.

Chairman Schultz opened a public hearing for the remaining 746 properties that were non-continued, non-contested, and non-conflict of interest (a list of the properties is attached to these minutes) and asked if anyone from the public, staff or Board wished to testify regarding any of these properties.

A motion was made by Hansen and seconded by Huntley *to make a final determination and approve the preliminary determinations for the 746 properties that remained on the District's list of properties to consider at public hearing on September 28, 2017 that were not continued, contested or did not have a conflict of interest* (the list of properties is attached to these minutes). Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Krueger, Loftis, Noonan, Steffen, Schultz. Nay: None. Absent: Janke, McHenry. Motion Carried.

Motion was made by Loftis and seconded by Kathol *to close the Public Hearing*. Aye: Allemann, Barr, Gustafson, Hall, Hansen, Huntley, Kathol, Korth, Krueger, Loftis, Noonan, Steffen, Schultz. Nay: None. Absent: Janke, McHenry. Motion Carried.

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 September 28, 2017 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.

Mark Hall, Secretary