

BOARD OF DIRECTORS MEETING

January 15, 2015

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, January 15, 2015 at 1:30 p.m. in the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Linda Luebbe, Larry Moore, Mike Nuss, Kenneth Regier, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were John Turnbull, Nancy Brisk, Jay Bitner, Scott Snell, Rod DeBuhr, Ken Feather, Kristin Phillips, Tessa Burgener of the Aurora News Register, Josh Bowers of York County NRCS, Steve Moseley of the York News-Times and Seward County Commissioner Whitney Fleischman.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors' meeting on January 8, 2015 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call.

ITEM 4. DIRECTORS' OATH OF OFFICE.

All newly elected directors were administered the oath of office prior to the board of directors meeting.

ITEM 5. REQUESTS FOR EXCUSED ABSENCE.

Yvonne Austin, Steve Buller and John Miller requested excused absences for the January 15, 2015 board of directors meeting.

It was moved by Volkmer and seconded by Rich to excuse the absence of Austin, Buller and Miller from the January 15, 2015 board of directors meeting as requested. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Miller

ITEM 6. *ADOPTION OF CONSENT AGENDA.

It was moved by Rich and seconded by Stahly to adopt the consent agenda. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Miller

ITEM 7. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Stahly to approve the agenda for the January 15, 2015 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Miller

ITEM 8. *APPROVAL OF MINUTES OF THE DECEMBER 18, 2014 BOARD OF DIRECTORS MEETING AND RULE 7 PUBLIC HEARING.

It was moved by Rich and seconded by Stahly to approve the minutes of the December 18, 2014 Board of Directors meeting and Rule 7 Public Hearing. The motion was approved as part of the consent agenda.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Miller

ITEM 9. DIRECTOR RECOGNITION.

Larry Moore was recognized for serving 40 years on the Upper Big Blue NRD board of directors. He was presented with a framed Michael Forsberg print.

ITEM 10. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on January 8, 2015 and presented the committee's recommendations.

ITEM 11. PAYMENT TO AYARS & AYARS.

A payment request for the period through December 31, 2014, has been submitted by Ayars & Ayars for the new NRD Headquarters Facility.

Ayars & Ayars Payment Request		1-8-14
Original Contract	\$4,484,673.00	

Change Orders		
Total Contract	\$4,484,673.00	
Previous Payments	\$226,504.23	
Current Payment	\$175,550.48	
Total Payments	\$402,054.71	9%
Contract Balance	\$4,082,618.29	91%

It was moved by Eberle and seconded by Bruns to approve payment of \$175,550.48 for items completed through December 31, 2014 on the contract for the new NRD Headquarters Facility, to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Miller

ITEM 12. TITLE INSURANCE.

Legal counsel has advised the District to purchase title insurance for the cost of the buildings at the new NRD Headquarters Facility. The District and the City purchased a \$185,000 title Insurance policy on the land in May 2014. Cornerstone Bank required a Title & Lien Report for the financing, but that is not title insurance.

Turnbull ordered an amendment to the policy to add \$4,500,000 for the buildings. An invoice has been received for the \$4,685,000 title insurance policy. The cost is \$8,656.25 less the \$577.50 already paid, making a total due of \$8,078.75 to York County Title Company.

It was moved by Eberle and seconded by Dickinson to approve payment of \$8,078.75 to York County Title Company for title insurance for the new NRD Headquarters Facility buildings and land. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Miller

ITEM 13. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on January 8, 2015 and presented the committee's recommendations.

ITEM 14. CORNERS FOR WILDLIFE PROGRAM - NEW CONTRACT.

Dale Nunns has one pivot corner located in the S1/2 SW1/4 of Section 10, Township 6 North, Range 2

West of the 6th P.M., Fillmore County, Nebraska. The plan is to seed a 3.5 acre pivot corner to a warm season grass and wildflower mix and plant three rows of trees consisting of Red Cedar and shrubs for a total of 450 trees. The contract is paid for by monies available through the local Pheasants Forever Chapter and the Environmental Trust. Dale will receive \$75/acre for a 5-year period on these 3.5 acres. The NRD will receive the monies for the payment through the Pheasants Forever Chapter before making payment to the landowner. The District will plant the trees and shrubs at no cost to the landowner.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District enter into the Corners For Wildlife Contract with Dale Nunns and Pheasants Forever located in the NE corner of the S1/2 SW1/4 of Section 10 (3.5 acres), Township 6 North, Range 2 West of the 6th P.M., Fillmore County, Nebraska for a period of 5 years with an annual payment of \$262.50. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Miller

ITEM 15. PIONEER TRAILS RECREATION AREA DEVELOPMENT - CONTRACTOR PROGRESS PAYMENT.

Nemaha Landscape Construction has completed approximately 90% of the work on the amphitheater. Staff recommends approval of the progress payment, as reviewed by the Committee, for work completed in December.

It was moved by Dickinson and seconded by Houdersheldt that payment of \$37,181.70 be made to Nemaha Landscape Construction, Inc. for work completed on the amphitheater at the Pioneer Trails Recreation Area Development Project in December 2014. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Miller

ITEM 16. PIONEER TRAILS RECREATION AREA - ARMY NATIONAL GUARD AVIATION TRAINING.

Turnbull presented an informal request from the Army National Guard aviation unit at Grand Island to use the lake at the Pioneer Trails Recreation Area for helicopter fire bucket training.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue NRD work with the Nebraska Army National Guard to explore an agreement for the Nebraska Army National Guard Aviation units to occasionally use the Pioneer Trails lake for flight training in the use of fire buckets for fire fighting, taking into account safety and liability issues as well as compatibility of training with other public uses of the recreation area. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Miller

ITEM 17. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Water & Regulations Committee met January 8, 2015 and presented the committee's recommendations.

ITEM 18. SENSOR-BASED NITROGEN FERTILIZATION OF CORN.

Dr. Rich Ferguson, from the Department of Agronomy, University of Nebraska, was present to discuss the proposed study of sensor-based nitrogen fertilization of corn. He showed a power point which outlined the principal reasons for the study. The material handed out says "The project will promote the adoption of in-season nitrogen fertilization for corn as a key component of increasing N use efficiency of corn production and reducing environmental impact on groundwater quality." The project is to run for three years.

The project partnership will be the Nebraska Corn Board, UNL – Lincoln, potentially 5 NRDs, and several producers. The University will provide 8 researchers. The Corn Board has agreed to fund about \$66,000 each year for 3 years to hire a Research Technologist. Other NRDs to be approached are the Central Platte, Lower Loup, Lower Platte North and the Lower Platte South. Each NRD is being asked to participate in the study and to fund a maximum of \$26,530 in year one, \$26,280 for year two and \$26,280 for year three. If the NRD agrees then the money could be budgeted in FY 2016, 2017 and 2018.

It was moved by Luebbe and seconded by Rich to sponsor the Sensor-based Nitrogen Fertilization of Corn project, and further to budget funds for the project in FY 2016, 2017 and 2018. The motion was approved.

AYE: Bruns, Eberle, Houdersheldt, Luebbe, Moore, Regier, Rich, Robotham, Roesler, Stahly, Yates

NAY: Dickinson

NOT VOTING: Nuss, Volkmer

NOT PRESENT: Austin, Buller, Miller

ITEM 19. GROUNDWATER TRANSFER AUTHORIZATION.

A groundwater transfer application from Max and Lois Eberspacher, Seward County was considered. The source tract is 151.3 acres in the SE ¼ Section 36, T10N, R1E. The destination tract is 64 acres in the E½ NW ¼ Section 1, T9N, R1E. The application meets all the regulatory requirements. The lands involved are not in the High Risk Groundwater Area.

It was moved by Luebbe and seconded by Stahly to approve the Groundwater Transfer Application T-077. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler,

Stahly, Yates

NAY: Volkmer

NOT PRESENT: Austin, Buller, Miller

ITEM 20. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigation acres certification for 22 parcels totaling 1,831.62 acres. The net increase in irrigated acres was 164.75 acres. This brings the total irrigated acres as of January 1 to 1,213,421.71.

It was moved by Luebbe and seconded by Rich to certify the irrigated acres changes as presented to the committee. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Miller

ITEM 21. FLOW METER REPAIR COST-SHARE.

Three flow meters have been repaired. The total cost was \$828.71. The cost-share request totals \$394.38.

It was moved by Luebbe and seconded by Bruns to make cost-share payments totaling \$394.38 for three flow meters repaired. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Miller

ITEM 22. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Bruns reported that the Executive Committee met on January 8, 2015 and presented the committee's recommendations.

ITEM 23. *DIRECTORS 4TH QUARTER PER DIEM & EXPENSES.

The Committee reviewed the directors' per diem and expenses for the quarter.

It was moved by Rich and seconded by Stahly to approve payment of 4th quarter directors' per diem of \$7,070.00 and expenses of \$2,614.20. The motion was approved as part of the consent agenda.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Miller

ITEM 24. GROUNDWATER MODELING - BROWN AND CALDWELL.

Bitner reviewed the progress of the groundwater modeling work. The work by Brown and Caldwell should be done on the sub-regional model (Seward County) by February.

Brown & Caldwell submitted bills totaling \$3,980.45 for work completed in December on the groundwater modeling for the sub-regional model.

Brown & Caldwell Contract Amount	\$277,639.00
Prior payments	254,750.58
Current bills	3,980.45
Total billed to date	258,731.03
Balance of Contract	\$18,907.97

It was moved by Bruns and seconded by Nuss to approve payment of \$3,980.45 to Brown & Caldwell for work completed through December 2014 on the sub-regional groundwater model. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Miller

ITEM 25. PRIMARY & GENERAL ELECTION COSTS.

Fillmore County has billed the District \$1,177.96 for the primary election held in May. Bills also have been received from the following county clerks for the general election costs.

Clay County	\$ 2,262.35
Fillmore County	\$ 3,147.16
Saline County	\$ 1,404.76

It was moved by Bruns and seconded by Nuss to approve payment of \$4,325.12 to the Fillmore County Clerk for the primary and general election costs, and \$2,262.35 to the Clay County Clerk and \$1,404.76 to the Saline County Clerk for the general election costs. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Miller

ITEM 26. SCHOLARSHIP CRITERIA – DEFINITION OF FAMILY.

The NRD Programs Book lists the following criteria for the Burke Scholarship.

- Full time student
- Reside in the Upper Big Blue NRD
- Attend a 2 or 4 year Nebraska college or university
- Are enrolled in a course of study leading to an associate or undergraduate degree in a natural resources related field
- Intend to enter the work force upon graduation in a “hands on” position such as soil/water conservation, resources manager or engineering technician, etc.
- Are not family members of staff/directors of the Upper Big Blue Natural Resources District

The manager has interpreted this program restriction on family to mean that children, grandchildren, brothers, sisters, parents or grandparents are not eligible for the scholarship. A director has asked that the program be amended to allow grandchildren of Directors and staff to be eligible. A discussion was held on the advisability of such a change.

It was moved by Bruns and seconded by Volkmer that the Burke Scholarship criteria on family restrictions not be changed. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Regier, Rich, Robotham, Roesler, Stahly, Volkmer

NAY: Moore

NOT VOTING: Nuss, Yates

NOT PRESENT: Austin, Buller, Miller

ITEM 27. PERSONNEL POLICY #37 – TUITION ASSISTANCE.

The personnel policy for staff tuition assistance was adopted in 1991. The policy states that the District will fund \$300 per semester per employee. A director has asked that the amount be increased in order to encourage employees to further their education.

The cost per credit hour at UNL in 1991 was \$54. The cost per credit hour in 2014 was \$216, four times greater than 1991. If the District tuition assistance were adjusted at the same rate as UNL tuition it would go from \$300 to \$1,200 per semester. Turnbull recommends that the policy be amended to change the per semester funding to \$1,200.

It was moved by Bruns and seconded by Nuss to strike the amount of \$300 and add \$1,200 in the last sentence in Paragraph I of the Personnel Policy #37: Tuition Assistance. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Miller

ITEM 28. FINANCIAL REPORT DECEMBER 1 - 31, 2014 AND CONSIDERATION OF EXPENDITURES FOR DECEMBER 2014.

Turnbull reviewed the financial report for the period December 1, 2014 to December 31, 2014 that was distributed. It was moved by Volkmer and seconded by Luebbe to accept the financial report for

December 2014 as presented, approve payments of the accounts payable and publish the expenditures.
The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler,
Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Miller

ITEM 29. NOMINATING COMMITTEE REPORT.

Roger Houdersheldt presented the Nominating Committee's report and submitted a slate of candidates. Chairman Yates selected Scott Snell and Jay Bitner to collect and count the ballots. Yates turned the chair over to Doug Bruns during the voting for Chairman.

ITEM 30. ELECTION OF CHAIRMAN.

The only committee nomination for the office of chairman was Lynn Yates. Bruns asked if there were any nominations from the floor. Hearing none the nominations ceased.

It was moved by Moore and seconded by Luebbe to cast a unanimous vote for Lynn Yates as Chairman.
The motion was approved. Yates will serve as chairman for a two-year term.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler,
Stahly, Volkmer

NAY: None

NOT VOTING: Yates

NOT PRESENT: Austin, Buller, Miller

ITEM 31. ELECTION OF VICE CHAIRMAN.

The nominees for the office of vice chairman were John Miller and Linda Luebbe. There were no nominations from the floor. Miller received 9 votes and Luebbe received 5 votes. Miller will serve as vice chairman for a two-year term.

ITEM 32. ELECTION OF SECRETARY.

The nominees for the office of secretary were Mike Nuss and Ronda Rich. There were no nominations from the floor. Nuss received 9 votes and Rich received 5 votes. Nuss will serve as secretary for a two-year term.

ITEM 33. ELECTION OF TREASURER.

The nominees for the office of treasurer were Bill Stahly and Yvonne Austin. There were no nominations from the floor. Stahly received 12 votes and Austin received 2 votes. Stahly will serve as treasurer for a two-year term.

ITEM 34. ELECTION OF NARD REPRESENTATIVE.

The only committee nominee for the office of NARD Representative was Larry Moore. There were no nominations from the floor.

It was moved by Luebbe and seconded by Stahly to cast a unanimous vote for Larry Moore for NARD Representative. The motion was approved. Moore will serve as NARD Representative for a term of two years.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Moore

NOT PRESENT: Austin, Buller, Miller

ITEM 35. ELECTION OF NARD ALTERNATE.

The only committee nominee for the office of NARD Alternate was Gary Eberle. There were no nominations from the floor.

It was moved by Volkmer and seconded by Dickinson to cast a unanimous vote for Gary Eberle as NARD Alternate. The motion was approved. Eberle will serve as NARD Alternate for a term of two years.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Eberle

NOT PRESENT: Austin, Buller, Miller

There being no other business the chairman adjourned the meeting at 3:00 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held January 15, 2015, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

BOARD OF DIRECTORS MEETING

February 19, 2015

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, February 19, 2015 at 1:30 p.m. in the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Doug Dickinson, Gary Eberle, Roger Houdersheldt, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Kenneth Regier, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were John Turnbull, Nancy Brisk, Jay Bitner, Scott Snell, Rod DeBuhr, Ken Feather, Jeff Ball, Kristin Phillips, Bill Kuehner, Seward County Commissioner Gene Gausman, Kelly Turner and Amanda Ring of the York County Clerk's office, and Jim Husbands of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors' meeting on January 12, 2015 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Yvonne Austin, Doug Bruns and Steve Buller requested excused absences for the February 19, 2015 board of directors meeting.

It was moved by Volkmer and seconded by Rich to excuse the absence of Austin, Bruns and Buller from the February 19, 2015 board of directors meeting as requested. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

ITEM 5. *ADOPTION OF CONSENT AGENDA.

It was moved by Dickinson and seconded by Volkmer to adopt the consent agenda. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Volkmer to approve the agenda for the February 19, 2015 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

ITEM 7. *APPROVAL OF MINUTES OF THE JANUARY 15, 2015 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Volkmer to approve the minutes of the January 15, 2015 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

ITEM 8. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on February 12, 2015 and presented the committee's recommendations.

ITEM 9. PAYMENT TO AYARS & AYARS, INC.

The payment request for January has been submitted by Ayars & Ayars for the new NRD Headquarters Facility.

Original Contract	\$4,484,673.00	
Change Orders		
Total Contract	\$4,484,673.00	
Previous Payments	\$402,054.71	
Current Payment	\$ 99,224.51	
Total Payments	\$501,279.22	11%
Contract Balance	\$3,983,393.78	89%

It was moved by Eberle and seconded by Rich to approve payment of \$99,224.51, for items completed through January 31, 2015 on the contract for the new NRD Headquarters Facility, to Ayars & Ayars, Inc.,

Lincoln, Nebraska. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Austin, Bruns, Buller

ITEM 10. ARCHITECTURAL PLAN STATUS.

The architectural plans are 90% complete. A meeting was held with Ayars & Ayars, Eakes Office and the staff in Grand Island to make the final furniture selection.

ITEM 11. SALE OF OFFICE AND STORAGE BUILDINGS – REALTORS.

The committee reviewed the proposals submitted by three real estate firms with offices in York to list the existing NRD office building for sale. They were Woods Brothers Realty, Heritage Realtors, and Norm Green Realty & Auction.

Realtor	Woods Brothers	Heritage Realtors	Norm Green Realty
NRD Project Sales Team Brokers	Casey Collins – Beatrice	Angie Berthold – York	Michelle Ronne – York
Agents	Glen Coffey - York	Suzie Ellis - York	Ross Ronne - York
Qualifications included	No	Yes	Yes
Background included	No	Yes	Yes
Sales History in York included	No	Yes	Yes
Current Commercial listings in York	No	Yes	Yes
Recent Commercial Sales in York	No	No	Yes
Multiple Listing	Yes	Yes	Yes
Commission	\$295 plus unstated %	6 %	4 %

It was moved by Eberle and seconded by Houdersheldt that the Upper Big Blue NRD enter into a one year listing contract with Norm Green Realty & Auction to sell the NRD office building, at 105 N. Lincoln Avenue, York, Nebraska; that Lynn Yates, Chairman, and John Turnbull, General Manager, set the listing price after consultation with Norm Green Realty; and further that the NRD enter into a listing contract for the storage building at 2nd and Platte with Norm Green Realty & Auction at a later date. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

Chairman Yates moved the Executive Committee Report and action items, with the exception of the committee assignments, up in the agenda so that Kelly Turner, York County Clerk, could address the board and return to work.

ITEM 12. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on February 13, 2015 and presented the committee's recommendations.

ITEM 13. DATA MANAGEMENT SYSTEM – BEEHIVE INDUSTRIES.

The Executive Committee reviewed the Data Management System proposal from Beehive Industries, Lincoln, Nebraska.

The system is computer software written for the Districts that allows for data management. Currently the District uses Microsoft Access but our needs have outgrown its capabilities. All departments will be able to make use of the new Data Management System.

The Data Management System will allow the use of data for: well information, water quantity and quality, certified acres, chemigation, meter information, tree orders and planting plans, land treatment and other data applications.

The Beehive Industries software development and training was compared to GIS Workshop, but the staff is recommending the Beehive proposal. The software development work, if approved, would begin on February 20, 2015 and be completed by August 1, 2015.

The total cost is \$96,025. A down payment of \$20,000 is due upon approval of the proposal, and the remainder, \$76,025 will be due upon completion (August 2015). The company will continue to support the Data Management System for an annual fee of \$25,740 which is not due until FY 2017 (August 2016).

It was moved by Miller and seconded by Moore to approve the Beehive Industries proposal for a Data Management System software and training for a total cost of \$96,025, and to approve a down payment of \$20,000 for the same. The motion was approved.

- AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin, Bruns, Buller

ITEM 14. GROUNDWATER MODELING - BROWN AND CALDWELL.

Brown & Caldwell submitted bills totaling \$10,293.95 for work completed in January on the groundwater modeling for the sub-regional model.

Brown & Caldwell Contract Amount	\$277,639.00
Prior payments	258,731.03

Current bills	10,923.95
Total billed to date	269,654.98
Balance of Contract	\$7,984.02

It was moved by Miller and seconded by Luebbe to approve payment of \$10,293.95 to Brown & Caldwell for work completed through January 31, 2015 on the sub-regional groundwater model. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

Bitner reviewed the results of some early runs on the groundwater modeling work with the committee. The results and the capabilities of the groundwater model were discussed. The committee encouraged the staff to proceed with their plans to meet with the Little Blue and Lower Big Blue staffs to discuss the results so far, and to further explore a three-district joint effort on the modeling of the Big and Little Blue River basins. A meeting with the Department of Natural Resources staff will also be scheduled in the near future to discuss the groundwater model and how its results compare to the Department's work.

ITEM 15. PRIMARY & GENERAL ELECTION COSTS.

York County has billed the District \$259.66 for the primary election and \$5,088.29 for the General Election.

An error was made by the York County Clerk's office during the primary election where the names of the three candidates for Subdistrict 4 were only listed on the ballots for voters in the precincts within Subdistrict 4 instead of all the precincts within the Upper Big Blue NRD. The mistake was discovered mid-morning on the day of the election and supplemental ballots were delivered to the polling sites, however 1,056 York County voters did not receive the supplemental Subdistrict 4 ballot. The election results showed that Stan Boehr received 3,422 votes, Eugene Ulmer received 2,870 votes and Becky Roesler received 2,852 votes. With the margin between Ulmer and Roesler at 18 votes, the error impacted the outcome.

During the automatic recount process it was discovered that the supplemental ballots were not properly initialed by the poll workers as required by statute and as a result were not counted during the recount process. Following the recount the results were that Stan Boehr received 3,004 votes, Becky Roesler received 2,563 votes and Eugene Ulmer received 2,539 votes in the primary election. After the State Canvassing Board met the Secretary of State's office determined that all three candidates should advance to the General Election.

The Executive Committee members expressed their concern that as a result of the error made by the York County Clerk all of the general election costs were higher due to extra printing and other election expenses. They questioned how the York County Clerk's office had computed the election costs and whether we were being billed for the printing costs for the supplemental ballots.

The Executive Committee directed the General Manager to request that the York County Clerk attend the February 19, 2015 Board meeting to explain the bill for the election costs.

Kelly Turner, York County Clerk, attended the board meeting and addressed the board regarding the error made in the primary election. She acknowledged that she misinterpreted the meaning of election at-large and that caused the names of the three candidates in Subdistrict 4 not to appear on all the ballots. She said the billings were based on the printing cost per inch for the ballots. The bill for \$259.66 for the primary was the cost of the supplemental ballots that were printed.

Houdersheldt explained that he had offered a motion in committee to pay only \$4,088.29 to the York County Clerk's office, which failed. He felt that we should not pay for the printing of the supplemental primary election ballots and reduce our share of the general election costs by \$1,000 to cover our additional expense due to the error.

It was moved by Houdersheldt and seconded by Moore to pay \$4,088.29 to the York County Clerk for election costs. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Stahly, Volkmer, Yates
 NAY: Miller
 NOT VOTING: Roesler
 NOT PRESENT: Austin, Bruns, Buller

ITEM 16. PICKUP & ATV BIDS.

Five bids were received for a 2015 model pickup truck for the Water Department as specified.

BIDDER	PICKUP MODEL	BID	DELIVERY
Great Plains Chrysler Dodge – Hastings	Dodge Ram 4x2 1/2 Ton	\$19,932.10	8 – 12 wks
Gene Steffy Ford – Columbus	Ford F-150 XLT	\$24,875.00	45 – 90 days
Friesen Ford – Aurora	Ford F-150 XLT	\$25,164.88	60 – 90 days
Jerry Spady Chevrolet GMC Cadillac – Hastings	Chevrolet Silverado 1500	\$26,080.00	6 – 8 wks
Moses Motor Co - York	Ford F-150 XLT	\$26,417.88	Middle of April

It was moved by Miller and seconded by Volkmer that the Upper Big Blue NRD accept the bid of \$19,932.10 from Great Plains Chrysler Dodge, Hastings, Nebraska, for one Dodge Ram 2 wheel drive 1/2 ton pickup truck as per the NRD's specifications. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
 NAY: None
 NOT PRESENT: Austin, Bruns, Buller

ITEM 17. ATV BIDS.

Several bids were received for the ATV for the Water Department.

ATV Quotes Automatic 4X4

	Year	Arctic Cat EFI 450 Core	Can Am Outlander L	Honda Rancher AT	Polaris Sportsman EXT	Suzuki King Quad 400 Asi
Heartland Motor Sports	2015			\$6,350		
Offroad Company	2015	\$6,323			\$5,962	
Offroad Company	2014	\$5,823				
Rod's Outdoor Power	2015			\$6,849		
Star City Motors	2015		\$6,370	\$6,617	\$5,950	\$6,175
Tri-City Cycle Works	2015		\$7,614			

It was moved by Miller and seconded by Houdersheldt to accept the bid of \$5,823 from the Offroad Company, Columbus, Nebraska for a new 2014 Arctic Cat EFI 450 Core ATV. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

ITEM 18. ATV TRAILER BIDS.

Bids were also received for an ATV trailer.

ATV Trailers

	Bed Dimensions	Brand	Price
Blue River Power and Rental	5' X 8'	Challenger Series	\$1,205
Klute Truck Equipment	5' X 8'	H&H	\$1,425
Geneva Welding	5' X 8'	Finish Line LRR3 58	\$1,440
Geneva Welding	5' X 10'	Finish Line USR3 58 (solid sides included)	\$1,540
Blue River Power and Rental	5' X 8'	Finish Line LRR3 58	\$1,550
LCL Truck Equipment, Inc	5.5' X 10'	Doolittle	\$1,635
Stuart Cromwell Trailer Sales	4.5' X 8'	Aluma 548 (aluminum)	\$1,664
Geneva Welding	6' X 12"	Geneva Welding Built	\$1,750

Recommended Options for Finish Line Trailers

Solid Sides*

Blue River Power and Rental

\$50

Solid Sides*	Geneva Welding	\$50-\$75
Aluminum front panel**	Blue River Power and Rental	\$80
Raised front panel***	Geneva Welding	\$125

* less gravel & mud on deck

** protect front of trailer from rock chipping

*** protect front of ATV from rock damage

It was moved by Miller and seconded by Stahly to accept the bid of \$1,540 from Geneva Welding for the 5 x 10 Finish Line USR3 58 ATV trailer with solid sides and to include a raised front panel for an additional \$125, for a total cost of \$1,665. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer

NAY: None

NOT VOTING: Yates

NOT PRESENT: Austin, Bruns, Buller

ITEM 19. DIRECTOR APPOINTMENT – SUBDISTRICT 6.

A vacancy exists in Subdistrict 6 because Ken Regier decided to retire from the Board. A notice of the vacancy was published several times, once on January 13, 2015 in the York News-Times, and four times, January 7, 14, 28, and February 4, 2015 in the Aurora News Register asking interested people to apply. The only applicant was William E. Kuehner II, who resides at 1008 South A Road, Phillips, Nebraska 68865.

As outlined in Operating Policy No. 3: Directors' Vacancies, the Executive Committee found William E. Kuehner II lawfully qualified to be considered for appointment to fill the Board vacancy in Subdistrict 6, and forwarded his name to the Board of Directors for consideration.

As per Nebraska Statute 2-3215 (3) (a), the appointment is until January 12, 2017 (2 years). In the next general election this seat will have a term of 2 years, ending in January of 2019, when it will revert to a 4 year term.

It was moved by Miller and seconded by Moore to appoint William E. Kuehner II to fill the vacancy in Subdistrict 6. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

ITEM 20. SALARIES REIMBURSEMENT – LOWER PLATTE NORTH.

An invoice for \$8,155.03 was received from the Lower Platte North NRD for the Butler County NRCS clerk's salary and benefits (\$7,698.15) and technician's wages (\$456.88) for the past 6 months.

It was moved by Miller and seconded by Volkmer to approve payment of \$8,155.03 to the Lower Platte North NRD for NRCS office salaries for half of FY 2015 (July 1 – December 31, 2014). The motion was approved.

AYE: Dickinson, Eberle, Luebbe, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: Houdersheldt, Miller
NOT PRESENT: Austin, Bruns, Buller

ITEM 21. DIRECTOR EXPENSES.

Linda Luebbe submitted an expense reimbursement claim for her trip to the GMDA conference in Scottsdale, Arizona in January. The expenses claimed are \$543.70.

It was moved by Miller and seconded by Rich to approve payment of \$543.70 to Linda Luebbe for travel expenses to the GMDA January Conference in Scottsdale, Arizona. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT VOTING: Luebbe
NOT PRESENT: Austin, Bruns, Buller

ITEM 22. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Projects & Programs Committee met on February 12, 2015 and presented the committee's recommendations.

ITEM 23. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Miller and seconded by Volkmer that payments totaling \$12,401.00 be approved for three (3) completed NSWCP Land Treatment applications as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin, Bruns, Buller

ITEM 24. APPLICATION FOR STORM DAMAGED TREES (PRIVATE PROPERTY).

Feather briefed the Committee on the status of tree replacement at Beaver Crossing and recommended the acceptance of one application for George Hoffmeister for cost-share in the amount of \$300.00. The total amount of the application is \$1,160.45.

It was moved by Miller and seconded by Luebbe that the application for George Hoffmeister in the

amount of \$300.00 be accepted and completed under the Storm Damage Tree Replacement Program as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

ITEM 25. HAZARD MITIGATION PROGRAM – INTERLOCAL AGREEMENT.

Jeff Ball presented a request for the Upper Big Blue NRD to participate in an Interlocal Agreement with the Little Blue and Lower Big Blue NRDs, and counties within those NRDs, for the purpose of updating the All-Hazards Mitigation Plan (Plan). Staff recommends participating in the Interlocal Agreement.

It was moved by Miller and seconded by Rich that the Upper Big Blue NRD approve the Interlocal Agreement, as reviewed by the Committee, and agree to join with the Little Blue and Lower Big Blue NRDs, and Adams, Clay, Fillmore, Gage, Jefferson, Nuckolls, Saline, Thayer, and Webster Counties for the purpose of updating the All-Hazards Mitigation Plan (Plan) for counties and communities located within the NRDs, and that the Upper Big Blue NRD's contribution be approximately \$3,383.33 in cash or in-kind services. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

ITEM 26. PIONEER TRAILS RECREATION AREA – CONTRACTOR PAYMENT.

Nemaha Landscape Construction has completed construction of the amphitheater at Pioneer Trails. Fine grading, seeding, and electrical service for the amphitheater will be completed by others this spring. Staff recommends final payment of \$2,373.30 to Nemaha Landscape Construction, Inc.

It was moved by Miller and seconded by Houdersheldt that final payment of \$2,373.30 be made to Nemaha Landscape Construction, Inc., in accordance with their Contract, for construction of the amphitheater facility at the Pioneer Trails Recreation Area. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

ITEM 27. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Water & Regulations Committee met February 12, 2015 and presented the committee's recommendations.

ITEM 28. GROUNDWATER TRANSFER AUTHORIZATION.

A groundwater transfer application from Perkins-Garrett-Palmer Farms LLC, York County was considered. The source tract has 161.22 acres in the SE ¼, Section 28-T11N-R2W; of which, 158.39 acres is to be irrigated destination tract in the NW ¼, Section 34-T11N-R2W. The source and destination tracts are currently irrigated. A new well would be constructed for this transfer. Pumping capacity in this area is somewhat limited due to a very fine sand aquifer. The application meets all the regulatory requirements. The land manager indicated to the staff that he was not sure when, or if, the actual transfer would take place. The land is not in the High Risk Groundwater Area. The board discussed the need to limit the time of implementation of the transfer.

It was moved by Luebbe and seconded by Moore to approve the Groundwater Transfer Application T-078 with the stipulation that the physical works needed to facilitate the transfer must be in place within one year of approval. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Yates
NAY: Volkmer
NOT PRESENT: Austin, Bruns, Buller

ITEM 29. NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY CHEMIGATION PAYMENT.

The District processed 568 chemigation permits in 2014; of which 548 sites were approved and 204 sites were inspected. The District owes the Nebraska Department of Environmental Quality \$1,448.00 for their share of the fees collected.

It was moved by Luebbe and seconded by Regier to pay the Nebraska Department of Environmental Quality \$1,448.00 for their share of the chemigation fees collected in 2014. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin, Bruns, Buller

ITEM 30. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigation acres certification for 67 parcels totaling 4,990.16 acres. The net increase in irrigated acres was 347.31 acres. This brings the total irrigated acres as of January 1 to 1,220,400.78.

It was moved by Luebbe and seconded by Rich to certify the irrigated acres changes as presented to the committee. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin, Bruns, Buller

ITEM 31. PAYMENT FOR IRRIGATION SCHEDULING EQUIPMENT PURCHASED FOR RESALE.

The District owes Klein Sale and Service for 810 assembled watermark sensors and 12 watermark data loggers purchased for resale at cost of \$31,098.80.

It was moved by Luebbe and seconded by Regier to pay Klein Sale and Service \$31,098.80 for 810 assembled watermark sensors and 12 watermark data loggers purchased for resale. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

ITEM 32. CROP-TIP SPEAKER FEE PAYMENT.

Bob Utterback was the guest speaker at the 2014 CROP-TIP seminar. Utterback Marketing Services Inc. has billed the District \$2,285.00 for the speaker fees and expenses.

It was moved by Luebbe and seconded by Stahly to pay Utterback Marketing Services Inc. \$2,285.00 for speaker fees and expenses incurred for the 2014 CROP-TIP seminar. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

ITEM 33. PURCHASE OF BATTERIES FOR ELECTRONIC METERS.

The District staff will soon begin replacing batteries in electronic meters. The estimated cost for batteries is as follows:

	BRAND# OF METERS	NRD COST	CUSTOMER CHARGE
Sinninger	150	\$8.39 (\$1,258.42)	\$10.00
SeaMetric	400	\$75.38 (\$30,152.00)	\$80.00
Seamans	1	\$200? (\$200?)	Cost to the next \$5

It was moved by Luebbe and seconded by Volkmer to authorize the staff to purchase flow meter batteries for the 2015 season. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

ITEM 34. EXECUTIVE COMMITTEE REPORT (CONT'D.)

ITEM 35. COMMITTEE ASSIGNMENTS.

The Executive Committee presented their recommendations for committee membership.

New Committee Members - February 2015		
Projects & Programs	Water & Regulations	Executive
Austin	Bruns	Chairman Yates
Dickinson	Buller	Vice Chairman* Miller
Houdersheldt	Eberle	Secretary* Nuss
Roesler	Luebbe	Treasurer* Bill Stahly
Robotham	Rich	NARD Representative* Larry Moore
Volkmer	Kuehner (new appointee)	Projects Chairman To be elected by committee. at Feb. Board Meeting
Board Officer Nuss	Board Officer Miller	Water Chairman To be elected by committee. at Feb. Board Meeting
Board Officer Stahly	Board Officer Moore	Projects Representative Appointed by Exec after Committee Chairman elected
Board Chairman Yates	Board Chairman Yates	Water Representative Appointed by Exec after Committee Chairman elected

* Any one of these officers may be appointed to the committees but may not serve as Committee Chairman or Vice Chairman

It was moved by Miller and seconded by Moore to approve the committee assignments. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

The Board recessed at 2:45 p.m. to allow the standing committees to elect their committee chair and vice chair. The Projects Committee elected Doug Dickinson as chairman and Merlin Volkmer as vice chairman. The Water Committee elected Gary Eberle as chairman and Ronda Rich as vice chairman. After which the Executive Committee appointed Roger Houdersheldt as the Projects Committee representative and Linda Luebbe as the Water Committee representative. They will serve on the

Executive Committee along with the two committee chairmen. The Board reconvened at 3:00 p.m.

It was moved by Stahly and seconded by Rich to ratify the committee appointments. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

ITEM 36. FINANCIAL REPORT JANUARY 1 - 31, 2015 AND CONSIDERATION OF EXPENDITURES FOR JANUARY 2015.

Turnbull reviewed the financial report for the period January 1, 2015 to January 31, 2015 that was distributed. It was moved by Miller and seconded by Volkmer to accept the financial report for January 2015 as presented, approve payments of the accounts payable, less the payment to the York County Clerk, and publish the expenditures. The motion was approved.

AYE: Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Regier, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bruns, Buller

ITEM 37. DIRECTOR'S OATH OF OFFICE.

Turnbull administered the oath of office to William E. Kuehner II and he was officially seated on the board.

There being no other business the chairman adjourned the meeting at 3:25 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held February 19, 2015, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

BOARD OF DIRECTORS MEETING

March 19, 2015

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, March 19, 2015 at 1:30 p.m. in the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Doug Bruns, Doug Dickinson, Roger Houdersheldt, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were John Turnbull, Nancy Brisk, Jay Bitner, Scott Snell, Rod DeBuhr, Ken Feather, Jeff Ball, Kyle Yrkoski, Kristin Phillips, and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors' meeting on March 12, 2015 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Thirteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Yvonne Austin, Steve Buller and Gary Eberle requested excused absences for the March 19, 2015 board of directors meeting.

It was moved by Volkmer and seconded by Houdersheldt to excuse the absence of Austin, Buller and Eberle from the March 19, 2015 board of directors meeting as requested. The motion was approved.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Eberle, Kuehner

ITEM 5. *ADOPTION OF CONSENT AGENDA.

It was moved by Dickinson and seconded by Roesler to adopt the consent agenda. The motion was approved.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Eberle, Kuehner, Moore

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Roesler to approve the agenda for the March 19, 2015 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Eberle, Kuehner, Moore

ITEM 7. *APPROVAL OF MINUTES OF THE FEBRUARY 19, 2015 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Roesler to approve the minutes of the February 19, 2015 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Eberle, Kuehner, Moore

ITEM 8. BUILDING COMMITTEE REPORT.

Rich reported that the Building Committee met on March 12, 2015 and presented the committee's recommendations.

ITEM 9. AYARS & AYARS, INC. CONTRACTOR PAYMENT.

The February payment request has been submitted by Ayars & Ayars for the new NRD Headquarters Facility. The payment request is primarily for design and engineering.

Original Contract	\$4,484,673.00	
Change Orders		
Total Contract	\$4,484,673.00	
Previous Payments	\$501,279.22	
Current Payment	\$ 34,837.01	
Total Payments	\$536,116.23	12%
Contract Balance	\$3,948,556.77	88%

It was moved by Rich and seconded by Bruns to approve payment of \$34,837.01 for items completed through February 2015 on the contract for the new NRD Headquarters Facility, to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly,

Yates

NAY: Volkmer

NOT PRESENT: Austin, Buller, Eberle, Kuehner

ITEM 10. ARCHITECT AND CRITERIA DEVELOPER FEES.

Allan Quick, Architect, submitted a bill for his services through February 28, 2015.

Architect's Agreement	\$32,190.00
Previous Payments	19,959.90
Current Payment	2,960.20
Total Payments	22,920.10
Agreement Balance	9,269.90

It was moved by Rich and seconded by Roesler to approve payment of \$2,960.20 to Allan Quick, Architect, for work completed through February 28, 2015 on the NRD Headquarters Facility building project. The motion was approved.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Eberle, Kuehner

ITEM 11. ARCHITECTURAL PLANS AND CHANGE ORDERS.

Turnbull and Bitner reviewed the plans with the committee. Several changes to the plans have been considered to make the facility better.

Change Order 1 - Basement

Build 3 rooms to centralize furnace locations

Frame additional walls

Drywall additional walls

Doors and hardware

Paint

Fire sprinkler revisions

Electrical revisions for lights, switches, receptacles, conduit and wiring

Furnace layout and duct lengths

Total Amount \$16,838.15

Change Order 2 – Lockable thermostat covers

Covers for 11 furnace thermostats

Total Amount \$603.80

Change Order 3 – Exhaust Ducts for future furnaces

Exhaust ducts from basement to roof for future furnaces

Total Amount \$509.06

Change Order 4 – Additional Insulation

Insulate additional area in shop/equipment building
Insulate interior walls and ceilings of office, restroom, and water lab
Total Amount \$540.39

Change Order 5 – Basement drywall additions

Drywall inside of basement walls full height
Rooms 100, 101, 106, 108, and 109
No tape or mud applied to joints
Total Amount \$4,121.27

Change Order 6 – Basement 1/2" sheeting for walls instead of drywall

1/2" sheeting inside of basement walls full height
Rooms 100, 101, 106, 108, and 109
Total Amount of alternate \$6,419.01

Turnbull recommends that Change Orders 1, 2, 3, 4 and 5 be approved for a total cost of \$22,612.67. The total contract would change from \$4,484,673 to \$4,507,285.67. Other change orders are likely throughout construction and, as in other contracts, the contracting officer, Turnbull, will plan on considering and either approving or denying the changes as they are presented. Some changes will require fast action so as not to delay construction. Some may result in a reduction in cost.

It was moved by Rich and seconded by Bruns to approve Change Orders 1, 2, 3, 4 and 5 to the Ayars & Ayars contract for a total increase in price of \$22,612.67. The motion was approved.

AYE: Bruns, Dickinson, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Houdersheldt, Luebbe, Volkmer

NOT PRESENT: Austin, Buller, Eberle, Kuehner

ITEM 12. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on March 12, 2015 and presented the committee's recommendations.

ITEM 13. LAND TREATMENT COST-SHARE PAYMENT.

It was moved by Dickinson and seconded by Volkmer that payment of \$1,382.34 be approved for one (1) completed NSWCP Land Treatment application as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Eberle, Kuehner

ITEM 14. *NEBRASKA BUFFER STRIP PROGRAM CONTRACT PAYMENTS.

It was moved by Dickinson and seconded by Roesler that payments totaling \$3,065.00 be approved for three (3) Nebraska Buffer Strip Program contracts as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Eberle, Kuehner, Moore

ITEM 15. APPLICATIONS FOR STORM DAMAGED TREES (PRIVATE PROPERTY).

Feather briefed the Committee on the status of tree replacement at Beaver Crossing and recommended the acceptance of (3) applications. Ronald Schernikau, Justin Schernikau and Gary Grantski for cost-share in the amount of \$300.00 each. The total cost for each applicant was \$600.

It was moved by Dickinson and seconded by Stahly that the applications for Ronald Schernikau in the amount of \$300, Justin Schernikau in the amount of \$300, and Gary Grantski in the amount of \$300 be accepted and completed under the Storm Damage Tree Replacement Program as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Eberle, Kuehner

ITEM 16. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Water & Regulations Committee met March 12, 2015 and presented the committee's recommendations.

ITEM 17. NEW FLOW METER CONSIDERATION.

Ken Quandt, Market Development Manager for McCrometer-Great Plains, explained the features of McCrometer's Mc Mag 3000 electromagnetic flow meter. This flow meter meets the District's requirements except for the listed storage temperature range. Mr. Quandt and the NRD staff feel the printed material is in error and Mr. Quandt has requested a clarification from McCrometer's design engineers.

The staff recommends that the McCrometer Mc Mag 3000 be added the District's Approved Flow Meter List when McCrometer provides the written documentation showing that the flow meter meets the -40°F to 140°F storage temperature range requirement.

It was moved by Rich and seconded by Moore that the McCrometer Mc Mag 3000 be added to the

District's Approved Flow Meter List when McCrometer provides written documentation showing that the flow meter meets the -40°F to 140°F storage temperature range requirement. The motion was approved.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Eberle, Kuehner

ITEM 18. FLOW METER REPAIR COST-SHARE.

Five flow meters have been repaired. The total cost was \$1,134.48. The cost-share totals \$619.50.

It was moved by Rich and seconded by Luebbe to make cost-share payments totaling \$619.50 for five flow meters repaired. The motion was approved.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Eberle, Kuehner

ITEM 19. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 547 parcels totaling 53,839.27 acres. The net increase in irrigated acres was 3,412.73 acres. This brings the total irrigated acres as of March 1 to 1,223,844.

It was moved by Rich and seconded by Robotham to certify the irrigated acres changes as presented to the committee. The motion was approved.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Eberle, Kuehner

ITEM 20. DAKOTA AQUIFER MONITORING.

DeBuhr presented information prepared by Courtney Widup, Water Resources Technician, for an annual program to measure groundwater levels and assess water quality in the Dakota aquifer in the eastern part of the District. The estimated cost of water analysis for 23 wells sites is estimated to be approximately \$1,700. The spring static groundwater level would be measured in up to twelve irrigation wells.

It was moved by Rich and seconded by Luebbe to authorize the staff to establish a Dakota aquifer annual groundwater quality and static water level program for the Dakota aquifer at an estimated water analysis cost of \$1,700.00. The motion was approved.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Eberle, Kuehner

ITEM 21. FLOW METER BATTERIES PAYMENT.

The staff has started to replace batteries in electronic flow meters. Two-hundred batteries for SeaMetric flow meters were purchased at a cost of \$14,866.00

It was moved by Rich and seconded by Robotham to pay Farm Land Irrigation \$14,866.00 for 200 batteries for SeaMetric flow meters. The motion was approved.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Eberle, Kuehner

ITEM 22. HIGH PLAINS CLIMATE CENTER WEATHER STATION AGREEMENT.

The University of Nebraska High Plains Climate Center operates an automated weather station located at Recharge Lake. The District has historically paid for the maintenance cost for operation of the station. The original agreement between the District and HPCC has expired. A new agreement is needed for the station to continue operation. The District uses the data to provide daily crop water use to irrigators. It also provides weather information for the area for a variety of projects and studies. The annual cost to the District per the proposed agreement is \$2,000 for 2016 and \$2,600 per year through 2020.

It was moved by Rich and seconded by Houdersheldt to enter into the Provided Services Agreement with the University of Nebraska High Plains Climate Center for the operation of the weather station near Recharge Lake. The motion was approved.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Eberle, Kuehner

ITEM 23. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on March 12, 2015 and presented the committee's recommendations.

ITEM 24. GROUNDWATER MODELING - BROWN AND CALDWELL.

Turnbull, Bitner and DeBuhr met with the managers and several directors from the Little Blue and the Lower Big Blue NRD on March 11. Bitner briefed those districts on the current groundwater modeling effort in Seward and Saline counties and the results to date. The purposes and capabilities of the regional model were discussed.

Brown and Caldwell submitted an estimate of the cost to expand that modeling into all of the Little Blue, Lower Big Blue and Upper Big Blue NRDs. That estimate is for a little less than \$250,000. The other two NRDs suggested that this is the time of year to consider whether to have the groundwater model done in their respective NRDs. They requested that the presentation be given to each of their full boards in the near future. Neither district committed to any future work.

The staff is scheduling a meeting with the Department of Natural Resources to review the model work with them.

ITEM 25. OUT OF STATE TRAVEL .

The summer GMDA conference will be held in Coeur d'Alene, Idaho June 10 – 12, 2015. The Executive Committee approved out of state travel for Linda Luebbe and Ronda Rich for the summer GMDA conference in Coeur d'Alene, Idaho, June 10 – 12, 2015.

ITEM 26. FINANCIAL REPORT FEBRUARY 1 - 28, 2015 AND CONSIDERATION OF EXPENDITURES FOR FEBRUARY 2015.

Turnbull reviewed the financial report for the period February 1, 2015 to February 28, 2015 that was distributed. It was moved by Houdersheldt and seconded by Dickinson to accept the financial report for February 2015 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Buller, Eberle, Kuehner

There being no other business the chairman adjourned the meeting at 2:53 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held March 19, 2015, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

BOARD OF DIRECTORS MEETING April 16, 2015

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, April 16, 2015 at 7:30 p.m. in the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were John Turnbull, Patty Connors, Jay Bitner, Donna Bitner, Scott Snell, Rod DeBuhr, Ken Feather, Jeff Ball, Erinn Richert, Bill Schuster, Steven Obermeier, and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Yates reported that we published the legal notice of the board of directors' meeting on April 9, 2015 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Steve Buller and Linda Luebbe requested excused absences for the April 16, 2015 board of directors meeting.

It was moved by Moore and seconded by Rich to excuse the absence of Buller and Luebbe from the April 16, 2015 board of directors meeting as requested. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 5. *ADOPTION OF CONSENT AGENDA.

It was moved by Dickinson and seconded by Roesler to adopt the consent agenda. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Roesler to approve the agenda for the April 16, 2015 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 7. *APPROVAL OF MINUTES OF THE MARCH 19, 2015 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Roesler to approve the minutes of the March 19, 2015 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 8. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on April 7, 2015 and presented the committee's recommendations.

ITEM 9. LAND TREATMENT PROGRAM.

It was moved by Dickinson and seconded by Houdersheldt that the Board of Directors authorize payment of \$5,000.00 for one (1) completed NSWCP Land Treatment application as shown in the April Land Treatment Program report. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 10. APPLICATION FOR STORM DAMAGED TREES (PUBLIC PROPERTY).

The Village of Beaver Crossing wants to plant approximately 52 trees in the public right-of-way along streets in Beaver Crossing. The total amount to be spent on this project is approximately \$4,000. The species of trees to be planted are Tulip Poplar, River Birch, Japanese Lilac, Swamp White Oak, Hackberry,

Kentucky Coffee Tree, Bald Cypress, Red Oak, Flowering Crab, Weeping Willow, Red Maple, Sycamore, Red/Scarlet Maple, Silver Linden, Canada Red Cherry, and Burning Bush.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve the storm damaged tree application for trees to be planted in Beaver Crossing on public property in the amount of \$2,000, which is 50% of the total amount of \$4,000. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 11. RECHARGE LAKE - HANDICAPPED ACCESS DOCK CONSTRUCTION.

Trade Winds Distributing, Inc. has completed installation of the handicapped access fishing dock at Recharge Lake. The District previously made payment for dock materials. Staff recommends final payment of \$1,600 for dock installation in accordance with the Agreement.

It was moved by Dickinson and seconded by Houdersheldt that final payment of \$1,600.00 be made to Trade Winds Distributing, Inc. / EZ Dock, in accordance with the Agreement for furnishing and installing the handicapped access fishing dock at Recharge Lake. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 12. RECHARGE LAKE - SIDEWALK CONSTRUCTION.

M.E. Collins Contracting Co., Inc. has completed construction of the sidewalk and headwall that provides a paved route from the main picnic shelter at Recharge Lake to the handicapped access fishing dock. Staff recommends that final payment of \$13,979.82 be made to M.E. Collins in accordance with the Agreement for this project.

