

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

7:30 p.m. Thursday, April 27, 2023

Lower Elkhorn NRD, 1508 Square Turn Blvd., Norfolk, Nebraska

The Board of Directors Meeting of the Lower Elkhorn Natural Resources District was called to order by Chairman Roger Gustafson on Thursday, April 27, 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 April 21, 2023.

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

Motion was made by Gustafson and seconded by Korth *to adopt the agenda*. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Present later, no vote: Burenheide. Motion carried.

The reading and/or action on the minutes of the March 23, 2023 Board of Directors meeting was next on the agenda. Motion was made by Reikofski and seconded by Clausen *that the minutes of the March 23, 2023 Board of Directors meeting be approved*. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Present later, no vote: Burenheide. Motion carried.

The Finance Subcommittee report was given by Anthony Wisnieski. Motion was made by Wisnieski and seconded by Clausen *to approve income in the amount of \$462,031.02 and expenses in the amount of \$537,184.31 for the Lower Elkhorn Natural Resources District*. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Present later, no vote: Burenheide. Motion carried.

Motion was made by Wisnieski and seconded by Loftis *to approve income in the amount of \$76,869.35 and expenses in the amount of \$34,981.78 for the Logan East Rural Water System as printed and distributed*. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Present later, no vote: Burenheide. Motion carried.

Motion was made by Wisnieski and seconded by Loberg *to approve income in the amount of \$6,906.05 and expenses in the amount of \$6,746.81 for the Wau-Col Regional Water System*. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Present later, no vote: Burenheide. Motion carried.

The conservation cost share report was given by Project Manager Curt Becker. A copy of the report is attached to the official minutes.

The Nebraska Association of Resources Districts report was given by Mark Hall. Mark spoke of the upcoming meeting which will be held in June.

The Nebraska Natural Resources Commission report was not given.

The Natural Resources Conservation Service report was given by District Conservationist Robin Sutherland. A copy of the report is attached to the official minutes.

Gary Loftis spoke on the Nebraska Loess Hills RC&D. Gary was unable to attend but mentioned that a review of scholarship applications was completed at the last meeting. A copy of the Loess Hills RC&D report is attached to the official minutes.

Lisa Lauver reported on the Bazile Groundwater Management Area. A report is attached to the official minutes.

The Administrative Report was given by General Manager Mike Sousek. A copy is attached to the official minutes.

Motion was made by Loftis and seconded by Korth to approve an additional \$14,626.00 in costs for repairs on the rehabilitation project for Well #3 for the Logan East Rural Water System. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Present later, no vote: Burenheide. Motion carried.

Motion was made by Loftis and seconded by Clausen to give the General Manager the authority to negotiate a contract to purchase a test well site and secure a well driller to construct a test well on that site for the Logan East Rural Water System. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Present later, no vote: Burenheide. Motion carried.

Motion was made by Loftis and seconded by Zohner to accept the Logan East Rural Water System Advisory Committee minutes of April 10, 2023. Aye: Allemann, Aschoff, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Abstain: Burenheide. Absent: None. Motion carried.

Motion was made by Reikofski and seconded by Clausen to approve the appointment of Carolyn Heine (Lewis and Clark NRD), Tod Voss (Mclean), and Loren Derdes (Mclean alternate) to a 3 year term on the Wau-Col Regional Water System Advisory Committee. Aye: Allemann, Aschoff, Burenheide, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: None. Motion carried.

Reikofski gave a very brief description of the Wau-Col RWS for the new Directors. He also gave additional information on the condition of Wau-Col water lines.

Motion was made by Reikofski and seconded by Clausen to accept the Wau-Col Rural Water System Advisory Committee minutes of April 6, 2023. Aye: Allemann, Aschoff, Burenheide, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: None. Motion carried.

The Information, Planning, Programs, Projects, Equipment & Legislation Committee of the Whole report was given by Matt Steffen.

Next on the agenda was discussion on the Battle Creek WFPO.

Mike Sotak and Janel Kaufman, both of Houston Engineering, gave an overview and answered Director questions on the Battle Creek WFPO. Public input was also heard.

Motion was made by Fler and seconded by Korth to authorize the General Manager to sign the contract with Houston Engineering for an amount not to exceed \$351,182.00, to incorporate the Battle Creek Hydraulic Analysis Alternative into the Battle Creek WFPO Plan, and to submit said plan to the NRCS for approval.

Discussion followed.

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

Motion was made by Steffen and seconded by Korth to approve the 2022 Crop Damage Agreement on the Norman and Agnes Herian Easement, Willow Creek Project, and approve payment in the amount of \$4,327.27. Aye: Allemann, Aschoff, Burenheide, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: None. Motion carried.

Motion was made by Steffen and seconded by Korth to approve the Recreation Area Development Program applications as recommended by staff. Aye: Aschoff, Burenheide, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Temple, Wisnieski, Zohner, Gustafson. Nay: Allemann, Steffen. Absent: None. Motion carried.