It was moved by Dickinson and seconded by Austin that final payment of \$13,979.82 be made to M.E. Collins Contracting Co., Inc., in accordance with the project Agreement, for construction of the sidewalk and headwall that provides a paved route from the main picnic shelter to the handicapped access fishing dock at Recharge Lake. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 13. BEAVER CROSSING FLOOD PROTECTION PROJECT.

At the March Projects Committee meeting the Committee directed staff to prepare a proposal for assisting the Village of Beaver Crossing with removal of trees from the creek that runs through the Village. Jeff Ball presented pictures showing the trees in the creek floodway that were downed during the tornado last year. Floodwater from the upstream dam flows through the creek during flood events. Staff presented estimates of cost from two contractors for combinations of cutting and removing trees from approximately 1,700 linear feet of the creek floodway, encompassing approximately 4 acres of land, and disposing of the debris.

The cost estimate from Henry Thompson Tree Service was \$52,500 and VanKirk Construction was \$110,000 for removal and disposal of the trees. The Committee based their recommendation on the lower of the two estimates.

It was moved by Dickinson and seconded by Bruns that the District offer to cost share with the Village to remove and dispose of trees from the floodway of the creek that passes through the Village, such that the total project cost not exceed \$60,000, and the cost be allocated 30% to the Village and 70% to the NRD.

Austin questioned why it was recommended that the NRD fund 70% of the cost, since this is a higher percentage than we normally fund. In light of the fact that we don't have a written policy for this type of work she was concerned that we might be setting a funding precedent for other such requests.

It was moved by Austin and seconded by Moore to amend the motion to read "that the District offer to cost share with the Village of Beaver Crossing to remove and dispose of trees from the floodway of the creek that passes through the Village of Beaver Crossing, such that the total project cost not exceed \$60,000, and the cost be allocated 50% to the Village of Beaver Crossing and 50% to the NRD." The amendment carried.

AYE: Austin, Dickinson, Eberle, Houdersheldt, Kuehner, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Bruns, Miller

NOT VOTING: Volkmer

NOT PRESENT: Buller, Luebbe

The question was called on the original motion as amended. The motion carried.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 14. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met April 7, 2015 and presented the committee's recommendations.

ITEM 15. NORMA CARLSON TRANSFER REQUEST.

A groundwater transfer application from Norma Carlson, Clay County was considered. The source tract is 38.39 acres in the NE1/4 NE1/4, Section 7, T7N, R5W. The transfer will irrigate 21.99 acres in the destination tract in the SW1/4, Section 5, T7N, R5W. The application meets all the regulatory requirements. The lands involved are not in the High Risk Groundwater Area.

It was moved by Eberle and seconded by Austin to approve groundwater transfer T-079 with stipulation that the project be completed within one year. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Rich, Robotham, Roesler, Stahly, Yates

NAY: Volkmer

NOT VOTING: Nuss

NOT PRESENT: Buller, Luebbe

ITEM 16. AUGUSTUS M. BROWN, JR & COLENE K. BROWN TRUSTS TRANSFER REQUEST.

A groundwater transfer application from the Augustus M. Jr & Colene K. Brown Trusts, York County was considered. The source tract is 159.49 acres in the NE1/4 Section 15, T11N, R3W. The transfer will irrigate 15 acres in the destination tract in the SE1/4, Section 10, T11N, R3W. The application meets all the regulatory requirements. The lands involved are not in the High Risk Groundwater Area.

It was moved by Eberle and seconded by Stahly to approve groundwater transfer T-080 with stipulation that the project be completed within one year. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Rich, Stahly, Yates

NAY: Robotham, Roesler, Volkmer

NOT VOTING: Nuss

NOT PRESENT: Buller, Luebbe

ITEM 17. SCOTT W. AND DARA SCHUSTER AND DOUGLAS E. PURDY TRANSFER VARIANCE REQUEST.

A groundwater transfer application from Scott W. and Dara Schuster and Douglas E. Purdy, Hamilton County was considered. The source tract is 161.49 acres in the S1/2 NE1/4 & S1/2 NW1/4 Section 15, T10N, R8W. The transfer will irrigate 73 acres in the destination tract in the E1/2 SW1/4, Section 14, T10N, R8W. This transfer also irrigates 77 acres in the W1/2 SW1/4 of Section 14 T10N, R8W owned by William H. and Jean A. Schuster. This transfer is grandfathered transfer GT-1165.

This groundwater transfer does not comply with all of the District Rule 5 Chapter 11 requirements in that the destination tract (Mr. Purdy's property) is not adjacent to the source tract. DeBuhr recommends that a variance be granted for this transfer for the following reasons: 1. The transfer will not result in any new irrigated acres; 2. The conversion from gravity irrigation to center pivot should increase water use efficiency by approximately 35 percent, thereby reducing groundwater withdrawal; 3. The total acres irrigated by the transfer do not exceed the total acres in the source tract; 4. The transfer is not in the High Risk Groundwater Area. A resolution is attached explaining the specific reasons for such a variance.

It was moved by Eberle and seconded by Rich to approve the attached Resolution granting Transfer Variance T-081 for the Schuster Purdy Groundwater Transfer with stipulation that the project be completed within one year. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Kuehner, Miller, Moore, Rich, Robotham, Stahly
NAY: Houdersheldt, Roesler, Yates
NOT VOTING: Nuss, Volkmer
NOT PRESENT: Buller, Luebbe

ITEM 18. ALLEN AND MICHELLE CLARK AND AC FEEDYARDS, INC. TRANSFER REQUEST.

A groundwater transfer application from Allen and Michelle Clark and AC Feedyards, Inc, York County was considered. The source tract is 151.75 acres in the SW1/4 Section 15, T9N, R2W. The transfer is for lake fill. The lake is approximately 10 acres in size located in the NW1/4, Section 22 T9N, R2W. The application meets all the regulatory requirements. The lands involved are not in the High Risk Groundwater Area.

It was moved by Eberle and seconded by Houdersheldt to approve groundwater transfer T-082 with stipulation that the project be completed within one year. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Rich, Robotham, Roesler, Stahly, Yates
NAY: None
NOT VOTING: Nuss, Volkmer
NOT PRESENT: Buller, Luebbe

ITEM 19. FLOW METER REPAIR COST-SHARE.

Fifteen flow meters have been repaired at the cost of \$7,013.21. The cost-share requests total \$2,157.70.

It was moved by Eberle and seconded by Houdersheldt to make cost-share payments totaling \$2,157.70 for fifteen flow meters repaired. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates
NAY: None
NOT VOTING: Stahly
NOT PRESENT: Buller, Luebbe

Ten thousand dollars was budgeted for flow meter repair cost-share in Fiscal Year 2014-2015. The requests for repair cost-share exceed the budgeted amount. DeBuhr asked that the Board raise the authorized amount to \$20,000. The funds can be found in other line items and the Water Department budget will not be exceeded.

It was moved by Eberle and seconded by Bruns to increase the FY14-15 spending limit for flow meter repair cost-share from \$10,000 to \$20,000. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 20. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 752 parcels totaling 63,990.13 acres. The net increase in irrigated acres was 3,056.08 acres. This brings the total irrigated acres as of April 1 to 1,226,899.59.

It was moved by Eberle and seconded by Austin to certify the irrigated acres changes as presented to the committee. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 21. TRI-CITY METERS METER MAINTENANCE PAYMENTS.

Tri-City Meters has completed the 2014-2015 meter maintenance. The total cost was \$43,635.00

It was moved by Eberle and seconded by Bruns to pay Tri-City Meters \$43,635 for the FY14-15 flow meter maintenance. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 22. IRRIGATION SCHEDULING EQUIPMENT FOR RESALE.

The staff purchased soil probe components for resale from Clements and Associated, Inc. The total cost was \$7,768.05.

It was moved by Eberle and seconded by Austin to pay Clements and Associates, Inc. \$7,768.05 for soil probe components purchased for resale. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 23. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on April 9, 2015 and presented the committee's recommendations.

ITEM 24. NEW NRD HEADQUARTERS FACILITY - AYARS & AYARS, INC. CONTRACT.

Payment request # 5 is for \$71,459.78 from Ayars & Ayars for work completed on the new NRD headquarters facility for items completed through March 31, 2015.

Original Contract	\$4,484,673.00	
Change Orders		
Total Contract	\$4,484,673.00	
Previous Payments	\$536,116.23	
Current Payment	\$ 71,459.78	
Total Payments	\$607,576.01	14%
Contract Balance	\$3,877,096.99	86%

It was moved by Eberle and seconded by Nuss to approve payment of \$71,459.78 for items completed through March 31, 2015 on the contract for the new NRD headquarters facility, to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT VOTING : Volkmer

NOT PRESENT: Buller, Luebbe

ITEM 25. NRD HEADQUARTERS CONSTRUCTION REPORT.

The formal groundbreaking took place on March 19th. Dirt work began on the site on March 30th, with grading and basement digging.

Turnbull reported that Ayars & Ayars did adjust the price of the large change order so the amount agreed to is less than the amount authorized by the Board. The price of the change order for the basement went from \$16,838.15 to \$15,307.41, which is \$1,530.74 less.

The staff met with the Ayars & Ayars construction manager and project superintendent to review coordination, final plans and the schedule. Jeff Ball will be the NRD inspector on the job working under the supervision of Allan Quick. The final blueprint drawings are in the office for anyone to review.

ITEM 26. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on April 9, 2015 and presented the committee's recommendations.

ITEM 27. *FIRST QUARTER DIRECTORS' PER DIEM & EXPENSES.

The Executive Committee reviewed the directors' per diem and expenses for the quarter.

It was moved by Dickinson and seconded by Roesler to approve payment of first quarter directors' per diem of \$8,960.00 and expenses of \$4,287.89. The motion was approved as part of the consent agenda.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 28. PAYMENT TO YORK PRINTING FOR NEWSLETTER.

A bill for \$4,840.22 was received from York Printing for printing the latest Blueprint newsletter.

It was moved by Miller and seconded by Houdersheldt to approve payment of \$4,840.22 to York Printing for the Blueprint newsletter. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 29. JULY BOARD MEETING DATE.

The regularly scheduled July Board Meeting is on July 16. The year-end financial statement will not be ready by that date because the county treasurers' reports do not come until the 15th of the month. The financial statement is important for the FY 2016 budget that should be approved in July. Turnbull recommends that the Board Meeting be rescheduled for Thursday, July 23, and that the Projects and Water Committee meetings be scheduled for Thursday, July 16, with the Building and Executive Committee meetings scheduled for Tuesday, July 21.

It was moved by Miller and seconded by Stahly to hold the July Projects and Water Committee meetings on July 16, the Building and Executive Committee meetings on July 21, followed by the Board of Directors meeting on Thursday, July 23, 2015. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 30. GROUNDWATER MODELING - BROWN AND CALDWELL.

Bitner reviewed the progress of the groundwater modeling work. Brown & Caldwell submitted a bill for work completed in March on the groundwater modeling for the sub-regional model.

Brown & Caldwell Contract Amount	\$277,639.00
Prior payments	269,654.98
Current bills	4,106.10
Total billed to date	273,761.08
Balance of Contract	\$3,877.92

It was moved by Miller and seconded by Rich to approve payment of \$4,106.10 to Brown & Caldwell for work completed through March 31, 2015 on the sub-regional groundwater model. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 31. FINANCIAL REPORT MARCH 1 - 31, 2015 AND CONSIDERATION OF EXPENDITURES FOR MARCH 2015.

Turnbull reviewed the financial report for the period March 1, 2015 to March 31, 2015 that was distributed. It was moved by Volkmer and seconded by Roesler to accept the financial report for March 2015 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Buller, Luebbe

ITEM 32. EMPLOYEE RECOGNITION.

Jay Bitner, NRD Project Department Manager, will retire effective April 30, 2015 after 37 years of service to the District. He was honored by the board members and staff and presented with an engraved plaque. The Upper Big Blue NRD will host a retirement open house for Bitner on April 30, 2015 from 3:00 – 5:00 p.m. at the headquarters office in York.

There being no other business the chairman adjourned the meeting at 9:11 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held April 16, 2015, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one

copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb
Attachment (1)

BOARD OF DIRECTORS MEETING May 21, 2015

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, May 21, 2015 at 7:30 p.m. in the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Doug Bruns, Steve Buller, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were John Turnbull, Nancy Brisk, Scott Snell, Rod DeBuhr, Ken Feather, Nancy Beach, Marie Krausnick, and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on May 14, 2015 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Dickinson requested an excused absence for the May 21, 2015 board of directors meeting.

It was moved by Luebbe and seconded by Rich to excuse the absence of Doug Dickinson from the May 21, 2015 board of directors meeting as requested. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 5. *ADOPTION OF CONSENT AGENDA.

It was moved by Bruns and seconded by Volkmer to adopt the consent agenda. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Bruns and seconded by Volkmer to approve the agenda for the May 21, 2015 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 7. *APPROVAL OF MINUTES OF THE APRIL 16, 2015 BOARD OF DIRECTORS MEETING.

It was moved by Bruns and seconded by Volkmer to approve the minutes of the April 16, 2015 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Buller

NOT PRESENT: Dickinson

ITEM 8. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Volkmer reported that the Projects & Programs Committee met on May 12, 2015 and presented the committee's recommendations.

ITEM 9. LAND TREATMENT PROGRAM COST-SHARE PAYMENT.

It was moved by Volkmer and seconded by Austin that payments totaling \$19,110.76 be approved for six (6) completed NSWCP Land Treatment applications as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 10. BEAVER CROSSING STORM DAMAGED TREE PROGRAM – PRIVATE PROPERTY PAYMENTS.

Ronald Schernikau planted five Colorado Blue Spruce, and one Autumn Blaze Maple on his property located at 649 - 406th Road, Beaver Crossing, Nebraska 68313. The approved application was for the amount of \$600.00. The total cost of the trees was \$669.97. The District agreed to pay 50% of the actual cost, not to exceed \$300.00 per property owner.

It was moved by Volkmer and seconded by Bruns that the Upper Big Blue Natural Resources District make payment of \$300.00 to Ronald Schernikau for the planting of trees on his property in Beaver Crossing, in accordance with the Districts program for replacement of storm damaged trees on private property. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
 NAY: None
 NOT PRESENT: Dickinson

Justin Schernikau planted six Colored Blue Spruce on his property located at 601 Albert Street, Beaver Crossing, Nebraska 68313. The approved application was for \$600.00. The total cost of the trees was \$599.97. The District agreed to pay 50% of the actual cost, not to exceed \$300.00 per property owner.

It was moved by Volkmer and seconded by Roesler that the Upper Big Blue Natural Resources District make payment of \$299.99 to Justin Schernikau for the planting of trees on his property in Beaver Crossing, in accordance with the Districts program for replacement of storm damaged trees on private property. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
 NAY: None
 NOT PRESENT: Dickinson

ITEM 11. RECHARGE LAKE RECOVERY WELL – COMPLIANCE & MAINTENANCE.

The District staff received quotes from Sargent Drilling and Volzke Corporation for refurbishing and replacing worn out equipment and to reconfigure the above ground piping components to be in compliance with NRD regulations.

RECOVERY WELL #1 (Shop Building)		
WORK	SARGENT	VOLZKE
Video	\$1,014.00	\$300.00
Clean Well	\$4,280.00	\$2,000.00
New Pump	\$11,915.00	\$3,522.50
Above Gr.	\$9,155.36	\$5,411.50
TOTAL	\$26,364.36	\$11,234.00

RECOVERY WELL #3 (SE Aux. Spwy.)		
WORK	SARGENT	VOLZKE
Video		
Clean Well		
New Pump		
Above Gr.	\$10,118.48	\$4,128.00

GRAND TOTAL	\$36,482.84	\$15,362.00
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NOTES:

1. All parts are quoted new, cost will be adjusted if it is beneficial and cost effective to refurbish.
2. Sargent will use ductile iron piping above ground; Volzke will use aluminum piping above ground.
3. Well #1:
 - a. Motor designed for a 10 hp:
Sargent quoted a 15 hp motor
Volzke quoted a 10 hp motor.
 - b. Cleaning of well:
Sargent will use acid \$1,850, disinfection \$930, jet (if needed) \$1,500
Volzke will use acid \$2,000.

It was moved by Volkmer and seconded by Austin that the Upper Big Blue NRD Board of Directors accept Volzke Corporation's quote of \$15,362.00 and their recommendation of materials to refurbish and/or replace worn out equipment and to reconfigure above ground piping components to be in compliance with NRD regulations. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: Luebbe, Stahly

NOT PRESENT: Dickinson

ITEM 12. PIONEER TRAILS – SARGENT DRILLING PAYMENT.

Sargent Drilling was hired to drill a well at the RV Camping Area for drinking. The original contract price was \$18,876.00. The final construction price is \$19,602.00. The difference in the cost had to do with the depth of drilling.

It was moved by Volkmer and seconded by Houdersheldt that the Upper Big Blue Natural Resources District make the payment of \$19,602.00 for the drilling of a new well at the RV Camping Area at Pioneer Trails Recreation Area for the purpose of having drinking water. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 13. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met May 12, 2015 and presented the committee's recommendations.

ITEM 14. FLOW METER REPAIR COST-SHARE.

Twenty-five flow meters have been repaired this month at a total cost of \$6,930.85. The cost-share payment requests total \$3,146.05.

It was moved by Eberle and seconded by Luebbe to make cost-share payments totaling \$3,146.05 for twenty-five flow meters repaired. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich,
Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Dickinson

ITEM 15. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 347 parcels totaling 30,748.41 acres. The net increase in irrigated acres was 2,160.00 acres. This brings the total irrigated acres as of May 1 to 1,229,059.59.

It was moved by Eberle and seconded by Rich to certify the irrigated acres changes as presented to the committee. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich,
Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Dickinson

ITEM 16. FLOW METER MAINTENANCE PAYMENT – BATTERIES.

The District purchased 100 batteries and 125 gaskets from Farm Land Irrigation for use in Seametric meters. Total cost was \$7,708.00. When a battery is replaced, the meter owner is billed for the cost of the battery.

It was moved by Eberle and seconded by Robotham to pay Farm Land Irrigation \$7,708.00 for batteries and gaskets for the flow meter maintenance program. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich,
Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Dickinson

ITEM 17. IRRIGATION SCHEDULING EQUIPMENT FOR RESALE PAYMENT.

The staff purchased soil probe components for resale from Clements and Associates, Inc. at a cost of \$1,847.70, and Watermark Sensor monitoring equipment from Klein Sales & Service at cost of \$4,668.29.

It was moved by Eberle and seconded by Rich to pay Clements and Associates, Inc. \$1,847.70 for soil probe components, and Klein Sales & Service \$4,668.29 for Watermark Sensor monitoring equipment

for a total cost of \$6,515.99 for items purchased for resale. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 18. BUILDING COMMITTEE REPORT.

Buller reported that the Building Committee met on May 14, 2015 and presented the committee's recommendations.

ITEM 19. NEW NRD HEADQUARTERS FACILITY CONSTRUCTION REPORT.

The footings were completed for the shop and equipment building by May 4th. The steel framework erection began on May 8th. The siding installation began May 14th, with the roof to follow. The shop floor will be poured once the utilities are in place.

The basement has been dug for the office building, but the work has been held up by wet weather (4" of rain occurred between the 7th and 14th of May). As soon as the basement is dry, work will begin on the footings and foundation.

Coordination meetings are held once a week between Ayars & Ayars, Allen Quick, Turnbull and Jeff Ball. Ball, our engineering technician, is handling the construction inspections under the supervision of Allan Quick, the NRD architect.

ITEM 20. CONTRACT PAYMENT – AYARS & AYARS, INC.

Payment request #6 is for \$251,743.34 from Ayars & Ayars, for work completed on the new NRD Headquarters Facility, for items completed through April 30, 2015.

Original Contract	\$4,484,673.00	
Change Orders	\$21,081.93	
Total Contract	\$4,505,754.93	
Previous Payments	\$607,576.01	
Current Payment	\$251,743.34	
Total Payments	\$859,319.35	19%
Contract Balance	\$3,646,435.58	81%

It was moved by Buller and seconded by Austin to approve payment of \$251,743.34, for items completed through April 30, 2015 on the contract for the new NRD Headquarters Facility, to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

ITEM 21. CORNERSTONE CONSTRUCTION LOAN INTEREST PAYMENT.

The terms of the construction loan with Cornerstone Bank require an interest payment on June 1 for all the interest due. The exact amount of the interest won't be known until after this month's advance for the contractor's payment. Turnbull requested the authority to make the payment for interest due, which was anticipated to be about \$4,000.

Turnbull explained that a notice of interest due in the amount of \$2,243.96 was received just prior to the board meeting. The difference in interest due is because the loan advance for the current payment to Ayars & Ayars is not included in the calculation.

It was moved by Buller and seconded by Stahly to authorize the General Manager to make the interest payment of \$2,243.96 to Cornerstone Bank on the new NRD HQ Facility bank construction loan, when due on June 1, 2015. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Dickinson

ITEM 22. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on May 14, 2015 and presented the committee's recommendations.

ITEM 23. PAYMENT TO CONNOR ROOFING - OFFICE BUILDING ROOF REPLACEMENT.

The roof over the board room and entryway has been replaced because of hail damage in 2014. The bill from Conner Roofing for that work is \$33,568.00. The insurance proceeds have already been received.

It was moved by Miller and seconded by Luebbe to approve payment of \$33,568.00 to Conner Roofing, York, Nebraska for the re-roofing of the board room and entryway of the NRD Office Building. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Dickinson

ITEM 24. GROUNDWATER MODELING.

Turnbull, Bitner, DeBuhr and Krausnick met with the Department of Natural Resources on April 20 to brief Jim Schneider, the acting Director, and his principal staff, on the Sub-Regional Groundwater Model. Differences in model results between the Upper Big Blue model and the Department model were

discussed. The DNR model is more regional in nature from an overview perspective. The NRD model is much more detailed. The discussion centered on how much of the area is hydraulically connected to the streams. The offer was made by the Department to review the model in the spirit of cooperation.

Bitner and Krausnick recommended that before the model is provided to DNR, that Brown & Caldwell review the current model, to which Bitner made minor modifications. Brown & Caldwell were asked to provide a quote for a quality assurance review, simulated water budget, preparing the electronic files for transfer to DNR, and support the District by responding to DNR's questions. This work will require an amendment to the agreement with Brown & Caldwell and will have a cost not to exceed of \$9,639. The total amount of the amended agreement would then be \$287,278.

The committee discussed the need to begin the larger groundwater model for the Big Blue and Little Blue river basins. The Lower Big Blue and Little Blue NRDs may or may not participate in the funding of that effort. Those decisions also may be dependent on the comments of the Department after their review of the sub-regional model.

It was moved by Miller and seconded by Houdersheldt to approve Amendment # 2 to the agreement for Consulting Services between the Upper Big Blue NRD and Brown & Caldwell for Groundwater Modeling Services. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 25. NEBRASKA EDUCATION TV PROPOSAL FOR NARD.

The Nebraska Educational TV has proposed producing a video about the history and functions of NRDs. The NARD has been approached about funding the effort. The estimated cost for a one hour show is \$70,000. That is about \$3,000 per NRD if all participate. The NARD would be involved with the story features, story locations, and editing. Copies would be available for each NRD. Dean Edson is asking each NRD if they want to participate.

It was moved by Miller and seconded by Luebbe that the Upper Big Blue NRD participate in and contribute \$3,000 for the Nebraska Educational TV program about the history and functions of NRDs. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 26. STAFFING.

Turnbull reviewed his proposal for the staff organization which includes an Assistant Manager position. (See the attached organization chart). The assistant manager would oversee the Projects, Forestry, and Water Departments. The assistant manager would assume the duties of the General Manager in the

General Manager's absence. Turnbull recommended that the Assistant Manager position be created with a salary schedule range of \$76,000 – \$114,000. That salary schedule is based on the state wide NRD salary survey that was just completed.

The committee discussed the need, duties and the salary level of an assistant manager. The pros and cons of an assistant manager position were considered as well as when that position would be filled.

It was moved by Miller and seconded by Houdersheldt to create the position of Assistant Manager with a salary schedule range of \$76,000 to \$114,000. The motion was approved.

AYE: Austin, Buller, Eberle, Houdersheldt, Kuehner, Miller, Moore, Stahly, Yates

NAY: Bruns, Luebbe, Nuss, Rich, Roesler, Volkmer

NOT VOTING: Robotham

NOT PRESENT: Dickinson

ITEM 27. DIRECTOR'S RESIGNATION.

Steve Buller submitted his resignation from the Board of Directors effective May 22, 2015. The Board will need to appoint someone from Sub-District 8 to fill the remainder of his term which ends in January 2017. Sub-District 8 includes most of the City of York.

Buller was presented with a plaque in appreciation for 22 years of service on the Upper Big Blue NRD Board of Directors.

ITEM 28. FINANCIAL REPORT APRIL 1 - 30, 2015 AND CONSIDERATION OF EXPENDITURES FOR APRIL 2015.

Turnbull reviewed the financial report for the period April 1, 2015 to April 30, 2015 that was distributed. It was moved by Volkmer and seconded by Roesler to accept the financial report for April 2015 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Austin, Bruns, Buller, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

There being no other business the chairman adjourned the meeting at 9:30 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held May 21, 2015, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available

for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

Attachment (1)

BOARD OF DIRECTORS MEETING June 18, 2015

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, June 18, 2015 at 7:30 p.m. in the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were John Turnbull, Nancy Brisk, Scott Snell, Rod DeBuhr, Ken Feather, Marty Stange and Keith Leonhardt of Hastings Utilities, Seward County Commissioner Gene Gausman, Steve Moseley of the York News-Times and Kent Norquest of Fillmore County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on June 11, 2015 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Miller and Roesler requested an excused absence for the June 18, 2015 board of directors meeting.

It was moved by Volkmer and seconded by Dickinson to excuse the absence of John Miller and Becky Roesler from the June 18, 2015 board of directors meeting as requested. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller, Roesler

ITEM 5. *ADOPTION OF CONSENT AGENDA.

It was moved by Bruns and seconded by Rich to adopt the consent agenda. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller, Roesler

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Bruns and seconded by Rich to approve the agenda for the June 18, 2015 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller, Roesler

ITEM 7. *APPROVAL OF MINUTES OF THE MAY 21, 2015 BOARD OF DIRECTORS MEETING.

It was moved by Bruns and seconded by Rich to approve the minutes of the May 21, 2015 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller, Roesler

ITEM 8. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met June 9, 2015 and presented the committee's recommendations.

ITEM 9. HASTINGS UTILITIES VADOSE ZONE NITRATE STUDY.

This item was carried over from the May meeting. This study is a follow up of the initial vadose zone study conducted in 2010 and 2011. The objectives of the work are; to improve estimates of the current mass nitrate and pesticide in the vadose zone from the same locations as previously sampled, estimation of the travel time from land surface to groundwater for various scenarios, and estimate the potential for denitrification in the vadose zone and associated groundwater. The total project cost is estimated at \$299,982. The Little Blue NRD has committed \$500,000 over five years to Hastings Utilities to assist in the overall Aquifer Storage and Recovery Project, which is projected to cost \$45.5 million. The staff recommended that the District participate in the vadose zone nitrate study and contribute 20% of the total cost up to \$50,000 over two fiscal years. The NRD staff and Hastings Utilities staff are working on an inter-local agreement for this project.

It was moved by Luebbe and seconded by Austin to participate in the Vadose Zone Nitrate Study and contribute 20% of the total cost up to a maximum of \$50,000 over the next two fiscal years. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller, Roesler

ITEM 10. GROUNDWATER TRANSFER AUTHORIZATION.

Deborah A. Petersen, Glen T. Petersen and Marion Geiger applied for a groundwater transfer to irrigate 5 acres in the S1/2 NW1/4 and 5 acres in the SW1/4 of Section 2-T8N-R2W from well G-043946 located in the SE1/4 of Section 3-T8N-R2W all in Fillmore County. The proposed transfer complies with the Districts groundwater regulations.

It was moved by Luebbe and seconded by Rich to approve Groundwater Transfer T-083. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Yates

NAY: Volkmer

NOT PRESENT: Miller, Roesler

ITEM 11. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 26 parcels totaling 2,243.19 acres. The net increase in irrigated acres was 657.69 acres. This brings the total irrigated acres as of June 1 to 1,229,717.28.

It was moved by Luebbe and seconded by Austin to certify the irrigated acres changes as presented to the committee. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller, Roesler

ITEM 12. IRRIGATION SCHEDULING EQUIPMENT FOR RESALE PAYMENT.

The staff purchased ten ETgages for resale from ETgage Company at a cost of \$2,080.79, and 1,000 gypsum moisture blocks and two moisture testers for resale from Delmhorst Instrument Company at a cost of \$10,010.68.

It was moved by Luebbe and seconded by Bruns to pay ETgage Company \$2,080.79 for ten ETgages, and Delmhorst Instrument Company \$10,010.68 for 1,000 gypsum moisture blocks and two moisture testers for a total cost of \$12,091.47 for irrigation scheduling items purchased for resale. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller, Roesler

ITEM 13. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Volkmer reported that the Projects & Programs Committee met on June 9, 2015 and presented the committee's recommendations.

ITEM 14. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Volkmer and seconded by Stahly that the Upper Big Blue Natural Resources District make payment of \$41,151.60 for eighteen completed NSWCP Land Treatment applications as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller, Roesler

ITEM 15. *NEBRASKA BUFFER STRIP PROGRAM CONTRACT PAYMENTS.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District make payment of \$13,510.19 for ten Nebraska Buffer Strip Program contracts as recommended by staff and reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller, Roesler

ITEM 16. CORDOVA STORM DAMAGED TREE PROGRAM APPLICATION.

The Village of Cordova wants to plant 32 trees in the public right-of-way along Railroad Street, the Community Building, and the Village Park. The estimated cost is \$2,599.68. Lance Larsen, representing the Village of Cordova, wrote a letter on behalf of the village requesting assistance in replacing the storm damaged trees in the Village of Cordova.

It was moved by Volkmer and seconded by Luebbe that the Upper Big Blue Natural Resources District approve the storm damaged tree application for trees to be planted in Cordova on public property in the amount of \$1,299.84, which is 50% of \$2,599.68 with the stipulation that the project is to be completed by October 1, 2015. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller, Roesler

ITEM 17. CORNERS FOR WILDLIFE PAYMENT.

Two Corners for Wildlife sites which are on pivot corners, or portions of pivot corners, have been developed for wildlife habitat. These payments are being made with funds from the Environmental Trust through the Pheasants Forever Chapters.

It was moved by Volkmer and seconded by Austin that the Upper Big Blue Natural Resources District make payment of \$870.00 to Charles O'Donnell for the development of two pivot corners pertaining to the Corners for Wildlife Program, as reviewed by the Projects and Programs Committee. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller, Roesler

ITEM 18. PAYMENT TO M.E. COLLINS – PIONEER TRAILS RECREATION AREA.

M.E. Collins Original Contract Amount:	\$721,121.60
M.E. Collins Current Contract Amount:	\$632,692.60
Percent Completed:	73%
Retainage:	\$46,185.66
Prior Payments:	\$40,996.12
Current Bill:	\$374,674.85
Total Billed to Date:	\$461,856.63
Balance of Contract:	\$170,835.97

It was moved by Volkmer and seconded by Houdersheldt that the Upper Big Blue Natural Resources District make payment to M.E. Collins in the amount of \$374,674.85 for the work completed at Pioneer Trails Recreation Area through June 5, 2015. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller, Roesler

ITEM 19. PAYMENT TO NISSEN ELECTRIC, LLC . – PIONEER TRAILS RECREATION AREA.

Nissen Electric Original Contract Amount:	\$40,540.00
Percent Completed:	56%
Prior Payments:	\$3,900.00
Current Bill:	\$18,850.00
Total Billed to Date:	\$22,750.00
Balance of Contract:	\$17,790.00

It was moved by Volkmer and seconded by Austin that the Upper Big Blue Natural Resources District make payment to Nissen Electric, LLC in the amount of \$18,850.00 for the work completed at Pioneer Trails Recreation Area through June 5, 2015. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller, Roesler

ITEM 20. PICNIC SHELTER AT AURORA'S STREETER PARK.

The City of Aurora has requested that the NRD provide a portion of funding for a picnic shelter to be constructed in the City of Aurora at Streeter Park. The shelter would have capacity for 80 – 100 people. Shelter size would be no larger than 40 x 60 with an estimated cost of \$85,000. The District cost-share for Parks & Recreation projects is 25% of project cost, not to exceed \$10,000.

Staff recommended that the District fund the Streeter Park picnic shelter in Aurora, NE at a cost not to exceed \$10,000. The Committee took no action on the recommendation in the month of May. John Miller requested that this project be brought back for the Committee to take a firm action on the project. The Committee preferred to not fund the project at this time.

It was moved by Austin and seconded by Nuss that the Upper Big Blue Natural Resources District not contribute to the construction of the shelter at Streeter Park in Aurora, NE. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller, Roesler

ITEM 21. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on June 11, 2015 and presented the committee's recommendations.

ITEM 22. CONSTRUCTION REPORT – NEW HEADQUARTERS FACILITY.

The wet weather has held up work on the office building. The contractor poured some of the footings on May 28th, but little progress has been made since then. Things were ready for more concrete footings to be poured on June 3, but it rained. Rainfall June 1 – 11 has been over 5 inches.

The shop building shell is complete, except for windows and overhead doors, with work now progressing inside. The plumbing has been dug in and forms set for the first of the concrete floor work. Once the floor is done, the tree cooler will be built, then the interior walls.

ITEM 23. CONTRACT PAYMENT – AYARS & AYARS, INC.

Payment request #7 is for \$255,588.00 from Ayars & Ayars, for work completed on the new NRD Headquarters Facility, for items completed through May 31, 2015.

Original Contract	\$4,484,673.00	
Change Orders	\$21,081.93	
Total Contract	\$4,505,754.93	
Previous Payments	\$859,319.35	
Current Payment	\$255,588.00	
Total Payments	\$1,114,907.35	25%
Contract Balance	\$3,390,847.58	75%

It was moved by Eberle and seconded by Dickinson to approve payment of \$255,588.00, for items completed through May 31, 2015 on the contract for the new NRD Headquarters Facility, to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
 NAY: None
 NOT PRESENT: Miller, Roesler

ITEM 24. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Executive Committee met on June 11, 2015 and presented the committee’s recommendations.

ITEM 25. 2015 BURKE SCHOLARSHIPS.

Nine students applied for the Burke Scholarship. Snell is recommending that two applicants be awarded scholarships and that one alternate be named.

\$2,000 Scholarship Claire White – Exeter
 \$2,000 Scholarship Morgan Cool – Hampton
 Alternate Alex Lohrmeyer – Aurora

It was moved by Houdersheldt and seconded by Luebbe to award a \$2,000 scholarship to Claire White of Exeter; a \$2,000 scholarship to Morgan Cool of Hampton; and to further name Alex Lohrmeyer of Aurora as the alternate. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
 NAY: None
 NOT PRESENT: Miller, Roesler

ITEM 26. LIABILITY, FIRE & CASUALTY INSURANCE.

The renewal quote has been received from Cornerstone Insurance and Dunbar-Petersen of Omaha. The quote for insurance for FY2016 is \$55,685. Last year’s quote was \$55,239. Workers Compensation is based on actual payroll, so a payroll audit is done at the end of each fiscal year to determine any

additional premiums due.

When the new NRD Headquarters facility is complete next spring, an additional premium of about \$11,000 will be required to insure that complex.

	FY 2015	FY 2016
Liability, Auto, Fire & Casualty	\$48,725	\$49,313
Workers Compensation	\$6,514	\$6,372
	\$55,239	\$55,685

It was moved by Houdersheldt and seconded by Rich to purchase and approve payment for liability, auto, workers compensation, fire and casualty insurance from Dunbar-Petersen through Cornerstone Insurance for \$55,685. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller, Roesler

ITEM 27. SALARY SURVEY.

Turnbull reviewed the Salary Survey he had written which included wage comparisons from all 23 NRDs and 54 other Nebraska firms and units of government. Turnbull writes a statewide survey for all the NRDs, which includes the data for more job positions than are covered in the Upper Big Blue report.

He reviewed each staff position this district has with other employers' similar positions shown in the report. A proposed salary schedule is also included in the report. Based on this information Turnbull recommends that the Upper Big Blue NRD job classifications increase as per the proposed salary schedule. The salary schedule sets the minimum, midpoint, and maximum for each position. Individual salaries and wages then need to be within those limits. (See the last page of the 2015 report.)

It was moved by Houdersheldt and seconded by Moore to approve the changes in the salary schedules as listed in the June 2015 Upper Big Blue NRD Salary Survey & Salary Schedule report, and that such changes and adjusted salary schedules be effective on July 1, 2015. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Moore, Nuss, Rich, Robotham, Stahly, Yates

NAY: None

NOT VOTING: Luebbe, Volkmer

NOT PRESENT: Miller, Roesler

ITEM 28. STAFFING.

Turnbull interviewed two candidates for the engineer position this past week. He also discussed the assistant manager's position with the committee. Turnbull's intent is to fill each position in the near future. Because of the various possibilities, he said it is hard to have a firm budget number for payroll.

Turnbull announced to the Board that he has promoted Rod DeBuhr to the position of Assistant Manager.

ITEM 29. WAGE ADJUSTMENTS.

Turnbull reviewed the actual salaries and wages of the employees with the committee. Turnbull recommended that the board authorize \$38,500 for salary increases for the staff, for an average change for each employee of 3.5%.

It was moved by Houdersheldt and seconded by Dickinson to adjust the annual salaries of the district staff, with the exception of the General Manager, by an amount not to exceed \$38,500, and to authorize the General Manager to determine and make the salary and wage adjustments, in accordance with the Operating Policy. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: None
NOT VOTING: Volkmer
NOT PRESENT: Miller, Roesler

It was moved by Houdersheldt and seconded by Moore to go into Executive Session at 8:12 p.m. for the purpose of discussing the job performance of the General Manager. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Miller, Roesler

It was moved by Moore and seconded by Luebbe to return to Open Session at 8:32 p.m. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Rich, Robotham, Stahly, Volkmer, Yates
NAY: Nuss
NOT PRESENT: Miller, Roesler

It was moved by Moore and seconded by Rich to leave the salary of the General Manager at this current salary of \$121,500 for FY 2016. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Moore, Rich, Robotham, Stahly, Volkmer, Yates
NAY: Houdersheldt, Nuss
NOT PRESENT: Miller, Roesler

ITEM 30. FINANCIAL REPORT MAY 1 - 31, 2015 AND CONSIDERATION OF EXPENDITURES FOR MAY 2015.

Turnbull reviewed the financial report for the period May 1, 2015 to May 31, 2015 that was distributed. It was moved by Volkmer and seconded by Nuss to accept the financial report for May 2015 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller, Roesler

There being no other business the chairman adjourned the meeting at 9:20 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held June 18, 2015, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

**BOARD OF DIRECTORS MEETING
AND
GROUNDWATER QUALITY MANAGEMENT AREA VIOLATION HEARING
July 23, 2015**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, July 23, 2015 at 7:30 p.m. in the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were John Turnbull, Nancy Brisk, Scott Snell, Rod DeBuhr, Seward County Commissioner Gene Gausman, Jim Schneider, Paul Bethune, and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on July 16, 2015 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call. Austin arrived at 7:35 p.m.

ITEM 4. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board would like to have removed from the consent agenda for separate action. Houdersheldt asked that the directors' per diem and expenses be removed from the consent agenda.

It was moved by Bruns and seconded by Dickinson to adopt the consent agenda, with the exception of the directors' per diem and expenses. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 5. *ADOPTION OF AGENDA.

It was moved by Bruns and seconded by Dickinson to approve the agenda for the July 23, 2015 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 6. *APPROVAL OF MINUTES OF THE JUNE 23, 2015 BOARD OF DIRECTORS MEETING.

It was moved by Bruns and seconded by Dickinson to approve the minutes of the June 23, 2015 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 7. GROUNDWATER QUALITY MANAGEMENT AREA VIOLATION HEARING.

Chairman Yates opened the hearing at 7:32 p.m. The notice of the hearing was published July 9, 2015 in the York News-Times.

YATES: Okay, the next thing on the agenda, Groundwater Quality Management Area Violation Hearing and I'm going to open the hearing. And the hearing was reported on, or the Notice of Hearing was published on July 1, 2015, [Exhibit #1]. And we have two of them [complaints]. The first one is this Allen Coufal.

DICKINSON: Coufal.

YATES: Coufal?

MILLER: Coufal, with an "S".

YATES: Okay.

DEBUHR: No. With a "C"

TURNBULL: That's how you say it [Coufal].

YATES: So the first thing is presentation of evidence for complainant. Rod?

DEBUHR: Okay, my name, for the record, I'm Rod DeBuhr, Assistant Manager for the District, and I'll represent the District as far as presenting evidence. I'm not aware that Mr. Coufal (is that how you say it?) is here. The first thing I would do is enter into the record a copy of District Rule 3 [Exhibit #2]. I don't think the directors have those in front of them, but we need that in the record. And, also, as another exhibit [Exhibit #3] District Rule 4, which is how the complaints are filed, and then finally District Rule 5 [Exhibit #4] which contains the requirements for reporting that Mr. Coufal has not complied with. In your, in front of you, there's a packet, the one with the little red "x" in the upper corner is Mr. Coufal's information. And I just included my notes on there to follow through on series of events that have occurred. On December 23rd 2014 we mailed a letter [Exhibit #5] and the required report forms requesting phase II water quality reports by first class mail. This was sent to all of the people, all of the known operators, in the phase II and phase III areas. In this case it's a phase II area in Seward County. Included were maps of the affected areas, summary of requirements in the water quality management area, an example report form, and other useful information to assist him with that form, and the report form itself. Then on March 6th we sent out a reminder postcard which is attached. And I'll enter those, the letter and the forms, as exhibits and then the postcard, both reminder postcards [Exhibit #6]. And, also we sent then on June 5th, excuse me, on April 7th, a past due postcard, which has been entered as an exhibit, it's going in as an exhibit. Then on May 15th we still had not, Mr. Coufal had not responded, so we sent, John Turnbull filed a complaint alleging that Mr. Coufal failed to submit the required reports and a copy of that complaint was sent by return receipt mail to Mr. Coufal and I would submit that letter and a copy of the complaint as an exhibit for the record [Exhibit #7]. [DeBuhr also entered Exhibit #8 which was a printout from the Seward County Assessor showing current ownership of the parcels belong to Allen W. Coufal.] Then on June 5th I sent Mr. Coufal my investigation report finding that he was in violation of Rule 5, Chapter 20, Paragraph 6 for failure to file the required report. The cover letter explained his options in this matter and mail included a schedule of compliance form and the report forms he could complete to come into compliance. And I would submit that as an exhibit [Exhibit #9]. And that was also sent by return receipt mail. And he did not respond so on July 1st we sent a letter with the hearing notice and again explained to him what his options were and told him when this hearing would be held on July 23rd. And I would submit that for evidence [Exhibit #10]. So as of today he has not, there has been no, no contact with him. He did attend the required training back in May, but he has not turned in his reports. That's all the evidence I have for Mr. Coufal.

YATES: Okay, thank you Rod. So at this time...

DEBUHR: If there's any questions about him, or comments I'd try to answer them.

YATES: Does anybody have any questions for Rod? Ok, so at this time I guess the violator can speak, but I don't believe he's here. So I guess with that we'llany questions from board members on this? If not we're going to go on to the next one.

- AUSTIN: So each of these letters was accompanied by the return receipt; the postcard?
- DEBUHR: The May 15th, the June 5th and July 1st were all made with return receipts.
- AUSTIN: Did we get the postcard back from him?
- DEBUHR: We got one back the others we have not. It was our, generally it's our policy, although it's not official, is that we also send it first class because some guys don't go to the post office and get it. So we can't prove they got first class, but we hope they at least read that.
- YATES: Is there any other questions? John?
- MILLER: So we do not have evidence that he received two of these?
- DEBUHR: That's correct. But we know that it was at the post office and that he received a card saying he could go pick it up.
- YATES: Any other questions? Okay, if not we will move on to the second one.
- DEBUHR: Okay. The second one is Eric Schroeder. This is in phase III in York County. Again, on December 23rd we did the same mailing and I would present that as evidence with the same attachments [Exhibit #11]. On March 6th then we sent the report card, the reminder card. On April 7th the late notice postcard was, a past due notice postcard, which I present in evidence [Exhibit #12]. And again, on May 15th John filed a complaint alleging that he failed to submit the report. And that was sent by return receipt mail. And also would submit that as evidence [Exhibit #13]. On June 5th then I sent Mr. Schroeder my investigation report that he was in violation of Rule 5, Chapter 20, Paragraph 6 by return receipt. And I would submit that into evidence [Exhibit #14]. And then on July 1st again a letter, a notice of this hearing, by return receipt mail, and I'd submit that as evidence [Exhibit #15]. And we, at this time have had no, we have heard nothing from Mr. Schroeder. He has also attended training in the past and he turned in reports last year and they're a list of those fields, included in the packet with that initial letter, of the fields he reported last year and he is still the operator of record for those fields. And that's the evidence that I have.
- YATES: Does anyone have any questions for Rod?
- LUEBBE: Has there been any attempt to reach him by phone?
- DEBUHR: Yes. I attempted, I attempted to call in both instances. Mr. Coufal he did not have an answering machine, or it wasn't functional, I'm not sure which. I was never able to leave a message. In Mr. Schroeder's case I called both his home and cell phone, because we had his cell number and left him messages in both places, without response.

YATES: Bill?

STAHLY: This notice of formal hearing on the back page; the rest of those people have contacted you and took care of it?

DEBUHR: Yes. There were, those others listed, have all turned in their reports now.

MILLER: So we also had three receipts? How many of those; did we get all of them back in the mail?

DEBUHR: I don't, I don't think we got the last one. But after it was sent is when I called him and so he got full notified, phone called notified.

YATES: Are there any other questions for Rod? Okay and I don't believe Eric Schroeder is here. So I guess we'll go on, and I did make a mistake, I said the notice of formal hearing was on July 1st and it was on July 9th. I have a copy of that here. Okay, with that we are going to close the hearing at this time. Close the proceedings.

The hearing was officially closed at 7:44 p.m.

ITEM 8. ACTION ON ALLEGED VIOLATIONS.

It was moved by Moore and seconded by Houdersheldt to adopt the Cease and Desist Order against Allen W. Coufal. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

It was moved by Miller and seconded by Dickinson to adopt the Cease and Desist Order against Eric Schroeder. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 9. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met July 16, 2015 and presented the committee's recommendations.

ITEM 10. HASTINGS UTILITIES VADOSE ZONE NITRATE STUDY INTERLOCAL AGREEMENT.

In June the Board approved participation in the Vadose Zone Nitrate Study with Hastings Utilities. The

District will contribute twenty percent of the cost up to \$50,000 over two years.

It was moved by Eberle and seconded by Rich to enter into the Inter-local Cooperation Agreement with the City of Hastings/Hastings Utilities for the Hastings Vadose Zone Nitrate Study. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 11. MUNICIPAL WATER SYSTEM ASSISTANCE PROGRAM.

The committee reviewed the second draft of the proposed Municipal Water System Assistance Program. The program is intended to provide assistance to communities for improvements in their water system to mitigate the impacts of non-point sources groundwater contamination. The program includes a formula (population + acres in WHPA = Participation Score). Communities with a score of less than 2,000 would be eligible for up to \$25,000; 2,000 to 5,000 = \$50,000 and over 5,000 = \$100,000. Funding could be spread over five years. A community would only be eligible once per five year period. Requests for funding would be reviewed each spring prior to establishment of the next fiscal year budget.

It was moved by Eberle and seconded by Austin to adopt the Municipal Water System Assistance Program. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 12. GROUNDWATER TRANSFER AUTHORIZATION - KREUTZ FARMS & LARRY TEWELL.

Kreutz Farms and Larry Tewell applied for a groundwater transfer to irrigate 11 acres in the SE1/4 of Section 17-T8N-R8W from well G-002151 located in the NE1/4 of Section 20-T8N-R8W all in Clay County. The proposed transfer complies with the Districts groundwater regulations.

It was moved by Eberle and seconded by Houdersheldt to approve Groundwater Transfer T-85. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Volkmer

ITEM 13. GROUNDWATER TRANSFER AUTHORIZATION – NORRIS AND BONITA KRAMER.

Norris and Bonita Kramer applied for a groundwater transfer to irrigate 7 acres in the NW1/4 of Section 16-T7N-R5W from well G-153494 located in the NE1/4 of Section 17-T7N-R5W all in Clay County. The proposed transfer complies with the Districts groundwater regulations.

It was moved by Eberle and seconded by Stahly to approve Groundwater Transfer T-86. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Volkmer

ITEM 14. FLOW METER REPAIR COST-SHARE.

Forty-five flow meters have been repaired this month. The total cost was \$12,570.54. The cost-share totaled \$5,673.29.

It was moved by Eberle and seconded by Luebbe to make cost-share payments totaling \$5,673.29 for forty-five flow meters repaired. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 15. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 62 parcels totaling 5,251.25 acres. The net increase in irrigated acres was 440.92 acres. This brings the total irrigated acres as of July 1 to 1,230,158.20.

It was moved by Eberle and seconded by Bruns to certify the irrigated acres changes as presented to the committee. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

The committee reviewed the irrigated acres certification for wetlands, golf courses and cemeteries. A total of 82 parcels totaling 8,457.39 acres were reviewed. This is the total reported acres in these categories.

It was moved by Eberle and seconded by Luebbe to certify the wetland, golf course and cemetery acres as presented to the committee. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 16. IRRIGATION & NITROGEN MANAGEMENT MANUALS PAYMENT.

The University of Nebraska and NARD developed an updated manual for irrigation and nitrogen management. This manual replaces the one developed in the mid 1990s. The District provides these to all operators that are required to participate in training classes under the groundwater quality management regulations and to other interested persons. The District purchased 2,000 manuals. The cost of the manuals was \$2,300, but the District receives a \$500 discount because DeBuhr participated in development and review of the manual materials.

It was moved by Eberle and seconded by Austin to pay the University of Nebraska \$1,800 for 2,000 Irrigation and Nitrogen Management manuals. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 17. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on July 16, 2015 and presented the committee's recommendations.

ITEM 18. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District make payment of \$24,348.77 for twelve (12) completed NRD Land Treatment applications as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 19. PAYMENT TO NEBRASKA ASSOCIATION OF RESOURCES DISTRICT FOR TREES.

The District purchased 14,200 trees and shrubs from the Nebraska Association of Resources District for the planting of farmstead windbreaks, wildlife plantings, field windbreaks, and riparian plantings at a cost of \$9,390.05. Total cost includes trees and shrubs, wood chips, plastic liners, and shipping.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District make payment of \$9,390.05 for the purchase of 14,200 trees and shrubs as reviewed by the Projects and Programs Committee. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 20. STORM DAMAGED TREES (PUBLIC PROPERTY) PAYMENT – BEAVER CROSSING.

The Village of Beaver Crossing planted 30 trees on the public right-of-way along the streets of Beaver Crossing. The total amount spent on this project was \$3,300.00. The species of trees planted were; Water Birch, Niobrara Paper Birch, Common Hackberry, Kentucky Coffeetree, American Sycamore, Swamp White Oak, Hills Oak, Bur English Oak, and English Oak. On April 16, 2015, the Upper Big Blue NRD Board of Directors voted to fund the project in the amount of \$2,000.00 (50% of \$4,000.00).

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District make payment of \$1,650.00 to the Village of Beaver Crossing for the trees planted in Beaver Crossing on public property, which is 50% of the total amount of \$3,300.00. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 21. STORM DAMAGE TREE REPLACEMENT PROGRAM.

The Projects & Programs Committee reviewed the Storm Damage Tree Replacement Program as presented by the NRD Staff. The present Storm Damage Tree Replacement Program was adopted for FY2015 and would end July 2015. The proposed program would continue until the NRD Board of Directors decides to discontinue the program.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue NRD Board of Directors adopt the Storm Damage Tree Replacement Program as presented by the NRD Staff.

There was considerable discussion regarding details of the proposed program as it pertained to how the maximum cost-share payments were to be determined. Would it be by event, or per year? Several board members felt the policy needed to be reviewed again at the committee level before being presented to the board for adoption. With the approval of the Chair, Dickinson and Volkmer withdrew their motion.

ITEM 22. RULE 6 NRD PARK REGULATIONS.

The Projects & Programs Committee reviewed Rule 6 NRD Park Regulations and Pioneer Trails Recreation Area Special Regulations. The District's present rules state that swimming and wading is permitted in designated areas. Since the District has not designated any swimming areas, the following language was inserted: "Swimming and wading are permitted at the sole risk of the swimmer, unless specifically prohibited in Rule 6." The committee recommended deleting the language "flotation devices, surf boards, throwing of Frisbees, balls, and similar devices is prohibited."

Where trapping is allowed, it will only be permitted by special permit deeming the trapping season is set up by the Nebraska Game & Parks Commission.

Pioneer Trails Recreation Area no longer has a primitive campground. It is a day use area and

Tent Camping Fees \$ 5.00/night
 RV Camping \$15.00/night

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District Board of Directors adopt the Rule 6 NRD Park Regulations, which include Pioneer Trails Recreation Area Special Regulations for the purpose of a Public Hearing to be held August 20, 2015. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 23. PIONEER TRAILS RECREATION PROJECT UPDATE.

Jeff Ball updated the Committee on the construction of the recreation facilities at Pioneers Trails Recreation Area. The project is 92% completed and the electrical work is 79% completed.

ITEM 24. PAYMENT TO M.E. COLLINS.

M.E. Collins Original Contract Amount:	\$721,121.60
M.E. Collins Current Contract Amount:	\$632,692.60
Percent Completed:	92%
Retainage:	\$58,443.40
Prior Payments:	\$415,670.97
Current Bill:	\$110,319.63
Total Billed to Date:	\$461,856.63
Balance of Contract:	\$106,702.00

Staff recommended that payment of \$110,319.63 be made to M.E. Collins Contracting Co., Inc.

It was moved by Dickinson and seconded by Miller that the Upper Big Blue Natural Resources District make payment to M.E. Collins in the amount of \$110,319.63 for the work completed at Pioneer Trails Recreation Area through June 30, 2015. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 25. PAYMENT TO NISSEN ELECTRIC, LLC.

Nissen Electric Original Contract Amount:	\$40,540.00
Percent Completed:	79%
Prior Payments:	\$22,750.00

Current Bill:	\$ 9,290.00
Total Billed to Date:	\$32,040.00
Balance of Contract:	\$ 8,500.00

Staff recommended that payment of \$9,290.00 be made to Nissen Electric, LLC.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District make payment to Nissen Electric, LLC in the amount of \$9,290.00 for the work completed at Pioneer Trails Recreation Area through June 2015. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 26. VOLZKE CORPORATION – CONTRACT PAYMENT.

Recharge Lake Recovery Well Maintenance
 Recovery Well #1 (shop)
 Quoted Price with all new parts \$8,754.00
 Invoice #10451 \$8,000.26

Note: Difference due to refurbished pump & motor instead of buying new, metal column pipe was corroded with holes in which it was replaced with plastic and extended 10 feet.

Recovery Well #3 (SE Auxiliary Spillway)
 Quoted Price with all new parts \$4,128.00
 Invoice #10452 \$4,232.70

Note: Difference is due to small pieces that are necessary, but not included in the original quote.

It was moved by Dickinson and seconded by Bruns that the Upper Big Blue Natural Resources District make payment to Volzke Corporation in the amount of \$12,232.96 for the maintenance work done on Well #1 and Well #3 at Recharge Lake. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 27. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on July 21, 2015 and presented the committee’s recommendations.

ITEM 28. TOUR NEW NRD HEADQUARTERS CONSTRUCTION SITE.

The Building Committee toured the NRD Headquarters construction site to see the construction progress. The shop building is nearly complete with the drywall now being hung. The fire sprinkler system and the furnaces have been installed. The electrical and plumbing are roughed in. The utilities need to be installed underground to that building.

The office building basement walls are half done. Part of the steel support columns and beams are in place. The west part of the basement floor has been poured. The floor trusses are being installed. The rest of the basement walls and concrete floor should be done by the first part of August.

ITEM 29. CONTRACT PAYMENT – AYARS & AYARS, INC.

Turnbull reviewed the planned schedule of building construction payments and compared them to the actual payments. The FY 2015 budget had \$2,500,000 total planned expenditures for the project by June 30. The actual was \$1,398,515 due to the very wet site conditions in April and May.

Payment request # 8 is for \$283,607.81 from Ayars & Ayars for work completed on the new NRD Headquarters Facility for items completed through 30 June 2015.

Original Contract	\$4,484,673.00	
Change Orders	\$30,239.75	
Total Contract	\$4,514,912.75	
Previous Payments	\$1,114,907.35	
Current Payment	\$283,607.81	
Total Payments	\$1,398,515.16	31%
Contract Balance	\$3,116,397.59	69%

It was moved by Eberle and seconded by Houdersheldt to approve payment of \$283,607.81, for items completed through June 30, 2015 on the contract for the new NRD Headquarters Facility, to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
 NAY: None

ITEM 30. ARCHITECT & CRITERIA DEVELOPER FEES.

Allan Quick, Architect, submitted his bill for services from March 9 to July 10, 2015.

Architect's Agreement	\$32,190.00
Previous Payments	\$22,920.10
Current Payment	\$4,164.80

Total Payments	\$27,084.90
Agreement Balance	\$5,105.10

It was moved by Eberle and seconded by Dickinson to approve payment of \$4,164.80 to Allan Quick, Architect, for work completed through July 10, 2015 on the NRD Headquarters Facility building project.
The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 31. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on July 21, 2015 and presented the committee's recommendations.

ITEM 32. DIRECTORS' SECOND QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors' per diem and expenses for the quarter.

It was moved by Miller and seconded by Stahly to approve payment of 2nd quarter directors' per diem of \$9,800.00 and expenses of \$5,117.24. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 33. PAYMENT TO YORK PRINTING COMPANY FOR THE BLUEPRINT NEWSLETTER.

A bill for \$7,498.45 was received from York Printing Company for printing the latest edition of the Blueprint newsletter.

It was moved by Miller and seconded by Austin to approve payment of \$7,498.45 to York Printing for the Blueprint newsletter. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 34. SALARIES REIMBURSEMENT – LITTLE BLUE NRD.

A bill totaling \$11,358.93 was received for salaries for the Adams County and Clay County NRCS Clerks from the Little Blue NRD for the past 12 months ending on June 30th.

It was moved by Miller and seconded by Luebbe to approve payment of \$11,358.93 to the Little Blue NRD for NRCS office salaries for FY 2015 (July 1, 2014 to June 30, 2015). The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 35. GROUNDWATER MODELING - BROWN AND CALDWELL BILL.

DeBuhr reviewed the progress of the groundwater modeling work.

Brown & Caldwell submitted a bill for work completed in May on the groundwater modeling for the sub-regional model.

Brown & Caldwell Contract Amount	\$287,278.00
Prior payments	\$273,761.08
Current bills	\$ 1,304.20
Total billed to date	\$275,065.28
Balance of Contract	\$ 12,212.72

It was moved by Miller and seconded by Houdersheldt to approve payment of \$1,304.20 to Brown & Caldwell for work completed through May 2015 on the sub-regional groundwater model. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 36. REGIONAL GROUNDWATER MODEL.

Brown and Caldwell are nearly done with their review of the sub-regional model which covers Seward County and the surrounding area. Once completed, the Department of Natural Resources will conduct their review. The committee discussed the need for a regional groundwater model and what geographic area it should include. The plan has been for the model to include the Lower Big Blue and Little Blue NRDs. The schedule and cost was also discussed. The consensus of the committee is that the regional groundwater model should be pursued, if not this year then next year.

ITEM 37. INTEGRATED MANAGEMENT PLAN.

The committee discussed the advantages and disadvantages of an Integrated Management Plan (IMP)

for this NRD. One of the advantages is a joint state and local effort on water management for both surface and groundwater. There may be a need in the future for state financial assistance for cities and villages faced with water quality problems. However an IMP needs to be in place to allow the NRD to be eligible for the funds from the Integrated Management Fund approved by the Natural Resources Commission and administered by the Department of Natural Resources. Depending on interpretation it may be necessary for the NRD to have an IMP just so cities or villages could apply for funding on their own, for example, funding for a treatment system for nitrates.

ITEM 38. RETIREMENT PLAN – RESTATEMENT OF 414 (h) PLAN.

The NARD 414(h) Retirement Plan has been amended and restated. The NARD Board approved the restated plan on June 15, 2015. Each district needs to adopt a resolution approving the amendment and restatement of the plan. There are no changes to the plan itself. The rewrite incorporates the existing document and the three interim amendments that have already been adopted by the Districts. These amendments were adopted between 2008 and 2012.

RETIREMENT PLAN RESOLUTION.

Resolved, that the District Office, as a Participating Employer in the Plan, hereby consents to the adoption of The Amendment and Restatement of the Nebraska Association of Resources Districts 414(h) Plan (the “Amendment and Restatement”) to bring the Plan into compliance with the Pension Protection Act of 2006, other applicable law and guidance and to make certain other adjustments, is hereby authorized and approved;

Resolved Further, that the officers and management of the District office be, and they hereby are, authorized and directed to take whatever actions may be necessary to effectuate the foregoing Resolutions including, but not limited to, execution of the restated Plan and the Consent to the Amendment and Restatement, notification of employees and participants of the Plan, and the preparation and distribution of explanatory booklets and materials as necessary; and

Resolved Further, that any and all action taken and documentation executed by management or the officers of the District Office to effectuate the foregoing Resolutions and the transactions described therein be, and they hereby are, approved and ratified.

It was moved by Miller and seconded by Moore to adopt Nebraska Association of Resources Districts 414(h) Plan Resolution. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 39. NARD NEBRASKA PUBLIC TELEVISION PRODUCTION.

In May the Board agreed to participate in the NARD Nebraska Public Television Production about the NRDs. The amount approved was \$3,000. The NARD has now entered into a contract with Nebraska

Public Television. The NARD will be the co-producer which includes all the necessary rights to produce, edit and distribute the program. The program, which will be completed by February 2016, will be one hour long with six segments. The segments will be:

Introduction
Water Resource Management
Flood Control, Recreation and Soil Erosion
Education
Trees, Wildlife and Grazing Lands
Current state of water and resources in Nebraska

The contract amount is \$81,600 which includes 150 DVDs. Twenty-one NRDs have agreed to participate. The NARD Board of Directors has decided that the NARD Foundation will contribute \$3,710. The cost to each participating NRD will be \$3,710.

It was moved by Miller and seconded by Luebbe to approve an additional cost of \$710 for the NARD Nebraska Public Television Production, for a total of \$3,710. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 40. NEW WATER DEPARTMENT MANAGER.

Turnbull announced that Marie Krausnick has been promoted to Water Department Manager. She will begin her new position on August 1, 2015.

ITEM 41. SALARY & WAGES.

It was moved by Miller and seconded by Houdersheldt to increase the salary of the General Manager by 3.5% to \$125,753 retroactive to July 1, 2015. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Yates
NAY: Robotham
NOT VOTING: Volkmer

ITEM 42. FY 2016 CONSOLIDATED BUDGET.

The final draft FY 2016 Budget was presented to the Board. The main budget item is the new NRD Headquarters facility.

It was moved by Miller and seconded by Houdersheldt to approve the FY 2016 Budget for the purpose of public hearing. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Volkmer

Turnbull reviewed the lid calculations with the board and the District is in compliance with the tax lid. He recommended that the board approve the additional 1% restricted funds authority.

It was moved by Miller and seconded by Rich to approve an increase in the total budgeted restricted funds authority by an additional 1%. The motion was approved by a three-fourths majority of the board.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Volkmer

The dates for two public hearings need to be set so that the proper public notices can be published.

It was moved by Miller and seconded by Dickinson to schedule the FY 2016 Budget Hearing for 7:30 p.m., Thursday, August 20, 2015, and the Special Public Hearing for the FY 2016 Tax Request for 7:30 p.m., Thursday, September 17, 2015. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe

ITEM 43. DIRECTOR APPOINTMENT – SUB-DISTRICT 8.

Four people have applied for appointment to fill the vacancy in Sub-District 8. The appointment is for the unexpired term ending in January 2017. The applicants are at least 18 years old and registered to vote in the Sub-District. The voter registrations were verified with the York County election officials.

The applicants are Roberta Janda, Paul Bethune, Jim Schneider, and Greg Staehr.

The Executive Committee found that Roberta Janda, Paul Bethune, Jim Schneider and Greg Staehr were qualified applicants for appointment to fill the unexpired term for the vacancy in Sub-District 8; and further forwarded these names to the Board of Directors for their consideration.

Chairman Yates directed that each director present be polled and that they cast their vote for the candidate of their choice by name. Voting will cease when a majority of the board present has cast a vote for the same candidate. In the event there is no clear majority in the first round of voting the top two candidates will advance to the second round of voting which shall continue until there is a majority vote.

BETHUNE: Austin, Houdersheldt, Kuehner, Rich, Robotham, Roesler, Stahly, Volkmer

JANDA: None

SCHNEIDER: Bruns, Dickinson, Eberle, Moore, Nuss, Yates
STAEHR: Miller

Fifteen members were present and voting on the appointment. Bethune received a majority of 8 votes and is appointed to fill the unexpired term in sub-district 8. Turnbull administered the oath of office and Bethune was seated on the board.

ITEM 44. FINANCIAL REPORT JUNE 1-30, 2015 AND CONSIDERATION OF EXPENDITURES FOR JUNE 2015.

Turnbull reviewed the financial report for the period June 1, 2015 to June 30, 2015 that was distributed. It was moved by Volkmer and seconded by Roesler to accept the financial report for June 2015 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Bethune

NOT PRESENT: Luebbe

There being no other business the chairman adjourned the meeting at 10:08 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held July 23, 2015, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

Attachments (3)

**BOARD OF DIRECTORS MEETING
AND
FY 2016 BUDGET HEARING
August 20, 2015**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 20, 2015 at 7:30 p.m. in the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, and Lynn Yates.

Staff members and others in attendance were John Turnbull, Nancy Brisk, Scott Snell, Rod DeBuhr, Marie Krausnick, Ken Feather, Josh Bowers of York County NRCS, and Andy Raun of the Hastings Tribune.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on August 13, 2015 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Bill Stahly and Merlin Volkmer requested that their absence from the August 20, 2015 board of directors meeting be excused.

It was moved by Houdersheldt and seconded by Dickinson to excuse the absence of Stahly and Volkmer from the August 20, 2015 Board of Directors meeting as requested. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Rich and seconded by Dickinson to adopt the consent agenda. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Dickinson to approve the agenda for the August 20, 2015 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 7. *APPROVAL OF MINUTES OF THE JULY 23, 2015 BOARD OF DIRECTORS MEETING & GROUNDWATER QUALITY MANAGEMENT AREA VIOLATION HEARING.

It was moved by Rich and seconded by Dickinson to approve the minutes of the July 23, 2015 Board of Directors meeting and Groundwater Quality Management Area Violation Hearing. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

Chairman Yates advised those present that he was moving the FY 2016 Budget Hearing down in the agenda, after the committee reports and proposed action items, due to the recent discussion regarding the Struebing Dam lake recreation improvement project and the possible impacts on the FY 2016 Budget.

ITEM 8. EMPLOYEE RECOGNITION.

John Bush, engineering technician for the Water Department, was recognized for 5 years of service to the District. He was presented with a laser engraved desk plaque.

ITEM 9. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on August 11, 2015 and presented the committee's recommendations.

ITEM 10. LAND TREATMENT PROGRAM FINAL PAYMENTS.

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District approve payments totaling \$8,226.07 for two completed NSWCP Land Treatment applications as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 11. STORM DAMAGED TREES PROGRAM PAYMENT – BEAVER CROSSING.

The Village of Beaver Crossing planted a total of 62 trees in the month of May 2015. Thirty trees were ordered through Great Plains Nursery at a cost of \$3,300.00. The District made payment of \$1,650.00 in July. After the Committee met in July, the Village of Beaver Crossing received the invoice from Papio Valley Nursery, Inc. for the thirty-two trees they purchased at a cost of \$2,061.00 (50% of \$2,061.00 = \$1,030.50). At the present time, Beaver Crossing has spent \$8,487.00 on trees and shrubs and received \$4,243.50 in cost-share monies to do this work. They have plans to do more this coming spring.

It was moved by Dickinson and seconded by Austin that the District make payment of \$1,030.50 to the Village of Beaver Crossing for 50% of the cost of trees purchased from Papio Valley Nursery Inc. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 12. STORM DAMAGE TREE REPLACEMENT PROGRAM.

The Committee reviewed the Storm Damage Tree Replacement Program as presented by the NRD Staff. The present Storm Damage Tree Replacement Program was adopted for FY2015 and ended in July 2015. This proposal would make it a permanent program. The draft provided that the applicant apply within one year after the storm event and complete the project within two years of approval. After some discussion the committee amended the draft to read that the applicants have two years to make application for storm damage tree replacement and three years after approval to complete the project.

It was moved by Dickinson and seconded by Luebbe that the Board adopt the Storm Damage Tree Replacement Program as amended by the Committee. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 13. PIONEER TRAILS RECREATION PROJECT UPDATE.

Jeff Ball updated the Committee on the construction of the recreation facilities at Pioneers Trails Recreation Area. The project is 95% completed and the electrical work is 100% completed.

ITEM 14. PAYMENT TO M.E. COLLINS FOR WORK COMPLETED IN JULY.

M.E. Collins Original Contract Amount:	\$721,121.60
M.E. Collins Current Contract Amount:	\$637,048.60
Percent Completed:	95%
Retainage:	\$30,237.05
Prior Payments:	\$525,990.60
Current Bill:	\$48,513.35
Total Billed to Date:	\$574,503.95
Balance of Contract:	\$62,544.65

Staff recommended that payment of \$48,513.35 be made to M.E. Collins Contracting Co., Inc.

It was moved by Dickinson and seconded by Houdersheldt that the District make payment to M.E. Collins in the amount of \$48,513.35 for the work completed at Pioneer Trails Recreation Area through July 31, 2015. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 15. PAYMENT TO NISSEN ELECTRIC, LLC FOR WORK COMPLETED IN JUNE.

Nissen Electric Original Contract Amount:	\$40,540.00
Work Completed To Date	\$40,540.00
Percent Completed:	100%
Prior Payments:	\$32,040.00
Current Bill:	\$ 8,500.00
Total Billed to Date:	\$40,540.00
Balance of Contract:	\$0.00

Staff recommended that final payment of \$8,500.00 be made to Nissen Electric, LLC.

It was moved by Dickinson and seconded by Austin that the District make final payment to Nissen Electric, LLC in the amount of \$8,500.00 for the work completed at Pioneer Trails Recreation Area through July 2015. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 16. HAZARD MITIGATION RESOLUTION HAMILTON COUNTY.

The Committee reviewed the Resolution for approval of the Hamilton County Hazard Mitigation Plan. These plans are reviewed every five years. A copy of the resolution is attached to these minutes.

It was moved by Dickinson and seconded by Rich that the District adopt the Hamilton County Multi-Jurisdictional Hazard Mitigation Plan Update Resolution. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 17. STRUEBING DAM.

Turnbull reported that a representative of the Struebing family contacted the District concerning the sale of the Struebing property, which consists of 440 acres including the Struebing Dam and part of the reservoir. It is located approximately three miles southwest of David City. Previously the District had contacted the Struebing family concerning an option to buy this property, but they indicated that they were not interested as long as Mrs. Struebing was living. Mrs. Struebing died recently and now the family would like to sell the property. The dam was constructed in 1982 as part of the Central Butler Project. The permanent pool is approximately 71 acres. The Projects and Programs Committee recommended that the District investigate the potential for purchasing 200 to 240 acres of the Struebing Property.

On behalf of the Projects and Programs Committee Dickinson moved that the District investigate the potential for purchasing 200 to 240 acres of the Struebing property. Robotham seconded the motion. Dickinson then offered the following replacement motion. "To express an interest in purchasing land in Section 2 of T14N-R2E and adjacent sections of Butler County, Nebraska for the purpose of the Struebing Dam and lake recreation development and use; further to direct staff to investigate: (1) suitability of the lake to support recreation uses, (2) amount of land needed for recreation and wildlife habitat including fishing access, boat docks, day use areas, trails, campgrounds, roads and parking, (3) options that may be available for purchase or trade of properties in Section 2 of T14N-R2E and adjacent sections. Options may include third party entities as ownership partners or partial purchase by each. Third party entities may include governmental, private or non-profit."

There was no objection to the substitute motion and the chair called for the question. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler

NAY: Yates

NOT PRESENT: Stahly, Volkmer

In light of the board decision to consider the acquisition of property from the Struebing family for the purpose of recreational development of the Struebing Dam site Turnbull recommended that the board consider the following recommendation for changes to the proposed FY 16 Budget following the Budget Hearing.

To amend the FY 16 Budget by budgeting \$922,500 for land rights (General Fund page 3, line 43) for the Struebing Dam recreation development land rights, by deleting the \$200,000 transfer to the Sinking Fund (General Fund page 3, line 42), and transferring an additional \$722,432.92 that has been set aside for the Struebing project from the Sinking Fund (Sinking Fund page 6, line 10) to the General Fund (General Fund page 4, line 102).

ITEM 18. DORCHESTER WATERSHED NRCS ASSESSMENT STUDY.

The NRCS has requested that the District enter into an agreement for services to provide an assessment of the four reservoirs on the Dorchester watershed. The cost of the assessment is estimated at \$79,000. The NRCS will pay the District \$79,000 to fund the assessment. Under this agreement, the District will pay the NRCS the same \$79,000 to do the assessment. If the cost exceeds \$79,000 the NRCS will be responsible for the additional cost. If the assessment finds problems with the structures, the District will be eligible for federal funds to assist with repair. Without the assessment the District would be responsible for the repair cost.

It was moved by Dickinson and seconded by Rich that the District approve the Agreement for NRCS Services for assessment of the Dorchester Watershed Structures. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 19. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met August 13, 2015 and presented the committee's recommendations.

ITEM 20. FLOW METER REPAIR COST-SHARE.

Seven flow meters were repaired this month at a cost of \$2,904.41. The cost-share requested is \$974.55.

It was moved by Eberle and seconded by Luebbe to make cost-share payments totaling \$974.55 for

seven flow meters repaired. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss,
Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 21. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 10 parcels totaling 258.88 acres which resulted in a net decrease in irrigated acres of -97.19 acres. This brings the total irrigated acres as of August 1 to 1,230,061.01.

It was moved by Eberle and seconded by Austin to certify the irrigated acres changes as presented to the board. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss,
Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 22. SCHROEDER & COUFAL VIOLATIONS.

Attempts to reach Eric Schroeder and Allen Coufal have been unsuccessful. It is the staff's recommendation to start legal proceedings.

It was moved by Eberle and seconded by Moore that the Board authorize the staff to contact Steve Seglin, attorney, to start court action. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss,
Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 23. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on August 13, 2015 and presented the committee's recommendations.

ITEM 24. NEW NRD HEADQUARTERS FACILITY CONSTRUCTION REPORT.

The shop building is nearly complete with the drywall now being taped. The electrical wiring is being pulled and the lights are being installed in the main garage. The utilities are being trenched to that building. The grading for the parking lot will begin in a few days, with the concrete paving to follow.

The concrete pouring for the office building basement walls is finally complete. Now things are moving

rapidly. Five sub-contracting firms were at work the same time this week. The backfill is done up four feet from the bottom. The steel support columns and beams are in place and the last two pours of the basement floor are underway. The sub-floor is in place for the board room, break room, public restrooms, conference room and entry. The first floor stud walls are being erected in that area. The sewer line and water service have been dug in from the street to the building.

Once the basement floor is done, the framing sub-contractor will build the stud bearing walls so that the rest of the floor trusses can be installed. Then the backfill can be finished. The sub-floor and first floor walls are next which will take a few weeks.

ITEM 25. CONTRACT PAYMENT – AYARS & AYARS, INC.

Payment request #9 is for \$509,973.24 from Ayars & Ayars for work completed on the new NRD headquarters facility for items completed through July 31, 2015.

Original Contract	\$4,484,673.00	
Change Orders	\$30,239.75	
Total Contract	\$4,514,912.75	
Previous Payments	\$1,398,515.16	
Current Payment	\$509,973.24	
Total Payments	\$1,908,488.40	42%
Contract Balance	\$2,606,424.35	58%

It was moved by Eberle and seconded by Rich to approve payment of \$509,973.24, for items completed through July 31, 2015 on the contract for the new NRD Headquarters Facility, to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 26. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on July 21, 2015 and presented the committee's recommendations.

ITEM 27. GROUNDWATER MODELING BROWN AND CALDWELL INVOICE.

Krausnick reviewed the progress of the groundwater modeling work and DNR's review.

Brown & Caldwell submitted a bill for work completed in July on the groundwater modeling for the sub-regional model.

Brown & Caldwell Contract Amount	\$287,278.00
Prior payments	\$275,065.28
Current bills	\$ 1,045.50
Total billed to date	\$276,110.78
Balance of Contract	\$ 11,167.22

It was moved by Miller and seconded by Austin to approve payment of \$1,045.50 to Brown & Caldwell for work completed through July 31, 2015 on the sub-regional groundwater model. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 28. NEBRASKA ASSOCIATION OF RESOURCES DISTRICT FY 16 DUES.

A bill for \$29,166.78 has been received for the FY 2016 NARD Dues. Turnbull recommended payment.

It was moved by Miller and seconded by Moore to approve payment of \$29,166.78 to the NARD for the FY 2016 dues. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 29. SALARY REIMBURSEMENT – LOWER BIG BLUE NRD.

An invoice for \$4,941.46 was received for salaries for the Saline County NRCS Clerk and some part time technician work from the Lower Big Blue NRD, for the past 12 months ending on June 30th.

It was moved by Miller and seconded by Austin to approve payment of \$ 4,941.46 to the Lower Big Blue NRD for NRCS office salaries for FY 2015 (July 1, 2014 through June 30, 2015). The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: Houdersheldt, Miller

NOT PRESENT: Stahly, Volkmer

ITEM 30. SALARY REIMBURSEMENT - LOWER PLATTE NORTH NRD.

An invoice for \$8,002.77 was received for salaries for the Butler County NRCS Clerk and some part time technician work from the Lower Platte North NRD for the past 6 months.

It was moved by Miller and seconded by Rich to approve payment of \$8,002.77 to the Lower Platte North NRD for NRCS office salaries for the last half of FY 2015 (January 1 through June 30). The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: Houdersheldt, Miller

NOT PRESENT: Stahly, Volkmer

ITEM 31. NARD VOTING DELEGATE & ALTERNATE.

The Board needs to select directors to be the NARD Voting Delegate and Alternate for the September Conference.

It was moved by Miller and seconded by Nuss to appoint Larry Moore as the NARD Voting Delegate and Gary Eberle as the Alternate for the September NARD Conference. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 32. FY 2016 BUDGET HEARING.

Chairman Yates opened the FY 2016 Budget Hearing at 8:26 p.m. Notice of the Budget Hearing was published in the York News-Times on August 6, 2015.

Turnbull reviewed the proposed budget that was forwarded for public hearing. It showed a tax of \$3,905,944.11. Total General Fund expenditures of \$7,982,611.25 and total Sinking Fund expenditures of \$2,400,669.08.

Earlier in the meeting Turnbull made a recommendation to amend the budget due to the board action on the Struebing Project. He presented a second budget document for the boards review showing his suggested changes to the budget. The first change is in the General Fund on page 3, line 43 "Land- Title & Easements". The recommended change is to budget \$922,500 in this line item. In the previous budget draft there was no expenditure for this line item. The next change in the General Fund would delete the \$200,000 transfer from General Fund to the Sinking Fund on page 3, line 42 "Transfers to Other Funds".

At the bottom of page 5 in the Sinking Fund there is a table that is labeled "Supporting Schedule – Sinking Fund". The proposed change would transfer \$722,432.92 earmarked for the Struebing Project from the Sinking Fund to the General Fund. This would reduce the "Total Accumulations End of Year" in the same table to \$881,200.99 instead of \$1,807,889.70. This proposed change will draw down the balance in the Sinking Fund. Also in the Sinking Fund on page 6, line 10 "Transfers to Other Funds" the new total would be \$1,315,212.30. This figure includes the \$722,432.92 transfer to the General Fund for

the Struebing Project and the \$592,779.38 transfer to the General Fund that was previously budgeted to help pay for the Pioneer Trails development project and construction of the new office facility.

In the General Fund, page 4, line 102 "Transfers from Other Funds" this figure would change to \$1,315,212.30 instead of \$592,779.38. The end result of this recommended budget change is listed on the cover page under "Total Property Tax All Funds" of \$3,905,697.22. The Notice of Budget Hearing and Budget Summary that was published in the paper had a property tax requirement of \$3,905,944.11. So the tax would be just slightly less, but still a tax increase from fiscal year 2015. The proposed changes still meet the lid law computations.

Chairman Yates asked if anyone had questions about the budget or proposed changes to the budget. Hearing none he officially closed the hearing at 8:35 p.m.

ITEM 33. ADOPTION OF FY 2016 BUDGET.

It was moved by Houdersheldt and seconded by Miller to adopt the FY 2016 Budget.

It was moved by Moore and seconded by Luebbe to amend the FY16 Budget by budgeting \$922,500 for land rights (General Fund page 3, line 43) for the Struebing dam recreation development land rights, by deleting the \$200,000 transfer to the Sinking Fund (General Fund page 3, line 42), and transferring an additional \$722,432.92 that has been set aside for the Struebing project from the Sinking Fund (Sinking Fund page 6, line 10) to the General Fund page 4, line 102). The amendment carried.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT VOTING: Kuehner

NOT PRESENT Stahly, Volkmer

The question was called on the original motion as amended. The motion carried.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

ITEM 34. FINANCIAL REPORT JULY 1-31, 2015 AND CONSIDERATION OF EXPENDITURES FOR JULY 2015.

Turnbull reviewed the financial report for the period July1, 2015 to July 31, 2015 that was distributed. It was moved by Houdersheldt and seconded by Moore to accept the financial report for July 2015 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Yates

NAY: None

NOT PRESENT: Stahly, Volkmer

There being no other business the chairman adjourned the meeting at 9:07 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held August 20, 2015, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb
Attachment (1)

**BOARD OF DIRECTORS MEETING
FY 2016 TAX REQUEST HEARING
RULE 6 – NRD PARK REGULATIONS HEARING
September 17, 2015**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, September 17, 2015 at 7:30 p.m. in the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, Bill Stahly, David Robotham, Becky Roesler, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were John Turnbull, Nancy Brisk, Scott Snell, Rod DeBuhr, Marie Krausnick, Ken Feather, Gene Gausmann, Seward Co. Commissioner, and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on September 10, 2015 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call. Austin and Moore arrived a few minutes late.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Bruns and seconded by Rich to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Bruns and seconded by Rich to approve the agenda for the September 17, 2015 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 7. *APPROVAL OF MINUTES OF THE AUGUST 20, 2015 BOARD OF DIRECTORS MEETING & FY 2016 BUDGET HEARING.

It was moved by Bruns and seconded by Rich to approve the minutes of the August 20, 2015 Board of Directors meeting and FY 2016 Budget Hearing. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 8. FY 2016 TAX REQUEST HEARING.

The Notice of Budget Change and Notice of Special Hearing to Set Final Tax Request were published in the York News-Times on September 1, 2015.

Chairman Yates opened the Tax Request Hearing at 7:34 p.m. He turned the floor over to John Turnbull, General Manager, to review the FY 2016 tax request documents. Turnbull stated the total property tax request for FY 2016 as adopted by the board in August is \$3,905,697.22. The levy necessary to support that request is 0.026355. The tax levy last year was 0.028333. The current year's valuations are \$14,819,536,687 which is a ten percent increase from last year. The tax request is \$87,022.61 greater than last year.

Turnbull reviewed the Statement of Valuations which shows the valuations by county for last fiscal year (\$13,477,799,076) and the current fiscal year (\$14,819,536,687) for an increase of \$1,341,737,611. The growth was \$179,186,528.

He then reviewed a graph showing property taxes in the Upper Big Blue NRD from FY2006 to FY2016. The proposed tax this year is 2.3% higher than last year and the valuations are 10% higher than one year ago so the tax levy is 7.0% less than last year.

He reviewed the graph of property valuations in the Upper Big Blue NRD for the same period. He noted that we received State Aid up until 2011 at which time it stopped.

The last graph showed the property tax levies from FY2006 to the current proposal for FY2016. The maximum levy that the Upper Big Blue NRD can assess is 5.5 cents per \$100 valuation. Four and one-half cents is the general limit and we have an additional 1.0 cent due to groundwater management activities. Our current proposed tax request is 2.64 cents, which is less than half of what the District could tax by law.

Turnbull explained that the board needs to adopt a resolution setting the tax request. He read the proposed resolution that follows.

Resolution

Whereas the FY 2016 Budget for the Upper Big Blue NRD, as adopted by this board of directors on August 20, 2015, has a property tax requirement of \$3,905,697.22;

Whereas the final total valuation of the NRD is \$14,819,536,687;

Whereas the FY 2015 Budget (prior year) required a tax request of \$3,818,674.61 and a property tax rate of \$ 0.028333;

Whereas the FY 2016 (current year) property tax rate would be \$0.025768 to generate \$3,818,674.61;

Therefore be it resolved by this Board of Directors on September 17 2015, to set the **FY 2016 tax request at \$ 3,905,697.22** for the Upper Big Blue Natural Resources District which will require a **property tax rate of \$0.026355**.

Yates asked if there were any questions regarding the proposed tax request. Hearing none, Yates closed the hearing at 7:39 p.m.

ITEM 9. ADOPTION OF FY 2016 TAX REQUEST RESOLUTION.

It was moved by Houdersheldt and seconded by Rich to adopt the Resolution to set the FY2016 Tax Request. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: None

ITEM 10. RULE 6 – NRD PARK REGULATIONS HEARING.

Public notice of the hearing on proposed changes to District Rule 6 – NRD Parks Regulations was published in the York News-Times on August 27, 2015.

Chairman Yates opened the hearing at 7:42 p.m. He turned the floor over the Rod DeBuhr, Assistant Manager, to review the proposed changes.

The primary purpose for the changes to the NRD Park Regulations was to allow for RV and tent camping and associated fees at the newly upgraded Pioneer Trails Recreation Area. However, the Projects and Programs Committee reviewed the rules in their entirety to clarify and simplify the regulations.

DeBuhr pointed out that Chapter 14 Fishing, Hunting, Trapping, paragraph 06 on page 12 which states “Trapping of furbearers on District owned or controlled lands is authorized only by special permit and only at such times as when the manager determines sufficient depredation is occurring to warrant the removal of surplus furbearers.” is in conflict with other paragraphs in the rules.

DeBuhr provided the board with a written recommendation for correcting those conflicting paragraphs within the document.

There is a proposed change on page 20, Chapter 24 Swimming and Wading. This change has to do with the fact that the current rules state swimming is permitted in designated areas; however, no areas are designated. The proposed change to paragraph 01 states “Swimming and wading are permitted at the sole risk of the swimmer, unless specifically prohibited in Rule 6.”

The existing language in paragraphs 02 and 03 was removed entirely and replaced with renumbered paragraph 02 “Swimming from vessels underway is prohibited.” And what was previously paragraph 05 was renumbered as 03 and changed to read “Swimming or wading within twenty (20) yards of the spillway is prohibited.”

Another proposed change is on page 24, Chapter 32 Smith Creek Recreation Area Special Regulations existing paragraph 01 which reads “Under the authority of, and in compliance with Chapter 2, Revised Statutes of Nebraska, the following regulations are prescribed by the Upper Big Blue Natural Resources District and are effective from April 1, 2011 until revoked or amended.” is to be stricken from the rules and the remaining paragraphs and subparagraphs renumbered. This language was also removed from Chapter 33 Pioneer Trails Recreation Area Special Regulations on page 26, Chapter 34 Anderson Recreation Area Special Regulations on page 28 and Chapter 35 Overland Trail Recreation Area Special Regulations on page 30. It was felt this was repetitious because this is already stated at the beginning of Rule 6 under Chapter 1 Authority.

Under Chapter 32 Smith Creek Recreation Area Special Regulations on page 25 the paragraph that said “Unsupervised swimming and wading are permitted in designated areas” was stricken. Renumbered paragraph 03.08 had the reference to trapping of furbearers stricken.

In Chapter 33 Pioneer Trails Recreation Area Special Regulations on page 26 we added language in paragraph 03.01 for the fees to be paid for camping and allowed free camping by Youth Organizations and included use of the Day Use Area under permitted activities.

On pages 27 and 28 reference to unsupervised swimming and wading being permitted in designated areas was removed. Reference to trapping of furbearers is removed from page 27, paragraph 03.07.

DeBuhr said he would recommend that in Chapter 34 Anderson Recreation Area Special Regulations paragraph 03.05 on page 29 and Chapter 35 Overland Trail Recreation Area Special Regulations on page 30 which states “Trapping of furbearers is prohibited.” be deleted because it is already covered under Chapter 14 Fishing, Hunting, Trapping on page 12. It was also proposed that in Chapter 36 Oxbow Trail Recreation Area Special Regulations, in paragraph 02.07 that language be added to limit hunting in designated areas to the allowable hunting seasons as set up by Nebraska Game and Parks Commission, and add paragraph 02.08 “Trapping of furbearers will be allowed at Oxbow Trail Reservoir during the allowable hunting and trapping season as set up by the Nebraska Game and Parks Commission.” The maps associated with Rule 6 and any proposed changes were also updated.

DeBuhr asked if there were any questions about the proposed changes.

Houdersheldt expressed concern about limiting trapping of furbearers at Oxbow Trails based on depredation. There was some discussion about whether or not trapping should be allowed at all and about whether or not trappers are contacting the district to obtain permission prior to trapping.

Chairman Yates closed the hearing at 7:54 p.m.

ITEM 11. ADOPTION OF RULE 6 – NRD PARK REGULATIONS.

It was moved by Miller and seconded by Robotham to adopt Rule 6 – NRD Park Regulations as presented.

It was moved by Houdersheldt and seconded by Eberle to amend the motion to Change Chapter 14, paragraph 06 to strike the words “and only such times as when the manager determines sufficient depredation is occurring to warrant the removal of surplus furbearers” and replace with the words “issued by the District.” Further to change Chapter 14, paragraph 07 by striking the work “depredation”.
The amendment carried.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: None

As DeBuhr mentioned during the public hearing there are paragraphs in the rules that are in conflict with Chapter 14 Fishing, Hunting, Trapping. The following are his recommended changes to Rule 6 to correct the conflicting language.

Chapter 14, paragraph 06 as amended now states “Trapping of furbearers on District owned or controlled lands is authorized only by special permit.” This provision applies to all District recreation areas, but in subsequent chapters for Rule 6 this provision is repeated or the language is in conflict with Chapter 14, paragraph 06. The following paragraphs should be removed to provide clarity and consistency to the Rule.

Chapter 32, paragraph 03.09 – Trapping at Smith Creek is only allowed by special permit during the trapping season as set up by the Nebraska Game and Parks Commission.

Chapter 33, paragraph 03.09 – Trapping at Pioneer Trails is only allowed by special permit during the trapping season as set up by the Nebraska Game and Parks Commission

Chapter 34, paragraph 03.05 – Trapping of furbearers is prohibited.

Chapter 35, paragraph 03.05 – Trapping of furbearers is prohibited.

Chapter 36, paragraph 02.08 – Trapping of furbearers will be allowed at Oxbow Trail Reservoir during the allowable hunting and trapping season as set up by the Nebraska Game and Parks Commission.

It was moved by Miller and seconded by Houdersheldt to amend the motion to amend Rule 6 by deleting the paragraphs listed above in Chapters 32, 33, 34, 35 and 36 and renumber the following paragraphs as needed. The amendment carried.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: None

The question was called on the original motion as amended. The motion carried.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: None

ITEM 12. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Water & Regulations Committee met September 8, 2015 and presented the committee's recommendations.

ITEM 13. BEAVER CROSSING MONITORING WELL PUMP REPLACEMENT PAYMENT.

The pump in the deep well at the Beaver Crossing monitoring well site stopped working. The company who manufactured the original pump no longer produces the small 2" pumps, so an alternative manufacturer was located and a new pump, tubing, wiring, and control box were installed. The District contracted with Sargent Irrigation of Geneva to replace the pump.

It was moved by Rich and seconded by Luebbe to pay Sargent Irrigation of Geneva \$4,162.00 for the pump replacement in the deep monitoring well at Beaver Crossing monitoring well site. The motion was

approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: None

ITEM 14. FLOW METER REPAIR COST-SHARE.

Two flow meters have been repaired this month. The total cost was \$1,105.65. The cost-share totaled \$300.00.

It was moved by Rich and seconded by Bruns to make cost-share payments totaling \$300.00 for two flow meter repairs. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: None

ITEM 15. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 5 parcels totaling 213.32 acres. Yielding a net decrease of 65.3 acres. This brings the total irrigated acres as of September 1 to 1,229,996.01.

It was moved by Rich and seconded by Luebbe to certify the irrigated acres changes as presented to the board. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: None

ITEM 16 REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on September 8, 2015 and presented the committee's recommendations.

ITEM 17. *NEBRASKA BUFFER STRIP PAYMENTS.

It was moved by Bruns and seconded by Rich that the Upper Big Blue Natural Resources District make payment of \$9,077.82 for six (6) Nebraska Buffer Strip Program contracts as recommended by staff and reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 18. PRIVATE DAMS PROGRAM.

The Committee reviewed the latest draft of the Private Dams Program as written and presented by the staff. The Committee made a couple of improvements and clarifications under the maintenance part of the agreement.

It was moved by Dickinson and seconded by Austin to adopt the Private Dams Program. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: None

ITEM 19. APPLICATION FOR STORM DAMAGED TREES (PRIVATE PROPERTY).

Virginia Fay, 1101 Road E, York, Nebraska, (three miles south of Bradshaw) has applied for Storm Damaged Trees assistance. Her pine trees at her farmstead were damaged severely during the June 4, 2014 hail storm. She decided to wait until spring to see if the trees would survive the hail damage. Ken Feather looked at the trees during the first week of September 2015, and found that the trees are completely dead on the west side. He recommended replacement of the hail damaged trees with Colorado Blue Spruce. The total amount of her application is \$632.96. The cost-share amount is \$300.00, which is the maximum authorized in the program.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve the Storm Damage Tree Replacement Program application submitted by Virginia Fay in the amount of \$300.00. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: None

ITEM 20. HAZARD MITIGATION PROGRAM.

Jeff Ball presented a resolution for a multi-jurisdictional hazard mitigation plan that was prepared by York County, with the assistance of JEO Consulting Group, Inc. of Lincoln Nebraska, which includes the jurisdiction of the Upper Big Blue Natural Resources District. FEMA regulation require documentation that the plan was formally adopted by the governing body of the Upper Big Blue Natural Resources District in the form of a resolution, and further, requesting approval of the plan at the Federal level.

It was moved by Dickinson and seconded by Austin that the Upper Big Blue Natural Resources District adopt the York County Multi-Jurisdictional Hazard Mitigation Plan Resolution and authorize the Chairman of the Board to sign the document. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: None

ITEM 21. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on September 10, 2015 and presented the committee’s recommendations.

ITEM 22. NEW NRD HEADQUARTERS FACILITY CONSTRUCTION REPORT.

The shop building is almost complete with the interior walls now painted. The suspended ceilings are being installed and the wiring is nearly finished. The furnaces and duct work are essentially done. The paving is underway for the north parking lot and approaches to the shop.

Good progress is now being made. It has not been uncommon to see 4 or 5 sub-contractors at work at the same time. The first floor deck is complete. The framing of the bearing walls on the main floor is now started, and should be completed by the middle of September. The roof trusses will go up next so that the contractor can enclose the building in October. Grading of the entire site will also take place soon.

ITEM 23. CONTRACT PAYMENT – AYARS & AYARS, INC.

Payment request #10 is for \$179,289.12 from Ayars & Ayars for work completed on the new NRD Headquarters Facility for items completed through August 31, 2015.

Original Contract	\$4,484,673.00	
Change Orders	\$30,239.75	
Total Contract	\$4,514,912.75	
Previous Payments	\$1,908,488.40	
Current Payment	\$179,289.12	
Total Payments	\$2,087,777.52	46%
Contract Balance	\$2,427,135.23	54%

It was moved by Eberle and seconded by Rich to approve payment of \$179,289.12 for items completed through August 31, 2015 on the contract for the new NRD Headquarters Facility, to Ayars & Ayars, Inc.,

Lincoln, Nebraska. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: None

ITEM 24. ARCHITECT & CRITERIA DEVELOPER FEES.

Allan Quick, Architect, submitted a bill for his services from July 22 – September 10, 2015.

Architect's Agreement	32,190.00
Previous Payments	\$27,084.90
Current Payment	\$3,166.20
Total Payments	\$30,251.10
Agreement Balance	\$1,938.90

It was moved by Eberle and seconded by Stahly to approve payment of \$3,166.20 to Allan Quick, Architect, for work completed through September 10, 2015 on the NRD Headquarters Facility building project. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: None

ITEM 25. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on September 10, 2015 and presented the committee's recommendations.

ITEM. 26. GROUNDWATER MODELING – BROWN & CALDWELL.

The Department of Natural Resources is still conducting their review of the groundwater model. No word has been received from the Department yet.

Brown & Caldwell submitted a bill for work completed in July on the groundwater modeling for the sub-regional model

Brown & Caldwell Contract Amount	\$287,278.00
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Prior payments	\$276,110.78
Current bills	\$ 4,279.75
Total billed to date	\$280,390.53
Balance of Contract	\$ 6,887.47

It was moved by Miller and seconded by Austin to approve payment of \$ 4,279.75 to Brown & Caldwell for work completed through July 31, 2015 on the sub-regional groundwater model. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: None

ITEM 27. STAFFING UPDATE.

Turnbull reported that he has hired a civil engineer who has a strong background in water resources with the US Bureau of Reclamation. The new employee is Jack Wergin from Aurora. He will report to work on October 5. Three candidates were interviewed out of ten applicants.

ITEM 28. NARD RESOLUTIONS.

Two resolutions have been submitted for consideration at the annual NARD conference.

NARD Resolution 2015-1 – Nebraska Public Meeting Amendment, submitted by the Lower Platte North NRD.

It was moved by Miller and seconded by Moore to support NARD Resolution 2015-1 – Nebraska Public Meeting Amendment. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: None

NARD Resolution 2015-2 – Conversion of an Appropriation to Manufacture Hydropower, submitted by the Upper Niobrara-White NRD.

This resolution was submitted late. It will require a 2/3 vote at the conference to be considered.

A news release issued on September 10, 2015 said an agreement between the NRDs in the Niobrara Basin, Game and Parks and NPPD was announced. The agreement will lead to the sale of the Spencer

Dam and its water rights to the NRDs and will also lead to instream flow water rights held by the NRDs and Game and Parks, and water for integrated management plans.

It was moved by Miller and seconded by Moore to support NARD Resolution 2015-2 - Conversion of an Appropriation to Manufacture Hydropower. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: None

ITEM 29. FINANCIAL REPORT AUGUST 1-31, 2015 AND CONSIDERATION OF EXPENDITURES FOR AUGUST 2015.

Turnbull reviewed the financial report for the period August 1, 2015 to August 31, 2015 that was distributed. It was moved by Volkmer and seconded by Roesler to accept the financial report for August 2015 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: None

There being no other business the chairman adjourned the meeting at 8.47 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held September 17, 2015, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

BOARD OF DIRECTORS MEETING October 15, 2015

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, October 15, 2015 at 7:30 p.m. in the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, John Miller, Larry Moore, Mike Nuss, Ronda Rich, Bill Stahly, David Robotham, Becky Roesler, and Lynn Yates.