APPLICANT	DESCRIPTION	PROJECTED COST	FUNDING REQUESTED	PREVIOUSLY FUNDED
Stanton County	Stanton County Veterans Memorial Gazebo	\$39,699.00	\$19,849.50	None
Wausa Elementary	Wausa Elementary Playground Project	\$121,631.00	\$25,000.00	None
Village of Pilger	Playground Project	\$15,922.00	\$7,961.00	Community Forestry FY 2021 \$1,839.37 Community Forestry FY 2022 \$1,143.75 Community Forestry FY 2024 \$1,192.50 <b>\$4,175.62</b>
West Point Public	Playground Improvement for Students with Special Needs	\$54,428.00	\$25,000.00	Community Forestry FY 2022 \$4,281.25 Community Forestry FY 2023 \$2,200.00 <b>\$6,481.25</b>

City of West Point	West Point Park System River Access	\$122,070	\$30,000.00	Community Forestry	FY 2021	\$1,612.95
				Community Forestry	FY 2022	\$2,096.75
				Community Forestry	FY 2023	\$2,222.63
				Community Forestry	FY 2024	\$2,776.13
				<b>\$8,708.46</b>		
Village of Wausa	Wausa Park Trail Project	\$330,014.66	\$30,000.00	Rec Area Dev.	FY 2021	\$30,000
				Community Forestry	FY 2023	\$2,400
				Rec Area Dev.	FY 2023	\$2,061.10
				Community Forestry	FY 2024	\$3,200
				<b>\$37,661.10</b>		
Village of Emerson	Emerson Splash Pad	\$180,722.06	\$12,189.50	Community Forestry	FY 2023	\$2,915.10
				Rec Area Dev.	FY 2022	\$12,750
				Rec Area Dev.	FY 2023	\$25,000
				Community Forestry	FY 2024	\$2,000
				<b>\$42,665.10</b>		

Motion was made by Steffen and seconded by Clausen to authorize the General Manager to develop and sign an amendment for the Willow Creek Relief Wells Contract with Cahoy Pump Service to allow a time extension from March 31<sup>st</sup> to a substantial completion date of August 31<sup>st</sup>, 2023 with a final completion of September 15<sup>th</sup>, 2023 with legal counsel's review. Aye: Allemann, Burenheide, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: Aschoff. Absent: None. Motion carried.

Motion was made by Steffen and seconded by Clausen to authorize the general manager to sign a contract with Integrated Solutions Consulting to complete the Hazard Mitigation Plan Update, not to exceed \$144,616.00. Aye: Allemann, Aschoff, Burenheide, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: None. Motion carried.

Motion was made by Steffen and seconded by Zohner to instruct staff to issue Notices of Violation to farm operators who have failed to submit Annual Reports for the LENRD Phase 2 & 3 Groundwater Management Area. Aye: Allemann, Aschoff, Burenheide, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: None. Motion carried.

Motion was made by Steffen and seconded by Korth to adopt the amended Lower Elkhorn NRD Recreation Area Rules and Regulations which will extend the hunting season to May 31<sup>st</sup> of every year at Maskenthine, Maple Creek, and Pilger Lower Elkhorn Recreation Areas. Aye: Allemann, Aschoff, Burenheide, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: None. Motion carried.

Motion was made by Steffen and seconded by Korth to accept the resignation of General Manager Mike Sousek and approve the termination of his contract with a one-month notice given by Sousek. Aye: Allemann, Aschoff, Burenheide, Clausen, Fler, Hall, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Absent: None. Motion carried.

Motion was made by Steffen and seconded by Fler to approve Brian Bruckner as the interim general manager upon the following conditions: (1) That Brian Bruckner serve until such time as a new general manager is hired by the Board and begins his or her duties; (2) That

Mr. Bruckner receive \$2,500 per month in additional compensation during his service as interim general manager; and (3) That Mr. Bruckner be allowed to return to his existing position when the new general manager assumes his or her duties. Aye: Allemann, Aschoff, Burenheide, Clausen, Fler, Korth, Loberg, Loftis, Reikofski, Steffen, Temple, Wisnieski, Zohner, Gustafson. Nay: None. Abstain: Hall. Absent: None. Motion carried.

Motion was made by Steffen and seconded by Clausen to authorize the Executive Board to begin a search to fill the general manager position.

Discussion followed.

Motion was made by Temple and seconded by Korth to amend the motion to read: “to authorize the Executive Board and an additional 3 members of the board of directors, recusing board member Hall due to potential biases against a known applicant, to begin a search to fill the general manager position.” Aye: Fler, Korth, Loftis, Temple. Nay: Alleman, Aschoff, Burenheide, Clausen, Loberg, Reikofski, Steffen, Wisnieski, Zohner, Gustafson. Abstain: Hall. Absent: None. Motion failed.

Motion was made by Temple and seconded by Korth to amend the motion to read: “to authorize the Executive Board and an additional 2 members of the board of directors, not recusing board member Hall, to begin a search to fill the general manager position.” Aye: Fler, Korth, Loftis, Temple. Nay: Alleman, Aschoff, Burenheide, Clausen, Loberg, Reikofski, Steffen, Wisnieski, Zohner, Gustafson. Abstain: Hall. Absent: None. Motion failed.

Vote on original motion to authorize the Executive Board to begin a search to fill the general manager position. Aye: Allemann, Aschoff, Burenheide, Clausen, Fler, Korth, Loberg, Loftis, Reikofski, Steffen, Wisnieski, Zohner, Gustafson. Nay: Temple. Abstain: Hall. Absent: None. Motion passed.

Meeting adjourned at 10:34 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 April 27, 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.

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Jay Reikofski, Secretary

Others Present: Josh Rakowsky, Curtis Borchers, Keith Dittrich, Allan Murphy, Joel Hansen