Staff members and others in attendance were Rod DeBuhr, Nancy Brisk, Scott Snell, Marie Krausnick, Ken Feather, Jack Wergin, Nancy Beach and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on October 8, 2015 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Eleven directors were present during roll call. Austin, Houdersheldt and Moore arrived a few minutes late.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Bill Kuehner, Linda Luebbe and Merlin Volkmer requested that their absence from the October 15, 2015 board of directors meeting be excused.

It was moved by Rich and seconded by Stahly to excuse the absence of Kuehner, Luebbe and Volkmer from the October 15, 2015 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Austin, Houdersheldt, Kuehner, Luebbe, Volkmer

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Dickinson and seconded by Rich to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: None
NOT PRESENT: Austin, Houdersheldt, Kuehner, Luebbe, Volkmer

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Rich to approve the agenda for the October 15, 2015 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: None
NOT PRESENT: Austin, Houdersheldt, Kuehner, Luebbe, Volkmer

ITEM 7. *APPROVAL OF MINUTES OF THE SEPTEMBER 17, 2015 BOARD OF DIRECTORS MEETING, FY 2016 TAX REQUEST HEARING & RULE 6 –NRD PARK REGULATIONS HEARING.

It was moved by Dickinson and seconded by Rich to approve the minutes of the September 17, 2015 Board of Directors meeting, FY 2016 Tax Request Hearing and Rule 6 – NRD Park Regulations Hearing. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: None
NOT PRESENT: Austin, Houdersheldt, Kuehner, Luebbe, Volkmer

ITEM 8. FISCAL YEAR 2015 AUDIT.

Gayle Steiger of Romans, Wiemer & Associates was present to go over the FY 2015 audit with the Board. The auditors did not find any deficiencies in internal controls or material weaknesses.

It was moved by Austin and seconded by Dickinson to accept the FY 2015 audit as presented. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: None
NOT PRESENT: Kuehner, Luebbe, Volkmer

ITEM 9. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Water & Regulations Committee met October 6, 2015 and presented the committee's recommendations.

ITEM 10. HAMPTON MONITORING WELL REPAIR.

The shallow monitoring well in Hampton is not working. Sargent Irrigation provided a bid of \$1,719.70

It was moved by Rich and seconded by Robotham to authorize staff to have the shallow monitoring well in Hampton repaired by Sargent Irrigation. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: None
NOT PRESENT: Kuehner, Luebbe, Volkmer

ITEM 11. GROUNDWATER TRANSFER AUTHORIZATION.

Dennis Richters and Brigham LLC applied for a groundwater transfer to irrigate 7 acres in W ½ NW ¼ of Section 6, Township 10 North, Range 2 East and 7 acres in the W ½ SW ¼ of Section 6, Township 10 North, Range 2 East from well G-012371 located in the SE ¼ of Section 1, Township 10 North, Range 1 East, all in Seward County. The proposed transfer complies with the District's groundwater regulations.

It was moved by Rich and seconded by Bruns to approve Groundwater Transfer T-084. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: None
NOT PRESENT: Kuehner, Luebbe, Volkmer

ITEM 12. FLOW METER REPAIR COST-SHARE.

Two flow meters have been repaired this month at a total cost of \$940.12. The amount of cost-share requested is \$300.00.

It was moved by Rich and seconded by Stahly to make cost-share payments totaling \$300.00 for two flow meter repairs. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: None
NOT PRESENT: Kuehner, Luebbe, Volkmer

ITEM 13. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 2 parcels totaling 291.41 acres, yielding a net increase in irrigated acres of 6.49 acres. This brings the total irrigated acres as of October 1 to 1,230,002.50.

It was moved by Rich and seconded by Robotham to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Kuehner, Luebbe, Volkmer

ITEM 14. MUNICIPAL WATER QUALITY ASSISTANCE PROGRAM APPLICATION.

The City of Seward has applied for funds to implement new technologies to their existing water treatment plant in an effort to reduce waste water discharge, lower electrical operating cost, and produce lower nitrate level drinking water to its customers. The application proposes to replace the RO filters and membranes with newer technologies that would remove nitrates down to <1.0 mg/l. The proposed cost of this project is \$149,900.00. At 25% cost share, our cost would be \$37,475.00. They would like to have the work completed by December of 2015. Since no monies have been budgeted this fiscal year for this program, they are requesting to be considered for funding for the next fiscal year (FY16), but to complete the work in the 2015 calendar year.

It was moved by Rich and seconded by Austin to inform Seward that their application fits the criteria of the Districts program, and it will be considered in our next budget cycle. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT VOTING: Nuss

NOT PRESENT: Kuehner, Luebbe, Volkmer

ITEM 15. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on October 6, 2015 and presented the committee's recommendations.

ITEM 16. STORM DAMAGED TREES PROGRAM PAYMENT TO VIRGINIA FAY.

Virginia Fay of 1101 Road E, York, Nebraska planted four Colorado Blue Spruce to replace the trees that were damaged during the June 4, 2014 hail storm. The total amount of Virginia's application was \$632.96. The maximum cost-share amount is \$300.00.

It was moved by Dickinson and seconded by Austin that the District makes payment of \$300.00 to Virginia Fay for the planting of trees on her property located at 1101 Road E, York, Nebraska due to storm damage. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Kuehner, Luebbe, Volkmer

ITEM 17. STORM DAMAGED TREE PROGRAM PAYMENT TO VILLAGE OF CORDOVA.

The Village of Cordova planted 32 trees on public property owned by the Village. On June 16, 2015, the District agreed to pay up to 50% of the estimated cost of \$2,599.68. The actual cost for the trees was \$2,387.71.

It was moved by Dickinson and seconded by Bruns that the District makes payment of \$1,193.86 to the Village of Cordova for the planting of 32 trees on the public property within the corporate limits of the Village of Cordova. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Kuehner, Luebbe, Volkmer

ITEM 18. FY 2016 TREE PRICES.

The Nebraska Association of Resources District (NARD) will continue to receive 3¢ per tree purchased by the NRD's from Bessey Nursery at Halsey, Nebraska. Bessey Nursery and Lincoln Oakes did not raise their tree prices this year. The tree price at Halsey is 63¢ per tree for 2-0 conifers and hardwoods. The District's prices for FY 2015 were 95¢/tree and 70¢/tree for planting. Staff recommends that the price for tree planting is increased by 5 cents to 75¢ per tree.

It was moved by Dickinson and seconded by Rich that the District set the cost of the trees and shrubs at 95¢ per tree and the planting cost at 75¢ per tree for FY 2016. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Kuehner, Luebbe, Volkmer

ITEM 19. PIONEER TRAILS CONSTRUCTION PAYMENT TO M.E. COLLINS.

Construction of the recreation improvements at Pioneer Trails is complete. The staff recommended that final payment of \$54,167.01 be made to M.E. Collins Contracting Co., Inc. The total cost of M.E. Collins work was \$628,670.96. This was \$8,377.64 under the bid price.

It was moved by Dickinson and seconded by Miller that the District makes the final payment of \$54,167.01 to M.E. Collins Contracting Co., Inc. for work completed on the Pioneer Trails Recreation Area. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Kuehner, Luebbe, Volkmer

ITEM 20. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on October 8, 2015 and presented the committee's recommendations.

ITEM 21. NEW NRD HEADQUARTERS FACILITY CONSTRUCTION REPORT.

The backfill around the office foundation is just about done and the site grading is well underway. The office building exterior and many of the interior walls are up. The exterior walls are now sheeted. The roof trusses were installed the week of September 28. The roof sheeting began on October 6. Electrical work, plumbing and fire sprinkler work has begun in the basement. The west parking lot is now paved along with a part of the south parking lot. The north parking lot was finished in mid-September.

The roof will be shingled in the next couple of weeks. The brickwork will begin the week of October 12th, which will take about 6 weeks to complete. The electrical, plumbing, and heating sub-contractors will also be busy at work.

The electrical service to the property will be energized in a few days and then the remaining work in the shop building can be completed.

ITEM 22. PAYMENT TO AYARS & AYARS, INC.

A change order was approved recently to change the type of electrical conduit in the office building. The change resulted in a \$4,865.00 decrease in the project contract price. The cost with prior change orders was \$4,514,912.75. The current contract now totals \$4,510,047.75. Other changes will occur as the construction progresses.

Payment request # 11 is for \$420,861.50 from Ayars & Ayars for work completed on the new NRD Headquarters Facility for items completed through September 30, 2015.

Original Contract	\$4,484,673.00	
Change Orders	\$25,374.75	
Total Contract	\$4,510,047.75	
Previous Payments	\$2,087,777.52	
Current Payment	\$420,861.50	
Total Payments	\$2,508,639.02	56%
Contract Balance	\$2,001,408.73	44%

It was moved by Eberle and seconded by Rich to approve payment of \$420,861.50 for items completed through September 30, 2015 on the contract for the new NRD Headquarters Facility, to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

- AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: None
NOT PRESENT: Kuehner, Luebbe, Volkmer

ITEM 23. ARCHITECT & CRITERIA DEVELOPER AGREEMENT.

Allan Quick, Architect, submitted a request to increase the amount authorized in his agreement with the District. Allan suggests now that the main structural work is done, that he will not need to come out to the site as often. He has been coming once a week. Allan thinks that a site visit every other week on the average will be sufficient. Jeff Ball continues to inspect the site daily and reports to Turnbull and Quick. DeBuhr and our new engineer, Jack B. Wergin, are getting up to speed on the project also.

Allan proposes 12 site visits for the period of October 2015 through April 2016. He requests additional fees of \$3,787.90 for that work, which includes his hourly rate and expenses. His hourly rate remains the same, \$115 an hour. Turnbull recommended that the amount of the contract be increased.

Architect's Agreement	\$32,190.00
Total Payments thru 17 September 2015	\$30,251.10
Agreement Balance	\$1,938.90
Request Additional for Oct - April	\$3,787.90
Revised Agreement	\$35,977.90

It was moved by Eberle and seconded by Houdersheldt to approve an increase in the amount of the agreement with Allan Quick, the Criteria Developer and advising architect on the NRD Headquarters Facility, bringing the Agreement maximum not to exceed amount to \$35,977.90. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Kuehner, Luebbe, Volkmer

ITEM 24. BUILDING LOAN INTEREST PAYMENT.

The semi-annual payment on the interest of the building construction loan was due on October 1. Bill Stahly, Treasurer, and John Turnbull, Manager, decided to pay that interest. The amount was \$5,183.38 which was the interest on the total funds drawn to date (\$1,461,444.28 at the time of the interest statement).

It was moved by Eberle and seconded by Austin to approve payment of \$5,183.38 to Cornerstone Bank for interest due on the NRD Headquarters Facility construction loan. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Kuehner, Luebbe, Volkmer

ITEM 25. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on October 8, 2015 and presented the committee's recommendations.

ITEM 26. *3RD QUARTER PER DIEM & EXPENSES.

The Committee reviewed the directors' per diem and expenses for the quarter.

It was moved by Dickinson and seconded by Rich to approve payment of third quarter directors' per diem of \$11,060.00 and expenses of \$4,919.14. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Austin, Houdersheldt, Kuehner, Luebbe, Volkmer

ITEM 27. GROUNDWATER MODELING – BROWN & CALDWELL.

The Department of Natural Resources review of the groundwater model is not completed yet. Kurt Zeiler, hydro-geologist from Brown and Caldwell, gave a presentation about the model to the directors from the Lower Big Blue, Little Blue, and the Upper Big Blue NRD at the September NARD Conference during the Blue River Basin meeting. After the DNR review is done, the three NRDs plan to meet about the next steps to be taken in pursuing a basin wide groundwater model.

Brown & Caldwell submitted a bill for work completed in August on the groundwater modeling for the sub-regional model.

Brown & Caldwell Contract Amount	\$287,278.00
Prior payments	\$280,390.53
Current bills	\$ 1,731.50
Total billed to date	\$282,122.03
Balance of Contract	\$ 5,155.97

It was moved by Miller and seconded by Houdersheldt to approve payment of \$1,731.50 to Brown & Caldwell for work completed through August 30, 2015 on the sub-regional groundwater model. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Kuehner, Luebbe, Volkmer

ITEM 28. FINANCIAL REPORT SEPTEMBER 1-30, 2015 AND CONSIDERATION OF EXPENDITURES FOR SEPTEMBER 2015.

DeBuhr reviewed the financial report for the period September 1, 2015 to September 30, 2015 that was distributed. It was moved by Houdersheldt and seconded by Rich to accept the financial report for

September 2015 as presented, approve payments of the accounts payable and publish the expenditures.
The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham,
Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Kuehner, Luebbe, Volkmer

There being no other business the chairman adjourned the meeting at 9:00 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held October 15, 2015, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

BOARD OF DIRECTORS MEETING November 19, 2015

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, November 19, 2015 at 1:30 p.m. in the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were John Turnbull, Rod DeBuhr, Nancy Brisk, Scott Snell, Marie Krausnick, Ken Feather, Jack Wergin, Mark Hoferer of NRCS, Andy Raun of the Hastings Tribune and Jim Husbands of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on November 12, 2015 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Roger Houdersheldt and Doug Bruns requested that their absence from the November 19, 2015 board of directors meeting be excused.

It was moved by Volkmer and seconded by Luebbe to excuse the absence of Houdersheldt and Bruns from the November 19, 2015 board of directors meeting as requested. The motion was approved.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Rich and seconded by Volkmer to adopt the consent agenda. The motion was approved.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Volkmer to approve the agenda for the November 19, 2015 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt

ITEM 7. *APPROVAL OF MINUTES OF THE OCTOBER 15, 2015 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Volkmer to approve the minutes of the October 15, 2015 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt

ITEM 8. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on November 10, 2015 and presented the committee's recommendations.

ITEM 9. LAND TREATMENT COST SHARE PROGRAM.

The Projects and Programs Committee reviewed 8 new applications for Land Treatment Program cost share. Total cost share requested is \$36,585.47. There were no cost share payments submitted for approval. The Committee reviewed the Land Treatment Program funding summary. Staff reported on the October 26th meeting with NRCS to discuss ways to improve utilization of the Land Treatment Program. Staff presented data on land treatment programs from other NRDs and possible changes to the program for the Committee's consideration.

It was moved by Dickinson and seconded by Austin that the District change the Land Treatment Program by removing the limit of cost sharing on one type of conservation practice per 160 acres for life of practice and by increasing the maximum cost-share per landowner from \$5,000 per year to \$7,500 per year. The motion was approved.

AYE: Austin, Bethune, Eberle, Kuehner, Luebbe, Moore, Rich, Robotham, Stahly, Yates

NAY: Dickinson, Miller, Nuss, Roesler, Volkmer

NOT PRESENT: Bruns, Houdersheldt

ITEM 10. PIONEER TRAILS CONTRACT PAYMENT – MID NEBRASKA LAND DEVELOPERS, LLC.

Construction of the entrance road improvements and turnaround drainage improvements at Pioneer Trails are complete. The staff recommended that final payment of \$4,152.10 be made to Mid Nebraska Land Developers, LLC.

It was moved by Dickinson and seconded by Robotham that the District make the final payment of \$4,152.10 to Mid Nebraska Land Developers, LLC. for work completed on the Pioneer Trails Recreation Area. The motion was approved.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt

ITEM 11. STRUEBING LAND RIGHTS.

On November 12, 2015, Teresa Otte, the representative for the Struebing family, spoke to general manager, John Turnbull, concerning the potential sale of their property consisting of approximately 444 acres in Section 2, Township 14 North, Range 2 East in Butler County. Ms. Otte indicated that the family is now willing to sell the property for \$4,000,000. Their previous offer was \$10,000 per acre (\$4,400,000). They would also require that a purchase agreement be signed by the end of the year with payment being made over two years.

Forty-five acres make up the Struebing dam and reservoir. The remaining property includes 328 acres of dryland, 59 acres of grass, and 12 acres for the farmstead and roads. The total assessed value is \$1,726,175.

Ducks Unlimited expressed a willingness to include cost-share up to \$300,000 toward this property in a National Wetlands Conservation Act grant application, however, the application would not be submitted until July 2016, and if approved, funds would not be available until after October 1, 2016.

Staff has explored the idea of a 200 foot conservation easement around the reservoir which would involve about 50 acres. The Struebing family has yet to be contacted about this. Typically a conservation easement would prohibit tillage, but could allow haying and limited grazing. Payment for an easement would have to be negotiated, but at a minimum it would be reasonable to expect to pay the difference between cropland and grassland values. The latest Cornhusker Economics report on land values puts that difference at \$4,300 per acre. The NRCS Wetlands Reserve Program (WRP) currently pays \$3,655 for a WRP easement for dryland crop ground.

It was moved by Miller and seconded by Moore to inform the Struebing family that the District is not interested in purchasing the property at the offered price at this time. The motion was approved.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt

It was moved by Miller and seconded by Moore to direct the staff to enter into negotiations with the Struebing family to purchase a conservation easement around the reservoir to protect the water quality in the Struebing Dam. The motion was approved.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Volkmer, Yates

NAY: Nuss, Stahly

NOT PRESENT: Bruns, Houdersheldt

ITEM 12. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met November 10, 2015 and presented the committee's recommendations.

ITEM 13. FLOW METER REPAIR COST-SHARE.

Three flow meters have been repaired this month at a total cost of \$1,111.95. The cost-share request is \$450.00.

It was moved by Eberle and seconded by Luebbe to make cost-share payments totaling \$450.00 for three flow meter repairs. The motion was approved.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt

ITEM 14. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the irrigated acres certification for 27 parcels totaling 2,708.07 acres, yielding a net increase in irrigated acres of 11.81 acres. This brings the total irrigated acres as of November 1 to 1,230,014.31.

It was moved by Eberle and seconded by Rich to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt

ITEM 15. HAMPTON MONITORING WELL REPAIRS.

Sargent Irrigation of Aurora has completed work on the Hampton monitoring well and submitted an invoice for \$1,762.89.

It was moved by Eberle and seconded by Austin to pay Sargent Irrigation, Aurora, for work completed to the Hampton monitoring well totaling \$1,762.89. The motion was approved.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt

ITEM 16. LATE WELL PERMIT-VRBKA PROPERTIES LLC.

Earnest Well Drilling of Milford constructed a livestock well for Vrbka Properties LLC. This well will be tied to an existing well to provide water for their chicken barns. The combined pumping of the two wells is 78 GPM. Both the driller and property owner were unaware that a permit was required.

It was moved by Eberle and seconded by Rich to approve the late well construction permit for Vrbka Properties LLC. The motion was approved.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt

ITEM 17. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on November 10, 2015 and presented the committee's recommendations.

ITEM 18. NEW NRD HEADQUARTERS FACILITY CONSTRUCTION REPORT.

The cooler units have been installed in the shop building and the electricity has been turned on for the final wiring. The suspended ceilings and cabinetry remains to be completed, along with the final work on the fire sprinkler systems.

The windows are installed on three walls in the office building. Some exterior doors have been installed. The rough in work for the electrical, heating and ventilating are underway. Brick work began on the east end, and the paved parking lots are complete. The roof shingling just got started on the 9th of November. The big window in the east end should be put in soon to completely enclose the building.

ITEM 19. CONTRACT PAYMENT – AYARS & AYARS, INC.

Payment request #12 is for \$276,946.87 from Ayars & Ayars for work completed on the new NRD

Headquarters Facility for items completed through October 31, 2015.

Original Contract	\$4,484,673.00	
Change Orders	\$25,374.75	
Total Contract	\$4,510,047.75	
Previous Payments	\$2,508,639.02	
Current Payment	\$276,946.87	
Total Payments	\$2,785,585.89	62%
Contract Balance	\$1,724,461.86	38%

It was moved by Eberle and seconded by Rich to approve payment of \$276,946.87 for items completed through October 31, 2015 on the contract for the new NRD Headquarters Facility, to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt

ITEM 20. ARCHITECT & CRITERIA DEVELOPER PAYMENT.

The payment request from Allan Quick for \$1,525.60 was received the day of the Building Committee meeting, after the meeting ended. Turnbull recommends payment.

Architect's Agreement	\$35,977.90
Previous Payments	\$30,251.10
Current Payment	\$1,525.60
Total Payments	\$31,776.70
Agreement Balance	\$4,201.20

It was moved by Eberle and seconded by Dickinson to approve payment of \$1,525.60 to Allan Quick, architect, for work completed through November 4, 2015 on the NRD Headquarters Facility building project. The motion was approved.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt

ITEM 21. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on November 10, 2015 and presented the committee's recommendations.

ITEM 22. GENERAL MANAGER'S RETIREMENT.

Turnbull informed the Board of Directors by a letter dated November 5, 2015, that he would retire on January 30, 2016.

ITEM 23. SEARCH COMMITTEE.

The Chairman has appointed a Search Committee to find a new General Manager. The committee members are: Lynn Yates – Chairman, Gary Eberle, Roger Houdersheldt, John Miller, and Larry Moore. The Search Committee will seek candidates, conduct the initial interviews and make a final recommendation to the Board of Directors.

ITEM 24. PAYMENT TO ROMANS, WIEMER & ASSOCIATES FOR FY 2015 AUDIT.

A bill for \$3,475.00 has been received from Romans Wiemer & Associates for conducting the FY 2015 audit.

It was moved by Eberle and seconded by Austin to approve payment of \$3,475.00 to Romans Wiemer & Associates for the FY 2015 Audit. The motion was approved.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt

ITEM 25. FINANCIAL REPORT OCTOBER 1 - 31, 2015 AND CONSIDERATION OF EXPENDITURES FOR OCTOBER 2015.

Turnbull reviewed the financial report for the period October 1, 2015 to October 31, 2015 that was distributed. It was moved by Volkmer and seconded by Miller to accept the financial report for October 2015 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt

There being no other business the chairman adjourned the meeting at 2:57 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held November 19, 2015, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least

one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

BOARD OF DIRECTORS MEETING

December 17, 2015

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, December 17, 2015 at 1:30 p.m. in the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were John Turnbull, Rod DeBuhr, Nancy Brisk, Marie Krausnick, Ken Feather, Jack Wergin, Kyle Yrkoski, Josh Bowers of NRCS, and Karen Griffin of Olsson Associates.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on December 10, 2015 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Yvonne Austin requested that her absence from the December 17, 2015 board of directors meeting be excused.

It was moved by Miller and seconded by Volkmer to excuse the absence of Austin from the December 17, 2015 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Stahly and seconded by Rich to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Stahly and seconded by Rich to approve the agenda for the December 17, 2015 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 7. *APPROVAL OF MINUTES OF THE NOVEMBER 19, 2015 BOARD OF DIRECTORS MEETING.

It was moved by Stahly and seconded by Rich to approve the minutes of the November 19, 2015 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 8. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on December 10, 2015 and presented the committee's recommendations.

ITEM 9. *NEBRASKA BUFFER STRIP PAYMENTS.

It was moved by Stahly and seconded by Rich that payment of \$4,122.78 be approved for five (5) Nebraska Buffer Strip Program contracts as recommended by staff and reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 10. LAND TREATMENT PROGRAM COST SHARE PAYMENT.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District make payment of \$5,000.00 for one (1) completed NSWCP Land Treatment application as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 11. INTERLOCAL AGREEMENT WITH NARD FOR PURCHASE OF NURSERY STOCK.

The Interlocal Agreement for the Conservation Tree Program is between the Upper Big Blue Natural Resources District and Nebraska Association of Resources Districts, for the purpose of obtaining seedling trees and shrubs. The agreement designates the NARD to act on behalf of the NRD's for acquiring trees and shrubs from the Forest Service. By October 1, the NRD's should have firm prices and inventories for seedlings to be harvested the following spring. The NARD and the Forest Service, in cooperation with the NARD, agree to confirm the orders of participating NRD's for seedlings by November 15 of each year. Between February 1 and April 1, orders may be increased but not decreased.

Prior to May 1, weather permitting, the trees and shrubs will be cut, dug, lifted, and transported to the packing shed and prepared for shipping. On or before June 15, each NRD agrees to pay NARD for the seedling trees and shrubs ordered.

This agreement is effective until September 30, 2018, unless terminated sooner. Charges payable to the NARD will not exceed .03 per seedling.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District enter into the agreement with the Nebraska Association of Resources District for the purpose of obtaining seedling trees and shrubs from the Forest Service. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 12. FARM HOUSE – PIONEER TRAILS RECREATION AREA.

Feather and DeBuhr met with John Williams of Williams Midwest House Movers of Hastings at the Lewin house on December 1st. Mr. Williams indicated that the house was structurally sound and could be moved.

One option that the district has is to advertise the house for sale to be moved. Staff recommends that if the Board decides to advertise, that it be no more than 30 days. Other options would be to ask Williams Midwest Movers if they would buy it or take it to move, or as a last resort it could be torn down and burned.

It was moved by Dickinson and seconded by Rich that the District advertise and take offers for the sale of the house at Pioneer Trails to be moved by the buyer. Offers will be taken until January 15, 2016.

The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 13. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met December 10, 2015 and presented the committee's recommendations.

ITEM 14. HYDROLOGIC EVALUATION FOR NEBRASKA NITROGEN.

Nebraska Nitrogen is proposing to construct an anhydrous ammonia plant northeast of Geneva. The plant will require a new industrial water well that is capable of pumping up to 1,250 gallons of water per minute (gpm) for plant operations. About 80% of the water will be used for cooling and the rest will be discharged to Turkey Creek after it is used in plant operations. The initial rate of pumping will be 500 gpm, but the 1,250 gpm may be needed in the future for plant expansion. The plan is to pump water at those rates 365 days a year. Therefore, 500 gpm will result in a withdrawal of 800 acre feet per year. 1,250 gpm will produce 2,000 acre feet per year. The Upper Big Blue NRD groundwater rules require a groundwater hydrologic study if the proposed withdrawal amount is 500 acre feet or more per year. A typical center pivot pumps about 70 acre feet per year for irrigation.

Olsson Associates was hired by Nebraska Nitrogen to do the required hydrologic evaluation. The area Olsson's modeled was 304 square miles surrounding the proposed well site. According to their report "The new water well was simulated at a continuous pumping rate of 1,250 gpm for 25 years. Impacts of this simulation were evaluated for the roughly 120 groundwater wells within a 3 mile radius of the new water well."

The study went on to say "The impact analysis showed that the new large water use will have a minimal impact on existing wells in the area. Water level reductions in very close proximity to the proposed well were in the range of 5 to 10 feet. However, with almost no exceptions, existing wells are drilled deep enough and the pumps in these wells are set deep enough so that the water level drawdowns from operation of the proposed well should be small. The expected impacts to the groundwater supply and pumping capacity at existing wells should be minimal and should not affect their operations. Based on the results of this hydrogeologic analysis, there does not appear to be any reason why the proposed large water use should not be approved for construction and operation at a maximum pumping rate of 1,250 gpm." The District contracted with Jay Bitner, P.E., to review the report and offer his comments.

It was moved by Eberle and seconded by Luebbe to accept the Hydrologic Evaluation for Nebraska Nitrogen, and to instruct staff to process the well construction permit upon submission. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Nuss, Roesler

NOT PRESENT: Austin

ITEM 15. NZONE REQUEST TO BE ADDED TO APPROVED NITRIFICATION INHIBITOR LIST.

The District has been contacted by AgExplore requesting to have the product NZone considered in our Phase III Management Area list of approved nitrification inhibitors. In November a packet of information was provided to the Committee for their consideration. The staff reached out to Dr. Richard Ferguson for review of the research provided by AgExplore. Dr. Ferguson consulted with the professor conducting the research provided by AgExplore. Both professors agreed that the product NZone would not work as a nitrification inhibitor.

It was moved by Eberle and seconded by Luebbe to deny NZone's request to be placed on the Phase III Management Area list of approved nitrification inhibitors at this time. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT VOTING: Eberle, Houdersheldt
NOT PRESENT: Austin

ITEM 16. FLOW METER REPAIR COST-SHARE.

Five flow meters have been repaired this month at a total cost of \$1,273.44. The cost-share requested is \$620.00.

It was moved by Eberle and seconded by Houdersheldt to make cost-share payments totaling \$620.00 for five flow meter repairs. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin

ITEM 17. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 31 parcels totaling 2,238.23 acres, yielding a net decrease in irrigated acres of -128.21 acres. This brings the total irrigated acres as of December 1 to 1,229,886.10.

It was moved by Eberle and seconded by Rich to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin

ITEM 18. LATE WELL PERMIT – SEWARD PUBLIC SCHOOLS.

The School District of Seward drilled two wells (45 gpm each) on the high school property. The wells will both be used to water the school grounds. Since the two wells have related uses on the same tract of land a well permit was required for their construction.

It was moved by Eberle and seconded by Rich to approve the late well construction permit for the School District of Seward. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Robotham

NOT PRESENT: Austin

ITEM 19. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on December 10, 2015 and presented the committee's recommendations.

ITEM 20. NEW NRD HEADQUARTERS FACILITY CONSTRUCTION REPORT.

The work on the office building is proceeding rapidly. The brick work on the exterior is completed on the east, north and west sides. The planned completion date for the brickwork is just before Christmas. The large east window has been installed. Electrical wiring is being pulled in the building. The plumbing is roughed in, as well as some of the air ducts for the heating and ventilating system. The insulation above the ceilings is being installed. The drywall work will begin in the east end of the main floor about December 14th.

ITEM 21. CONTRACT PAYMENT – AYARS & AYARS, INC.

Payment request # 13 is for \$216,974.36 from Ayars & Ayars for work completed on the new NRD Headquarters Facility for items completed through November 30, 2015. Change orders which increased the price for parking paint striping (\$450.00) and reduced the price of the NPPD work on transformer installation (\$2,020.71) resulted in a contract decrease of \$1,570.71.

Original Contract	\$4,484,673.00	
Change Orders	\$23,804.04	
Total Contract	\$4,508,477.04	
Previous Payments	\$2,785,585.89	
Current Payment	\$216,974.36	
Total Payments	\$3,002,560.25	67%
Contract Balance	\$1,505,916.79	33%

It was moved by Eberle and seconded by Stahly to approve payment of \$216,974.36 for items

completed through November 30, 2015 on the contract for the new NRD Headquarters Facility, to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 22. CONSTRUCTION LOAN UPDATE.

The construction loan for the NRD Headquarters facility came due on December 1, 2015. It was a 12 month note with Cornerstone Bank. The Bank approved an extension of time on the note to February 16, 2016. All the other terms and conditions remain unchanged. Lynn Yates and John Turnbull signed the extension documents. Another extension will be considered by the Bank in February when a completion date is better known.

ITEM 23. MOVING SCHEDULE UPDATE.

The staff is just beginning to plan the move to the new building. The move will require the closing of the office for 2 – 3 business days during the move. We will hire a professional moving company to move the furniture, files and other heavy items. The computer and phone systems move will require very close coordination between the phone company, computer technical support, computer wiring firm and the staff. There will be a period of time when computer data will not be accessible, but that time period will be held to a minimum. Many details remain to be organized while the work of the District continues.

ITEM 24. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on December 10, 2015 and presented the committee's recommendations.

ITEM 25. DIRECTORS EXPENSES – GMDA TRAVEL.

Ronda Rich has submitted a claim for airfare reimbursement for the GMDA Conference in Sacramento in the amount of \$468.70. Linda Luebbe submitted her claim for airfare to the GMDA Conference for \$418.70.

It was moved by Miller and seconded by Moore to approve directors' expense payments of \$468.70 to Ronda Rich and \$418.70 to Linda Luebbe for airline fare reimbursement for the GMDA Conference in Sacramento, California. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Luebbe, Rich

NOT PRESENT: Austin

ITEM 26. NEBRASKA EDUCATIONAL TV NRD HISTORY PROJECT.

The Nebraska Educational TV NRD History Project costs have been determined. The costs are evenly split among the participating Districts. The bill received is for \$3,710.00.

It was moved by Miller and seconded by Moore to approve payment of \$3,710.00 to the NARD for the Nebraska Educational TV NRD History Project. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 27. PAYMENT TO YORK PRINTING.

An invoice for \$6,990.39 was received from York Printing for the November issue of the "Blueprint."

It was moved by Miller and seconded by Luebbe to approve payment of \$6,990.39 to York Printing for the November Blueprint. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 28. RECOGNITION DINNER.

It was moved by Miller and seconded by Moore to hold a recognition dinner Friday night, January 22, 2016; and further to pay the cost of the dinners for John Turnbull (retiring General Manager), his wife and family, Jay Bitner (retired Engineer), his wife and family, staff members, past and present directors.

It was brought to the board's attention that pursuant to Operating Policy No. 34: Awards and Recognition Dinners, which was adopted following a public hearing on September 23, 1993, the District is only allowed to pay the cost of the dinner for current employees and board members. The maximum cost per person for the dinner shall not exceed \$25.

Houdersheldt proposed that the motion be amended to read "To hold a recognition dinner Friday night, January 22, 2016 for John Turnbull (retiring General Manager), Jay Bitner (retired Engineer), staff members, present directors, and John's invited guests". Chairman Yates asked if there were any objections to adopting the amendment to the motion. There were none, so he declared the amendment adopted. The question was called on the motion as amended. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 29. NARD VOTING DELEGATE AND ALTERNATE FOR 2016.

It was moved by Houdersheldt and seconded by Roesler to appoint Larry Moore as the Voting Delegate and Gary Eberle as the Alternate Voting Delegate for the 2016 NARD Conferences. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin

ITEM 30. SEARCH COMMITTEE.

Yates reported that the Search Committee met on December 15, 2015 and presented the committee's report.

ITEM 31. REVIEW OF GENERAL MANAGER APPLICANTS.

The opening for the General Manager's position was advertised in the Omaha and Scottsbluff papers, on line at NEWorks (Nebraska Dept of Labor), Omaha.com, and Indeed.com, to get statewide and nationwide coverage. The job announcement was sent to all the NRDs, and posted on the NARD and Upper Big Blue websites. Twenty five resumes were received by the December 11th deadline.

After a short discussion on procedures, Turnbull left the meeting so that the committee members could select the finalists from all of the applicants. Three applicants have been invited for interviews which will happen in early January. The Search Committee will conduct the initial interviews and make a final recommendation to the Board of Directors.

ITEM 32. SPECIAL BOARD OF DIRECTORS MEETING.

Chairman Yates has scheduled a Special Board Meeting for 9:00 a.m., Tuesday, January 12, 2016. The purpose is for the Board of Directors to conduct the final interview for the General Manager candidate recommended by the Search Committee. The Board will then be able to consider the hiring of the new General Manager. The interview by the Board of Directors will have to be conducted in open session with a roll call vote on any decision.

ITEM 33. FINANCIAL REPORT NOVEMBER 1 - 30, 2015 AND CONSIDERATION OF EXPENDITURES FOR NOVEMBER 2015.

Turnbull reviewed the financial report for the period November 1, 2015 to November 30, 2015 that was distributed. It was moved by Eberle and seconded by Volkmer to accept the financial report for November 2015 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin

There being no other business the chairman adjourned the meeting at 3:00 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held December 17, 2015, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

SPECIAL BOARD OF DIRECTORS MEETING

January 12, 2016

The Board of Directors of the Upper Big Blue Natural Resources District met Tuesday, January 12, 2016 at 9:00 a.m. in the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Merlin Volkmer and Lynn Yates.

Staff and others in attendance were Nancy Brisk and David Eigenberg.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the special board of directors meeting on January 5, 2016 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Stahly requested that his absence from the January 12, 2016 special board of directors meeting be excused.

It was moved by Houdersheldt and seconded by Luebbe to excuse the absence of Stahly from the January 12, 2016 special board of directors meeting as requested. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Stahly

ITEM 5. ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Rich to approve the agenda for the January 12, 2016 special board of directors meeting. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Stahly

ITEM 6. SEARCH COMMITTEE REPORT.

Chairman Yates informed the board that advertisements for the General Manager position were placed in the Omaha World Herald, the Scottsbluff Herald and the York News-Times. The position was also posted on Indeed.com, the Nebraska Department of Labor, the NARD and Upper Big Blue NRD websites. The job listing was also sent to all of the other NRDs.

There were a total of 25 applicants for the position. Three candidates were interviewed by the Search Committee between January 4 and January 11, 2016. All board members were provided copies of the three candidates' resumes. Of the three candidates the Search Committee selected David Eigenberg to be interviewed by the full board during a special board meeting to be held on January 12, 2016 at 9:00 a.m.

ITEM 7. AUTHORIZATION TO HIRE NEW GENERAL MANAGER.

Following their interview of David Eigenberg it was moved by Rich and seconded by Roesler that the Board go into Executive Session at 9:43 a.m. for the purpose of discussing David Eigenberg's qualifications for the General Manager position. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Stahly

It was moved by Houdersheldt and seconded by Volkmer that the Board return to Open Session at 10:27 a.m. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Stahly

It was moved by Miller and seconded by Moore to authorize the Chairman, Lynn Yates, to offer the position of General Manager to David Eigenberg; to authorize the Chairman to negotiate a starting salary, which is to be within the FY 2016 salary schedule, and to hire the new General Manager; and further that the District reimburse the new General Manager for moving expenses that are incurred within one year of the beginning date of employment and are for: professional mover expenses for household goods and personal belongings, and \$1,000 for miscellaneous moving expenses.

It was moved by Kuehner and seconded by Miller to amend the motion to add "not to exceed \$20,000." The amendment carried.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Stahly

The question was called on the original motion as amended to read “to authorize the Chairman, Lynn Yates, to offer the position of General Manager to David Eigenberg; to authorize the Chairman to negotiate a starting salary, which is to be within the FY 2016 salary schedule, and to hire the new General Manager; and further that the District reimburse the new General Manager for moving expenses that are incurred within one year of the beginning date of employment and are for: professional mover expenses for household goods and personal belongings, not to exceed \$20,000, and \$1,000 for miscellaneous moving expenses.” The motion was approved as amended.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Stahly

There being no other business the chairman adjourned the meeting at 10:35 a.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held January 12, 2016, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

BOARD OF DIRECTORS MEETING

January 21, 2016

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, January 21, 2016 at 1:30 p.m. in the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were John Turnbull, Rod DeBuhr, Nancy Brisk, Ken Feather, Jack Wergin, Scott Snell, Nancy Schuerman, Josh Bowers of NRCS, and Steve Moseley of the York News-Times.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on January 14, 2016 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call. Moore arrived at 1:35 p.m.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absences.

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Dickinson and seconded by Bruns to adopt the consent agenda. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Bruns to approve the agenda for the January 21, 2016 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 7. *APPROVAL OF MINUTES OF THE DECEMBER 17, 2015 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Bruns to approve the minutes of the December 17, 2015 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 8. *APPROVAL OF MINUTES OF THE JANUARY 12, 2016 SPECIAL BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Bruns to approve the minutes of the January 12, 2016 special board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 9. SEARCH COMMITTEE REPORT.

Yates reported that David Eigenberg has accepted the position of general manager and will assume his position on March 1, 2016.

ITEM 10. DIRECTOR RECOGNITION.

Yvonne Austin was recognized by the board for 23 years of service to the District. She was presented with a plaque for her years of service.

Merlin Volkmer was presented with a framed Michael Forsberg print in recognition of 35 years of service as an Upper Big Blue NRD board member.

ITEM 11. STAFF RETIREMENT.

John Turnbull worked as the general manager of the Tri-Basin NRD for two years and then as the general manager of the Upper Big Blue NRD for the past 38 years. He will retire January 31, 2016. The board

and staff recognized John for his dedication to promoting the preservation and conservation of the natural resources of the state of Nebraska and especially his leadership during his time here with the Upper Big Blue NRD. He was presented with a gift certificate from the staff and a framed Michael Forsberg print from the board of directors. The District presented John with an engraved plaque for his years of service.

Nancy Schuerman has been employed by the Upper Big Blue NRD for 15 years as a secretary in the NRCS field office here in York. She will be retiring January 31, 2016. Nancy was recognized by the board and staff for her commitment to serving the NRD, NRCS and the producers of York County during that time. Nancy was awarded with a plaque for her years of service.

ITEM 12. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on January 14 and January 21, 2016 and presented the committee's recommendations.

ITEM 13. LAND TREATMENT PROGRAM COST SHARE PAYMENTS.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District make a payment of \$9,931.44 for two completed NSWCP Land Treatment applications as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 14. DORCHESTER WATERSHED NRCS ASSESSMENT STUDY.

The District has an agreement (No. 65-6526-5-888) with the NRCS in which the NRCS will complete an assessment of the four reservoirs in the Dorchester watershed. Under this agreement, the District will pay the NRCS the \$79,000 previously received from the NRCS and the NRCS will complete the assessments. These assessments are needed in order to qualify for federal cost share for any identified repairs. If the cost of these assessments goes above the \$79,000, the NRCS will be responsible for these additional costs. The assessments are to be completed by September 30, 2016. The NRCS has requested payment of the \$79,000.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District make a payment of \$79,000 to the Natural Resources Conservation Service through agreement 65-6526-5-888 for technical assistance on the Watershed Assessments for Dorchester Structures 1A, 2A, 3A, and 4A as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 15. DORCHESTER WATERSHED ASSESSMENT AGREEMENT EXTENSION.

The NRCS has requested a one year extension to complete the Dorchester Watershed Assessment. The new completion date would be September 30, 2017. The agreement would also change the designated liaison from John Turnbull to Jack Wergin, Projects Department Manager.

It was moved by Dickinson and seconded by Volkmer to approve the amendment to the Agreement for NRCS Services between the USDA NRCS and the Upper Big Blue NRD for the Dorchester Watershed Assessments, to extend the period of performance from September 30, 2016 to September 30, 2017 and designate Jack Wergin as liaison representing the District. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 16. SALE OF HOUSE AT PIONEER TRAILS RECREATION AREA.

The committee reviewed the four bids received for the house to be moved at Pioneer Trails Recreations Area.

BIDDER'S NAME	BID AMOUNT	MOVING DATE
Eric Liechty	\$12,598.00	June 30, 2016
Becky Elznic	\$10,000.00	May 1, 2016
Mark Zimmer	\$2,750.00	March 1, 2016
Justin Zimmer	\$1,499.99	March 1, 2016

It was moved by Dickinson and seconded by Houdersheldt to accept the bid of Eric Liechty for the sale of the house to be move from the property located at Pioneer Trails Recreation Area and to authorize DeBuhr to sign the purchase agreement and bill of sale on behalf of the District. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 17. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met January 14, 2016 and presented the committee's recommendations.

ITEM 18. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 29 parcels totaling 2,375.11 acres, yielding a

net increase in irrigated acres of 210.42 acres. This brings the total irrigated acres as of January 1 to 1,230,096.52.

It was moved by Eberle and seconded by Luebbe to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 19. PAYMENT TO KLEIN SALES & SERVICE FOR IRRIGATION SCHEDULING EQUIPMENT.

District staff purchased 600 individual watermark sensors for resale. The 600 equate to 200 complete sets (1-ft, 2-ft, and 3-ft sets). The sensors are put together and ready for installation.

It was moved by Eberle and seconded by Luebbe to pay Klein Sales & Service \$20,400.00 for the purchase of 600 individual watermark sensors. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 20. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on January 14, 2016 and presented the committee's recommendations.

ITEM 21. NEW NRD HEADQUARTERS CONSTRUCTION REPORT.

Construction on the new office building is moving rapidly. All of the drywall is now hung on the main floor and nearly done in the basement. The east third of the main floor offices have the first coat of paint, with the wood door frames and trim now being installed. The center one third of the main floor is getting the primer coat of paint. The drywall in the west one third is being taped. The next steps are installation of furnaces and air conditioners, plumbing fixtures, light fixtures and floor covering. The new furnishings will be installed by mid-February. The finish grading and landscaping will not be undertaken until April and May.

ITEM 22. CONTRACT PAYMENT – AYARS & AYARS, INC.

Payment request # 14 is for \$302,433.30 from Ayars & Ayars for work completed on the new NRD headquarters facility for items completed through December 31, 2015. A change order increased the price for the sign by the public entrance driveway, which resulted in a contract increase of \$7,968.68.

Original Contract	\$4,484,673.00	
Change Orders	\$31,772.72	0.7%
Total Contract	\$4,516,445.72	

Previous Payments	\$3,002,560.25	
Current Payment	\$302,433.30	
Total Payments	\$3,304,993.55	73%
Contract Balance	\$1,211,452.17	27%

It was moved by Eberle and seconded by Rich to approve payment of \$302,433.30 for items completed through December 31, 2015 on the contract for the new NRD Headquarters Facility, to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
 NAY: None

ITEM 23. ARCHITECT FEES.

An invoice in the amount of \$1,144.20 for Allan Quick’s architectural services for December was received.

Architect's Agreement	\$35,977.90
Previous Payments	\$31,776.70
Current Payment	\$1,144.20
Total Payments	\$32,920.90
Agreement Balance	\$3,057.00

It was moved by Eberle and seconded by Rich to approve payment of \$1,144.20 to Allan Quick, Architect, for work completed through December 31, 2015 on the NRD Headquarters Facility building project. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
 NAY: None

ITEM 24. CONSTRUCTION LOAN.

The 12 month construction loan from Cornerstone Bank for the NRD headquarters facility came due on December 1, 2015. The Bank approved an extension of time on the note to February 16, 2016. All the other terms and conditions remain unchanged. Another extension will be considered by the Bank in February when a completion date is better known. Turnbull recommended that the Chairman, Lynn Yates, and Rod DeBuhr, Assistant Manager, be authorized to sign the necessary documents on the February Loan Extension.

It was moved by Eberle and seconded by Austin to authorize Lynn Yates, Chairman, and Rod DeBuhr, Assistant Manager, to sign the necessary February, 2016, loan extension documents for the Cornerstone Construction Loan on the new NRD facility. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 25. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on January 14, 2016 and presented the committee's recommendations.

ITEM 26. *DIRECTORS' 4TH QUARTER PER DIEM & EXPENSES.

The Committee reviewed the directors' per diem and expenses for the quarter.

It was moved by Dickinson and seconded by Bruns to approve payment of 4th quarter directors' per diem of \$7,350.00 and expenses of \$2,706.63. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 27. BEEHIVE INDUSTRIES – DATA MANAGEMENT SYSTEM.

Marie Krausnick and Rod DeBuhr briefed the committee on the status of the Data Management System software being developed by Beehive Industries. The staff doesn't have the time necessary to sort out the information that Beehive needs to finish the project. Krausnick is recommending that the contract be extended to allow Beehive to complete the necessary work. The cost of the additional work is \$27,500. DeBuhr says it is essential we complete the work by March before the move to the new office.

The total cost of the original contract is \$96,025. A down payment of \$20,000 was made when the contract was entered into, and the remaining \$76,025 will be due upon completion. The company will continue to support the Data Management System for an annual fee of \$25,740 which is not due until FY 2017 (August 2016).

It was moved by Miller and seconded by Austin to extend the contract with Beehive Industries to gather data from District records and to finish the software development, for an additional cost of \$27,500.

The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 28. AUTHORITY TO SIGN CHECKS.

In the interim period between General Managers, it will be important that the Assistant Manager, Rod DeBuhr, have the authorization to sign District checks, along with Bill Stahly and Nancy Brisk. It is requested that Turnbull remain on the authorized list through the end of January. The Cornerstone

Bank would like a resolution approved by the Board authorizing those individuals to sign for the District.

It was moved by Miller and seconded by Moore to approve the Corporate Authorization Resolution for the Cornerstone Bank, authorizing the addition of Rod DeBuhr, Assistant Manager, to the list of those authorized to sign District checks. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 29. COMMERCIAL LAWN MOWER.

Ken Feather, Forestry and Parks Manager, has requested authorization to advertise for bids on a new commercial lawn mower. The recommended size of the mower is 60 to 65 inch deck with a 25 to 30 horsepower diesel engine. Feather recommended to the committee that the old mower be kept for use at the new NRD facility. The new mower would be principally used at Recharge Lake by our maintenance worker. Money was budgeted in the current budget for a new mower.

It was moved by Miller and seconded by Volkmer to request bids for a 25 to 30 horsepower diesel commercial lawn mower with a 60 to 65 inch mowing deck. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 30. GMDA REPORT.

Rod DeBuhr, Linda Luebbe and Bill Stahly gave a brief report on their recent trip to Sacramento, California for the GMDA conference.

ITEM 31. FINANCIAL REPORT DECEMBER 1 - 31, 2015 AND CONSIDERATION OF EXPENDITURES FOR DECEMBER 2015.

Turnbull reviewed the financial report for the period December 1, 2015 to December 31, 2015 that was distributed. It was moved by Houdersheldt and seconded by Volkmer to accept the financial report for December 2015 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

There being no other business the chairman adjourned the meeting at 2:54 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held January 21, 2016, that all of the subjects discussed at the meeting were contained in the agenda for the meeting,

kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

BOARD OF DIRECTORS MEETING February 18, 2016

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, February 18, 2016 at 1:30 p.m. in the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were Rod DeBuhr, Nancy Brisk, Ken Feather, Jack Wergin, Scott Snell, Jeff Ball, Marie Krausnick, Deb Stahly, Kent Norquest of NRCS, and Ross Ronne of Green Realty.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on February 11, 2016 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call. Austin arrived at 1:52 p.m.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

John Miller requested his absence from the February 18, 2016 board of directors meeting be excused.

It was moved by Stahly and seconded by Volkmer to excuse the absence of Miller from the February 18, 2016 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Miller

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Rich and seconded by Bruns to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Miller

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Bruns to approve the agenda for the February 18, 2016 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Miller

ITEM 7. *APPROVAL OF MINUTES OF THE JANUARY 21, 2016 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Bruns to approve the minutes of the January 21, 2016 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Miller

ITEM 8. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Volkmer reported that the Projects & Programs Committee met on February 11, 2016 and presented the committee's recommendations.

ITEM 9. HAZARD MITIGATION RESOLUTION YORK COUNTY.

The Committee reviewed the resolution for approval of the York County Hazard Mitigation Plan. These plans are reviewed every five years.

It was moved by Volkmer and seconded by Luebbe that the Upper Big Blue Natural Resources District adopt the York County Multi-jurisdictional Hazard Mitigation Plan Update Resolution. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Miller

ITEM 10. OXBOW TRAIL RECREATION AREA MAINTENANCE CONTRACT.

The District has a contract with Diana Rech from May 1, 2016 to September 1, 2016 for mowing the Oxbow Trail Recreation Area twice a month, cleaning the restrooms and picking up and hauling trash every Monday and Friday. She will furnish all labor and equipment, and is responsible for her employees' safety and liability insurance. Diana Rech has agreed to perform the work for \$700.00 per month for a total of \$2,800.00.

It was moved by Volkmer and seconded by Houdersheldt that the Upper Big Blue Natural Resources District hire Diana Rech for mowing the Oxbow Trail Recreation Area twice a month and cleaning the restrooms and picking up trash every Monday and Friday of each week for \$700.00 per month. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Miller

ITEM 11. MOWING OF PIONEER TRAILS RECREATION AREA.

Material Movers Inc. (Andrew Fisher) from Aurora has done the mowing at Pioneer Trails Recreation Area for the past couple of years. Since the District has upgraded the recreation area there is more area that needs to be mowed and trimmed and the District has requested the recreation area be mowed every two weeks starting May 1, 2016 through September 1, 2016. Andrew Fisher has put in a bid of \$5,400 to mow nine times between May 1, 2016 and September 1, 2016, which is \$600.00 per mowing.

It was moved by Volkmer and seconded by Rich that the District contract the mowing of Pioneer Trails Recreation Area to Material Movers Inc. of Aurora, Nebraska for the amount of \$600.00 per mowing or a total of \$5,400.00 for the season from May 1, 2016 to September 1, 2016. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Miller

ITEM 12. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met February 11, 2016 and presented the committee's recommendations.

ITEM 13. GROUNDWATER TRANSFER AUTHORIZATION.

Gerald Kealiher applied for a groundwater transfer to irrigate 25 acres in the SE1/4 SE1/4 of Section 9-T12N-R4W from well G-115474 located in the E1/2 NE1/4 of Section 16-T12N-R4W, all in York County. The proposed transfer complies with the Districts groundwater regulations.

It was moved by Eberle and seconded by Bruns to approve Groundwater Transfer T-087. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Moore, Robotham, Stahly, Yates
NAY: Bethune, Luebbe, Nuss, Rich, Roesler, Volkmer
NOT PRESENT: Austin, Miller

ITEM 14. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 61 parcels totaling 5,180.96 acres, yielding a net increase in irrigated acres of 294.04 acres. This brings the total irrigated acres as of February 1 to 1,230,390.56.

It was moved by Eberle and seconded by Luebbe to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin, Miller

ITEM 15. CHEMIGATION PAYMENT TO NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY.

The annual chemigation report to NDEQ has been completed. To comply with state statute we owe NDEQ \$2,314.00 for their administration of the chemigation program.

It was moved by Eberle and seconded by Stahly to pay the Nebraska Department of Environmental Quality \$2,314.00 for administration of the Districts chemigation program. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin, Miller

ITEM 16. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on February 11, 2016 and presented the committee's recommendations.

ITEM 17. NEW NRD HEADQUARTERS CONSTRUCTION REPORT.

Construction is proceeding at a fast pace. Preparations are being made to move the office to the new facility. If construction stays on schedule the move should take place around the 24th and 25th of March.

ITEM 18. PAYMENT TO AYARS & AYARS, INC.

Payment request # 15 is for \$336,579.18 from Ayars & Ayars for work completed on the new NRD Headquarters Facility for items completed through January 31, 2016.

Original Contract	\$4,484,673.00	
Change Orders	\$30,214.9	0.7%
Total Contract	\$4,514,887.90	
Previous Payments	\$3,304,993.55	
Current Payment	\$336,579.18	
Total Payments	\$3,641,572.73	81%
Contract Balance	\$ 873,315.17	19%

It was moved by Eberle and seconded by Rich to approve payment of \$336,579.18 for items completed through January 31, 2016 on the contract for the new NRD Headquarters Facility, to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Miller

ITEM 19. ARCHITECT FEES.

An invoice in the amount of \$1,525.60 for Allan Quick's architectural services for January was received.

Architect's Agreement	\$35,977.90
Previous Payments	\$32,920.90
Current Payment	\$1,525.60
Total Payments	\$34,446.50
Agreement Balance	\$1,531.40

It was moved by Eberle and seconded by Houdersheldt to approve payment of \$1,525.60 to Allan Quick, Architect, for work completed through January 31, 2016 on the NRD Headquarters Facility building project. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Austin

NOT PRESENT: Miller

ITEM 20. MOVING COMPANY ESTIMATES.

DeBuhr reported that he received two estimates for moving the NRD to the new office as follows:

R&R Delivery of York - \$65 per hour for an estimated 40 hours - \$2,600. R&R has one truck and 4 men. They can only move us on weekends and/or evenings because the workers have other daytime employment.

Two Men and a Truck of Lincoln - \$592 per hour for 4 trucks for an estimated 12 hours + a \$600 travel charge - \$7,704. Although the cost is higher, DeBuhr recommends using Two Men and a Truck because of the time and logistics of an evening or weekend move.

It was moved by Eberle and seconded by Luebbe to hire Two Men and a Truck of Lincoln to move the District office to the new facility at an estimated cost of \$7,704.00. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Robotham

NOT PRESENT: Miller

ITEM 21. WINDOW TREATMENTS.

DeBuhr and Brisk met with Cristy Joy of Ayars & Ayars and Bruce Wagner of Wagner Decorating to discuss window treatments for the new office. Allan Quick conveyed his thoughts on blind style to DeBuhr and Joy earlier. The blinds are a flat roller style. In the offices the blinds will filter light, allowing some to come through, while the blinds proposed in the board room and two conference rooms will block all light. Mr. Wagner quoted the following for blinds.

Window Covering at New Office				
	No. Windows		Power Option	Total
Lg. Conf. Room	2	260.00		\$ 520.00
Board Room	3	335.00	250.00	1,005.00
Break Room	1	490.00		490.00
Sm. Conf. Room	1	580.00		580.00
Offices	16	260.00		4,160.00
GRAND TOTAL	23			\$6,755.00

It was moved by Eberle and seconded by Rich to purchase blinds from Wagner Decorating for the new office at a cost of \$6,755.00. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller

ITEM 22. REAL ESTATE LISTINGS.

The real estate listing for the NRD office building with Green Realty expires March 6th. The Committee discussed the contract agreement and the apparent lack of interest in the facilities to date. DeBuhr recommended that the existing storage shed not be listed at this time, to give the staff the opportunity to sort and move the contents. The Committee requested that DeBuhr contact Green Realty and request that a representative attend the Board meeting.

Ross Ronne with Green Realty was present at the board meeting and addressed the board regarding current and possible future interest in the NRD office building, as well as the storage garage which is not currently listed. Ronne stated that he felt the asking price for the office building was reasonable given past sales of commercial property in York. He did indicate that commercial properties generally take longer to sell than residential properties. He reviewed what advertising was being done on the property and said he hoped the board would renew the listing with Green Realty.

It was moved by Eberle and seconded by Austin to renew the real estate listing contract with Green Realty for a period of six months. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller

ITEM 23. NRD HEADQUARTERS SIGN.

The entry sign base has been constructed as a part of the contract with Ayars & Ayars. We need to have an actual sign constructed and installed at the entry to the NRD facilities on 25th Street. Staff worked with Wallingford Signs of York to design an entry sign. Wallingford's quote for construction and installation was \$3,826.00.

It was moved by Eberle and seconded by Houdersheldt to hire Wallingford Signs to construct and install the sign for the NRD Headquarters building at the cost of \$3,826.00. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller

ITEM 24. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Stahly reported that the Executive Committee met on February 11, 2016 and presented the committee's recommendations.

ITEM 25. BROWN & CALDWELL PAYMENT.

Brown and Caldwell submitted an invoice for \$614.00 for activities from August 21 to December 31, 2015, related to NDNR's review of the groundwater model. Krausnick reported that NDNR has scheduled a staff meeting to discuss the review next week and will contact the District after that.

It was moved by Stahly and seconded by Austin to pay Brown & Caldwell \$614.00 for work related to the Blue Basin Sub-Regional Model done from August 21 to December 31, 2015. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

ITEM 26. SALARY REIMBURSEMENT – LOWER PLATTE NORTH NRD.

The Lower Platte North NRD has billed the District \$8,022.13 for the District's share of the Butler County NRCS clerk (\$7,898.90) and technician (\$123.23) wages for July through December 2015.

It was moved by Stahly and seconded by Bruns to pay the Lower Platte North NRD \$8,022.13 for clerical and technician wages incurred from July through December 2015. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: Houdersheldt
NOT PRESENT: Miller

ITEM 27. DIRECTORS' GMDA EXPENSES.

Linda Luebbe and Bill Stahly attended the GMDA Winter Conference in Sacramento, California in January. Each of them requested an expense reimbursement. Luebbe - \$1,293.10 and Stahly - \$1,469.64.

It was moved by Stahly, on behalf of the committee, and seconded by Moore to reimburse Luebbe and Stahly \$1,293.10 and \$1,469.64 respectively for expenses incurred for the January 2016 GMDA Winter Conference. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates
NAY: None
NOT VOTING: Luebbe, Stahly
NOT PRESENT: Miller

ITEM 28. REPRESENTATIVE FOR AYARS & AYARS CONTRACT.

The existing contract with Ayars & Ayars for construction of the new District headquarters lists John C. Turnbull as the District Representative. Since Turnbull has retired, a new representative needs to be named. Lynn Yates is designated as the alternate. Before his retirement, Turnbull recommended the new manager be named the District Representative. Ayars & Ayars is aware that a change in the District Representative is pending.

It was moved by Stahly and seconded by Luebbe to appoint David Eigenberg, General Manager, as the District's (owner's) Representative in the Ayars & Ayars agreement for the headquarters construction, effective March 1, 2016. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Miller

ITEM 29. COPIER & PRINTER QUOTES.

Brisk presented the quotes for two color copiers and a black and white laser printer. Quotes were requested from Advanced Office Automation of Lincoln, Nebraska and Eakes Office Solutions of Grand Island, Nebraska. Neither company is offering any trade-in on the Savin C7570 color copier or the Savin CLP35 color printer that we currently own.

The existing CLP35 color printer is 11 years old and was purchased in February of 2005 for \$4,646.00. The C7570 color copier is over 6 years old and was purchased in December of 2009 for \$25,941 and has produced over 1.6 million copies. Both units are in need of replacement. Funds were included in the FY16 office department budget for their replacement. The total costs for 2 copiers and 1 laser printer are: Eakes Office Solutions - \$28,940.87, and Advanced Office Automation - \$24,177.00

Both companies indicated that they would be able to provide the equipment in 2 weeks or less from the time of order. Both companies would provide installation, setup and training for employees. Advanced Office Automation would also provide up to 4 hours of network setup time at no additional charge.

Based on the quotes, and Advanced Office Automation's excellent service record, Brisk recommends that the District purchase the two color copiers and black laser printer from Advanced Office Automation for a total purchase price of \$24,177.00

It was moved by Stahly and seconded by Volkmer that the District purchase the two color copiers and black laser printer from Advanced Office Automation for a total purchase price of \$24,177.00. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller

ITEM 30. BIDS FOR COMERCIAL MOWER 2016.

The Upper Big Blue Natural Resources District received bids for a 2016 commercial mower for mowing the District's recreational areas. Feather indicated that the Hustler models do not meet the specification, primarily because they are not front mounting mowers and do not allow the ease of service as compared to the Grasshopper.

The following bids were received:

COMPANY	PRICE	YEAR	DELIVERY	Other
Nicks Farm Store Geneva NE	\$13,758.68	725 DT Diesel Grasshopper	1 - 2 Weeks	

Plains Equipment 3221 North Lincoln Ave. York NE 68467	\$17,750.00	John Deere LG Frame MIDZ	N/A	
Hiebner Body Shop Henderson NE	(a) \$12,739.30 (b) \$12,949.30	(a) Hustler Turf EQ (b) Hustler 932 681 & 9372707	N/A	Did not meet specification s
Klein's Blue River Power Benedict / Stromsburg	\$15,716.96	725 DT Diesel Grasshopper	N/A	
Friesen Chevrolet Sutton NE	\$13,240.00	725 DT Diesel Grasshopper	2 - 3 Weeks	

It was moved by Stahly and seconded by Austin that the Upper Big Blue Natural Resources District accept the bid of \$13,240 from Friesen Chevrolet for the 725 DT Diesel Grasshopper commercial mower for the mowing of the District's recreational areas. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller

ITEM 31. OUT OF STATE TRAVEL - NARD WASHINGTON, D.C. MEETING MARCH 12 -16, 2016.

The deadline to sign up for the NARD Washington, D.C. meeting is fast approaching. Directors and staff need to indicate their desire to attend and request approval for out of state travel from the Executive Committee.

At their February 11 meeting the Executive Committee authorized out of state travel for General Manager Dave Eigenberg and Assistant Manager Rod DeBuhr to attend the NARD Washington, D.C. meeting March 12-16, 2016. According to board policy this required no further action by the board of directors.

Becky Roesler later requested permission to attend the Washington, D.C. meeting. Since her request came after the Executive Committee met the Chairman asked for a board motion approving her travel.

It was moved by Moore and seconded by Volkmer to authorize out of state travel for Becky Roesler to attend the NARD Washington, D.C. meeting March 12-16, 2016. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Roesler

NOT PRESENT: Miller

ITEM 32. FINANCIAL REPORT JANUARY 1 - 31, 2016 AND CONSIDERATION OF EXPENDITURES FOR JANUARY 2016.

DeBuhr reviewed the financial report for the period January 1, 2016 to January 31, 2016 that was distributed. It was moved by Stahly and seconded by Volkmer to accept the financial report for January 2016 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Miller

There being no other business the chairman adjourned the meeting at 3:00 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held February 18, 2016, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

BOARD OF DIRECTORS MEETING

March 17, 2016

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, March 17, 2016 at 1:30 p.m. in the Upper Big Blue NRD office, 105 North Lincoln Avenue, York, Nebraska. Directors present were Yvonne Austin, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Ken Feather, Jack Wergin, Scott Snell, Marie Krausnick, Josh Bowers of NRCS, and Andy Raun of the Hastings Tribune.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on March 10, 2016 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Paul Bethune requested his absence from the March 17, 2016 board of directors meeting be excused.

It was moved by Volkmer and seconded by Rich to excuse the absence of Bethune from the March 17, 2016 board of directors meeting as requested. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Dickinson and seconded by Volkmer to adopt the consent agenda. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Volkmer to approve the agenda for the March 17, 2016 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune

ITEM 7. *APPROVAL OF MINUTES OF THE FEBRUARY 18, 2016 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Volkmer to approve the minutes of the February 18, 2016 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune

ITEM 8. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Volkmer reported that the Projects & Programs Committee met on March 10, 2016 and presented the committee's recommendations.

ITEM 9. LAND TREATMENT PROGRAM COST SHARE PAYMENT.

It was moved by Dickinson and seconded by Stahly that the Upper Big Blue Natural Resources District make a payment of \$5,000.00 for one completed NSWCP land treatment application as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune

ITEM 10. *NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Dickinson and seconded by Volkmer that payments totaling \$2,435.00 be approved for three Nebraska Buffer Strip Program contracts as recommended by staff and reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune

ITEM 11. NEW CORNERS FOR WILDLIFE PROGRAM CONTRACT.

Joe Keenan has one pivot corner located in the NW corner of the SE1/4 of Section 34, T8N-4W, in Fillmore County, Nebraska. The plan is to inter-seed a 4.2 acre pivot corner to a high-diversity seed mix, including a pollinator habitat mix and premium nesting cover. The contract is paid for with funds from the local Pheasants Forever Chapter and the Environmental Trust. Keenan will receive \$60/acre for a 5 year period on these 4.2 acres. The NRD will receive the money for the payment through the Pheasants Forever Chapter before making payment to the landowner.

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District enter into the Corners for Wildlife contract with Joe Keenan and Pheasants Forever located in the NW corner of the SE1/4 Section 34, T8N-4W, in Fillmore County, Nebraska for a period of 5 years with an annual payment of \$252.00. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune

ITEM 12. HAZARD MITIGATION RESOLUTION BUTLER COUNTY REIMBURSEMENT.

It was moved by Dickinson and seconded by Bruns that the Upper Big Blue Natural Resources District approve payment of \$2,715.00 to the Lower Platte North NRD for work on the All Hazard Mitigation Plan for Butler County as referenced in the Interlocal Cooperative Agreement between the UBBNRD and LPNNRD as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune

ITEM 13. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met March 10, 2016 and presented the committee's recommendations.

ITEM 14. GROUNDWATER TRANSFER AUTHORIZATION.

Rex Wieseman applied for a groundwater transfer to irrigate 76.97 acres in the N1/2 NE1/4 of Section 18-T14N-R1W from well G-005586 located in the S1/2 SE1/4 of Section 7-T14N-R1W, all in Polk County. The proposed transfer complies with the Districts groundwater regulations.

It was moved by Eberle and seconded by Houdersheldt to approve Groundwater Transfer T-088. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Robotham, Stahly, Yates
NAY: Luebbe, Nuss, Roesler, Volkmer
NOT VOTING: Rich
NOT PRESENT: Bethune

ITEM 15. FLOW METER REPAIR COST-SHARE.

Twenty-seven flow meter cost-share applications totaling \$3,925.75 have been recommended for final payment.

It was moved by Eberle and seconded by Austin to pay twenty-seven flow meter repair cost-share claims totaling \$3,925.75. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Bethune

ITEM 16. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 137 parcels totaling 14,219.04 acres, yielding a net increase in irrigated acres of 1,445.43 acres. This brings the total irrigated acres as of March 1 to 1,231,835.99.

It was moved by Eberle and seconded by Bruns to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Bethune

ITEM 17. IRRIGATION COMPONENTS INTERNATIONAL, INC.

The District has purchased 80 Seametrics battery replacement kits and 49 gasket seals. Bush and Yrkoski will begin battery replacement on electric wells in the next few weeks.

It was moved by Eberle and seconded by Luebbe to pay Irrigation Components International, Inc. \$6,939.00 for the replacement batteries and gasket seals. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune

ITEM 18. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on March 10, 2016 and presented the committee's recommendations.

ITEM 19. NEW NRD HEADQUARTERS FACILITY CONSTRUCTION REPORT.

On March 9th the District and Ayars & Ayars held the pre-cleaning walk-through to identify items that need to be corrected and/or completed before the District moves into the facility. Those participating representing the District were Yates, Eberle, Quick, Eigenberg, DeBuhr, Wergin, Brisk, and Ball. Ryan Wenn, Project Manager represented Ayars & Ayars. The office and shop are nearly complete. The items discussed were generally minor. Outdoor items such as final grading and landscaping will continue after the District office is occupied.

ITEM 20. CONTRACT PAYMENT TO AYARS & AYARS, INC.

Payment request # 16 is for \$493,974.98 from Ayars & Ayars for work completed on the new NRD Headquarters Facility for items completed through February 29, 2016.

Original Contract	\$4,484,673.00	
Change Orders	\$30,638.44	0.7%
Total Contract	\$4,515,311.44	
Previous Payments	\$3,641,571.93	
Current Payment	\$493,974.98	
Total Payments	\$4,135,546.91	92%
Contract Balance	\$379,764.53	8%

It was moved by Eberle and seconded by Rich to approve payment of \$493,974.98 for items completed through February 29, 2016 on the contract for the new NRD Headquarters Facility, to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune

ITEM 21. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on March 10, 2016 and presented the committee's recommendations.

ITEM 22. RESOLUTIONS FOR NEW AUTHORIZED SIGNATURES.

New resolutions need to be adopted to allow David Eigenberg to sign checks and other banking related documents for both Cornerstone Bank and York State Bank. Such a resolution is also required for CD transactions at York State Bank.

ITEM 23. CORNERSTONE BANK RESOLUTION.

It was moved by Miller and seconded by Luebbe to adopt the resolution authorizing David Eigenberg, Rodney DeBuhr, Nancy Brisk and William Stahly to sign banking documents at Cornerstone Bank on behalf of the District. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bethune

ITEM 24. YORK STATE BANK RESOLUTION.

It was moved by Miller and seconded by Rich to adopt the resolution authorizing David Eigenberg and William Stahly to sign banking documents at York State Bank on behalf of the District. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Bethune

ITEM 25. FINANCIAL REPORT FEBRUARY 1 - 29, 2016 AND CONSIDERATION OF EXPENDITURES FOR FEBRUARY 2016.

Eigenberg reviewed the financial report for the period February 1, 2016 to February 29, 2016 that was distributed. It was moved by Houdersheldt and seconded by Volkmer to accept the financial report for February 2016 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Austin, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune

There being no other business the chairman adjourned the meeting at 3:15 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held March 17, 2016, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District

during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

BOARD OF DIRECTORS MEETING

April 21, 2016

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, April 21, 2016 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Ken Feather, Jack Wergin, Scott Snell, Marie Krausnick, Nancy Beach, Kyle Yrkoski, Matt Paul of CCS Presentation Systems, and Josh Bowers of NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on April 14, 2016 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absences.

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. Miller requested that Item A – 1st Quarter Directors' Per Diem and Expenses be removed from the consent agenda to be acted upon separately.

It was moved by Dickinson and seconded by Houdersheldt to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

TEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Houdersheldt to approve the agenda for the April 21, 2016 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin

ITEM 7. *APPROVAL OF MINUTES OF THE MARCH 17, 2016 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Houdersheldt to approve the minutes of the March 17, 2016 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin

ITEM 8. EMPLOYEE RECOGNITION AWARDS.

Carleen Light, Water Department Secretary, was recognized for 10 years of service to the district. Marie Krausnick, Water Department Manager, was recognized for 15 years of service to the district.

ITEM 9. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met April 12, 2016 and presented the committee's recommendations.

ITEM 10. FLOW METER REPAIR COST-SHARE.

Fourteen flow meter cost-share applications have been approved for final payment totaling \$2,057.91.

It was moved by Eberle and seconded by Rich to pay fourteen flow meter repair cost-share claims totaling \$2,057.91. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin

ITEM 11. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the irrigated acres certification for 239 parcels totaling 22,219.21 acres, yielding a net increase in irrigated acres of 263.32 acres. This brings the total irrigated acres as of April 1 to 1,232,099.31.

It was moved by Eberle and seconded by Rich to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 12. PAYMENT TO KLEIN SALES & SERVICE FOR RESALE EQUIPMENT.

The District has purchased 30 Watermark dataloggers and 30 Watermark sensors with 15ft leads from Klein Sales & Service for resale. The two invoices total \$12,675.00.

It was moved by Eberle and seconded by Luebbe to pay Klein Sales & Service \$12,675.00 for the purchase of Watermark dataloggers and Watermark sensors with 15ft leads for resale. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 13. PAYMENT TO TRI CITY METERS FOR ROUTINE METER MAINTENANCE.

Tri City Meters has completed the second year of their 5-year contract for routine meter maintenance. This year they visited 984 mechanical meters in Southwest York, Southern Hamilton, Western Clay, and Adams Counties. An invoice for \$47,805.00 for services, canopy covers, and gaskets has been received.

It was moved by Eberle and seconded by Rich to pay Tri City Meters \$47,805.00 for the routine maintenance of 984 mechanical meters. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 14. PAYMENT TO SERVI-TECH INC. FOR PROFILER PROBES.

Dan Leininger has purchased 2 profiler probes for use at CROP-TIP. He intends to compare the use of these probes to Watermark sensors for monitoring soil moisture. The profilers have the capabilities to transmit data via satellite directly to the producers' computer.

It was moved by Eberle and seconded by Luebbe to pay Servi-Tech Inc. for 2 profiler probes and connection fee totaling \$4,570.00. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 15. GROUND WATER TRANSFER PERMIT AMENDMENT FOR GERALD KEALIHHER.

The Board of Directors approved ground water transfer permit T-087, for Gerald Kealiher, in March 2016. The original application showed the destination tract to be 60 irrigated acres. During discussions with Mr. Kealiher, District Staff reduced the application to 25 irrigated acres on the destination tract. Mr. Kealiher would like to increase the number of irrigated acres on the destination tract back to the original 60 acres. The application as amended stays within the Districts transfers rules and regulations.

It was moved by Eberle and seconded by Stahly to approve the amendment to T-087 for 60 irrigated acres on the destination tract. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates

NAY: Nuss, Roesler, Volkmer

NOT PRESENT: Austin

ITEM 16. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on April 12, 2016 and presented the committee's recommendations.

ITEM 17. LAND TREATMENT PROGRAM – COST SHARE PAYMENT.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District make a payment of \$1,668.85 for one completed NSWCP Land Treatment application as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 18. PIONEER TRAILS RECREATION AREA – TRAILER REMOVAL.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District send a letter to Jerry Brown stating that the trailer at Pioneer Trails must be removed from the property by May 15, 2016; and if not done by that date the UBBNRD will remove the trailer and bill Jerry

Brown for the costs. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 19. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on April 14, 2016 and presented the committee's recommendations.

ITEM 20. NRD HEADQUARTERS CONSTRUCTION REPORT.

On March 23, 2016, the District obtained keys to the new office and shop facility. Insurance coverage was obtained on the building and its contents on March 23, 2016. The office and shop are nearly complete. Ayars & Ayars continue to complete minor unfinished agreed upon tasks. Outdoor items such as final grading and landscaping will continue, even though the District office is occupied.

ITEM 21. CONTRACT PAYMENT – AYARS & AYARS, INC.

We received payment request #17 for \$275,088.00 from Ayars & Ayars for work completed on the new NRD Headquarters Facility through March 31, 2016.

Original Contract	\$4,484,673.00	
Change Orders	\$31,633.76	0.7%
Total Contract	\$4,516,306.76	
Previous Payments	\$4,135,546.91	
Current Payment	\$275,088.00	
Total Payments	\$4,410,634.91	98%
Contract Balance	\$105,671.85	2%

It was moved by Eberle and seconded by Rich to approve payment of \$275,088.00 for items completed through March 31, 2016, on the contract for the new NRD Headquarters Facility to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 22. ARCHITECT FEES.

An invoice in the amount of \$1,374.20 for Allan Quick's architectural services for March was received. The payment requested is \$856.30 over the contract amount. Allen's services have been invaluable during the process of designing and constructing the new office facilities. It is recommended that

payment of \$1,374.20 be made to Allen Quick.

Architect's Agreement	\$35,977.90
Previous Payments	\$35,460.00
Current Payment	\$1,374.20
Total Payments	\$36,834.20
Agreement Balance	(\$856.30)

It was moved by Eberle and seconded by Dickinson to approve payment of \$1,374.20 to Allan Quick, Architect, for work completed through March 31, 2016 on the NRD Headquarters Facility building project. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 23. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on April 14, 2016 and presented the committee's recommendations.

ITEM 24. DIRECTORS' 1ST QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors' per diem and expenses for the 1st quarter on April 14, 2016 and recommended payment for per diem of \$11,830 and expenses of \$4,522.67 be made.

Following the meeting Doug Bruns realized that he had not submitted all of his mileage for meetings. He had an additional 7 trips to York at 24 miles each for a total of 168 miles. He requested payment for the additional mileage totaling \$90.72. This would increase the total directors' expenses for the quarter to \$4,613.19.

It was moved by Miller and seconded by Rich to approve payment of 1st quarter directors' per diem of \$11,830.00 and expenses of \$4,613.19. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Bruns

NOT PRESENT: Austin

ITEM 25. PAYMENT TO FRIESEN CHEVROLET FOR COMMERCIAL LAWN MOWER.

Staff took delivery of the Grasshopper commercial lawn mower from Friesen Chevrolet of Sutton, Nebraska on April 4, 2016. Payment of \$13,240.00 was required at the time of delivery as agreed upon.

It was moved by Miller and seconded by Dickinson to approve payment of \$13,240.00 to Friesen Chevrolet for the Grasshopper commercial lawn mower. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 26. PAYMENT TO TWO MEN AND A TRUCK FOR MOVING SERVICES.

In February the board approved hiring Two Men and A Truck to move the District office to the new facility at an estimated cost of \$7,704. The estimate was based on using 4 trucks for 12 man hours, plus a \$600 travel charge. The move was accomplished in two days and went extremely well, but required more than the estimated 12 hours. We received an invoice from Two Men And A Truck for \$8,732. Eigenberg recommends payment be approved.

It was moved by Miller and seconded by Houdersheldt to approve payment of \$8,732.00 to Two Men And A Truck for moving services. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 27. PAYMENT TO ADVANCED OFFICE AUTOMATION FOR COPIERS/PRINTER.

In February the board approved the purchase of two color copiers and laser printer from Advanced Office Automation for a total purchase price of \$24,177. The copiers and printer were delivered to the new office on March 29. Eigenberg recommends payment be made to Advanced Office Automation.

It was moved by Miller and seconded by Dickinson to approve payment to Advanced Office Automation in the amount of \$24,177.00 for two color copiers and one laser printer. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 28. PAYMENT TO YORK PRINTING FOR NEWSLETTER.

The Committee reviewed the request for payment of \$6,990.95 from York Printing Company for printing of the March 2016 Blueprint Newsletter.

It was approved by Miller and seconded by Rich to approve payment of \$6,990.95 to York Printing, LLC for printing the March edition of the Blueprint newsletter. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 29. BEEHIVE - DATABASE MANAGEMENT SOLUTION.

The Committee reviewed the invoice from Beehive Industries for the creation of the Upper Big Blue NRD database management system. A down payment of \$20,000 was made when the contract was entered into, with the understanding that the balance would be paid upon completion of the work. In January 2016 the board approved an amendment to the contract for an additional \$27,500 for work that was not in the original agreement. Beehive Industries has completed the work on the database system and has invoiced the district \$103,525. Staff recommends payment.

It was moved by Miller and seconded by Volkmer to approve payment to Beehive Industries in the amount of \$103,525. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 30. APPROVAL FOR OUT-OF-STATE TRAVEL.

The Committee discussed the GMDA Spring Conference to be held June 29-July 1 in Yakima, Washington. It was the consensus of the Committee to encourage participation for the Board.

It was moved by Miller and seconded by Dickinson to approve out of state travel for up to 3 directors to attend the GMDA Spring Conference in Yakima. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 31. FINANCIAL REPORT MARCH 1 - 31, 2016 AND CONSIDERATION OF EXPENDITURES FOR MARCH 2016.

Eigenberg reviewed the financial report for the period March 1, 2016 to March 31, 2016 that was distributed. It was moved by Houdersheldt and seconded by Rich to accept the financial report for March 2016 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

Upper Big Blue NRD
Board of Directors Meeting
April 21, 2016
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NAY: None
NOT PRESENT: Austin

There being no other business the chairman adjourned the meeting at 9:00 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held April 21, 2016, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

BOARD OF DIRECTORS MEETING

May 19, 2016

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, May 19, 2016 at 7:35 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Yvonne Austin, Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Nancy Brisk, Ken Feather, Jack Wergin, Scott Snell, Marie Krausnick, Nancy Beach, Seward County Commissioner Gene Gausman, Matt Paul of CCS Presentation Systems, and Josh Bowers of NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on May 12, 2016 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Larry Moore requested that his absence from the May 19, 2016 board of directors meeting be excused.

It was moved by Volkmer and seconded by Rich to excuse the absence of Moore from the May 19, 2016 board of directors meeting as requested. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Dickinson and seconded by Volkmer to adopt the consent agenda. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

TEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Volkmer to approve the agenda for the May 19, 2016 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 7. *APPROVAL OF MINUTES OF THE APRIL 21, 2016 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Volkmer to approve the minutes of the April 21, 2016 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 8. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Water & Regulations Committee met May 10, 2016 and presented the committee's recommendations.

ITEM 9. ARGONNE NATIONAL LABORATORY MONITORING WELL.

The USDA and EPA are monitoring two contamination plumes originating in the northwest corner of the city of York along Division Avenue. During 2015, the USDA contracted with Argonne National Laboratories to conduct push tests in multiple sites along the contamination plumes, testing for contaminant concentration and location within the geologic formation. One push test site was located in the southwest corner of the new NRD office site. Our site was determined to be a boundary between the USDA and EPA plumes. Making our site highly desirable as a monitoring site. The USDA is requesting to drill a nested monitoring well on the southwest corner of the new NRD office site. The wells will be flush with the ground, and all legal and financial responsibility will be assumed by the USDA.

It was moved by Rich and seconded by Luebbe to allow the USDA to construct a nested monitoring well on the new NRD office site.

Miller asked whether we have a written agreement with the USDA outlining ownership of the well,

construction and maintenance of the well, and who is responsible for decommissioning the well when it is no longer in use.

Krausnick said that we did not currently have a written agreement with them because she was waiting for board approval before entering into a contract. Miller said he was uncomfortable about granting approval prior to reviewing a written agreement.

It was moved by Miller and seconded by Houdersheldt to refer the matter back to committee. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 10. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 105 parcels totaling 9,218.98 acres, yielding a net increase in irrigated acres of 926.64 acres. This brings the total irrigated acres as of May 1 to 1,233,025.95.

It was moved by Rich and seconded by Robotham to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 11. PAYMENT TO KLEIN SALES & SERVICE FOR RESALE EQUIPMENT.

The District has purchased 100 handheld digital meters from Klein Sales & Service for resale. The invoice total is \$18,500.00.

It was moved by Rich and seconded by Luebbe to pay Klein Sales & Service \$18,500.00 for the purchase of handheld digital meters. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 12. PAYMENT TO IRROMETER COMPANY, INC.

The District has purchased 25 Watermark Sensor dataloggers from Irrometer Company, Inc. The invoice total is \$9,705.38.

It was moved by Rich and seconded by Luebbe to pay Irrrometer Company, Inc. \$9,705.38 for the purchase of Watermark Sensor dataloggers. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 13. PAYMENT TO THE UNIVERSITY OF NEBRASKA-LINCOLN – PROJECT SENSE.

Two invoices were received for Project SENSE. The first one is for year one totaling \$33,750.00. The second is for year two totaling \$13,500. Two more payments will be made over the next two years.

It was moved by Rich and seconded by Houdersheldt to pay the University of Nebraska – Lincoln a total of \$47,250.00 for years one and two of Project SENSE. The motion was approved. Yates abstained from the voting because he is a participant in the project SENSE program.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer

NAY: None

NOT VOTING: Yates

NOT PRESENT: Moore

ITEM 14. PAYMENT TO THE UNIVERSITY OF NEBRASKA-LINCOLN – WEATHER STATION MAINTENANCE.

The Nebraska State Climate Office is requesting payment for the maintenance of the weather station located at Recharge Lake. In return, we have access to all the weather station data logged by the Climate Office. The 2016 payment request totals \$2,000.00.

It was moved by Rich and seconded by Luebbe to pay the University of Nebraska \$2,000.00 for the maintenance of the Recharge Lake weather station. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 15. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on May 10, 2016 and presented the committee's recommendations.

ITEM 16. LAND TREATMENT PROGRAM COST SHARE PAYMENTS.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District

approve payment of \$54,838.63 for eleven completed NSWCP Land Treatment applications as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 17. PROJECT PRIORITY LIST.

The Committee reviewed the list of potential projects. DeBuhr reported that Wergin updated the estimated cost for some of the projects based on past cost estimates and inflation. The priority list has not been updated since August of 2013. DeBuhr explained that the next large project on the current list is construction of recreation facilities at Oxbow Trails. Design of this project could occur during FY16-17 with potential construction beginning in the fall of 2017. In addition to this project list, the staff feels that the District's public recreation facilities and several other structures the District is responsible for, are in need of repairs. The staff will prepare cost estimates and a list of those needs to the committee for possible completion during FY16-17.

It was moved by Dickinson and seconded by Roesler that the Upper Big Blue Natural Resources direct the Staff to work on potential projects and activities based on the following priority list.

Projects Priority List	Estimated Cost
Beaver Crossing - Flood Routing	Staff Time
Pioneer Trails Recreation Area - Northeast Area	Not Available
Oxbow Trails Recreation Area	\$844,000
Kezan Creek Dam	\$11,250,310
Seward Trail Extension	\$1,150,000
Wergin Dam	\$120,000
Aurora Trail Extension	Not Available
Struebing Reservoir protection	Not Available

It was moved by Bruns and seconded by Luebbe to amend the motion to insert Smith Creek into the project priority list below Pioneer Trails as number three on the list. The amendment carried.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

The question was called on the original motion as amended. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 18. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on May 12, 2016 and presented the committee's recommendations.

ITEM 19. CONSTRUCTION LOAN PAYOFF.

The construction loan from Cornerstone Bank for the NRD Headquarters facility matured on May 16, 2016. Principal of \$3,150,000 will be rolled into the long term loan. Interest on the construction loan will be amortized on May 13, 2016. Final interest amount will be \$21,874.63. The Building Committee recommended that David Eigenberg, General Manager be given the authority to make payment on May 13, 2016 to Cornerstone Bank for interest on the construction loan.

It was moved by Eberle and seconded by Rich to authorize David Eigenberg, General Manager, to cause to make payment to Cornerstone Bank for interest on construction loan. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 20. EXECUTE LONG TERM LOAN.

The construction loan from Cornerstone Bank for the NRD Headquarters facility matured on May 16, 2016. Long term loan origination is required for the construction loan to be rolled into a long term note. Documentation has been received from Cornerstone Bank. The Building Committee recommended that the Chairman, Lynn Yates, and David Eigenberg, General Manager, be authorized to sign the necessary documents to execute the long term loan.

It was moved by Eberle and seconded by Houdersheldt to authorize Lynn Yates, Chairman, and David Eigenberg, General Manager, to sign the necessary documents for the Cornerstone Long Term Loan on the new NRD facility. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer

NAY: None

NOT VOTING: Yates

NOT PRESENT: Moore

ITEM 21. PAYMENT REQUEST FROM WAGNER DECORATING.

An invoice of \$6,735 for the purchase and installation of window treatments has been received from Wagner Decorating. Blinds have been installed on windows in the board room, two conference rooms, break room and six offices. The blinds are a flat roller style. In the offices the blinds will filter light, allowing some to come through, while the blinds proposed in the board room and two conference

rooms will block all light.

It was moved by Eberle and seconded by Dickinson to make payment of \$6,735 to Wagner Decorating for the new office window blinds. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 22. PENDING CHANGE ORDERS.

The Board was updated on the pending change order items listed below.

Flag pole purchase and installation	\$ 4,068.41
Additional landscaping (entry sign and flag pole site)	\$ 1,249.85
Exhaust hood and fan (water lab)	\$ 2,782.19
Replace breakroom door handle	\$ 232.77
Underground downspout pipe purchase and installation	\$ 4,500.00
Total	\$12,833.22

It was moved by Eberle and seconded by Rich to approve change orders of \$12,833.22 on the contract for the new NRD Headquarters. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 23. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on May 12, 2016 and presented the committee's recommendations.

ITEM 24. BURKE SCHOLARSHIP SELECTION.

Three applications have been received for the Burke Scholarship. Snell recommended that Alex Lohrmeyer of Aurora and Jacob Tejral of Pleasant Dale each be awarded a \$2,000 scholarship and that Ian McDongall of York be named as an alternate.

It was moved by Miller and seconded by Houdersheldt to award a \$2,000 scholarship to Alex Lohrmeyer of Aurora; a \$2,000 scholarship to Jacob Tejral of Pleasant Dale; and to further name Ian McDongall as the alternate.

Snell told the board that Jacob Tejral does in fact live just outside of our District. Snell thought Tejral was living in the dorms at Milford, but he actually lives just a mile or so outside of Pleasant Dale. While Pleasant Dale itself is in our District, Tejral's actual residence is not. Snell didn't discover this until the

day after the committee met and acted upon his recommendation. He said it was up to the board whether or not they wanted to make an exception and award a scholarship to someone living outside of our district. He also advised the board that Ian McDongall, the proposed alternate, did not fully complete the scholarship application because he failed to include the letters of recommendation.

Houdersheldt said he didn't want to open the scholarship up to applicants living outside of our district, even if by only a few miles.

It was moved by Houdersheldt and seconded by Miller to amend the motion to strike the language "a \$2,000 scholarship to Jacob Tejral of Pleasant Dale; and to further name Ian McDongall as the alternate." The amendment carried.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Rich, Roesler, Stahly, Volkmer, Yates
NAY: Dickinson, Nuss, Robotham
NOT PRESENT: Moore

The question was called on the motion as amended to read "To award a \$2,000 scholarship to Alex Lohrmeyer of Aurora." The motion carried.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Moore

ITEM 25. WEBSITE UPDATE AND DEVELOPMENT.

Will Hays of UNANIMOUS made a presentation to the Executive Committee on developing a revised website for the Upper Big Blue NRD. Presentation focused on new technologies and analytical capabilities of a new site. Development cost for the website was quoted at \$9,500 for initial development with a \$1,200 annual maintenance and hosting fee.

It was moved by Miller and seconded by Houdersheldt to approve entering into an agreement with UNANIMOUS for developing and hosting a new website for UBBNRD at a one-time cost of \$9,500 for development and \$1,200 annual hosting fee. The cost of development is to be paid from the FY16 Budget.

Miller asked if our contract with UNANIMOUS guaranteed the \$1,200 annual hosting fee for a set number of years. Snell responded that the contract was on a year to year basis. Miller requested that Snell ask UNANIMOUS to include language limiting the amount the annual hosting fee can increase from year to year.

The question was called on the motion. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 26. REQUESTED AMENDMENT TO PERSONNEL POLICY NO. 43: UNIFORM POLICY.

Proposed changes were presented for Committee consideration to the UBBNRD Uniform Policy. Changes include a definition of business casual dress, increased uniform financial allowance, increased uniform replacement costs and new special recognition "Support the Cause" program. Committee discussion concentrated on employee's out-of-pocket cost to be compliant with the uniform policy. Eigenberg recommended the onetime uniform allowance increase from \$150 to \$200, that annual replacement reimbursement increase from \$40 to \$75 for office staff and \$65 to \$100 for field staff.

Members of the committee questioned whether the uniform allowance was sufficient given the cost of shirts. The committee recommendation was to approve the proposed changes to Policy No. 43 including increasing the onetime initial uniform allowance from \$150 to \$250, that annual replacement reimbursement increase from \$40 to \$100 for office oriented staff and from \$65 to \$150 for field staff.

It was moved by Miller and seconded by Dickinson to approve proposed changes to Policy No. 43 including increasing the onetime initial uniform allowance from \$150 to \$250, that annual replacement reimbursement increase from \$40 to \$100 for office oriented staff and \$65 to \$150 for field staff. The motion was approved. A copy of the policy is attached.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Nuss, Rich, Stahly
NAY: Robotham, Roesler, Volkmer, Yates
NOT VOTING: Luebbe
NOT PRESENT: Moore

ITEM 27. FY 17 POSITIONS, SALARIES AND WAGES.

Current workload of the Water Department was discussed. Eigenberg requested that two additional positions be created in the Water Department. The request was for a Water Resources Technician with a salary range of \$30,000 - \$40,000 plus benefits and a Water Data Assistant with a salary range of \$27,000 - \$37,000 plus benefits.

Estimated Cost of Added Positions:
Salaries = \$68,000
Payroll Taxes = 7.65%
Employees' Benefits = 25.1%
Cost of Benefits = \$22,440
Total Cost = \$90,440

It was moved by Miller and seconded by Houdersheldt to create two additional Water Department positions; 1 Water Resources Technician and 1 Water Data Assistant. Hiring process to be contingent upon FY17 budgetary consideration.

The board asked questions about what duties these positions would have. Concern was expressed about the additional costs over and above salaries and benefits, such as additional vehicles, ATVs and computers. There was confusion about the Water Resources Technician position. Eigenberg clarified

that we are currently interviewing for a Water Resources Technician to fill the position vacated by Marie Krausnick when she was promoted to Water Department Manager. This request is for an additional Water Resources Technician and a Water Data Assistant to work under the Water Data Specialist. The hope is to bring a Water Data Assistant onboard to train as a possible successor to Nancy Beach when she retires. Luebbe suggested we wait until a future year to add the Water Data Assistant.

The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Miller, Nuss, Robotham, Stahly, Yates

NAY: Dickinson, Kuehner, Luebbe, Rich, Roesler, Volkmer

NOT PRESENT: Moore

FY17 salaries and wages of the employees were discussed with the committee. Eigenberg proposed that the board authorize \$38,397 for salary increases for the staff, for an average change for each employee of 3.46%.

It was moved by Miller and seconded by Eberle to adjust the annual salaries of the district staff, with the exception of the General Manager, by an amount not to exceed \$38,397, and to authorize the General Manager to determine and make the salary and wage adjustments, in accordance with the Operating Policy. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Nuss, Rich, Robotham, Stahly, Yates

NAY: Roesler, Volkmer

NOT VOTING: Luebbe

NOT PRESENT: Moore

ITEM 28. TRAVEL EXPENSE APPROVAL FOR GMDA.

The Committee reviewed a payment request from Linda Luebbe for airfare expense for attending the GMDA meeting in Yakima, Washington.

It was moved by Miller and seconded by Austin to approve payment of \$812.20 to Linda Luebbe for airfare expense for travel to attend GMDA occurring between June 29, 2016 to July 1, 2016. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Luebbe

NOT PRESENT: Moore

ITEM 29. FINANCIAL REPORT APRIL 1 - 30, 2016 AND CONSIDERATION OF EXPENDITURES FOR APRIL 2016.

Eigenberg reviewed the financial report for the period April 1, 2016 to April 30, 2016 that was distributed. It was moved by Houdersheldt and seconded by Rich to accept the financial report for April

2016 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

There being no other business the chairman adjourned the meeting at 9:20 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held May 19, 2016, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

Attachment

BOARD OF DIRECTORS MEETING

June 16, 2016

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, June 16, 2016 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Yvonne Austin, Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Rita Hoblyn, Ken Feather, Jack Wergin, Scott Snell, Marie Krausnick, Nancy Beach, Seward County Commissioner Gene Gausman, Eric Melcher and Adam Darbro with City of Aurora, Steve Moseley of the York News-Times and Josh Bowers of NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on June 9, 2016 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call. Roesler arrived at 7:35 p.m.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Dickinson and seconded by Rich to adopt the consent agenda. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Roesler

TEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Rich to approve the agenda for the June 16, 2016 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Roesler

ITEM 7. *APPROVAL OF MINUTES OF THE MAY 19, 2016 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Rich to approve the minutes of the May 19, 2016 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Roesler

ITEM 8. STAFF RECOGNITION.

Nancy Beach, Water Data Specialist, was recognized for 10 years of service to the District. Chairman Yates presented her with an engraved desk plaque.

ITEM 9. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met June 7, 2016 and presented the committee's recommendations.

ITEM 10. MUNICIPAL WATER SYSTEM ASSISTANCE PROGRAM.

Invitations to attend the June Water and Regulations Committee meeting were sent to the six communities who filed applications for the Municipal Water System Assistance Program. The Villages of Polk and Benedict respectfully withdrew their applications. Both communities have found funding elsewhere. Those present were: The City of Aurora, City of Hastings, City of Milford, and City of Seward. Each community gave a ten-minute presentation on the application. After the presentations, the Committee discussed and voted on each application.

The Committee forwarded recommendations to the board to fund the applications from the City of Aurora and City of Seward. They did not recommend funding applications from the City of Hastings and City of Milford.

It was moved by Eberle and seconded by Miller to approve the application for the City of Aurora for the construction of a new municipal well, well house, and transmission line up to \$50,000.00.

Austin asked whether or not the City of Aurora has a Wellhead Protection Plan approved by the Nebraska Department of Environmental Quality (NDEQ) and if they have submitted a copy of the plan. Yates stated that the District received a letter from NDEQ on behalf of the City of Aurora stating that a draft WHPA plan has been received and is now subject to a 30-day public comment period beginning June 15, 2016. Following the public comment period, it is expected that Aurora will approve the plan at the City Council meeting on July 26, 2016 and submit it to NDEQ. NDEQ has 90 days following submission of the plan to either approve or disapprove the plan, but because the City of Aurora has been working with NDEQ for several months on the draft plan it is expected to be approved fairly quickly.

There was discussion about whether or not this application should have been accepted since it does not meet the eligibility requirements of the Municipal Water System Assistance Program that was adopted in July of 2015 and revised September 2015 which states that the community must have an approved Wellhead Protection Area Plan.

DeBuhr has drafted an interlocal agreement between the NRD and City of Aurora, in the event the board approves their application, which states that no payment will be made under this agreement unless there is an adopted WHPA Plan and a copy is provided to the District.

There was lengthy discussion regarding the application process, the timeline for receiving applications, and how to budget for funding of projects under the Municipal Water System Assistance Program. DeBuhr advised the board that they might want to look at making changes to the program at a future date.

Houdersheldt felt that the City of Milford application should be reconsidered since it was not advanced by the Water and Regulations Committee because they did not have a WHPA Plan.

Following further discussion, the question was called and the motion was approved.

AYE: Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Yates

NAY: Austin, Bethune, Houdersheldt, Roesler, Stahly, Volkmer

It was moved by Eberle and seconded by Rich to approve the application for the City of Seward for the replacement membranes for their RO treatment plant up to \$37,475.00. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

There was discussion regarding the parliamentary procedure for bringing the City of Milford's Municipal Water System Assistance Program application before the board for discussion and possible action. It failed to advance from committee.

It was moved by Houdersheldt and seconded by Nuss to reconsider the motion regarding the City of Milford's application under the Municipal Water System Assistance Program. The motion failed.

AYE: Houdersheldt, Nuss, Robotham, Stahly
NAY: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Rich, Roesler, Volkmer, Yates

ITEM 11. ARGONNE NATIONAL LABORATORY MONITORING WELL CONTRACT.

A contract has been received for the construction of a nested monitoring well on the SW corner of the new NRD office site. The NRD office site is of particular interest as it borders both the EPA Superfund plume and the USDA plume. The drill rig has completed construction of eight monitoring sites to date. Our site would be the last to construct. If the drill rig leaves York it will not be scheduled to come back. The NDEQ, Argonne National Laboratory, and USDA are asking that the nested monitor well be constructed before the final vote at the June Board of Director's meeting.

It was moved by Eberle and seconded by Bruns to allow Eigenberg to enter into an agreement with the USDA for the construction of a nested monitoring well site in the SW corner of the new NRD office site. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 12. FLOWMETER REPAIR COST SHARE.

Eighteen flowmeter cost share applications have been received and inspected by the District staff totaling \$5,685.87. The cost share total is \$2,456.15.

It was moved by Eberle and seconded by Luebbe to pay eighteen flowmeter cost share applications totaling \$2,456.15. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 13. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 56 parcels totaling 4,982.87 acres, yielding a net increase in irrigated acres of 363.87 acres. This brings the total irrigated acres as of June 1 to 1,233,389.82.

It was moved by Eberle and seconded by Bruns to certify the irrigated acres changes as presented to the Board. The motion was approved.

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AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss,
Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 14. PAYMENT TO CLEMENTS ASSOCIATES, INC. FOR RESALE EQUIPMENT.

Two invoices were received for soil probes from Clements Associates, Inc. The first totals \$5,882.14 for 12 backsaver probes and consultant tubes. The second totals \$4,292.10 for 20 conventional soil probes, extensions, and consultant tubes.

It was moved by Eberle and seconded by Luebbe to pay Clements Associates, Inc. for two invoices totaling \$10,114.24 for backsaver probes, conventional soil probes, extensions, and consultant tubes.
The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss,
Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 15. PAYMENT TO DELMHORST INSTRUMENT CO. FOR RESALE EQUIPMENT.

An invoice totaling \$7,938.46 for the purchase of 950 gypsum blocks has been received.

It was moved by Eberle and seconded by Rich to pay Delmhorst Instrument Co. \$7,938.46 for the purchase of 950 gypsum blocks for resale. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss,
Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 16. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on June 7, 2016 and presented the committee's recommendations.

ITEM 17. LAND TREATMENT PROGRAM COST SHARE PAYMENTS.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District make payment of \$45,349.48 for eleven (11) completed NRD Land Treatment applications as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss,
Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 18. *NEBRASKA BUFFER STRIP PAYMENTS.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District make payment of \$13,510.19 for ten (10) Nebraska Buffer Strip Program contracts as recommended by staff and reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Roesler

ITEM 19. CORNERS FOR WILDLIFE PAYMENTS.

Three Corners for Wildlife sites are pivot corners, or portions of pivot corners, that have been developed for wildlife habitat. These payments are being made with funds from the Environmental Trust through the Pheasants Forever Chapters.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District make payment of \$870.00 to Eunice O'Donnell for the development of two pivot corners pertaining to the Corners for Wildlife Program, and make payment of \$262.50 to Dale Nunns for development of one pivot corner as reviewed by the Projects and Programs Committee, for a total of \$1,132.50. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 20. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on June 9, 2016 and presented the committee's recommendations.

ITEM 21. SALE OF UPPER BIG BLUE NRD PROPERTY.

The Building Committee was updated on potential interest in purchasing the Upper Big Blue NRD office facility located at 105 North Lincoln Avenue, York, Nebraska by Ross Ronne, realtor agent with Norm Green Reality. No firm offers have been received to date for the purchase of the property. Discussion was held on selling strategies that could accelerate the sale. Another focus of the discussion was the selling of the storage facility located at 115 West 2nd Street York, Nebraska. Marketing alternatives for selling the property included a sealed bid option, combining the two properties together and placing them on the market through a realtor or holding a public auction.

It was moved by Eberle and seconded by Rich to request a proposal/contract from Norm Green Reality, Ross Ronne agent, for the deposition of the storage facility located at 115 West 2nd Street York, Nebraska through public auction. Selling terms, commission rate, timeline, and reserve price to be included in this proposal.

Eigenberg advised the board that Ross Ronne of Norm Green Realty has provided an auction agreement outlining the terms of the sale of the NRD storage building located at 115 West 2nd Street. The proposed auction date would be Tuesday, July 26, 2016 at 6:02 p.m. The commission would be 4% of the sale price. The District would be responsible for advertising costs not to exceed \$1,200. The property would sell subject to a confirmation of the sale price and the property would sell as is. What has not been set is the reserve sales price for the storage building. There was some discussion about whether or not the District should place the building up for auction or list it for sale.

It was moved by Houdersheldt and seconded by Miller that the Board go into closed session at 8:40 p.m. to negotiate the terms and sale price for the NRD storage building located at 115 West 2nd Street, York, Nebraska. The motion was approved.

AYE: Austin, Bethune, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Rich, Roesler, Stahly, Yates

NAY: Bruns, Miller, Nuss, Robotham

NOT VOTING: Volkmer

It was moved by Miller and seconded by Moore to return to open session at 8:50 p.m. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

Houdersheldt amended the motion to add "Further, to authorize the staff to enter into the contract with Norm Green Realty and to set the reserve sale price and to authorize the General Manager to sign the real estate auction agreement. The amendment carried.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

The question was called on the original motion as amended. The motion carried.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 22. NEW NRD HEADQUARTERS FACILITY CONSTRUCTION REPORT.

Ayars & Ayars continue to work through the punch list of minor unfinished tasks. New items are added to the list as they are identified. Functionality of the facility is improving daily.

ITEM 23. CONTRACT PAYMENT TO AYARS & AYARS, INC.

Payment request #18 is for \$6,924.71 from Ayars & Ayars for work completed on the new NRD Headquarters Facility for items completed through May 31, 2016.

Original Contract	\$4,484,673.00	
Net change by Orders	\$48,709.79	1.0%
Total Contract	\$4,533,382.79	
Previous Months Payment	\$0.00	
Current Payment	\$6,924.71	
Total Payments	\$4,417,559.62	97.5%
Contract Balance	\$115,823.17	2.5%

It was moved by Eberle and seconded by Dickinson to approve payment of \$6,924.71 for items completed through May 31, 2016 on the contract for the new NRD Headquarters Facility, to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM24. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on June 9, 2016 and presented the committee's recommendations.

ITEM 25. PAYMENT REQUEST FROM BROWN & CALDWELL.

An invoice for \$1,984.75 was received from Brown & Caldwell for consulting services provided between January 1, 2016 through April 28, 2016. Work conducted was to provide feedback on the NDNR review on the Upper Big Blue NRD Groundwater Model.

It was moved by Miller and seconded by Stahly to make payment of \$1,984.75 to Brown and Caldwell for services provided to review the Upper Big Blue NRD Groundwater Model. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 26. BROWN & CALDWELL TASK ORDER 01.

Staff reported on the meeting held on May 27, 2016 at NDNR. The propose of the meeting was to discuss the findings of the NDNR review of the Upper Big Blue NRD Sub-Regional Groundwater Flow Model. Two main issues were raised by NDNR on the model regarding pumping rates and recharge rates, and identifying a preferred approach to address these concerns. Brown and Caldwell have submitted a Task Order 01. In this scope of work, Brown and Caldwell propose an investigative approach to address NDNR concerns and included a cost estimate to perform the work. Deliverables of

this proposal include a summary of findings and recommendation for addressing issues, revised Sub-Regional Model files and an addendum to Sub-Regional Model Report.

It was moved by Miller and seconded by Austin to enter into the agreement of Task Order 01 with Brown and Caldwell to perform investigative analysis of the Upper Big Blue NRD Sub-Regional groundwater flow model at a cost not to exceed \$18,392. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 27. INTEGRATED MANAGEMENT PLAN.

DeBuhr reviewed the procedure for creating an Integrated Management Plan. Staff provided information outlining the phased approach of plan development. Estimated costs and associated timelines were discussed. Staff also stressed that the involvement of the Water Committee in the initial UBBNRD/NDNR planning would benefit the process and would potentially improve interagency communication.

It was moved by Miller and seconded by Moore to instruct the staff to pursue methods to fund and initiate discussion with NDNR concerning the development of a District-wide Integrated Management Plan. And to add \$50,000 under professional services in the FY17 Water Department budget to fund the potential development of an Integrated Management Plan. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Miller, Volkmer

ITEM 28. FY17 LIABILITY, FIRE & CASUALTY INSURANCE.

Staff has been working with Cornerstone Insurance to obtain quotes for the FY17 insurance renewal package. Due to the liability for the district owned dams it has been difficult to get insurers to quote the complete package. We have 1 high hazard dam (Hastings Northwest) and 2 significant hazard dams (Recharge Lake and Oxbow Trails) and 42 low hazard dams that the District owns and maintains.

Cornerstone Insurance and the Harry A. Koch Company worked with Glatfelter, our current insurance company, and EMC to get quotes for the coming fiscal year. EMC handled our insurance for a number of years, until they decided to drop coverage on the dams about four years ago, at which time we obtained insurance through Glatfelter. After going through a lengthy application process with EMC they decided not to give a quote for coverage for FY17.

The renewal quote for the District's insurance package through Glatfelter has been received from Cornerstone Insurance and The Harry Koch Company of Omaha. The quote for insurance for FY2017 is \$60,537. Last year's quote was \$55,685. Workers Compensation is based on actual payroll, so a payroll audit is done at the end of each fiscal year to determine any additional premiums due.

	FY 2016	FY 2017
Liability, Auto, Fire & Casualty	\$59,033	\$53,260
Workers Compensation	\$ 6,372	\$ 7,277
	\$65,405	\$60,537

ITEM 29. PAYMENT REQUEST FROM HARRY A. KOCH CO. – FY 17 INSURANCE PACKAGE.

An invoice for \$60,537 for insurance coverage for FY17 for liability, auto, workmen’s compensation, fire and casualty insurance from Harry A. Koch Co. has been received. Effective date of the policy is 7/1/16.

It was moved by Miller and seconded by X to make payment of \$60,537 to Harry A. Koch Co. for liability, auto, workmen’s compensation, fire and casualty insurance for FY17. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
 NAY: None
 NOT VOTING: Miller

ITEM 30. AUDITOR QUOTES.

Request for proposals to conduct FY16-18 Audits were sent out in April to fifteen accounting firms. Proposals have been received from five firms. The cost of service for last year’s audit was \$3,475.

	FY 16	FY17	FY 18
Romans, Wiemer & Associates	\$ 4,200	\$ 4,450	\$ 4,700
Almquist, Maltzahn, Galloway & Luth	\$ 7,500	\$ 7,650	\$ 7,800
Schulz & Associates, P.C.	\$ 5,775	\$ 6,050	\$ 6,350
HBE Becker Myer Love, LLP	\$18,950	\$19,475	\$20,015
Dana F. Cole & Company	\$ 7,000	\$ 7,175	\$ 7,350

Staff’s recommendation is to accept the proposal from Romans, Wiemer & Associates to conduct the audit for FY16-18.

It was moved by Miller and seconded by Austin to accept the proposal from Romans, Wiemer & Associates to conduct the District’s audit for FY16-18 at the costs quoted in their proposal. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
 NAY: None

ITEM 31. CUSTODIAL SERVICE QUOTES.

Quotes have been received from Hartland Cleaning, (Lincoln), Brite Express, (Bradshaw) and Esther Lee, (York) for custodial service on the first floor of the UBBNRD office facility. Requested service is 3-days per week. Contractors will provide all cleaning supplies. NRD will supply all paper goods and specialty items for urinals.

	MONTHLY
Hartland Cleaning	\$1,170
Brite Express	\$1,800
Esther Lee	\$ 900

The staffs' recommendation is to accept the quote of \$900 per month from Esther Lee to provide cleaning service.

It was moved by Miller and seconded by Austin to accept the quote from Esther Lee and approve monthly payment for custodial services of \$900 per month for cleaning of the first floor of the office building. Esther Lee will supply all cleaning supplies. NRD will supply all paper goods and specialty items for urinals. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 32. FINANCIAL REPORT MAY 1 - 31, 2016 AND CONSIDERATION OF EXPENDITURES FOR MAY 2016.

Eigenberg reviewed the financial report for the period May 1, 2016 to May 31, 2016 that was distributed. It was moved by Houdersheldt and seconded by Volkmer to accept the financial report for May 2016 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

There being no other business the chairman adjourned the meeting at 10:05 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held June 16, 2016, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available

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for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

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BOARD OF DIRECTORS MEETING

July 21, 2016

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, July 21, 2016 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Yvonne Austin, Paul Bethune, Doug Bruns, Doug Dickinson, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Ken Feather, Jack Wergin, Scott Snell, Marie Krausnick, Nancy Beach, and Josh Bowers of NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on July 14, 2016 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call. Roesler arrived at 7:38 p.m.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Gary Eberle and Merlin Volkmer requested that their absences from the July 21, 2016 board meeting be excused.

It was moved by Rich and seconded by Dickinson to excuse the absence of Gary Eberle and Merlin Volkmer from the July 21, 2016 board of directors meeting. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Roesler, Volkmer

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Dickinson and seconded by Rich to adopt the consent agenda. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Roesler, Volkmer

TEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Rich to approve the agenda for the July 21, 2016 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Roesler, Volkmer

ITEM 7. *APPROVAL OF MINUTES OF THE JUNE 16, 2016 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Rich to approve the minutes of the June 16, 2016 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Roesler, Volkmer

ITEM 8. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Water & Regulations Committee met July 12, 2016 and presented the committee's recommendations.

ITEM 9. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Funds have been placed in the FY17 budget to reinstate the AQWACAP program. The program uses a combination of State Water Well Decommissioning Funds and local funds to assist in the decommissioning of irrigation and domestic wells. The original program paid for the materials and labor to decommission at a rate of 60% up to \$500.00 for rotary drilled and \$700.00 for hand dug wells.

It was moved by Rich and seconded by Luebbe to reinstate the AQWACAP program at a rate of 60%, materials and labor, up to \$500.00 for rotary drilled and \$700.00 for hand dug wells pending adoption of the FY17 budget. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Roesler, Volkmer

ITEM 10. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the irrigated acres certification for 43 parcels totaling 3,001.23 acres, yielding a net decrease in irrigated acres of 57.83 acres. This brings the total irrigated acres as of July 1 to 1,233,331.99.

It was moved by Rich and seconded by Stahly to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Roesler, Volkmer

ITEM 11. PAYMENT TO CITY OF HASTINGS – VADOSE ZONE SAMPLING.

The City of Hastings has submitted two invoices for work completed by the University of Nebraska-Lincoln on the city's Vadose Zone Nitrate Study. The District has committed \$50,000.00 to be paid over a two-year period to this project. The total funds requested for year one are \$16,782.90. The remaining \$8,217.10 will carry over to the next fiscal year.

It was moved by Rich and seconded by Moore to pay the City of Hastings \$16,782.90 for year one of the Vadose Zone Nitrate Study. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates

NAY: None

NOT VOTING: Roesler

NOT PRESENT: Eberle, Volkmer

ITEM 12. PAYMENT TO KLEIN SALES & SERVICE FOR RESALE EQUIPMENT.

The District purchased an additional 50 - 3 ft. Watermark Soil Moisture Sensors from Klein Sales & Service for resale. The invoice totals \$1,700.00.

It was moved by Rich and seconded by Luebbe to pay Klein Sales & Service \$1,700.00 for the purchase of 50 - 3 ft. Watermark Soil Moisture Sensors for resale. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 13. EROSION AND SEDIMENT REGULATIONS.

DeBuhr presented draft Rule 8 – Erosion and Sediment Control Program. The text of these regulations were prepared by the NDNR and approved by the Natural Resources Commission. DeBuhr reformatted

them to make them consistent with the rest of the District's regulations. These regulations would replace the District's existing Rule 8. In 2014, the Legislature revised the statutes which eliminated the mandatory cost-share requirements. The regulation procedures are structured similarly to the irrigation runoff regulations that the NRDs have enforced for 35 years. DeBuhr recommended that the Board approve the revised Rule 8 for the purpose of conducting a public hearing at the August 18, 2016 Board of Directors meeting.

It was moved by Rich and seconded by Robotham to approve the revised Rule 8 for the purpose of conducting a public hearing to be held on August 18, 2016. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 14. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on July 12, 2016 and presented the committee's recommendations.

ITEM 15. MILLER FLOWERDAY ROAD DAM.

Dave Pankoke of Seward County gave some history on the Miller Flowerday Road Dam located one (1) mile north of Beaver Crossing. Nebraska Department of Natural Resources suggested that the dam be breached due to the deteriorating outlet and riser. The Dam has been breached and Seward County was planning to install a 72-inch culvert. The County, the Village of Beaver Crossing, and some of the adjacent landowners are interested in rebuilding the dam, but chose the culvert option due to the costs involved in rebuilding the dam. The dam does provide flood protection, but is classified as a significant hazard dam because failure could result in severe downstream flooding, damage to roads, and shallow flooding of at least two homes in Beaver Crossing.

It was moved by Dickinson and seconded by Robotham that the engineering staff of the Projects Department explore options for rebuilding the dam, including funding issues and looking at possibly relocating the dam, and working with Seward County and Beaver Crossing. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 16. LAND TREATMENT PROGRAM COST SHARE PAYMENTS.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District make payment of \$41,417.24 for sixteen (16) completed NRD Land Treatment applications, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT VOTING: Houdersheldt

NOT PRESENT: Eberle, Volkmer

ITEM 17. PRIVATE DAMS PROGRAM.

The District has received five (5) signed applications for rebuilding dams under the District's Private Dams Program. The Natural Resources Conservation Service believes these five applications will qualify for a Corps of Engineers nationwide permit. Another application (not included in the five) is for a larger dam that will likely need a permit. Another landowner has asked to utilize two years of funding assistance in one year and not be eligible for funding the following year. This is for a larger dam that reaches the maximum cost share of \$50,000. Staff suggested that the landowner make the request in person to the Projects and Programs Committee.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District approve the five Private Dams Program applications received for a total of \$144,000 as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Yates

NAY: None

NOT VOTING: Rich, Roesler

NOT PRESENT: Eberle, Volkmer

ITEM 18. WATERSHED PLAN.

On June 28, 2016, staff met with Carla McClough and Marty Link of the Nebraska Department of Environmental Quality to discuss the development of an NRD wide Watershed Management Plan. Funds are available for cost sharing the plan development. Federal funds would provide 60% of costs for developing the plan. Planning funds are limited and may not be available in the future. Process includes development of a Project Implementation Plan (PIP), which is approved by NDEQ and EPA. The PIP can be used to get quotes from consultants for the Watershed Plan. Planning process takes approximately 18 months and usually involves 2-4 public meetings. NRD wide plans estimated costs range from \$140,000 to \$250,000. Agencies must have a Watershed Plan in order to compete for 319 grant funds for projects.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District begin the process of developing a Watershed Management Plan. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly

NAY: Miller, Yates

NOT PRESENT: Eberle, Volkmer

ITEM 19. PIONEER TRAILS RECREATION AREA – CLEAN UP OF NORTHEAST AREA.

Staff solicited a bid from Mid Nebraska Land Developers for cleanup of the northeast area of Pioneer Trails Recreation Area. Work includes removal of all remaining buildings and foundations, removal of trees, rubble, concrete, sewer tank, and poles. If needed, a contractor will bring fill to fill excavated areas. All trees and rubble will be removed from site. Area will be re-graded and sloped.

It was moved by Dickinson and seconded by Miller that the Upper Big Blue Natural Resources District accept the bid of \$18,300 from Mid Nebraska Land Developers to remove buildings, foundations, trees, tanks, rubble, poles, and re-grade and slope the northeast area of the Pioneer Trails Recreation Area. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 20. PIONEER TRAILS RECREATION AREA – FENCING OF NORTHEAST AREA.

Staff solicited a bid from Beaver Creek Fencing to install barbed wire fence along county road on the north edge of the property and along the west property line (between removed residence and current residence). Committee recommended leaving existing entrance from the north county road for future development of area. Fencing will be installed to block driveway, but road entrance would remain.

It was moved by Dickinson and seconded by Miller that the Upper Big Blue Natural Resources District accept the bid of \$2,072.50 from Beaver Creek Fencing for installation of fence along the north county road and west between property lines at the northeast area of the Pioneer Trails Recreation Area. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 21. PAYMENT TO NEBRASKA ASSOCIATION OF RESOURCES DISTRICT FOR TREES.

The District purchased 19,525 trees and shrubs from the Nebraska Association of Resources District for the planting of farmstead windbreaks, wildlife plantings, field windbreaks, timber plantings, and riparian plantings at a cost of \$12,599.90. Total cost includes tree and shrub materials, wood chips, plastic liners, and shipping.

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District make payment of \$12,599.90 for the purchase of 19,525 trees and shrubs as reviewed by the Projects and Programs Committee. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 22. BUILDING COMMITTEE REPORT.

Rich reported that the Building Committee met on July 19, 2016 and presented the committee's recommendations.

ITEM 23. AYARS & AYARS CONTRACT PAYMENT.

Payment request #19 is for \$62,065.73 from Ayars & Ayars for work completed on the new NRD Headquarters Facility through June 30, 2016.

Original Contract	\$4,484,673.00	
Change Orders	\$48,709.79	1%
Total Contract	\$4,533,382.79	
Previous Month's Payments	\$0.00	
Current Payment	\$62,065.73	
Total Payments	\$4,417,559.62	99%
Contract Balance	\$53,757.44	1%

It was moved by Rich and seconded by Dickinson to approve payment of \$62,065.73 for items completed through June 30, 2016, on the contract for the new NRD Headquarters Facility to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 24. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on July 19, 2016 and presented the committee's recommendations.

ITEM 25. *SECOND QUARTER DIRECTORS' PER DIEM & EXPENSES.

The Executive Committee reviewed the directors' per diem and expenses for this past quarter. Totals for the second quarter directors' per diem are \$10,360.00 and expenses are \$3,551.26. Individual expense vouchers were available for review.

It was moved by Dickinson and seconded by Rich to approve payment of second quarter directors' per diem of \$10,360.00 and expenses of \$3,551.26. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Roesler, Volkmer

ITEM 26. SALARIES REIMBURSEMENT – LITTLE BLUE NRD.

A bill totaling \$11,701.15 was received for salaries for the Adams County and Clay County NRCS Clerk from the Little Blue NRD for the past fiscal year.

It was moved by Miller and seconded by Nuss to approve payment of \$11,701.15 to the Little Blue NRD for NRCS staff salaries at Adams and Clay Counties for FY 2016. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 27. NET PLATTE RIVER TIME LAPSE VIDEO PROJECT.

A request has been received from NARD to assist in funding a comprehensive educational effort that would be delivered via the web on the Platte Basin Time Lapse Website. The proposed project's educational materials would be available to teachers, students and the general public. Material would include time-lapse images and videos; interviews with researchers and subject matter experts; information on the Platte's diverse ecosystems; maps and related graphics, and links to other relevant sites and resources. The NARD Board has approved up to \$2,000/year for the next three years as a portion of the total cost. Remaining cost would be divided with districts that are willing to participate on the project. An estimated contribution of \$2,000 per interested NRD has been requested. This would be the first year of a multi-year commitment to this project.

Eigenberg and Snell recommend that we not participate in this request. Although the educational material would be available for local use, the focus of the project is on the ecosystems of the Platte River. The images and videos produced may not directly relate to the diversity in the Blue River Basin.

It was moved by Miller and seconded by Luebbe that the Upper Big Blue NRD not participate in the current NARD funding request for the NET Platte River Time Lapse Video Project. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Volkmer

ITEM 28. FISCAL YEAR 2017 BUDGET.

The final draft of the FY 2017 Budget was presented to the Board. Total tax asking for FY 2017 is down 2.19% as compared to the FY 2016 budget. Eigenberg provided a brief presentation outlining the budgeting process and rationale behind the proposed budget.

Eigenberg reviewed the lid calculations with the board and the District is in compliance with the tax lid. He recommended that the board approve the additional 1% restricted funds authority. Three-fourths majority of the Board is required for approval.

It was moved by Miller and seconded by Dickinson to approve an increase in the total budgeted restricted funds authority by an additional 1%. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Volkmer

It was moved by Miller and seconded by Houdersheldt that the Board approve the FY 2017 Budget for the purpose of public hearing. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Miller

NOT PRESENT: Eberle, Volkmer

The dates for two public hearings need to be set so that the proper public notices can be published. In the past, public hearings have coincided with August and September Board meetings. Action will be needed by the board to schedule the FY 2017 Budget Hearing for 7:30 p.m., Thursday, August 18, 2016, and the Special Public Hearing for the FY 2017 Tax Request for 7:30 p.m.

It was moved by Miller and seconded by Moore to schedule the FY 2017 Budget Hearing for 7:30 p.m., Thursday, August 18, 2016 and the Special Public Hearing for the FY 2017 Tax Request for 7:30 p.m., Thursday, September 15, 2016. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Volkmer

It was moved by Houdersheldt and seconded by Miller to reassign the proposed transfer of \$200,000 for future projects to the Kezan Creek Project. The motion was approved.

AYE: Austin, Bethune, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly

NAY: Bruns, Dickinson, Kuehner, Luebbe, Yates

NOT PRESENT: Eberle, Volkmer

ITEM 29. FINANCIAL REPORT JUNE 1 - 30, 2016 AND CONSIDERATION OF EXPENDITURES FOR JUNE 2016.

Eigenberg reviewed the financial report for the period June 1, 2016 to June 30, 2016 that was distributed. It was moved by Houdersheldt and seconded by Dickinson to accept the financial report for

June 2016 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Eberle, Volkmer

There being no other business the chairman adjourned the meeting at 9:07 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held July 21, 2016, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

:ndb

BOARD OF DIRECTORS MEETING
FY 17 BUDGET HEARING
RULE 8 EROSION & SEDIMENT CONTROL PROGRAM HEARING
August 18, 2016

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 18, 2016 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Yvonne Austin, Paul Bethune, Doug Bruns, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Ken Feather, Jack Wergin, Scott Snell, Marie Krausnick, Nancy Beach, Josh Bowers and Grant Jackson of NRCS, Brian Dunnigan of Olsson Associates, J.D. Simmons of Nebraska VR, and Steve Moseley of the York News-Times.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on August 11, 2016 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Doug Dickinson requested that his absence from the August 18, 2016 board meeting be excused.

It was moved by Houdersheldt and seconded by Luebbe to excuse the absence of Dickinson from the August 18, 2016 board of directors meeting. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Stahly and seconded by Rich to adopt the consent agenda. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

TEM 6. *ADOPTION OF AGENDA.

It was moved by Stahly and seconded by Rich to approve the agenda for the August 18, 2016 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 7. *APPROVAL OF MINUTES OF THE JULY 21, 2016 BOARD OF DIRECTORS MEETING.

It was moved by Stahly and seconded by Rich to approve the minutes of the July 21, 2016 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 8. FISCAL YEAR 2017 BUDGET HEARING.

Chairman Yates opened the FY 2017 Budget Hearing at 7:37 p.m. He stated for the record that the Notice of Budget Hearing and Budget Summary was published in the York News-Times on July 29, 2016. He turned the floor over to General Manager, David Eigenberg, who reviewed the proposed FY 2017 Budget. Eigenberg stated that the budget being presented to the board was unchanged from the draft that they reviewed in July and approved for purpose of this public hearing, with the exception that it does not show a total valuation figure for FY 17. Last month the document showed the prior year's valuations and this caused some confusion. The County Assessors have until August 20 to certify the valuations. Once received these figures will be entered into the budget document to calculate the levy that will need to be set at the September 15, 2016 Tax Request Hearing. Eigenberg reviewed the property tax request totaling \$3,820,336.64, which is a reduction of 2.19% from last year's request. He went over the lid exceptions and the unused restricted funds authority for FY 17 which is \$468,400.15. He also reviewed the department budget spreadsheets and the list of interlocal agreements. Chairman

Yates asked if there were any questions about the proposed FY 17 Budget. There were none. He closed the hearing at 7:39 p.m.

ITEM 9. ADOPTION OF FY 2017 BUDGET.

It was moved by Houdersheldt and seconded by Rich to adopt the FY 2017 Budget as presented. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Miller, Volkmer

NOT PRESENT: Dickinson

ITEM 10. RULE 8 - SEDIMENT & EROSION CONTROL PROGRAM PUBLIC HEARING.

Chairman Yates opened the Public Hearing on Rule 8 - Upper Big Blue Natural Resources District Erosion and Sediment Control Program Rules and Regulations at 7:41 p.m. Notice of this public hearing was published in the York News-Times on July 26, August 2 and August 9, 2016. [Exhibit #1.] He turned the floor over to Assistant Manager, Rod DeBuhr, to review the proposed changes to Rule 8.

DeBuhr:

Okay, Nancy has the document that public notice was published three consecutive weeks for this hearing. Everyone should have in front of them a copy of the final draft. [Exhibit 2.] I'm not going to read it to you, but I do have some highlights I want to go over with you just to make sure everyone understands what's going on. First the Sediment and Erosion Control Act was amended by the Legislature in 2014. As a result of that the Natural Resources Commission staff drafted new rules and regulations to guide the Districts and the Commission approved them back in July I believe, no June of this past year. These basically are those regulations. They've been reformatted to fit our format for all of our regulations, but they are essentially the same document that the commission adopted.

The purpose of these rules and regulations is to provide an orderly method for implementing the Erosion and Sediment Control Act. To reduce damages caused from wind erosion, reduce storm water runoff and the danger of flooding, reduce sediment damage to lands within the District, reduce non-point pollution from sedimentation and related pollutants, preserve the value of land and its productive capability for present and future generations, and safeguard the health, safety and welfare of the District's citizens.

For the purpose of these rules sediment damage means the economic or physical damage to the land or other property of one person resulting from the deposition of sediment, by water or wind, or soil eroded from the lands of another person or the degradation of water quality and/or the reduced beneficial use of the water in the stream or lake involved resulting from soil sedimentation or the deposition of chemical laden sediments.

A violation of these rules and regulations exists if: sediment damage is occurring and average annual soil losses on the land which is the source of that sediment are exceeding the soil-loss tolerance level and

the activity causing the soil loss is not an exempted non-agricultural land-disturbing activity (Chapter 4, ¶ 09.02 through ¶ 09.05) and the land which is the source of the damage is not in strict compliance with a conservation agreement approved by the District.

Exempt activities include; installation of aboveground public utility lines and connections, fence posts, sign posts, telephone poles, electric poles, and other kinds of posts or poles; emergency work to protect life or property; and activities related to the construction of housing, industrial, and commercial developments on sites under two acres in size; and activities related to the operation, construction, or maintenance of industrial or commercial public power district or public power and irrigation district facilities.

Complaints may be filed by any owner or operator of land damaged by sediment, any authorized representative of a state agency or political subdivision whose roads or other public facilities are being damaged by sediment; any authorized representative of a state agency or political subdivision with responsibility for water quality maintenance, if it is alleged that the soil erosion complained of is adversely affecting water quality or any District staff member, or other person authorized by this Board to file complaints.

Investigations and compliance. Upon receipt of a complaint, a representative of the District shall notify the alleged violator within ten (10) days. The investigation shall take place as soon as possible after the complaint has been filed. The alleged violator shall be given an opportunity to accompany the person conducting the investigation.

Soil losses shall be determined by using the applicable portions of the then current version of the United States Department of Agriculture, Natural Resources Conservation Service Field Office Technical Guide to estimate the average annual sheet and rill erosion, ephemeral erosion or wind erosion. Upon completion of the investigation, the District staff will present the report to the Water and Regulations Committee. The Committee determines if there is a violation or the complaint is dismissed. If the Committee determines there is a violation, the alleged violator is provided their options for compliance and a compliance plan is developed. Following the Committee's determination, either party may request a hearing before the full board.

Compliance and/or Orders. Practices designed to reduce or control soil erosion and/or sediment damage may be approved in developing a compliance plan and may be required by the District in an administrative order issued by the Board.

Soil and water conservation practices may include: permanent practices, such as the planting of perennial grasses, legumes, shrubs, or trees, the establishment of grassed waterways, the construction of terraces, grade control structures, tile outlets, and other practices approved by the District and/or temporary soil and water conservation practices, such as the planting of annual or biennial crops, use of strip-cropping, contour planting, conservation tillage or residue management system, and other cultural practices approved by the District. The complete list is attached as Appendix B.

One of the major changes in the law that required the changes to these regulations involved cost-share assistance. Rule 8 provides that, cost-share assistance may be available from the District. However, the

lack of available cost-sharing assistance does not offset the requirement that the owner and, if appropriate, the operator of such land comply with the terms of an approved plan of compliance or an administrative order.

If there are any questions I will try to address them.

Yates:
Roger?

Houdersheldt:
So Rod, this goes after the owner, not the operator?

DeBuhr:
It goes after the owner in most cases, unless there's some special circumstances.

Houdersheldt:
But I mean; if the operator's the one causing the problem we still go through the owner?

DeBuhr:
The owner's ultimately responsible for his own land.

Houdersheldt:
I just wanted to make sure I'm clear on this.

DeBuhr:
Yes, that's right.

Yates:
Any other questions on this? Thank you Rod. So if there's no other questions or comments at this time I will close the hearing.

The hearing was officially closed at 7:48 p.m.

ITEM 11. ADOPTION OF RULE 8 SEDIMENT & EROSION CONTROL PROGRAM RULES & REGULATIONS.

It was moved by Miller and seconded by Luebbe to adopt Rule 8 – Sediment & Erosion Control Program Rules and Regulations as presented. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 12. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met August 9, 2016 and presented the committee's recommendations.

ITEM 13. FLOW METER REPAIR COST-SHARE.

Two flow meter cost-share applications have been received and inspected by the District staff totaling \$771.05. The cost-share total is \$252.62.

It was moved by Eberle and seconded by Austin to pay two flowmeter cost-share applications totaling \$252.62. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 14. CERTIFICATION OF IRRIGATED ACRES.

The Water & Regulations Committee reviewed the irrigated acres certification for 13 parcels totaling 957.61 acres, yielding a net increase in irrigated acres of 381.75 acres. This brings the total irrigated acres as of August 1 to 1,233,713.74.

It was moved by Eberle and seconded by Luebbe to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 15. MUNICIPAL WATER SYSTEM ASSISTANCE PROGRAM.

The Water & Regulations Committee reviewed the existing Municipal Water System Assistance Program requirements and guidelines. The Committee instructed the staff to amend the program document to move the May 1 application deadline to April 1. The Committee also requested adding a second application deadline of October 1, if unobligated funds were still available. Both changes would take effect in the 2017 calendar year.

It was moved by Eberle and seconded by Rich to approve the application cycle and deadline changes to the Municipal Water System Assistance Program.

The question was raised whether or not a community that had submitted an application for funding and wasn't approved could reapply the following year, even though the guidelines say a community may not apply for funding more often than once every five years. Another question that was raised was whether

or not a community that was approved for funding and didn't use the maximum cost-share initially would be eligible to use the remaining cost-share funds for another phase of the improvements.

Following some discussion regarding how the program guidelines were worded it was moved by Houdersheldt and seconded by Moore to refer the matter back to the Water & Regulations Committee. The motion to refer carried.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 16. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Volkmer reported that the Projects & Programs Committee met on August 9, 2016 and presented the committee's recommendations.

ITEM 17. LAND TREATMENT PROGRAM COST SHARE PAYMENTS.

It was moved by Volkmer and seconded by Austin that the Upper Big Blue Natural Resources District make payment of \$6,230.89 for five (5) completed NSWCP Land Treatment applications, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 18. HAZARD MITIGATION RESOLUTION – LITTLE BLUE AND LOWER BIG BLUE NRD.

The Projects and Programs Committee reviewed the Resolution for approval of the Little Blue and Lower Big Blue NRD Multi-Jurisdictional Hazard Mitigation Plan. These plans are reviewed every five (5) years.

It was moved by Volkmer and seconded by Stahly that the Upper Big Blue Natural Resources District adopt the Little Blue and Lower Big Blue Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan Update Resolution, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 19. BUILDING COMMITTEE REPORT.

Eberle reported that the Building Committee met on August 11, 2016 and presented the committee's recommendations.

ITEM 20. CONTRACT PAYMENT TO AYARS & AYARS, INC.

Payment request #20 is for \$31,260.24 from Ayars & Ayars for work finished on the new NRD Headquarters Facility through July 30, 2016.

Original Contract	\$4,484,673.00	
Change Orders	\$29,039.59	.65%
Total Contract	\$4,513,712.59	
Previous Month's Payments	\$62,065.73	
Current Payment	\$31,260.24	
Total Payments	\$4,510,885.59	99.94%
Contract Balance	\$2,827.00	.06%

It was moved by Eberle and seconded by Rich to approve payment of \$31,260.24 for items completed through July 30, 2016, on the contract for the new NRD Headquarters Facility to Ayars & Ayars, Inc., Lincoln, Nebraska. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 21. OPEN HOUSE FOR NEW NRD FACILITY.

The Building Committee discussed hosting an open house for the new facility. A date of November 17, 2016 was set. Open house will run from 4:00 until 6:00 pm.

It was moved by Eberle and seconded by Bruns to approve an open house showcasing the new NRD facility to be hosted on November 17, 2016. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 22. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on August 11, 2016 and presented the committee's recommendations.

ITEM 23. NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS DUES.

An invoice for \$30,333.45 has been received for the FY 2017 NARD Dues.

It was moved by Miller and seconded by Austin to approve payment of \$30,333.45 to the NARD for the FY 2017 dues. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Volkmer

NOT PRESENT: Dickinson

ITEM 24. NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS VOTING DELEGATE & ALTERNATE.

The Voting Delegate and Alternate for the 2016 September NARD Conference need to be selected from the Board.

It was moved by Miller and seconded by Luebbe to appoint Larry Moore as the NARD Voting Delegate and Ronda Rich as the Alternate for the 2016 September NARD Conference. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Moore, Rich, Roesler

NOT PRESENT: Dickinson

ITEM 25. BROWN & CALDWELL INVOICE FOR TASK ORDER 01.

Staff reported on the progress of Brown & Caldwell Task Order 01. The scope of work under this invoice was to investigate and address Nebraska Department of Natural Resources concerns on the Upper Big Blue NRD Sub-Regional groundwater flow model. Final deliverables of this Task Order will include a summary of findings and recommendation for addressing issues, revised Sub-Regional Model files and an addendum to the Sub-Regional Model Report.

Brown & Caldwell submitted an invoice for work completed prior to July 5, 2016 reviewing the Upper Big Blue NRD Sub-Regional groundwater flow model.

Brown & Caldwell Task Order 01 Amount	\$18,392.00
Prior payments	\$0.00
Current Invoice	\$2,869.02
Total billed to date	\$2,869.02
Balance of Contract	\$15,522.98

It was moved by Miller and seconded by Houdersheldt to approve payment of \$2,869.02 to Brown & Caldwell for work completed prior to July 5, 2016 on the analysis of the Upper Big Blue NRD Sub-

Regional groundwater flow model. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

ITEM 26. SALARY REIMBURSEMENTS – LOWER BIG BLUE & LOWER PLATTE NORTH NRDS.

An invoice has been received for salaries for the Saline County NRCS Clerk and part time technician work from the Lower Big Blue NRD. This bill is for work performed in FY 2016 (July 1, 2015 - June 30, 2016).

Clerk's salary and benefits:	\$ 45,265.47
Technicians salary:	<u>\$ 11,109.48</u>
	\$ 56,374.95
	x <u>11.25%</u> of Saline County
	\$ 6,342.18

It was moved by Miller on behalf of the committee and seconded by Nuss to approve payment of \$6,342.18 to the Lower Big Blue NRD for NRCS office salaries for FY 2016 (July 1, 2015 thru June 30, 2016).

There was discussion regarding the amount of the technician's salary and the fact that the Upper Big Blue NRD does not hire technicians for the NRCS field offices and as a result Central Platte, Little Blue and Lower Big Blue NRDS are not paying for technicians in the Upper Big Blue NRD. Some board members questioned why we were paying for a service on the fringe of our district when producers in the center of the district are not being provided the same service.

It was moved by Miller and seconded by Houdersheldt to amend the motion to replace the \$6,342.18 figure with \$5,092.37.

Moore told the board that if we want to change the arrangement that we need to make changes to our Interlocal Agreements with the other NRDS. The invoices being considered are for work that has already been provided under the terms of the Interlocal Agreements and needs to be paid. The question was called on the amendment, which failed.

AYE: Bruns, Houdersheldt, Kuehner, Miller, Robotham

NAY: Austin, Bethune, Eberle, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NOT PRESENT: Dickinson

The question was called on the original motion. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Kuehner, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Yates

NAY: Houdersheldt, Miller, Robotham, Volkmer

NOT PRESENT: Dickinson

An invoice was received for salaries for the Butler County NRCS Clerk and technician work from the Lower Platte North NRD. This bill is for the last 6 months in FY 2016.

Clerks Salary and Benefits:	\$ 7,898.90
Technician's wage:	<u>\$ 194.59</u>
	\$ 8,093.49

It was moved by Miller on behalf of the committee and seconded by Nuss to approve payment of \$8,093.49 to the Lower Platte North NRD for NRCS office salaries for the last half of FY 2016 (January 1, 2016 thru June 30, 2016). The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Kuehner, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Yates
NAY: Houdersheldt, Miller, Robotham, Volkmer
NOT PRESENT: Dickinson

ITEM 27. NEWSLETTER PRINTING.

An invoice from York Printing Company, LLC has been received for \$6,990.95. This represents the printing cost for the July 2016 Blueprint newsletter.

It was moved by Miller and seconded by Austin to approve payment of \$6,990.95 to York Printing, LLC, for printing the July 2016 edition of the Blueprint newsletter. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Dickinson

ITEM 28. PROTOCOL FOR BURKE SCHOLARSHIP SELECTION.

Eigenberg reviewed with the Executive Committee the current scholarship program and qualifications for applicants for the Burke Scholarship. The Executive Committee discussed the qualifications listed on the application as it is currently written.

- Reside in the Upper Big Blue Natural Resources District
- Attend a two-year/four-year Nebraska college or university
- Are enrolled in a course of study leading to an associate or undergraduate degree in a natural resources related field
- Intend to enter the work force upon graduation in a "hands on" position such as soil/water conservation, resources manager or engineering technician.
- Are not family members of staff /directors of the Upper Big Blue Natural Resources District.

Discussion focused on what constitutes the prerequisite as it relates to the location of permanent home address or high school educational unit's physical location. Several options of qualification were discussed.

Eigenberg recommends to continue to have staff select scholarship recipient(s). He also recommends the wording “educational unit, public or private” be included in the qualifications. A diagnostic tool has been developed that easily verifies locations are in the Upper Big Blue Natural Resources District. This safeguard will ensure that these prerequisites are enforced during the awarding of the scholarship.

It was moved by Miller and seconded by Rich to revise first bullet under qualifications for applications for the Burke Scholarship by striking the word “Reside” and replacing it with “Permanent home address of the applicant is” so to read: Permanent home address of the applicant is in the Upper Big Blue Natural Resources District. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Dickinson

It was moved by Miller and seconded by Robotham to revise second bullet under qualifications for applications for the Burke Scholarship by adding the words “Attend or plan to” so to read: Attend or plan to attend a two-year/four-year Nebraska college or university. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Dickinson

ITEM 29. BUILDING COMMITTEE DISSOLUTION.

The Executive Committee reviewed the duties originally assigned to the Building Committee. Consensus was that the Building Committee had met or exceeded all expectations. It was also agreed that any future roles of the Building Committee could be performed by the Executive Committee.

It was moved by Miller and seconded by Nuss to dissolve the Building Committee and release all Committee Members from assigned responsibilities for the oversight of construction project as of September 1st. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Dickinson

ITEM 30. FINANCIAL REPORT JULY 1 - 31, 2016 AND CONSIDERATION OF EXPENDITURES FOR JULY 2016.

Eigenberg reviewed the financial report for the period July 1, 2016 to July 31, 2016 that was distributed. It was moved by Houdersheldt and seconded by Volkmer to accept the financial report for July 2016 as

presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Austin, Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Dickinson

There being no other business the chairman adjourned the meeting at 9:08 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held August 18, 2016, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

**BOARD OF DIRECTORS MEETING
AND
FY 17 TAX REQUEST HEARING
September 15, 2016**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, September 15, 2016 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Yvonne Austin, Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Mike Nuss, Ronda Rich, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Ken Feather, Jack Wergin, Scott Snell, Marie Krausnick, Nancy Beach, and Josh Bowers of NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on September 8, 2016 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Larry Moore and David Robotham requested that their absence from the September 15, 2016 board meeting be excused.

It was moved by Volkmer and seconded by Dickinson to excuse the absence of Moore and Robotham from the September 15, 2016 board of directors meeting. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Rich and seconded by Stahly to adopt the consent agenda. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich,
Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Stahly to approve the agenda for the September 15, 2016 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich,
Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 7. *APPROVAL OF MINUTES OF THE AUGUST 18, 2016 BOARD OF DIRECTORS MEETING AND FY 17 BUDGET HEARING.

It was moved by Rich and seconded by Stahly to approve the minutes of the August 18, 2016 Board of Directors meeting and FY 17 Budget Hearing. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich,
Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 8. FISCAL YEAR 2017 TAX REQUEST HEARING.

Chairman Yates opened the FY 2017 Tax Request Hearing at 7:34 p.m. He stated for the record that the Notice of Special Hearing to Set the Final Tax Request was published in the York News-Times on September 6, 2016. He turned the floor over to General Manager, David Eigenberg, who reviewed the figures published in the legal notice and informed the board that following the Tax Request Hearing a motion to adopt a resolution to set the FY 2017 Tax Request would be in order. He provided the board with a draft resolution for their consideration. There being no questions from the board or members of the public Chairman Yates closed the hearing at 7:40 p.m.

ITEM 9. ADOPTION OF RESOLUTION TO SET THE FY 2017 TAX REQUEST.

Eigenberg presented the following resolution for the Board's consideration and adoption.

Whereas the FY 2017 Budget for the Upper Big Blue NRD, as adopted by this board of directors on August 18, 2016, has a property tax requirement of \$3,820,334.64;

Whereas the final total valuation of the NRD is \$15,475,123,511;

Whereas the FY 2016 Budget (prior year) required a tax request of \$3,905,697.22 and a property tax rate of \$ 0.026355;

Whereas the FY 2017 (current year) property tax rate would be \$0.025239 to generate \$3,905,697.22;

Therefore, be it resolved by this Board of Directors on September 15, 2016, to set the FY 2017 tax request at \$ 3,820,334.64 for the Upper Big Blue Natural Resources District which will require a property tax rate of \$0.024687.

It was moved by Miller and seconded by Dickinson to adopt the Resolution to set the FY 2017 Tax Request. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 10. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Water & Regulations Committee met September 6, 2016 and presented the committee's recommendations.

ITEM 11. FLOW METER REPAIR COST-SHARE.

Four flow meter cost-share applications have been received and inspected by the District staff totaling \$1,868.01. The cost-share total is \$538.85.

It was moved by Rich and seconded by Luebbe to pay four flowmeter cost-share applications totaling \$538.85. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 12. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 8 parcels totaling 580.26 acres, yielding a net increase in irrigated acres of 174.35 acres. This brings the total irrigated acres as of September 1 to 1,233,888.09.

It was moved by Rich and seconded by Austin to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 13. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on September 6, 2016 and presented the committee's recommendations.

ITEM 14. * NEBRASKA BUFFER STRIP PAYMENTS.

It was moved by Rich and seconded by Stahly that the Upper Big Blue Natural Resources District make payment of \$8,761.74 for five (5) Nebraska Buffer Strip Program contracts as recommended by staff and reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 15. STORM DAMAGE TREES – BEAVER CROSSING PARK.

The Village of Beaver Crossing has planted a total of 131 trees on public property. The District has provided cost-share dollars in the amount of \$4,243.50. The District has agreed to provide a total of \$10,000 to the Village of Beaver Crossing for the replacement of storm damaged trees that occurred during their tornado on May 11, 2014. The Village is now entering into their final tree replacement project, which entails the park and ball complex. This area has been used to pile a lot of debris since the tornado. The following is a list of trees and shrubs to be planted in the park and the recreation area of Beaver Crossing. Additional species of trees and shrubs will be added to this list. Terry Barth from Beaver Crossing came and spoke to the committee about the success of their tree planting in the Village of Beaver Crossing. They have had a high survival rate in the trees and shrubs they have planted.

- 1 – Bur Oak
- 3 – State Street Maple
- 1 – Red Oak
- 1 – Shingle Oak
- 1 – Tulip Tree
- 2 – Glenleven Linden
- 1 – Exclamation Sycamore
- 1 – Red Sunset Maple
- 1 – Sienna Glen Maple
- 5 – Daub's Frosted Juniper

It was moved by Dickinson and seconded by Bruns that the District accept the application from the

Village of Beaver Crossing for the amount of \$9,000 for the planting of 46 trees in the Village park. The District agrees to fund 50% of the total amount or \$4,500 for the planting of trees and shrubs in the Village of Beaver Crossing Park and Recreation area. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 16. NRD TREE PRICES FOR FY 2017.

The Nebraska Association of Resources District (NARD) will continue to receive 3 cents per tree purchased by the NRDs' from Bessey Nursery at Halsey, Nebraska. Bessey Nursery raised their tree prices 7 cents this year. The tree price at Halsey is 70 cents per tree for 2-0 conifers and hardwoods. The District's prices for FY 2016 were \$.95/tree and \$.75/tree for planting. Staff recommends that the price for the trees be increased by 5 cents to \$1.00/tree.

It was moved by Dickinson and seconded by Volkmer that the District set the cost of the trees and shrubs at \$1.00/tree and the planting cost at \$.75/tree for FY 2017. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 17. TREE CLEANUP OF NRD DAMS.

The Project Department requested quotes for tree removal on eight NRD dams. The contract will require removing previously treated growth and new growth along dams and auxiliary spillways. Henry Thompson Tree Service quoted the work at a cost of \$22,925.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District approve payment not to exceed \$22,925 to Henry Thompson Tree Service for tree removal on eight (8) NRD dams (Bergen, Friesen, Bulgrin, Weiss, Kassik, Merle Watts, Don & Earl Watts, and Struebing) as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 18. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on September 8, 2016 and presented the committee's recommendations.

ITEM 19. 2016 NARD RESOLUTIONS.

Two resolutions were submitted for the September 2016 NARD Conference and reviewed by the Upper Big Blue NRD Board of Directors. NARD Resolution 2016-1 - Water Well Professionals Resolution; Submitted by Lower Loup NRD and NARD Resolution 2016-2 - Funding Eligibility for Public Water Systems; Submitted by Lewis and Clark NRD.

It was moved by Miller and seconded by Luebbe to support NARD resolutions 2016-1 and 2016-2. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 20. AUTHORIZATION TO PURCHASE 4-WHEELERS.

Quotes from four area dealers were reviewed for two Honda Rancher model TRX420FM2. Quotes included assembly, setup and documentations fees. Two of the quotes also included delivery. Purchase prices ranged from \$5,999.00 to \$6,595.00 per unit.

It was moved by Miller and seconded by Rich to purchase two Honda Rancher 4-wheelers from Garber's of Fairbury, Nebraska for a total of \$12,048.00. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 21. AUTHORIZATION TO MAKE PAYMENT OF OCTOBER 2016 FACILITY MORTGAGE PAYMENT.

The Executive Committee was advised that the mortgage loan payment of \$215,312.50 for the new NRD office facility is due October 16, 2016, which is prior to the October board meeting. Eigenberg requested authorization to make the payment when due.

It was moved by Miller and seconded by Houdersheldt to authorize the General Manager to make payment to Cornerstone Bank of \$215,312.50 for the October, 2016 NRD mortgage loan payment. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 22. AUTHORIZATION TO MAKE PAYMENT OF ADDITIONAL FY17 BUDGETED MORTGAGE PAYMENT.

The recently adopted FY17 budget included an additional \$200,000 loan principal payment on the NRD facility mortgage. Discussion also included adding a portion of the proceeds from the sale of the storage building to this payment. The District received \$63,535.07 after expenses from the auction of the storage building.

It was moved by Miller and seconded by Rich to authorize the General Manager to make payment to Cornerstone Bank of \$263,000 for an additional facility mortgage payment. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 23. LISTING CONTRACT WITH NORM GREEN REALTY AND AUCTION.

The Executive Committee was informed that the Exclusive Commercial Listing Agreement with Green Realty and Auction expired on September 5, 2016. Eigenberg asked for direction regarding whether or not to extend the contract with Green Realty. The Committee recommendation was for the matter to be forwarded to the full Board for their consideration of any future realtor contract and/or other means of selling the NRD property located at 105 North Lincoln Avenue in York.

There was brief discussion regarding how to proceed with the sale of the NRD's former office building. It was moved by Houdersheldt and seconded by Kuehner to go into closed session at 8:18 p.m. for the protection of the public's interest while discussing the sale of district property. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Moore, Robotham, Volkmer

It was moved by Luebbe and seconded by Rich to go back to open session at 8:40 p.m. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

It was moved by Miller and seconded by Dickinson to extend the listing agreement with Norm Green Realty and Auction through December 31, 2016. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 24. BROWN & CALDWELL INVOICE - BROWN & CALDWELL TASK ORDER 01.

Brown & Caldwell submitted an invoice for work completed prior to July 28, 2016 for reviewing the Upper Big Blue NRD Sub-Regional groundwater flow model.

Brown & Caldwell Task Order 01 Amount	\$ 18,392.00
Prior payments	311.80
Current Invoice	4,224.50
Total billed to date	4,536.30
Balance of Contract	\$13,855.70

It was moved by Miller and seconded by Houdersheldt to approve payment of \$4,224.50 to Brown & Caldwell for work completed prior to July 28, 2016 on the analysis of the Upper Big Blue NRD Sub-Regional groundwater flow model. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 25. RECONSIDERATION OF MOVING REIMBURSEMENT TERMS.

Eigenberg asked the Executive Committee to consider his request to amend the terms of his moving allowance. Original terms stated that reimbursement would be made only if a professional moving company was employed for Eigenberg's relocation. Eigenberg requested to be reimbursed for a one-way truck rental, insurance, incidental moving equipment (hand cart and packing blankets) and fuel for final move of household goods and personal property. The amount remaining under the agreement to reimburse him for his moving expenses is \$2,444.

It was moved by Miller and seconded by Luebbe to approve Eigenberg's request to be reimbursed for the expense of one-way truck rental, insurance, incidental moving equipment (hand cart and packing blankets) and fuel for final move of household goods and personal property from Albany, Georgia to York, Nebraska. Reimbursement will not exceed his remaining moving allowance of \$2,444. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 26. GENERAL MANAGER'S PERFORMANCE EVALUATION.

According to *Personnel Policy 14: Performance Appraisal* new employees will receive a performance appraisal after the first six months of employment. Dave Eigenberg completed his six months on September 1, 2016.

It was moved by Houdersheldt and seconded by Miller that the board go into closed session at 8:48 p.m. to prevent needless injury to the reputation of the General Manager while conducting an evaluation of his job performance. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

It was moved by Volkmer and seconded by Dickinson that the board return to open session at 9:05 p.m. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

ITEM 27. FINANCIAL REPORT AUGUST 1 - 31, 2016 AND CONSIDERATION OF EXPENDITURES FOR AUGUST 2016.

Eigenberg reviewed the financial report for the period August 1, 2016 to August 31, 2016 that was distributed. It was moved by Houdersheldt and seconded by Volkmer to accept the financial report for August 2016 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore, Robotham

There being no other business the chairman adjourned the meeting at 9:22 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held September 15, 2016, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

BOARD OF DIRECTORS MEETING October 20, 2016

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, October 20, 2016 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Yvonne Austin, Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Ken Feather, Jack Wergin, Scott Snell, Marie Krausnick, Nancy Beach, Josh Bowers of NRCS, Seward County Commissioner Gene Gausman, and Gayle Steiger of Romans, Wiemer & Associates.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on October 13, 2016 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call. Robotham arrived at 8:35 p.m.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Houdersheldt requested that his absence from the October 20, 2016 board meeting be excused.

It was moved by Stahly and seconded by Miller to excuse the absence of Houdersheldt from the October 20, 2016 board of directors meeting. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Robotham

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Dickinson and seconded by Rich to adopt the consent agenda. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Houdersheldt, Robotham

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Rich to approve the agenda for the October 20, 2016 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Houdersheldt, Robotham

ITEM 7. *APPROVAL OF MINUTES OF THE SEPTEMBER 15, 2016 BOARD OF DIRECTORS MEETING AND FY 17 TAX REQUEST HEARING.

It was moved by Dickinson and seconded by Rich to approve the minutes of the September 15, 2016 Board of Directors meeting and FY 17 Tax Request Hearing. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Houdersheldt, Robotham

ITEM 8. FISCAL YEAR 2017 AUDIT.

Gayle Steiger of Romans Wiemer & Associates presented the FY 2016 Audit to the board. He advised the board that there were no reportable findings as a result of the audit.

It was moved by Moore and seconded by Volkmer to accept the FY 2016 Audit as presented. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Houdersheldt, Robotham

ITEM 9. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met October 11, 2016 and presented the committee's recommendations.

ITEM 10. GROUNDWATER TRANSFER AUTHORIZATION LOREN & CAROL PETERSON AND SCOTT SUNDBERG.

Loren & Carol Peterson and Scott Sundberg have applied for a groundwater transfer to irrigate 149 acres in the NE1/4 of Section 34-T14N-R3W from well G-037758 located in the SW1/4 Section 35-T14N-R3W, all in Polk County. The proposed transfer complies with the Districts groundwater regulations.

It was moved by Eberle and seconded by Stahly to approve Groundwater Transfer T-089A and T-089B.
The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Miller, Moore, Nuss, Rich, Stahly, Yates
NAY: Luebbe, Roesler, Volkmer
NOT PRESENT: Houdersheldt, Robotham

ITEM 11. GROUNDWATER TRANSFER AUTHORIZATION ROBERT & ADELLE TONNIGES.

Robert & Adelle Tonniges have applied for a groundwater transfer to irrigate 35 acres in the NW1/4 NW1/4 of Section 18-T12N-R1E in Seward County from well G-180446 located in the E1/2 NE1/4 Section 13-T12N-R1W in York County. The proposed transfer complies with the Districts groundwater regulations.

It was moved by Eberle and seconded by Dickinson to approve Groundwater Transfer T-090. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Miller, Moore, Nuss, Rich, Stahly, Yates
NAY: Luebbe, Roesler, Volkmer
NOT PRESENT: Houdersheldt, Robotham

ITEM 12. FLOW METER REPAIR COST-SHARE PAYMENTS.

Five flow meter cost-share applications have been approved for final payment totaling \$734.50.

It was moved by Eberle and seconded by Luebbe to pay five flow meter repair cost-share claims totaling \$734.50. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Houdersheldt, Robotham

ITEM 13. CERTIFICATION OF IRRIGATED ACRES.

The committee reviewed the irrigated acres certification for 5 parcels totaling 126.41 acres, yielding a net increase in irrigated acres of 126.41 acres. This brings the total irrigated acres as of October 1 to 1,234,014.50.

It was moved by Eberle and seconded by Rich to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Robotham

ITEM 14. PAYMENT TO BEEHIVE INDUSTRIES FOR SOFTWARE MAINTENANCE.

Beehive Industries has billed the District for the annual maintenance fee of \$25,740.00 in accordance with our contract. This fee includes software updates, ongoing training, server storage, and unlimited license usage. The maintenance agreement covers from October 1, 2016 - September 30, 2017.

It was moved by Eberle and seconded by Dickinson to pay Beehive Industries \$25,740.00 for annual software maintenance beginning in October 1, 2016 to September 30, 2017. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Robotham

ITEM 15. PAYMENT TO TESTAMERICA.

Ninety-two arsenic and selenium samples were collected during the summer's irrigation season as part of the Groundwater Management Area #2 sampling. A bill for the analysis was received totaling \$3,450.00.

It was moved by Eberle and seconded by Austin to pay TestAmerica \$3,450.00 for the arsenic and selenium analysis of 92 groundwater samples. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Robotham

ITEM 16. GROUNDWATER MANAGEMENT AREA #2 SUMMER SAMPLING RESULTS.

The Committee reviewed the nitrate results for wells sampled this summer in Groundwater Management Area Zones: 1, 2, 3, 5, 6, 9, 10, 11, and 12. Currently the following zones are in Phase II management, Zone 3 (2015), Zone 2 (2014), Zone 6 (2004), and Zone 11 (2012). Zone 5 is in Phase III management as of 2012. The 2016 results indicate that the median nitrate level in Zone 1 is 7.1 ppm. Krausnick recommended that Zone 1 be designated a Phase II management Area.

It was moved by Eberle and seconded by Rich to designate Groundwater Management Zone 1, townships include: 12N-04W, York County; 12N-05W, 12N-06W, 13N-05W, and 13N-06W Hamilton County; and 13N-03W, 13N-04W, 14N-03W, 14N-04W, Polk County; a Phase II groundwater quality management area. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Robotham

ITEM 17. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on October 11, 2016 and presented the committee's recommendations.

ITEM 18. TREE REMOVAL CONTRACT PROPOSALS.

The Projects Department is working on contracts for tree removal from NRD dams (Pioneer Trails, Recharge Lake, Smith Creek, Oxbow Trail, & Hottovy Dam). Bids for larger projects were higher than estimated. Staff will solicit additional contractor quotes for larger tree removal projects.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District proceed with tree removal contracts at Smith Creek (not to exceed \$20,000), Oxbow Trail (not to exceed \$20,000), and Hottovy Dam (not to exceed \$8,000), as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Robotham

ITEM 19. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on October 13, 2016 and presented the committee's recommendations.

ITEM 20. *THIRD QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors' per diem and expenses for the 3rd Quarter.

It was moved by Dickinson and seconded by Rich to approve payment of 3rd Quarter directors' per diem of \$10,010.00 and expenses of \$4,212.32. The motion was approved as part of the consent agenda.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Robotham

ITEM 21. PAYMENT TO BROWN & CALDWELL FOR TASK ORDER 01.

Brown & Caldwell submitted an invoice for work completed prior to September 26, 2016 on the groundwater modeling review.

Brown & Caldwell Task Order 01 Amount	\$18,392.00
Prior payments	\$4,536.30
Current Invoice	\$3,068.50
Total billed to date	\$7,604.80
Balance of Contract	\$10,787.20

It was moved by Miller and seconded by Luebbe to approve payment of \$3,068.50 to Brown & Caldwell for work completed through September 26, 2016 on the sub-regional groundwater model. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Robotham

ITEM 22. PROCUREMENT PROCESS FOR TRUCKS.

Bids for new departmental trucks were reviewed. Two vehicles will be for the Water Department and one replacement for the Parks Department. (One 2005 Ford will need to either be traded in on the purchase or sold privately.) Bids were requested for new trucks which are either 2016 or 2017-year model with the minimum specifications listed on the bid sheet. Bids for both 2-wheel or 4-wheel drive options were requested. Seven area truck dealers submitted proposals for this procurement process. Bids were received from Chevrolet, Dodge and Ford dealers. Bid prices for 2-wheel drive trucks ranged from \$29,664 to \$39,903 per unit. Bid price for 4-wheel drive trucks ranged from \$ 31,255 to \$43,225 per unit.

It was moved by Miller and seconded by Austin to purchase two (2) Ford 4-wheel drive trucks from Friesen Ford of Aurora, Nebraska for a total of \$65,320.88. (\$32,660.44 per truck) To purchase one Ford 2-wheel drive truck from Friesen Ford of Aurora, Nebraska for \$29,742.44. To trade-in one 2005 Ford F150 truck to Friesen Ford of Aurora, Nebraska for \$2,000. Total net cost of purchase is \$93,063.32.

There was discussion regarding the need for the Parks Department to have a 4-wheel drive truck instead of a 2-wheel drive. It was moved by Miller and seconded by Moore to amend the motion to read "To purchase three Ford 4-wheel drive trucks from Friesen Ford of Aurora, Nebraska for a total of \$97,981.32. To trade in one 2005 Ford F150 truck to Friesen Ford for Aurora, Nebraska for \$2,000. Total net cost of purchase \$95,981.32." The amendment carried.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Moore, Nuss, Rich, Stahly, Volkmer, Yates

NAY: Bruns, Luebbe, Miller, Roesler
NOT PRESENT: Houdersheldt, Robotham

The question was called on the original motion as amended. The motion carried.

AYE: Austin, Bethune, Dickinson, Eberle, Kuehner, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Yates
NAY: Bruns, Luebbe, Roesler
NOT PRESENT: Houdersheldt, Robotham

ITEM 23. PROCUREMENT PROCESS FOR SNOW REMOVAL EQUIPMENT.

The District requested bids for snow removal attachments for the Upper Big Blue NRD 725 Diesel Grasshopper mowers. Bids were reviewed for one 60-inch directional angling power broom and one 48-inch snow blower.

It was moved by Miller and seconded by Nuss to purchase one (1) 60-inch directional angling power broom, one (1) 48-inch snow blower from Klein's Blue River Power of Stromsburg, Nebraska for a total of \$5,950.00. Both attachments are for the Upper Big Blue NRD owned 725 Diesel Grasshoppers. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Yates
NAY: Kuehner, Miller, Volkmer
NOT PRESENT: Houdersheldt, Robotham

ITEM 24. PURCHASE OF AMERICANS WITH DISABILITIES ACT (ADA) FRONT DOOR OPENERS.

Staff has investigated the purchase and installation of ADA approved power door openers for a set of front entryway doors. Below is the pricing for the two (2) auto operators for the front doors. There will be some exposed conduit and flex. Ayars and Ayars will require a change order to be issued for the work. If work is approved at the October 20, 2016 Board meeting, it will be scheduled and completed by the November 17, 2016 open house.

Electrical	\$1,255.00
Door Operators	\$3,655.00
Subtotal	\$4,910.00
Supv/PM/Est	\$420.00
Builders Risk / Insurance .355%	\$17.43
Design 3%	\$0.00
Profit and OH 6%	\$294.60
Permit Fee .21%	\$0.00
Bond & Funds Control	\$0.00
Subtotal	\$5,642.03
GC 4%	\$225.68
Total	\$5,867.71

It was moved by Miller and seconded by Rich to approve the change order to Ayars and Ayars for the amount of \$5,867.71 to purchase and install ADA approved power door openers for a set of front entryway doors for the NRD Headquarters. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Robotham

NOT PRESENT: Houdersheldt

ITEM 25. FINANCIAL REPORT SEPTEMBER 1 - 30, 2016 AND CONSIDERATION OF EXPENDITURES FOR SEPTEMBER 2016.

Eigenberg reviewed the financial report for the period September 1, 2016 to September 30, 2016 that was distributed. It was moved by Stahly and seconded by Volkmer to accept the financial report for September 2016 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Austin, Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt

There being no other business the chairman adjourned the meeting at 9:01 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held October 20, 2016, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

BOARD OF DIRECTORS MEETING November 17, 2016

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, November 17, 2016 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Ken Feather, Jack Wergin, Scott Snell, Marie Krausnick, Jeff Ball, Josh Bowers of NRCS, and Steve Moseley of York News-Times.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on November 10, 2016 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call. Roesler arrived at 1:37 p.m.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Austin requested that her absence from the November 17, 2016 board meeting be excused.

It was moved by Houdersheldt and seconded by Luebbe to excuse the absence of Austin from the November 17, 2016 board of directors meeting. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Roesler

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Dickinson and seconded by Volkmer to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Roesler

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Volkmer to approve the agenda for the November 17, 2016 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Roesler

ITEM 7. *APPROVAL OF MINUTES OF THE OCTOBER 20, 2016 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Volkmer to approve the minutes of the October 20, 2016 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin, Roesler

ITEM 8. SPECIAL RECOGNITION.

Former Projects Department Manager Jay Bitner, Assistant Manager Rod DeBuhr, and Lead Engineering Technician Jeff Ball were awarded a golden hammer award for their roles in the design, planning and construction inspection of the new NRD headquarters facilities.

ITEM 9. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met November 10, 2016 and presented the committee's recommendations.

ITEM 10. GROUNDWATER TRANSFER AUTHORIZATION.

Terry W. Smith has applied for a groundwater transfer to irrigate 67 acres in the E1/2 SW1/4 of Section 7-T14N-R2W from wells G-138526A, G-138526D, G-138526E, G-138526F, G-138526G, G-138526H, G-138526I, G-138526J, G-151664, G-151665, G-151666, UBB-1-5525A, UBB-1-5525B, UBB-1-5525C located in the W1/2 NW1/4 Section 18-T14N-R2W, all in Polk County. The proposed transfer complies with the Districts groundwater regulations.

It was moved by Eberle and seconded by Houdersheldt to approve Groundwater Transfer T-091. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates

NAY: Luebbe, Roesler, Volkmer

NOT PRESENT: Austin

ITEM 11. FLOW METER REPAIR COST-SHARE.

One flow meter cost-share application has been approved for final payment totaling \$150.00.

It was moved by Eberle and seconded by Luebbe to pay one flow meter repair cost-share claim totaling \$150.00. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 12. VARIABLE RATE IRRIGATION PILOT PROGRAM.

The staff presented a pilot cost-share program for Variable Rate Irrigation (VRI). The Committee reviewed a draft of the Upper Big Blue NRD Pilot Program for Variable Rate Irrigation (NC-17) practice requirements. The Water Committee forwarded the program to the Projects Committee for their approval.

ITEM 13. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on November 10, 2016 and presented the committee's recommendations.

ITEM 14. SEWARD HIKING/BIKING TRAIL.

Seward Mayor Josh Eickmeier, City Administrator Bruce Smith, and Public Works Director John Hughes, presented information on the plans to complete the hiking/biking trail around the city of Seward. Discussion items included trail alignment, cost estimates, schedule, road and railroad crossings, land acquisition, and funding. Discussion included only providing funding assistance if land can be obtained without condemnation.

It was moved by Dickinson and seconded by Robotham that the Upper Big Blue Natural Resources District Staff prepare a draft interlocal agreement with the City of Seward to provide financial assistance for completion of the hiking/biking trail around Seward. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer

ITEM 15. RESERVE LAND TREATMENT FUNDS FOR TREE PROGRAM.

Staff recommended reserving \$25,000 of land treatment funds for tree program applications, which generally are submitted in the spring.

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District reserve \$25,000 of the FY 2017 land treatment funds to be used for tree program applications, as recommended by staff. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin

ITEM 16. VARIABLE RATE IRRIGATION PILOT PROGRAM.

The Projects Committee reviewed the Variable Rate Irrigation Pilot Program, as presented by the Water Committee. Projects Committee recommended making a few minor wording changes.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District adopt the Variable Rate Irrigation Pilot Program as written (with minor corrections) for FY 2017 as recommended by the Water Committee and by staff. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin

ITEM 17. RESERVE LAND TREATMENT FUNDS FOR VARIABLE RATE IRRIGATION PILOT PROGRAM.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District reserve \$30,000 of land treatment funds until the March, 2017 Projects and Programs Committee Meeting, to be used for the Variable Rate Irrigation Pilot Program, as recommended by staff. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin

ITEM 18. STORM DAMAGED TREES (PUBLIC PROPERTY) PAYMENT – BEAVER CROSSING.

The Village of Beaver Crossing planted a total of 88 trees in the months of August & September 2016. Eighty-eight trees and four clumps of grass were ordered through Faller Nursery of York at a cost of

\$5,703.34. These trees and grasses were planted in the village park and recreation areas. Since November 2014, the Village of Beaver Crossing planted 189 trees and 4 clumps of grass for a total of \$14,190.34. The NRD cost shared 50% of this amount (\$7,095.18). The village personnel planted these trees and performed the cleanup prior to planting.

It was moved by Dickinson and seconded by Volkmer that the District make payment of \$2,851.68 to the Village of Beaver Crossing for 50% of the cost of planting 88 trees and 4 clumps of grass purchased from Faller Nursery in York, NE, that were planted in the village's park and recreation area. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 19. PAYMENT TO HENRY THOMPSON TREE SERVICE FOR TREE REMOVAL ON NRD DAMS.

Henry Thompson Tree Service has completed tree cleanup of eight NRD dams (Bergen, Friesen, Bulgrin, Weiss, Kassik, Merle Watts, Don & Earl Watts, Struebing).

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District pay Henry Thompson Tree Service \$22,925 for cleanup work completed at eight NRD dams (Bergen, Friesen, Bulgrin, Weiss, Kassik, Merle Watts, Don & Earl Watts, Struebing) as recommended by staff. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 20. PAYMENT TO MID-NEBRASKA LAND DEVELOPERS - PIONEER TRAILS RECREATION AREA – NORTHEAST CLEANUP CONTRACT.

Mid-Nebraska Land Developers have completed the cleanup of the old buildings, foundations, trees, and graded the northeast area at Pioneer Trails Recreation area.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District pay Mid Nebraska Land Developers \$18,300 for cleanup work completed at the northeast area of Pioneer Trails Recreation Area, as recommended by staff. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 21. SMITH CREEK SILT DAM REPAIR.

Staff has been corresponding with the Corps of Engineers on whether or not the Smith Creek Silt Dam repair would qualify under Section 14 – Emergency Streambank and Shoreline Protection Program. If selected, the project would receive up to \$100,000 of federal funding for planning and 65% of federal funds for design and construction. If selected, Corp will work with District to develop a Project Management Plan and a Feasibility Cost Share Agreement before proceeding. Staff has discussed program and request with landowner.

It was moved by Dickinson and seconded by Bruns that the Upper Big Blue Natural Resources District submit a letter of request to the Corps of Engineers for the Smith Creek Silt Dam repair work to be considered under Section 14 – Emergency Streambank and Shoreline Protection Program. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 22. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on November 10, 2016 and presented the committee’s recommendations.

ITEM 23. BROWN & CALDWELL INVOICE -TASK ORDER 01.

Brown & Caldwell submitted an invoice for work completed prior to October 26, 2016 on the groundwater modeling review.

Brown & Caldwell Task Order 01 Amount	\$18,392.00
Prior payments	\$7,604.80
Current Invoice	\$6,825.50
Total billed to date	\$14,430.30
Balance of Contract	\$3,961.70

It was moved by Miller and seconded by Luebbe to approve payment of \$6,825.50 to Brown & Caldwell for work completed through October 26, 2016 on the sub-regional groundwater model. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

ITEM 24. PAYMENT TO ROMANS, WIEMER & ASSOCIATES FOR FY 2016 AUDIT.

An invoice for \$4,200.00 has been received from Romans, Wiemer & Associates for conducting the FY

It was moved by Miller and seconded by Luebbe to approve payment of \$4,200.00 to Romans, Wiemer & Associates for the FY 2016 Audit. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin

ITEM 25. OUT-OF-STATE TRAVEL.

The 2017 Groundwater Management District Association (GMDA) Annual Conference is January 9-11, 2017 in Fort Worth, Texas. Management and field staff request approval to participate in this conference. Historically, the majority of the Water Department have participated in either the Annual Conference or the Summer Conference. Management feels attendance as a more cohesive group will foster a more unified department. Typically, staff is encouraged to attend one major conference per year. Attending the summer GMDA Conference would not be an option for field staff that attend this annual conference. Several Board of Directors also showed interest in attending.

It was moved by Miller and seconded by Luebbe to approve out-of-state travel for the Assistant Manager, Water Department Manager, Ag Water Conservationist, up to five (5) Water Technicians and any Board of Directors that wish to attend the 2017 Groundwater Management District Association (GMDA) Annual Conference – January 9-11, 2017 in Fort Worth, Texas. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin

ITEM 26. BLUEPRINT NEWSLETTER PRINTING.

An invoice from York Printing Company, LLC has been received for \$6,780.41. This represents the printing cost for the 28,000 copies of the November 2016 Blueprint newsletter.

It was moved by Miller and seconded by Dickinson to approve payment of \$6,780.41 to York Printing Company, LLC, for printing the November 2016 edition of the Blueprint newsletter. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Austin

ITEM 27. FINANCIAL REPORT OCTOBER 1 - 31, 2016 AND CONSIDERATION OF EXPENDITURES FOR OCTOBER 2016.

Eigenberg reviewed the financial report for the period October 1, 2016 to October 31, 2016 that was distributed. It was moved by Volkmer and seconded by Roesler to accept the financial report for October 2016 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Austin

There being no other business the chairman adjourned the meeting at 2:45 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held November 17, 2016, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

BOARD OF DIRECTORS MEETING

December 15, 2016

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, December 15, 2016 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Ken Feather, Scott Snell, Marie Krausnick, and Grant Jackson of NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on December 8, 2016 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Bill Kuehner requested that his absence from the December 15, 2016 board meeting be excused.

It was moved by Luebbe and seconded by Volkmer to excuse the absence of Kuehner from the December 15, 2016 board of directors meeting. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Rich and seconded by Volkmer to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Volkmer to approve the agenda for the December 15, 2016 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 7. *APPROVAL OF MINUTES OF THE NOVEMBER 17, 2016 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Volkmer to approve the minutes of the November 17, 2016 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 8. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on December 8, 2016 and presented the committee's recommendations.

ITEM 9. *NEBRASKA BUFFER STRIP PROGRAM.

It was moved by Rich and seconded by Volkmer that the Upper Big Blue Natural Resources District make payment of \$6,237.78 for seven Nebraska Buffer Strip Program contracts as recommended by staff and reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 10. LAND TREATMENT PROGRAM COST SHARE PAYMENTS.

It was moved by Dickinson and seconded by Bruns that the Upper Big Blue Natural Resources District make payment of \$15,000.00 for two completed NSWCP Land Treatment applications as recommended

by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 11. PARKS & RECREATION PROGRAM WINDBREAK AT YORK BALL FIELD COMPLEX.

The City of York is requesting grant monies through the District's Parks & Recreation Program. The District will fund up to 25% of the local share of the estimated or actual costs, whichever is less. The City of York has plans to plant a three row shelterbelt around a portion of the ball field complex, which will be approximately 600 trees for a total cost of \$1,050.00. Their plans are to place wood chips around all trees planted in the windbreak.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District fund the windbreak planting at the City of York Ball Field Complex at the rate of 25% of the total cost of \$1,050.00, for a total of \$262.50. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 12. FALL TREE REMOVAL CONTRACT - APPROVAL OF PAYMENT REQUEST.

The contractor, Henry Thompson Tree Service, has completed contracted work at three NRD dams (Smith Creek – southwest fence line, & west fence line, Oxbow Trail – north fence line, & Hottovy Dam).

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District pay Henry Thompson Tree Service \$48,000 for cleanup work completed at three NRD dams (Smith Creek - \$20,000, Oxbow Trail - \$20,000, & Hottovy Dam - \$8,000) as recommended by staff. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 13. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Water & Regulations Committee met December 8, 2016 and presented the committee's recommendations.

ITEM 14. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

There is one final payment for the Aquifer Quality Well Abandonment Cost-Share Assistance Program totaling \$500.00.

It was moved by Rich and seconded by Volkmer to make a cost-share payment for one well abandonment as reviewed by the Committee, at a cost of \$500.00. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 15. FLOW METER REPAIR COST-SHARE.

Four flow meter cost-share applications have been approved for final payment totaling \$600.00.

It was moved by Rich and seconded by Bruns to pay four flow meter repair cost-share claims totaling \$600.00. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 16. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the irrigated acres certification for 13 parcels totaling 427.49 acres, yielding a net increase in irrigated acres of 89.26 acres. This brings the total irrigated acres as of December 1 to 1,234,103.76.

It was moved by Rich and seconded by Robotham to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 17. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on December 8, 2016 and presented the committee's recommendations.

ITEM 18. BROWN & CALDWELL INVOICE TASK ORDER 01.

Brown & Caldwell submitted an invoice dated November 11, 2016 on the groundwater modeling review.

Brown & Caldwell Task Order 01 Amount	\$18,392.00
Prior payments	\$14,433.00
Current Invoice	\$2,303.50
Total billed to date	\$16,736.50
Balance of Contract	\$1,655.50

It was moved by Miller and seconded by Houdersheldt to approve payment of \$2,303.50 to Brown & Caldwell for work billed on November 11, 2016 on the sub-regional groundwater model. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 19. PAYMENT TO BLUE RIVER POWER AND RENTAL.

An invoice dated October 24, 2016 for \$5,950.00 has been received from Blue River Power and Rental for snow removal equipment.

It was moved by Miller and seconded by Rich to approve payment of \$5,950.00 to Blue River Power and Rental, Stromsburg, NE, for a MT sweepster brush head attachment, 413 snow blower and miscellaneous mounting hardware for snow removal equipment for the Grasshopper power units. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 20. NARD VOTING DELEGATE & ALTERNATE.

The Board needs to select the directors that are going to be the Nebraska Association of Resources District (NARD) Voting Delegate and Alternate for the 2017 NARD Legislative Conference.

It was moved by Miller and seconded by Stahly to appoint Larry Moore as the NARD Voting Delegate and Ronda Rich as the Alternate for the 2017 NARD Legislative Conference. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 21. REALTOR CONTRACT.

The Board was informed that the current Exclusive Commercial Listing Agreement with Green Realty & Auction will expire on December 31, 2016. Discussion was held on whether to sign an extension to this current agreement, or whether a search for another realtor would be the best option for the sale of the former UBBNRD office facility located at 105 North Lincoln Avenue, York, Nebraska.

It was moved by Miller and seconded by Dickinson to instruct the General Manager to write a Request for Proposals (RFP) for real estate services to sell the former UBBNRD office facility located at 105 North Lincoln Avenue, York, Nebraska. Distribution of the RFP is to be as inclusive as possible to all commercial real estate firms in eastern Nebraska. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 22. FINANCIAL REPORT NOVEMBER 1 - 30, 2016 AND CONSIDERATION OF EXPENDITURES FOR NOVEMBER 2016.

Eigenberg reviewed the financial report for the period November 1, 2016 to November 30, 2016 that was distributed. It was moved by Houdersheldt and seconded by Volkmer to accept the financial report for November 2016 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

There being no other business the chairman adjourned the meeting at 2:27 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held December 15, 2016, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Michael D. Nuss, Secretary

BOARD OF DIRECTORS MEETING
January 19, 2017

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, January 19, 2017 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Ken Feather, Scott Snell, Marie Krausnick, Sylvia Jividen, Joshua Bowers of NRCS, and Seward County Commissioner John Culver.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on January 12, 2017 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Volkmer and seconded by Stahly to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Volkmer and seconded by Stahly to approve the agenda for the January 19, 2017 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Bohaty

ITEM 7. *APPROVAL OF MINUTES OF THE DECEMBER 15, 2016 BOARD OF DIRECTORS MEETING.

It was moved by Volkmer and seconded by Stahly to approve the minutes of the December 15, 2016 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Bohaty

ITEM 8. GREENLEAF PROPERTY MARKETING PRESENTATION.

In December the board directed the general manager to solicit proposals from realtors with experience in the sale of commercial properties to sell the former NRD headquarters building. Requests for proposals were sent to 26 firms in the 6 surrounding counties. Three proposals were received and reviewed by the Executive Committee. They requested that Greenleaf Properties present their proposal to the full board.

Donald W. Linscott, Owner/Broker and Tara Galaviz, Sr. Associate with Greenleaf Properties made a presentation to the board of directors on their marketing strategy for the sale of the former NRD headquarters offices located at 105 North Lincoln Avenue in York, Nebraska. The board asked for clarification on some of the fees outlined in their proposal.

ITEM 9. DIRECTORS' RECOGNITION.

Gary Eberle and Linda Luebbe were both recognized by the board for their dedicated service to the district over the past 20 years. They were each presented with an engraved plaque in the shape of the state of Nebraska.

ITEM 10. EMPLOYEE RECOGNITION.

Parks and Forestry Manager Ken Feather was presented with a framed Michael Forsberg print in honor of 40 years of service to the District. Nancy Brisk, Office Manager, was also presented with a framed Michael Forsberg print in recognition of 35 years for service to the District. Sylvia Jividen, NRCS Field Office Secretary, was presented with an engraved desk clock for 15 years of service to the Upper Big Blue NRD and Fillmore County NRCS.

ITEM 11. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met January 17, 2017 and presented the committee's recommendations.

ITEM 12. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Three Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payment totaling \$1,500.00.

It was moved by Volkmer and seconded by Stahly to make cost-share payments for three well abandonments as reviewed by the Committee, at a cost of \$1,500.00. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 13. CROP-TIP SPEAKER PAYMENT – MICHELLE ROOK.

An invoice for \$3,150 was received from Michelle Rook to cover her speaking fee and travel expenses for participating in the CROP-TIP Field Day.

It was moved by Eberle and seconded by Houdersheldt to pay Michelle Rook for travel expenses and speaking fees totaling \$3,150.00. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 14. ROUTINE METER MAINTENANCE PAYMENT – TRI CITY METERS, INC.

Tri City Meters, Inc. has completed routine meter maintenance on 929 flow meters. There are 55 meters remaining to be serviced. An invoice totaling \$43,710.00 was received for work completed to date.

It was moved by Eberle and seconded by Luebbe to pay Tri City Meters, Inc. for routine flow meter maintenance completed to date of \$43,710.00. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 15. MUNICIPAL WATER SYSTEM ASSISTANCE PROGRAM PAYMENT – CITY OF AURORA.

The City of Aurora has completed the construction of their new municipal well and it has been brought online. The estimated cost of the project was \$515,000.00. The final cost was \$447,636.57. Under the Municipal Water System Assistance Program, the District will cost share 25% up to \$50,000.00 for the City of Aurora well construction project.

It was moved by Eberle and seconded by Rich to pay the City of Aurora \$50,000.00 as outlined under the Municipal Water System Assistance Program. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 16. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the irrigated acres certification for 2 parcels totaling 169.45 acres, yielding a net decrease in irrigated acres of 2.65 acres. This brings the total irrigated acres as of January 1 to 1,234,101.11.

It was moved by Eberle and seconded by Luebbe to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 17. LATE WELL PERMIT BAYER CROP SCIENCES.

Sargent Drilling, of Geneva, constructed two domestic wells for Bayer Crop Sciences, near Goehner, Nebraska. Combined the two wells pump 80 GPM. Per District Rules, if multiple wells are used for the same purpose and the combined pumping is over 50 GPM, a well construction permit is required. A late permit to construct/modify a water well, along with the application fee, has been submitted.

It was moved by Eberle and seconded by Bruns to approve the late permit to construct/modify a water well for Bayer Crop Sciences. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 18. MUNICIPAL WATER SYSTEM ASSISTANCE PROGRAM REVISIONS.

DeBuhr reviewed the requested changes to the Municipal Water System Assistance Program with the Committee.

It was moved by Eberle and seconded by Rich to approved the Municipal Water System Assistance Program as presented to the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT VOTING: Houdersheldt
NOT PRESENT: Bohaty

ITEM 19. INTEGRATED WATER MANAGEMENT PLANNING.

After review of the fully appropriated basin report by Krausnick, it was discussed whether or not to initiate discussions with the Department of Natural Resources on development of a voluntary Integrated Management Plan. The Committee instructed DeBuhr to draft an initiation request for a voluntary Integrated Management Plan letter to the Department of Natural Resources for Board review.

It was moved by Eberle and seconded by Stahly to have DeBuhr draft a letter to the Department of Natural Resources for the purpose of Board review and submission to the Department of Natural Resources to initiate the development of a voluntary Integrated Management Plan. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: Miller
NOT PRESENT: Bohaty

ITEM 20. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on January 17, 2017 and presented the committee's recommendations.

ITEM 21. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Bruns that the Upper Big Blue Natural Resources District make payment of \$35,093.52 for seven completed NSWCP Land Treatment applications as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates
NAY: None
NOT VOTING: Stahly
NOT PRESENT: Bohaty

ITEM 22. RECHARGE LAKE EAST SHORELINE EROSION CONTRACT FOR ROCK AND PLACEMENT.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District approve the contract proposal in the amount of \$16,946.75 from Gana Trucking & Excavating for the purchase and installation of rip rap along the east shore of Recharge Lake, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 23. SEWARD TRAIL – DRAFT INTERLOCAL AGREEMENT.

The Projects and Programs Committee reviewed the draft interlocal agreement that was presented at the December committee meeting following the City of Seward's request for assistance on the completion of the hiking/biking trail.

It was moved by Dickinson and seconded by Nuss that the Upper Big Blue Natural Resources District send the draft interlocal agreement to the City of Seward for comments. Through the interlocal agreement, the NRD will provide 25% of the local cost-share requirement, not to exceed \$75,000, for the construction of the hiking/biking trail.

It was moved by Miller and seconded by Robotham to amend the motion to not exceed \$150,000. The amendment failed.

AYE: Bethune, Dickinson, Miller, Moore, Nuss, Rich, Robotham

NAY: Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Roesler, Stahly, Volkmer, Yates

NOT PRESENT: Bohaty

The question was called on the original motion. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer

NAY: Yates

NOT PRESENT: Bohaty

ITEM 24. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on January 17, 2017 and presented the committee's recommendations.

ITEM 25. *DIRECTORS' 4TH QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors' per diem and expenses summary for the 4th quarter of 2016.

It was moved by Volkmer and seconded by Stahly to approve payment of 4th quarter 2016 directors' per diem of \$7,140.00 and expenses of \$2,800.98. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Bohaty

ITEM 26. BROWN & CALDWELL INVOICE - TASK ORDER 01.

Brown & Caldwell submitted an invoice dated December 20, 2016, on the groundwater modeling review for \$637.50.

Brown & Caldwell Task Order 01 Amount	\$18,392.00
Prior payments	\$16,736.50
Current Invoice	\$637.50
Total billed to date	\$17,374.00
Balance of Contract	\$1,018.00

It was moved by Miller and seconded by Dickinson to approve payment of \$637.50 to Brown & Caldwell for work billed on December 20, 2016, on the sub-regional groundwater model. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Bohaty

ITEM 27. 2016 GENERAL ELECTION COSTS.

Invoices have been received from the following county clerks for the general election costs: Butler County \$1,597.13, Clay County \$2,542.75, Seward County \$6,297.87 and York County \$5,419.57, for a total of \$15,857.32.

It was moved by Miller and seconded by Luebbe to approve total payment of \$15,857.32 for general election costs. Divided into sub-payments of; \$1,597.13 to Butler County Clerk, \$2,542.75 to Clay County Clerk, \$6,297.87 to Seward County Clerk and \$5,419.57 to York County Clerk for the general election costs. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: None
NOT PRESENT: Bohaty, Volkmer

ITEM 28. PROCUREMENT PROCESS FOR TRUCKS.

Invoices for three Ford 4-wheel drive trucks from Friesen Ford of Aurora, Nebraska, for a total of

\$97,981.32. have been received. One 2005 Ford F150 truck was traded to Friesen Ford of Aurora, Nebraska, for \$2,000. Total net cost of transaction was \$95,981.32.

It was moved by Miller and seconded by Nuss to approve payment of \$95,981.32 to Friesen Ford of Aurora, Nebraska, for three Ford 4-wheel drive trucks. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Bohaty

ITEM 29. REALTOR CONTRACT.

The Executive Committee was informed that Request for Proposals (RFP) were mailed to twenty-six realty firms in six surrounding communities. Three proposals were received in response to the RFP and were reviewed. The Committee directed the general manager to extend an invitation to Greenleaf Properties, 300 N 44th Street Suite 207, Lincoln, Nebraska, to attend the January 19, 2017, board meeting to pitch their approach for selling the UBBNRD property located at 105 North Lincoln Avenue, York, Nebraska.

It was moved by Miller and seconded by Rich to invite Greenleaf Properties to make a presentation describing selling strategies for UBBNRD property located at 105 North Lincoln Avenue, York, Nebraska.

It was moved by Miller and seconded by Dickinson to amend the motion by completely striking the original motion and replacing with the wording "to authorize management to sign a marketing contract for a minimum 6 months with Greenleaf Properties and request them to attend the February board meeting to discuss pricing. The amendment carried.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

The question was called on the motion as amended. The motion carried.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 30. WORKMEN COMPENSATION INSURANCE.

In September of 2016 a representative of the National Council on Compensation Insurance (NCCI) conducted an on-site inspection of the Upper Big Blue NRD office and grounds and interviewed management regarding specific duties for various staff positions. As a result of this inspection we were informed that some of the classification codes would need to be changed. With the help of our agents

Carl Bibb, who represents Harry Koch and Company, and Ben Royal of Cornerstone Insurance, we filed a formal dispute of the proposed changes with NCCI. We were successful in having one of the classification codes removed from our worker's compensation policy, but the remainder of our appeal was denied.

Bitco Insurance, who is the actual worker's compensation carrier, was going to bill the NRD for amended worker's compensation classifications and payrolls for fiscal years 2016 and 2017. Carl Bibb was able to successfully argue that they could not go back and amend the premiums for fiscal year 2016 because the NCCI inspection was conducted after the annual worker's compensation audit had been completed.

It was necessary for staff to go back and reassign worker's compensation classification codes for those positions affected by the NCCI audit. The new codes that had to be assigned were at a higher rate than what had previously been used to figure the worker's compensation premiums. We worked with Bitco and The Harry Koch Company to determine what the additional premium would be.

Invoices totaling \$6,372.00 have been received from The Harry A. Koch Company for additional worker's compensation premiums as a result of amendments made to classification codes and payrolls assigned to those codes for the current fiscal year.

It was moved by Miller, on behalf of the committee, and seconded by Rich to approve payment of \$6,372.00 to The Harry A. Koch Company of Omaha, Nebraska for additional endorsements to the workmen compensation insurance policy. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Miller

NOT PRESENT: Bohaty

ITEM 31. FINANCIAL REPORT DECEMBER 1 - 31, 2016 AND CONSIDERATION OF EXPENDITURES FOR DECEMBER 2016.

Eigenberg reviewed the financial report for the period December 1, 2016 to December 31, 2016 that was distributed. It was moved by Rich and seconded by Volkmer to accept the financial report for December 2016 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 32. NOMINATING COMMITTEE REPORT.

Bill Stahly presented the Nominating Committee's Report to the board and presented them with the slate of candidates. Chairman Yates appointed Marie Krausnick and Jack Wergin to collect and count

the election ballots. During the election for the office of chairman he turned the meeting over to Vice Chairman Miller.

ITEM 33. ELECTION OF CHAIRMAN.

The candidates for the office of chairman were Ronda Rich and Lynn Yates. There were no nominations from the floor. Rich received 5 votes and Yates received 10 votes. Yates will serve as chairman for a two- year term.

ITEM 34. ELECTION OF VICE CHAIRMAN.

The candidates for the office of vice chairman were John Miller and Mike Nuss. There were no nominations from the floor. Miller received 7 votes and Nuss received 8 votes. Nuss will serve as vice chairman for a two-year term.

ITEM 35. ELECTION OF SECRETARY.

The candidates for the office of secretary were Linda Luebbe and Bill Stahly. There were no nominations from the floor. Luebbe received 6 votes and Stahly received 9 votes. Stahly will serve as secretary for a two-year term.

ITEM 36. ELECTION OF TREASURER.

The candidates for the office of treasurer were Doug Bruns and Doug Dickinson. There were no nominations from the floor. Bruns received 11 votes and Dickinson received 4 votes. Bruns will serve as treasurer for a two-year term.

ITEM 37. ELECTION OF NARD REPRESENTATIVE & VOTING DELEGATE.

The only candidate for the office of NARD representative and voting delegate was Larry Moore. There were no nominations from the floor. It was moved by Houdersheldt and seconded by Luebbe that nominations for NARD Representative and Voting Delegate cease and Moore be declared the winner. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Nuss

NOT PRESENT: Bohaty, Robotham

ITEM 38. ELECTION OF ALTERNATE NARD REPRESENTATIVE AND VOTING DELEGATE.

The Nominating Committee did not put forth any candidates for the Alternate NARD Representative and Voting Delegate. Chairman Yates asked for nominations from the floor. Bruns nominated Gary Eberle and Stahly nominated John Miller. Eberle received 8 votes and Miller received 7 votes. Eberle will serve as NARD Alternate Representative and Alternate Voting Delegate for a two-year term.

There being no other business the chairman adjourned the meeting at 4:16 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held December 15, 2016, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

BOARD OF DIRECTORS MEETING
February 16, 2017

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, February 16, 2017 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Ken Feather, Scott Snell, Marie Krausnick, Nancy Beach, Don Linscott and Tara Galaviz of Greenleaf Properties, Karen Griffin of Olsson Associates, and Conor Ward of NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on February 9, 2017 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Dickinson and seconded by Rich to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Rich to approve the agenda for the February 16, 2017 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 7. *APPROVAL OF MINUTES OF THE JANUARY 19, 2017 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Rich to approve the minutes of the January 19, 2017 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 8. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on February 9, 2017 and presented the committee's recommendations.

ITEM 9. GREENLEAF PROPERTIES REAL ESTATE CONTRACT.

The Board was informed that the Commercial Exclusive Listing Agreement was signed by the General Manager on January 23, 2017, with Greenleaf Properties, 300 N 44th Street Suite 207, Lincoln, Nebraska. The listing period of the agreement began January 23, 2017, and shall continue through July 31, 2017. Representatives of Greenleaf Properties attended the February 16, 2017 Board Meeting to provide Greenleaf's input into setting the asking price for the property and to show any listing or promotional materials.

ITEM 10. EXECUTIVE SESSION.

It was moved by Houdersheldt and seconded by Dickinson to go into closed session at 1:35 p.m. to negotiate the terms and sale price for the former NRD office building located at 105 N Lincoln Avenue, York, Nebraska. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

It was moved by Volkmer and seconded by Miller to return to open session at 2:15 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

It was moved by Houdersheldt and seconded by Dickinson to authorize the General Manager to come up with the offering price with Greenleaf Properties for the real estate [located at 105 N. Lincoln Avenue, York, Nebraska] at an agreed upon price. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 11. BROWN & CALDWELL TASK ORDER 01 INVOICE.

Brown & Caldwell submitted an invoice dated January 24, 2017, on the groundwater modeling review for \$982.58.

Brown & Caldwell Task Order 01 Amount	\$18,392.00
Prior payments	\$17,374.00
Current Invoice	\$982.58
Total billed to date	\$18,356.58
Balance of Contract	\$35.42

It was moved by Nuss and seconded by Luebbe to approve payment of \$982.58 to Brown & Caldwell for work billed on January 24, 2017, on the sub-regional groundwater model. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 12. 2016 GENERAL ELECTION COSTS.

Invoices totaling \$11,410.55 have been received from the Fillmore, Hamilton and Saline county clerks for the general election costs.

It was moved by Nuss and seconded by Rich to approve total payments of \$11,410.55 for general election costs. Divided into sub-payments of; \$3,840.63 to Fillmore County Clerk, \$5,141.23 to Hamilton County Clerk, and \$2,428.69 to Saline County for the general election costs. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 13. RESOLUTION TO UPDATE SIGNATURE CARD FOR YORK STATE BANK.

Signatures on financial documents at York State Bank need to be updated to include the name of the newly elected treasurer. Names recorded on these documents will include: Doug Bruns, Treasurer, and David A. Eigenberg, General Manager.

It was moved by Nuss and seconded by Rich to approve authority for updating all documents dealing

with finances at York State Bank including, but not limited to: Account Agreement Signature Cards and Entity Authorization Form. The documents shall contain the signatures of Douglas C. Bruns, Treasurer, and David A. Eigenberg, General Manager. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT VOTING: Bruns

ITEM 14. RESOLUTION TO UPDATE SIGNATURE CARD FOR CORNERSTONE BANK.

Signatures on financial documents at Cornerstone Bank need to be updated to include the name of the newly elected treasurer. Names recorded on these documents will include: Douglas C. Bruns, Treasurer, David A. Eigenberg, General Manager, Rodney DeBuhr, Assistant Manager, and Nancy Brisk, Office Manager.

It was moved by Nuss and seconded by Luebbe to approve authority for updating all documents dealing with finances at Cornerstone Bank including, but not limited to: Account Agreement Signature Cards and Corporate Authorization Resolution Form. The documents shall contain the signatures of Douglas C. Bruns, Treasurer, David A. Eigenberg, General Manager, Rodney DeBuhr, Assistant Manager, and Nancy Brisk, Office Manager. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT VOTING: Bruns

ITEM 15. MOTION TO RECESS TO ALLOW COMMITTEES TO CAUCUS.

It was moved by Nuss and seconded by Miller to recess for the purpose of caucusing of the two standing committees: Water and Regulations and Projects and Programs. The purpose of the caucus is to organize appointed committees, electing committee chair and vice chair. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

Nuss reported that John Miller was elected Chair and Linda Luebbe was elected Vice Chair of the Water & Regulations Committee. Doug Dickinson was elected Chair and Merlin Volkmer was elected Vice Chair of the Projects and Programs Committee. Following Operating Policy No.14: Executive Committee, the chairs of standing committees are members of the Executive Committee. The Executive Committee appointed Gary Eberle as Water Committee Representative to the Executive Committee and Roger Houdersheldt as Projects and Programs Committee Representative to the Executive Committee.

ITEM 16. 2017 – 2018 COMMITTEE ASSIGNMENTS.

2017 – 2018 Committee Members Assignments		
Projects & Programs Committee	Water & Regulations Committee	Executive Committee
Bohaty	Bethune	Chairman Yates
Dickinson, Committee Chair	Eberle	Vice Chairman* Nuss
Houdersheldt	Kuehner	Secretary* Stahly
Robotham	Luebbe, Committee Vice Chair	Treasurer* Bruns
Roesler	Miller, Committee Chair	NARD Representative* Larry Moore
Volkmer, Committee Vice Chair	Rich	Projects Chairman Dickinson
Board Officer Nuss	Board Officer Stahly	Water Chairman Miller
Board Officer Bruns	Board Officer Moore	Projects Representative Houdersheldt
Board Chairman Yates	Board Chairman Yates	Water Representative Eberle

* Any one of these officers may be appointed to the committees but may not serve as Committee Chairman or Vice Chairman.

It was moved by Nuss and seconded by Miller to approve the committee assignments. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 17. DIRECTORS' GMDA CONFERENCE EXPENSES.

Expense claims have been submitted by five directors who attended the 2017 GMDA Conference in Fort Worth, Texas. The expenses claimed total \$4,177.78.

It was moved by Nuss and seconded by Volkmer to approve total payments of \$4,177.78 for expense claims to attend the 2017 GMDA Conference. Paid to each attendee in the amount of: Douglas Bruns -- \$1,028.69, Linda Luebbe -- \$891.13, Ronda Rich -- \$957.36, Becky Roesler -- \$652.05 and Lynn Yates -- \$648.55. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Robotham, Stahly, Volkmer

NAY: None

NOT VOTING: Bruns, Luebbe, Rich, Roesler, Yates

ITEM 18. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Eberle reported that the Water & Regulations Committee met February 9, 2017 and presented the committee's recommendations.

ITEM 19. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Three Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payment totaling \$1,500.00.

It was moved Dickinson and seconded by Rich to make a cost-share payment for three well abandonments as reviewed by the Committee, at a cost of \$1,500.00. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 20. UNIVERSITY OF NEBRASKA-LINCOLN DATA REQUEST.

Dr. Daran Rudnick, with the University of Nebraska-Lincoln, is requesting nitrogen use and water withdrawal data from the District. The information will be aggregated, analyzed, and shared for the benefit of fellow producers districtwide. It is the District's understanding that information regarding legal locations will remain confidential.

It was moved by Eberle and seconded by Rich to allow the District to partner with the University of Nebraska-Lincoln in the sharing of producer data for the benefit of all producers districtwide. The motion was approved.

AYE: Bethune, Bohaty, Eberle, Moore, Rich, Robotham, Roesler, Stahly, Yates

NAY: Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Volkmer

ITEM 21. NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ) CHEMIGATION PAYMENT.

The annual chemigation report to NDEQ has been completed. To comply with state statute, we owe NDEQ \$3,410.00 for their administration of the chemigation program.

It was moved by Eberle and seconded by Luebbe to pay the Nebraska Department of Environmental Quality \$3,410.00 for their administration of the chemigation program. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 22. MUNICIPAL WATER SYSTEM ASSISTANCE PROGRAM PAYMENT – CITY OF SEWARD.

The City of Seward has completed the replacement of the reverse osmosis membranes in their water treatment facility. The final cost of the project was \$168,999.21. Under the agreement with the City of Seward, the District agreed to cost share \$37,475.00 for the replacement of the reverse osmosis membranes.

It was moved by Eberle and seconded by Robotham to pay the City of Seward \$37,475.00 for the replacement of the reverse osmosis membranes in the city's water treatment facility. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 23. IRRIGATION SCHEDULING EQUIPMENT FOR RESALE-KLEIN SALES & SERVICE.

The District has purchased 810 Watermark Sensors, 50 data loggers, 75 handheld meters, and 25 handheld replacement cables from Klein Sales & Service for resale. The total invoice is \$61,740.00.

It was moved by Eberle and seconded by Bruns to pay Klein Sales & Service \$61,740.00 for resale irrigation scheduling equipment. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 24. FLOW METER REPAIR COST SHARE.

Five flow meter repair cost-share applications have been approved for final payment totaling \$750.00.

It was moved by Eberle and seconded by Luebbe to pay five flow meter repair cost-share claims totaling \$750.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 25. GROUNDWATER TRANSFER AUTHORIZATION.

Rodney Eigsti applied for a groundwater transfer to irrigate 58.8 acres in the S1/2 SW1/4 of Section 17-T08N-R02E from well G-165355 located in the S1/2 SE1/4 of Section 18-T08N-R02E, all in Saline County. The proposed transfer complies with the Districts groundwater regulations.

It was moved by Eberle and seconded by Bruns to approve Groundwater Transfer T-092. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: Volkmer

ITEM 26. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the irrigated acres certification for 2 parcels totaling 135.25 acres, yielding no change in irrigated acres. The Committee also reviewed the wetland acres certification on 3 parcels totaling 75.00 acres, yielding a net increase in wetland acres of 75.00 acres. The total wetland acres are 8,169.39.

It was moved by Eberle and seconded by Stahly to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

It was moved by Eberle and seconded by Dickinson to certify the wetland acres changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 27. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on February 9, 2017 and presented the committee's recommendations.

ITEM 28. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Nuss that the Upper Big Blue Natural Resources District make payment of \$6,845.70 for one completed NSWCP Land Treatment application as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 29. PRIVATE DAMS PROGRAM – NEW APPLICATIONS.

It was moved by Dickinson and seconded by Nuss that the Upper Big Blue Natural Resources District approve five new applications (Heine, Dey, Fassnacht, Priefert, Jackson) under the Private Dams Program which will utilize an estimated \$119,250 of NRD funds as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 30. PRIVATE DAMS PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Nuss that the Upper Big Blue Natural Resources District make payment of \$19,577.40 for one completed Private Dam application as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 31. RECREATION AREA MAINTENANCE CONTRACTS.

Oxbow Trail Recreation Area - The District has contracted with Diana Rech from May 1, 2017 to September 1, 2017 for mowing the Oxbow Trail Recreation Area, twice a month for cleaning the restrooms and picking up and disposing of trash every Monday and Friday. She will furnish all labor and equipment, and is responsible for her employees' safety and liability insurance. Diana Rech has agreed to do the work for \$725.00 per month, for a total of \$2,900.00.

Pioneer Trails Recreation Area - Rock Turf Concepts (Andrew Fisher) from Aurora has done the mowing at Pioneer Trails Recreation Area for the past three years. Since the District has upgraded the recreation area, there is more area that needs mowed and weeds to be trimmed, which takes a considerable amount of time. The District has requested the area be mowed every two weeks starting May 1, 2017 through September 1, 2017. Andrew Fisher has put in a bid of \$5,400.00 for nine mowings during this time frame, which is \$600.00 per mowing.

It was moved by Dickinson and seconded by Moore that the Upper Big Blue Natural Resources District hire Diana Rech for mowing the Oxbow Trail Recreation Area twice a month, and cleaning the restrooms and picking up trash every Monday and Friday of each week for \$725.00 per month, and that the District contract the mowing of Pioneer Trails Recreation Area to Rock Turf Concepts of Aurora, NE for the amount of \$600.00 per mowing, or a total of \$5,400.00 for the season from May 1, 2017 to September 1, 2017. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 32. WATERSHED MANAGEMENT PLAN – PROJECT IMPLEMENTATION PLAN (PIP).

The Upper Big Blue NRD has received comments on the draft Watershed Management Plan PIP from the Nebraska Department of Environmental Quality (NDEQ). Staff presented a draft PIP at the January Committee meeting for review. If the Committee/Board chooses to pursue development of a Watershed Management Plan, the next step would be to forward the PIP to NDEQ for approval. NDEQ will forward PIP to the Environmental Protection Agency Region 7 for approval. If approved, the Upper Big Blue NRD would then enter a contract with the NDEQ for completion of the Watershed Management Plan. Federal funds would provide sixty percent of planning costs and the UBBNRD would provide forty percent. Upper Big Blue NRD staff time would count for part of the required forty percent.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District forward the Project Implementation Plan for the Upper Big Blue NRD Water Quality Management Plan to the Nebraska Department of Environmental Quality as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 33. NEW OFFICE WINDBREAK.

Staff discussed the need for establishing a windbreak north of the new administrative office building. Feather proposes to purchase some larger trees comparable in size to the eight trees that were planted by Faller Landscape last spring. It was also discussed that he could use a variety of conifers for diversity and educational purposes.

It was moved by Dickinson and seconded by Nuss that the District spend an amount not to exceed \$7,000.00 to establish a windbreak north of the Upper Big Blue NRD administration building using a variety of conifers and shrubs. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 34. FINANCIAL REPORT JANUARY 1 - 31, 2017 AND CONSIDERATION OF EXPENDITURES FOR JANUARY 2017.

Eigenberg reviewed the financial report for the period January 1, 2017 to January 31, 2017 that was distributed. It was moved by Stahly and seconded by Volkmer to accept the financial report for January 2017 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

There being no other business the chairman adjourned the meeting at 3:42 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held February 16, 2017, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

BOARD OF DIRECTORS MEETING

March 16, 2017

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, March 16, 2017 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Ken Feather, Scott Snell, Marie Krausnick, and Joshua Bowers of NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on March 9, 2017 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Dickinson and seconded by Miller to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Miller to approve the agenda for the March 16, 2017 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 7. *APPROVAL OF MINUTES OF THE FEBRUARY 16, 2017 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Miller to approve the minutes of the February 16, 2017 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 8. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Water & Regulations Committee met March 9, 2017 and presented the committee's recommendations.

ITEM 9. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Three Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$1,500.00.

It was moved by Dickinson and seconded by Miller to make cost-share payments for three well abandonments as reviewed by the Committee, at a cost of \$1,500.00. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 10. APPROVED FLOW METER LIST AG3000 & VALLEY 3000.

Seametrics is discontinuing production of the AG2000 Electronic Magmeter. They are replacing the AG2000 with the AG3000 and Valley 3000 Electronic Magmeters. The only difference is the color of the register housing, AG3000 will be green while the Valley 3000 will be blue. Seametrics is asking that both meters be placed on the Districts approved meter list. The two meters function identically and meet the Districts requirements to be on the approved meter list.

It was moved by Luebbe and seconded by Rich to add the Seametrics AG3000 and Valley 3000 flowmeters to the Districts approved meter list. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 11. FLOW METER REPAIR COST-SHARE.

Two flow meter repair cost-share applications have been approved for final payments totaling \$300.00.

It was moved by Luebbe and seconded by Miller to pay two flow meter repair cost-share claims totaling \$300.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 12. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the irrigated acres certification for 91 parcels totaling 8,018.24 acres, yielding an increase in irrigated acres of 221.18. This brings the total irrigated acres to 1,234,322.29.

It was moved by Luebbe and seconded by Rich to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 13. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on March 9, 2017 and presented the committee's recommendations.

ITEM 14. LAND TREATMENT PROGRAM – NSWCP COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District make payment of \$5,308.70 for two completed NSWCP Land Treatment applications as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 15. *BUFFER STRIP PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Miller that the Upper Big Blue Natural Resources District make payment of \$3,110.00 for three Nebraska Buffer Strip Program contracts as recommended by staff

and reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 16. PRIVATE DAMS PROGRAM NEW APPLICATIONS.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve one new application (Witte) under the Private Dams Program which will utilize an estimated \$31,500.00 of NRD funds as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 17. PRIVATE DAMS PROGRAM COST-SHARE PAYMENTS.

Construction has been completed on two dams and the NRCS has signed off on these dams.

It was moved by Dickinson and seconded by Nuss that the Upper Big Blue Natural Resources District make payment of \$43,309.20 for two completed Private Dams Program applications as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT VOTING: Rich

ITEM 18. VARIABLE RATE IRRIGATION PILOT PROGRAM.

The District received eight VRI Pilot Program applications. Six in Clay County, one in Fillmore County, and one in York County.

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District approve eight Variable Rate Irrigation Pilot Program Applications which will utilize a total of \$21,645.00 of NRD funds as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 19. OXBOW TRAIL AUXILIARY SPILLWAY – TREE AND SILT REMOVAL CONTRACT.

Silt has been building up in the auxiliary spillway from the drainage from the east. There are a number of trees growing in the auxiliary spillway and there is also a small area of tree removal and fencing

needed along the north property line. Staff prepared a list of work items to be completed and solicited a bid from a local contractor. The contractor's bid was close to NRD estimate.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District accept the bid of \$23,994.00 from M. E. Collins Contracting Co., Inc. for work at the auxiliary spillway (tree removal, silt removal, restore grade, and seeding) and for work at the north property line (removal of trees and construct new fence). The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 20. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on March 9, 2017 and presented the committee's recommendations.

ITEM 21. SALARY REIMBURSEMENT LOWER PLATTE NORTH.

An invoice has been received for Upper Big Blue NRD's portion of salaries for the NRCS clerk in the amount of \$7,967.88 and \$46.42 for the technician from the Lower Platte North NRD for a total of \$8,014.30. (Six-month reimbursement period of July to December, 2016.)

It was moved by Nuss and seconded by Eberle to approve payment of \$8,014.30 to the Lower Platte North NRD for NRCS salaries (clerk and technician) for a six-month reimbursement period of the first half of FY17 (July to December, 2016). The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: Houdersheldt, Miller

ITEM 22. 2020 NATIONAL ENVIROTHON FINANCING.

The committee discussed the need to support the 2020 National Envirothon. Discussion focused on providing an opportunity to showcase the uniqueness of Nebraska's Natural Resources Districts to participants of this event.

It was moved by Nuss and seconded by Dickinson to support the dues based assessment of 5.9% of the \$400,000 estimated cost of the 2020 National Envirothon. Obligating funds in the amount \$7,823 per year for a three-year period starting in FY18 and ending in FY20. Total amount to be budgeted is not to exceed \$23,469. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 23. FINANCIAL REPORT FEBRUARY 1-28, 2017 AND CONSIDERATION OF EXPENDITURES FOR FEBRUARY 2017.

Eigenberg reviewed the financial report for the period February 1, 2017 to February 28, 2017 that was distributed. It was moved by Houdersheldt and seconded by Volkmer to accept the financial report for February 2017 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Rich

There being no other business the chairman adjourned the meeting at 2:47 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held March 16, 2017, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

BOARD OF DIRECTORS MEETING

April 20, 2017

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, April 20, 2017 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Ken Feather, Scott Snell, Marie Krausnick, Nancy Beach, Joshua Bowers of NRCS, Seward Mayor Joshua Eickmeier, John Hughes, Mike Hecker, Roger Reamer, Jonathan Jank, and Seward County Commissioner Gene Gausman.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on April 13, 2017 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Rich and seconded by Volkmer to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Volkmer to approve the agenda for the April 20, 2017 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 7. *APPROVAL OF MINUTES OF THE MARCH 16, 2017 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Volkmer to approve the minutes of the March 16, 2017 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 8. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met April 11, 2017 and presented the committee's recommendations.

ITEM 9. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Ten Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$3,947.64.

It was moved by Rich and seconded by Volkmer to make cost-share payments for ten well abandonments as reviewed by the Committee, at a cost of \$3,947.64. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 10. FLOW METER REPAIR COST-SHARE.

Nineteen flow meter repair cost-share applications have been approved for final payments totaling \$2,742.67.

It was moved by Miller and seconded by Moore to pay nineteen flow meter repair cost-share claims totaling \$2,742.67. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 11. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the irrigated acres certification for 293 parcels totaling 27,132.99 acres, yielding an increase in irrigated acres of 270.95. This brings the total irrigated acres to 1,234,593.24.

It was moved by Miller and seconded by Rich to certify the irrigated acres changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 12. MUNICIPAL WATER SYSTEM ASSISTANCE PROGRAM.

The Village of Benedict has applied for the Municipal Water System Assistance Program to drill a test hole to find a deep sand formation. If the formation exists they would like to drill a monitoring well and collect quality samples from the well for six months. The estimated total cost of the project is \$25,600. The total NRD share would be \$6,400.00.

It was moved by Miller and seconded by Luebbe to fund the Village of Benedict through the Municipal Water System Assistance Program application from the FY16-17 budget, not to exceed \$6,400.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 13. CITY OF HASTINGS VADOSE ZONE NITRATE STUDY PAYMENT.

Hastings Utilities has submitted an invoice for year two of the Vadose Zone Study totaling \$10,067.06. The original budget was \$50,000.00 over two years. The total amount spent by the end of year two would be \$26,849.96. Hastings Utilities is asking for an extension to complete the project, and to carryover the remaining funds totaling \$23,150.04 until project completion.

It was moved by Miller and seconded by Luebbe to pay Hastings Utilities for year two of the Vadose Zone Study totaling \$10,067.06. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

It was moved by Miller and seconded by Rich to extend the current interlocal agreement with Hastings Utilities for the Vadose Zone Study for two years and carry over the remaining funds of \$23,150.04 to the extended agreement. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 14. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on April 13, 2017 and presented the committee's recommendations.

ITEM 15. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District make payment of \$27,760.75 for six completed land treatment applications (four completed NSWCP Land Treatment applications (\$21,234.22) and two completed NRD Land Treatment applications (\$6,526.53)) as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 16. LAND TREATMENT PROGRAM END OF FISCAL YEAR FUNDING.

Staff discussed the authorization of land treatment applications, specifically windbreak renovations with an eighteen-month timeline, that will extend beyond the end of the fiscal year for payment. These projects obligate current fiscal year land treatment funds, but are not completed or paid until the following fiscal year. This causes current fiscal year land treatment program funds to go unutilized.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District allow authorization of windbreak renovation land treatment applications without obligating current fiscal year funds as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 17. PRIVATE DAMS PROGRAM COST-SHARE PAYMENTS.

Construction has been completed on one dam and the NRCS has signed off on the structure.

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District make payment of \$20,512.28 for one completed Private Dams Program application as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

ITEM 18. CORNERS FOR WILDLIFE PROGRAM NEW CONTRACT.

Thomas Menze has one pivot corner located in the NE1/4 Sec 2, Township 10N, Range 2W, York County, Nebraska. The plan is to inter-seed a 2.5-acre portion of the pivot corner to a high-diversity seed mix, including a pollinator habitat mix. The contract includes a pollinator habitat mix and premium nesting cover. The contract is paid for by monies available through the local Pheasants Forever Chapter and the Environmental Trust. Menze will receive \$60/acre for a 5-year period on the 2.5 acres. The NRD will receive the monies for the payment through the Pheasants Forever Chapter before making payment to the landowner.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District enter into the Corners for Wildlife contract with Thomas Menze and Pheasants Forever located in the NE1/4 Sec 2, Township 10N, Range 2W, York County, Nebraska for a period of 5 years with an annual payment of \$150.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 19. SEWARD HIKING BIKING TRAIL INTERLOCAL AGREEMENT.

The UBBNRD sent a draft interlocal agreement for the Seward Hiking/Biking Trail to the City of Seward that included cost share assistance of 25% of the local requirement, not to exceed \$75,000, and language that the NRD could withdraw its funds if condemnation is necessary. Seward Mayor, Josh Eickmeier, addressed the committee and expressed concern about issues with the condemnation language in the agreement. A landowner with one small parcel could cause the loss of the funds. This language would make it hard to budget for the project because of the uncertainty of utilizing the funds. The Mayor mentioned that following completion of the first phase of the trail (along the east side of Seward) the City and NRD had entered an agreement where the NRD would provide \$75,000 for completion of the 2nd phase of the trail (from South Columbia Street to the Fairgrounds). The construction of the 2nd phase of the trail was delayed and the agreement expired. If the trail was completed in three phases as originally planned, the City assumed it would receive an additional \$75,000 of NRD funds for construction of the 3rd (and final) phase of the trail which is located on the west and north side of Seward, from the Fairgrounds back to Plum Creek Park. Since the City is now proceeding with completion of the entire trail (including the 2nd and 3rd phase), the City was hoping to get \$150,000 of assistance. Mayor Eickmeier asked to increase the funding maximum to \$150,000 and presented the Committee three versions of the interlocal agreement. Version 1 increased the funding maximum to \$150,000 and removed the condemnation language; version 2 increased the funding maximum to \$150,000 and left in the condemnation language; and version 3 left the funding maximum at \$75,000 and removed the condemnation language.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District advance the original NRD version of the interlocal agreement (which includes the condemnation language and a maximum funding of \$75,000) as reviewed by the Committee.

Mayor Eickmeier and members of the Seward community addressed the board and asked that the Upper Big Blue NRD consider entering into an interlocal agreement with the City of Seward to provide funding for the trail.

It was moved by Houdersheldt and seconded by Eberle to amend the motion to fund \$150,000. There was discussion regarding how to fund the additional \$75,000. Moore suggested that the additional money could be taken from the sinking funds set aside for the Struebing Project, Oxbow Trail or Kezan Creek. Since construction of the trail is not expected to be accomplished during the upcoming fiscal year funds could be added to the current sinking fund CD for the Seward West Trail. It was the consensus that it would be addressed during budget planning for fiscal year 2018. The question was called on the amendment. The amendment carried.

AYE: Bethune, Bohaty, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham

NAY: Bruns, Kuehner, Luebbe, Roesler, Stahly, Volkmer, Yates

The question was called on the original motion as amended. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Stahly

NAY: Bruns, Kuehner, Luebbe, Roesler, Volkmer, Yates

ITEM 20. STRUEBING DAM STORAGE USE WATER RIGHT APPLICATION.

Staff presented a copy of the Upper Big Blue NRDs "Water Use Policy from District Controlled Reservoirs" and a draft "Agreement for Use of Water from the Struebing Flood Control Structure". Landowner Brian Prigge contacted adjacent landowners as directed by the UBBNRD staff. The UBBNRD sent letters to adjacent landowners and was contacted by one landowner with some questions. The landowner seemed okay with the storage use application after discussing with NRD staff. The Committee discussed the fees associated with a storage use water application.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District amend the District's "Water Use Policy from District Controlled Reservoirs" to change the rate listed in Section 5. Water Use Costs to Off-Set Construction Costs and Administrative Costs from \$5.00 per irrigated acre to \$20.00 per irrigated acre and change the rate listed in Section 6. Consideration for Free Easements from \$5.00 to \$20.00 as reviewed by the Committee.

Rod DeBuhr told the board that a mistake was made during the discussion of the proposed rate change. In the Water & Regulations Committee the discussion and action was based on the wording "irrigated acre". Following the committee meeting it was brought to his attention that the original agreement for the use of water from the Struebing flood control structure stated the rate structure was based on "acre foot". DeBuhr suggested that the committee motion be amended to reflect the actual language used in the Struebing agreement.

It was moved by Houdersheldt and seconded by Luebbe to amend the motion to change the wording from irrigated acre to acre foot. The amendment carried.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

It was moved by Miller and seconded by Moore to amend the motion to change the rate to \$3.00 per acre inch. The amendment carried.

AYE: Bethune, Bruns, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: Bohaty, Dickinson, Kuehner, Volkmer

The question was called on the original motion as amended. The motion was approved.

AYE: Bethune, Bruns, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: Bohaty, Dickinson, Kuehner, Volkmer
NOT VOTING: Luebbe

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District amend and advance the "Agreement for Use of Water from the Struebing Flood Control Structure" with the updated rates (\$3.00 per acre inch) as reviewed by the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 21. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on April 13, 2017 and presented the committee's recommendations.

ITEM 22. *DIRECTORS' FIRST QUARTER PER DIEM & EXPENSES.

The Committee reviewed the directors' per diem and expense summary for the first quarter of FY17.

It was moved by Rich and seconded by Volkmer to approve payment of first quarter directors' per diem of \$10,220.00 and expenses of \$3,200.97. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 23. BLUEPRINT NEWSLETTER PRINTING.

The Executive Committee reviewed the invoice for printing of the March 2017 BLUEPRINT Newsletter.

It was moved by Nuss and seconded by Dickinson to approve payment of \$6,690.71 to York Printing, LLC for printing the March edition of the BLUEPRINT newsletter. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 24. BLUE RIVER COMPACT MEETING.

The Kansas-Nebraska Big Blue River Compact Meeting will be hosted on May 17, 2017, at the Upper Big Blue Natural Resources District (UBBNRD). The Committee considered having staff organize a catered lunch for this event with the UBBNRD underwriting the expense of the event.

It was moved by Nuss and seconded by Volkmer to underwrite the expense on the lunch for the Kansas-Nebraska Big Blue River Compact Meeting on May 17, 2017. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 25. APPROVAL FOR OUT-OF-STATE TRAVEL.

The Committee discussed the Groundwater Management Districts Association (GMDA) Spring Conference to be held May 24–26, 2017 in Albuquerque, New Mexico. It was the consensus of the Committee to encourage participation by the Board.

It was moved by Nuss and seconded by Volkmer to approve out of state travel for up to 3 directors to attend the GMDA Spring Conference in Albuquerque, New Mexico. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 26. FINANCIAL REPORT MARCH 1 - 31, 2017 AND CONSIDERATION OF EXPENDITURES FOR MARCH 2017.

Eigenberg reviewed the financial report for the period March 1, 2017 to March 31, 2017 that was distributed. It was moved by Volkmer and seconded by Roesler to accept the financial report for March 2017 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

There being no other business the chairman adjourned the meeting at 9:13 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held April 20, 2017, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept

continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

BOARD OF DIRECTORS MEETING

May 18, 2017

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, May 18, 2017 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Nancy Brisk, Ken Feather, Scott Snell, Marie Krausnick, Nancy Beach, Joshua Bowers of NRCS, Seward County Commissioner Gene Gausman, and Sherman Wilshusen.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on May 11, 2017 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Rich and seconded by Volkmer to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Volkmer to approve the agenda for the May 18, 2017 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 7. *APPROVAL OF MINUTES OF THE APRIL 20, 2017 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Volkmer to approve the minutes of the April 20, 2017 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 8. SHERMAN WILSHUSEN ADJUDICATORY HEARING.

Chairman Yates opened the hearing at 7:33 p.m. The purpose of the hearing was to hear the complaint filed by David A. Eigenberg, on behalf of the District, against Sherman E. Wilshusen of Polk, Nebraska, alleging that the required ground water flowmeter was not installed, as required by the District's Ground Water Management Area Rules and Regulations.

YATES: Okay the next item on the agenda is the Sherwin [Sherman] Wilshusen hearing. At this time, I will open the hearing and will enter into the record the notice of the hearing [Exhibit 1 - Affidavit of Publication]. The notice was published in the York News-Times on April 27th, May 4th and May 12th. So, at this time I will turn it over to Marie.

KRAUSNICK: Thank you Mr. Chairman. My name is Marie Krausnick, Water Department Manager with the Upper Big Blue Natural Resources District. The reason we are all here today is because we have a producer in Polk County who has concerns about placing a steel plate or a flow meter on an inactive well. I would like to enter in as an exhibit, exhibit 2, [Exhibit #2 - Rule 3 Conduct of Formal Adjudicatory Hearings Before the District], Rule 3 of the District's Rules and Regulations which allows, has the outline for how the public hearing should be ran. I would like to also enter in to the file exhibit 3 [Exhibit #3 - Rule 4 Rules and Regulations for the Enforcement of the Groundwater Management and Protection Act] which is Rule 4, which is the rules and authority giving the district the authority to put together the rules and regulations for quantity. I would also like to enter in as an exhibit number 4 [Exhibit #4 - Rule 5 Upper Big Blue Natural Resources District Groundwater Management Rules and Regulations] Rule 5 of the District's Rules and Regulations which outlines our flow meter requirements. I would like to enter in exhibit number 5 [Exhibit # 5 - Meter Installation Verification] which is a work order that was built by our staff for our field technicians when they go out. You can see the information at the top is legal description, contact information along with phone numbers. Toward the bottom is the information that is pertinent when we are out doing the inspection. You can see that the first visit was on 7/25/2016

where there was nothing installed. We were out there again in October of 2016 to verify that the well was not used and to see if the plate or flowmeter had been installed. At that time, we were in contact with Mr. Wilshusen who said he did not wish to remove the cooling coil. He was given three options; to

either plate it, install a meter, or simply, with a well that had not been used in a number of years, pull the pump and decommission the well. And we did offer cost-share to have that done. At that point I would like to enter exhibit number 6 [Exhibit #6 - June 17, 2016 Complaint of Violation letter] which was our first contact with the complaint of violation and this was actually in June of 2016. As you can see he did have a number of wells that we visited and were covered under this. He has come into compliance on all of his other wells except for this one. In April of 2017 we issued the violation with the investigation report and the schedule of compliance. [Exhibit #7- April 11, 2017 Letter to Mr. Wilshusen] Mr. Wilshusen was given 7 days to except, or request a public hearing, or having his plate or meter installed on his well. He did not sign that in the amount of time. We were going to give him until May 5th to have everything completed. On May 5th, we did go out and do a final inspection, even though he had not signed the document, and nothing had been done on the well. At that point then we were requesting to have a public hearing. Last Friday, May 12th, Mr. Wilshusen did come in to the office, late Friday afternoon, and did visit with Dave. Exhibit number 8 [Exhibit # 8 - David Eigenberg Personal Log] is the documentation of that visit that Mr. Wilshusen had with Dave stating that he still had questions about what would happen if he did not appear this evening. What would happen if he did not go along with our rules and regulations was explained. Exhibit number 9 [Exhibit #9 - April 25, 2017 Formal Hearing Notice Letter] is proof of the formal hearing and that Mr. Wilshusen received that notification. And Nancy, I think that, did I miss an exhibit number? Did I miss giving you an exhibit number?

BRISK: Number seven? No I think we're good.

YATES: Okay, thank you Marie. At this time Mr. Wilshusen... Oh, are there any questions for Marie first? From anyone? Okay, so at this time Mr. Wilshusen do you have something to say; or a comment?

WILSHUSEN: I don't know. It sounds like I need a lawyer.

YATES: Oh, I don't know about that, but that's up to you.

WILSHUSEN: Do I have to push this button all the time?

YATES: Is the green light on? It's on already. It stays on.

WILSHUSEN: Yah. Sherman Wilshusen, 579 122nd Road, Polk, Nebraska 68654. So, I'm allowed to say whatever I want concerning...? Okay. I spent a little time this afternoon, just wrote a few notes here about in regards to the well in question a little history there. The well will pump about 200 gallons per minute, give or take. It has not been used in a minimum of 10 years, maybe 12 to 15. And I think you can check that out pretty easy with FSA maps and so forth that there's no laterals or roads into it. It is a propane motor so it's kind of hard to carry fuel in. I don't know when the last year was that I reported any usage. That's probably in your records someplace. And I know it wasn't used in the drought year of 2012. Over the years I guess I've tried to cooperate with the NRD by giving permission to nitrate test the other well on this same quarter for the last 20 plus years. And I've also turned in the water usage reports. Maybe late. But also, close as I could even after office personnel called and say "well just

guess" or "was it about the same as last year?". I always went back to my notes for each well as to the hours pumped. And last year I also spent over twelve grand on meters for wells that I do use. Eight to ten years ago somebody had a cost share program. When I applied, you was out of money. And apparently, you never got any more money because I was never contacted on cost sharing. The

conversation on October 13th, I just read that this afternoon. I don't even recollect that conversation. I just can't believe it was personally, man-to-man, or what, because I do not recollect it. But if we had talked I think I'd have mentioned some things that have to do with the laws that you've got here with the plate or meter. I know that there's wells out there that have a seal, cable, whatever you want to call it, through the PTO flange on the gearhead and that seems to qualify. Cause I don't know of any of those people being at a public hearing like I am. And that would have been fine with me. That would work fine. I also know of plates out there that are installed but there's no seal on them anyway so I don't know the big deal is with the plate as far as that goes. And I've also heard there were a lot of wells pumped in 2016 with no meters. So, I just question why I've got this formal hearing and I haven't heard of others that are in the same situation. That's all I've got to say. I know what your laws are. I don't know why a seal through the PTO shaft won't work just as well. You can cut that off just as well as you can take the plate off. I don't know what the big deal is.

YATES: Does anyone have any questions for him at this time? Uhm, the reason you haven't used this well is... I take it you drilled another well? And there's another well watering the acres that this one used to? Is that.....

WILSHUSEN: Yah, that's correct. I think it would have been in about '79 or '80. It's on the list. One of the wells on that same quarter. The one you've been taking the nitrate test on because it's a poor well area and that well I drilled 300 and I think it was supposed to be 310 feet but they lost some hole and didn't get it cased that deep. I guess I can understand why it would be an optimum well to take a deep nitrate test. So, that well is running the pivot. And that little well all it's ever done, well since I put the pivot on, I can't remember what year that was, it's been there a long time, it's on the second pivot. So, it's over 20 years. The little well, I used to, when I was younger and had some energy, I used to go ahead and make a lateral out there and lay pipe out and try and irrigate the corner.

BOHATY: When he said you could seal off the power takeoff; what is that? What is that? Seal off the power takeoff?

WILSHUSEN: There's a flange where you bolt your power takeoff, PTO shaft from the motor to the gearhead. If you drop the PTO shaft you've got four holes there and you can run your seal through them holes. If you bolt up the PTO shaft to it, obviously, you're gonna smash the cable. You gonna do something that would show that you used the well. Now if you decide to change flanges that flange has been on there for so long, if you can't tell that a flange has been removed, after it's been on a well for probably 50 years...so anyway, I just see no..... if it's ever pumped again, then you gotta recharge it and all that crap. I don't even know if, I don't even know if it's free anymore. I never have tried to turn it in years. But I'm not gonna need permission because the way I understand that I could drill a replacement well at this point in time, but if I decommission it, then I don't think I can. I've not read the rules, but that's what I've heard.

YATES: I know we, when we made meters mandatory, you know, we ran in to this and so we came up with, you know, well, you could only put a meter on if trying to use the well instead of pulling the well. Originally I know that was what we were sort of looking at was to put a plate on the discharge, so uhm I'll ask the question. Why don't you want to put a plate on there? I mean it's relatively inexpensive and...

WILSHUSEN: You lose the antifreeze out of the engine and then you gotta put it back in. If you're gonna pump it, then you gotta pull, and then you gotta drain it again.

YATES: On this well, you don't have an engine on there or anything; do you?

WILSHUSEN: Yah, there's a, if you'd call it that, it's a 228 Minneapolis. Yah it's sitting there with a cooling coil on.

YATES: Okay. Okay. I know you don't have to slide it away very far to slip a plate in there.

WILSHUSEN: Yah but with those hoses it'll never work.

YATES: Anybody have any questions? Comments? Questions? Yes, Roger.

HOUDERSHELDT: One thing, you know you were talking about that flange. It's been there for a long time, that's on that well, that well alone.

WILSHUSEN: Yah.

HOUDERSHELDT: We've got how many wells in the District?

KRAUSNICK: Twelve thousand.... active we've got 12,204.

HOUDERSHELDT: That one well isn't the only one we're worried about. I mean, if yours might have been there 50 years, the next guy's might have been there 2 years. There may not be a way to tell that way. I mean I realize you're looking at your situation. We've got to look at everybody's situation when we're doing it and that's one of the reasons why that cable deal wasn't an option. Because we've got, you know, wells that are brand new all the way to 50 years old and not all of them, if we're gonna treat em all the same we've gotta have a set way to handle this.

WILSHUSEN: So then why aren't these people at a hearing? I don't see anybody else lined up to come in.

HOUDERSHELDT: What people?

WILSHUSEN: The people that have seals on their PTO flange and seem to be okay.

HOUDERSHELDT: Nobody that I know of that has that situation.

YATES: John?

MILLER: Roger, staff has approved that on at least two wells I know of.

YATES: Marie?

KRAUSNICK: We have. Back in 2015. There are two people in the District. A total of four wells that have a cable seal on the PTO shaft. Early on in 2015 when we were looking at different options of what to

use, we did allow one gentleman to install that on two of his wells. The gentleman up in Polk County, that was just this last summer, who had some concerns about his wells and the alternatives to sealing that we gave him the option. But then since then we have not let anyone else do that. And this is something I'm gonna put on the agenda for the next committee agenda for next month to visit about and fully explain to you guys. But the staff did not recommend for future installs to allow people to do that.

YATES: Marie, when did you say, I guess, somebody was given permission? But that was the way it was done. Was that in '15?

KRAUSNICK: Yah. In November of '15 was the first time that we did allow someone to do it to two wells. Then just in 6 of '16.

YATES: Okay.

KRAUSNICK: So there's a total of only four wells in the District.

KUEHNER: So why'd you let them and not Mr. Wilshusen?

KRAUSNICK: Well, back in 11 [November], we were, that was about the time that we started talking about the plating and stuff like that and we were as staff looking at different alternatives to allow these gentlemen....in both instances the gentlemen said we're gonna want to use this well within the next two years. And so, with our database system then, we were able to create events to say hey in 2 years we want this to pop back up so that we can contact them and say "have you used the well?". And then at that time it was the staff's intention to then say well if you haven't used it, plate it. We gave you that option and if you haven't used the well we want you to now plate it. But since then we've decided that would be just too much of maintenance to try to maintain that and keep setting those out and following up. We haven't allowed anyone else to do it.

YATE: Okay, is there any other questions?

BOHATY: So this steel plate is something the farmer just picks up and welds to the front of it? Or do you provide it?

KRAUSNICK: No we do not provide it. There are people that build them. If you've got a shop you can build one yourself. The only thing that we require is that it's a tight seal with one bolt hole left open.

YATES: Ah, Jeff they go on the discharge on the pump. What is there; eight holes?

BOHATY: Yep, got it.

YATES: Yah. Yah. John?

MILLER: And then we go out and put a seal on it so we know if that seal's been tampered with.

BOHATY: Through the blank hole?

MILLER: Through the blank hole.

ROBOTHAM: So the only reason you don't want this plate on is because you don't want to drain the antifreeze?

WILSHUSEN: Yep, that's basically it. If it's ever used why you don't have to screw around taking that plate off and drain again. And the principle of the thing.

YATES: Is there any other questions? Do you have any questions for us I guess? I'll give you the option to do that. I think there's been communications with staff back and forth with you so ...

WILSHUSEN: Except for the October 13th thing. I really don't recollect having that conversation with staff. I don't know if it was by face-to-face, or whether it was by communication through the mail. And if it was through the mail, I may have not opened it. Or it might be covered up like my last month's REA bill. So, I'm not denying that there was contact, but I sure don't recollect having contact. I recollect having contact with staff out on my property in May of last year. I said "What are you doing out here?".

YATES: Okay, I'll ask one more time. Is there any other questions? Or comments, I guess? If not, at this time I will close the hearing. Thank you very much.

Chairman Yates officially closed the hearing at 7:55 p.m.

ITEM 9. FORMAL ACTION ON ALLEGED VIOLATION.

Yates advised the board that if they chose to take formal action on the hearing tonight they could, or they can choose to defer action until a later time.

Yates asked if staff was recommending action be taken tonight. Krausnick said that was up to the board, but if they wanted to act tonight she recommended the Board adopt the following cease and desist order against Sherman E. Wilshusen which she read aloud.

WHEREAS, on June 17, 2016 David A. Eigenberg, General Manager of the Upper Big Blue Natural Resources District, filed a complaint alleging that Sherman E. Wilshusen, Polk, NE failed to install a flow meter on a well identified as G-006110 located in Northwest Quarter, Section 07-T13N-R03W, Polk County Nebraska, by January 1, 2016 as required by District Rule 5, Chapter 14, Paragraph 01, or as an alternative, install a District approved plate on the well discharge, and

WHEREAS, the Polk County Assessor's, records indicate that Mr. Wilshusen is the owner of the Northwest Quarter, Section 07-T13N-R03W, Polk County Nebraska, and

WHEREAS, the Board of Directors has reviewed the Inspector's report which found that Mr. Wilshusen did not install a flow meter or proper cap on well G-006110, and

WHEREAS, District Rule 5, Chapter 14, Paragraph 01 states "*A flow meter shall be installed on all*

functional water wells prior to being used to withdraw groundwater, upon implementation of Rule 5, Chapters 15, 16 and 17 or by January 1, 2016, whichever occurs first.”, and

WHEREAS, Mr. Wilshusen was granted the opportunity to request a hearing before the Board of Directors as provided by Rule 4, Chapter 5, paragraph 01, and

WHEREAS, Mr. Wilshusen responded in person to notices sent to him by the District.

THE UPPER BIG BLUE NATURAL RESOURCES DISTRICT BOARD OF DIRECTOR HEREBY ORDERS Sherman E. Wilshusen to install a District approved flow meter or well cap by May 26, 2017 and to cease and desist the reoccurrence of said violation at any time in the future.

It was moved by Moore and seconded by Rich to adopt the cease and desist order against Sherman Wilshusen.

There was discussion regarding the wells whose owners were allowed to place cable seals on their wells rather than plating. It was the consensus of the board that all wells should be brought into compliance with the Districts Rules and Regulations. Krausnick stated the cable seals would be discussed at the June Water & Regulations Committee meeting.

It was moved by Stahly and seconded by Bohaty to table the matter until the next Water & Regulations Committee meeting. The motion to table was approved.

AYE: Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer

NAY: Bethune, Houdersheldt, Miller, Moore, Yates

ITEM 10. GREENLEAF PROPERTIES UPDATE.

Tara Galaviz was unable to attend the board meeting to update the board on the progress with the sale of the former office building located at 105 North Lincoln Avenue in York, Nebraska. She did submit a written market activity report to the board. Plans are for her to attend the June board meeting.

ITEM 11. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met May 9, 2017 and presented the committee's recommendations.

ITEM 12. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Nine Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$4,184.82.

It was moved by Rich and seconded by Volkmer to make cost-share payments for nine well abandonments as reviewed by the Committee, at a cost of \$4,184.82. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 13. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PPROGRAM BUDGET.

The funds budgeted in the current fiscal year for the AQWACAP program have been obligated. Two applications are on hold awaiting funding. Staff requested approval to move \$5,000.00 from the Flowmeter Repair Cost Share program to AQWACAP to finish out the FY17 budget year.

It was moved by Miller and seconded by Luebbe to move \$5,000.00 from the Flowmeter Repair Cost Share program to the AQWACAP program. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 14. NED GROSSHANS ETUX GROUNDWATER TRANSFER AUTHORIZATION.

Ned Grosshans Etux applied for a groundwater transfer to irrigate 73 acres in the E1/2 NE1/4 of Section 34-T11N-R06W from well G-045362 located in the NW1/4 of Section 35-T11N-R06W, all in Hamilton County. The proposed transfer complies with the Districts groundwater regulations.

It was moved by Miller and seconded by Houdersheldt to approve Groundwater Transfer T-093. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Volkmer

ITEM 15. MARGARET L. OTTO GROUNDWATER TRANSFER AUTHORIZATION.

Margaret L. Otto applied for a groundwater transfer to irrigate 23 acres in the W1/2 SW1/4 of Section 09-T09N-R02W from well permit UBB-1-5592 located in the SE1/4 of Section 08-T09N-R02W, all in York County. The proposed transfer complies with the Districts groundwater regulations.

It was moved by Miller and seconded by Stahly to approve Groundwater Transfer T-094. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Volkmer

ITEM 16. EDWARD G. DANIEL TRUST GROUNDWATER TRANSFER AUTHORIZATION.

Edward G. Daniel Trust applied for a groundwater transfer to irrigate 78 acres in the S1/2 SE1/4 of Section 17-T09N-R06W from well permit UBB-1-5563 located in the N1/2 NE1/4 of Section 20-T09N-R06W, all in Hamilton County. The proposed transfer complies with the Districts groundwater regulations.

It was moved by Miller and seconded by Bruns to approve Groundwater Transfer T-095. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates

NAY: Bethune, Roesler, Volkmer

ITEM 17. LATE WELL PERMIT-NEBRASKA GAME & PARKS COMMISSION.

The Nebraska Game & Parks Commission has refurbished a well on the Kirkpatrick Basin which now pumps over 50 gpm. Previously, well G-110048 was used to water livestock at less than 50 gpm. The Nebraska Game and Parks Commission was under the impression from the pump installer that a permit was not required from the District when making the pumping capacity change.

It was moved by Miller and seconded by Rich to approve the late well construction permit submitted by the Nebraska Game & Parks Commission for G-110048. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 18. FLOW METER REPAIR COST-SHARE.

Six flow meter repair cost-share applications have been approved for final payments totaling \$893.05.

It was moved by Miller and seconded by Nuss to pay six flow meter repair cost-share claims totaling \$893.05. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 19. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the non-cropland and irrigated acres' certification for 126 parcels totaling 12,221.27 acres, yielding an increase in acres of 1,065.13. This brings the total irrigated acres to 1,235,446.92.

It was moved by Miller and seconded by Luebbe to certify the acres' changes as presented to the Board.
The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 20. CITY OF YORK DEMONSTRATION PROJECT RESOLUTION.

The staff has been working with the City of York to develop a demonstration site on a portion of the city's wellfield property. The City has committed to signing an interlocal agreement for the demonstration project. The demonstration would focus on soil health, pollinator habitat, and a community garden/berry shrub area. The District is applying for a National Association of Conservation Districts (NACD) grant to offset some of the costs of demonstration startup. The grant application requires the applying agency to adopt a resolution for the demonstration project.

It was moved by Miller and seconded by Rich to adopt the Resolution for a demonstration project with the City of York for Project GROW. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 21. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on May 11, 2017 and presented the committee's recommendations.

ITEM 22. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Stahly that the Upper Big Blue Natural Resources District make payment of \$9,322.13 for two completed Land Treatment applications. One completed Land Treatment application utilized the remaining 2017 NSWCP Land Treatment funds (\$4,957.48) and (\$452.65) of the NRD Land Treatment Funds; and one completed NRD Land Treatment application (\$3,912.00) as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 23. RECHARGE LAKE – SHORELINE EROSION PROTECTION – PAYMENT REQUEST.

Gana Trucking and Excavation Inc. submitted an updated invoice which credited the NRD for the costs of the damaged well repair.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District make payment of \$14,413.32 to Gana Trucking and Excavation Inc. for completing the shoreline erosion protection work at Recharge Lake as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 24. WATERSHED MANAGEMENT PLAN – INTER-GOVERNMENTAL AGREEMENT WITH NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY.

The Nebraska Department of Environmental Quality (NDEQ) has submitted an inter-governmental agreement for the completion of the Upper Big Blue NRD's Water Quality Management Plan. The Committee reviewed the terms of the contract, including the schedule, funding requirements, cost share percentages, reporting requirements, contract amendment procedures, and termination clauses. Agencies must have an approved Water Quality Plan to qualify for 319 funding for implementation projects.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District enter into an inter-governmental agreement (NDEQ Reference Number: 2017-69388909) with the Nebraska Department of Environmental Quality for the completion of the UBBNRD Water Quality Management Plan as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 25. SMITH CREEK – SHORELINE EROSION PROTECTION, CROSSING, FILL.

Staff has developed a statement of work and cost estimate for improvements needed at Smith Creek, which includes placement of rock near the boat ramp, installing a channel crossing below the spillway, and filling and sloping the fence line area north of the restrooms. Staff was to meet with a contractor onsite Monday, May 15, 2017. Cost estimates indicated project work should not exceed \$20,000. Wergin informed the Projects and Programs Committee that he would have a firm price from the contractor by the May 18 board meeting.

The Projects and Programs Committee forwarded a recommendation to the board that the Upper Big Blue Natural Resources District proceed with hiring a contractor for maintenance improvements at Smith Creek (including shoreline erosion protection, channel crossing, and fill/grading near fence line) for a cost not to exceed \$20,000. On May 18, 2017 Gana Trucking and Excavating, Inc submitted a proposal to perform the work for \$16,995.

It was moved by Dickinson and seconded by Bruns that the Upper Big Blue Natural Resources District approve the contract proposal with a total bid of \$16,995 from Gana Trucking & Excavating for

maintenance improvements at Smith Creek Recreation Area (including shoreline erosion protection, channel crossing, and fill/grading near fence line), as recommended by staff. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 26. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on May 11, 2017 and presented the committee's recommendations.

ITEM 27. 2017 BURKE SCHOLARSHIP SELECTIONS.

Nine applications were received for the Burke Scholarship. One of the applicants was ineligible because he resides outside the District. Snell is recommending that two applicants be awarded scholarships and that one alternate be named.

\$2,000 Scholarship: Andrew Pavel – Seward
\$2,000 Scholarship: Rebecca Saddler – Aurora
Alternate: Jacob Griess – Grafton

It was moved by Nuss and seconded by Volkmer to award a \$2,000 scholarship to Andrew Pavel of Seward; a \$2,000 scholarship to Rebecca Saddler of Aurora; and to further name Jacob Griess of Grafton as the alternate. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 28. FISCAL YEAR 2018 SALARY SCHEDULE.

The manager's recommendation on the FY18 Salary Schedule was distributed at the Executive Committee meeting. Eigenberg explained the logic behind his recommendations and answered questions. The Salary Schedule has been developed to provide guidance on FY18 salary structure. Midpoints were calculated by taking the average of 5 NRDs with similar property valuations, annual payrolls, and staffing numbers. Midpoints were then used to develop minimum (80%) and maximum (120%) wage limits. The Salary Schedule will be used in accordance with Operating Policy #17.

It was moved by Nuss and seconded by Moore to approve the FY18 Salary Schedule as presented. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates

NAY: Bohaty, Kuehner, Luebbe, Roesler, Volkmer

ITEM 29. FY18 WAGE INCREASE REQUEST.

FY18 salaries and wages of the employees were discussed with the Executive Committee. Eigenberg asked that the board authorize \$46,554 (3.65% of total FY17 payroll) for salary increases for the staff in the FY18 budget.

It was moved by Nuss and seconded by Houdersheldt to adjust the annual FY18 salaries of the district staff, except for the General Manager, by an amount not to exceed \$46,554 (3.65% of total FY17 payroll), and to authorize the General Manager to determine and make the salary and wage adjustments, in accordance with the Operating Policy. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Rich, Robotham, Stahly, Yates

NAY: Bethune, Bohaty, Kuehner, Luebbe, Roesler, Volkmer

NOT VOTING: Nuss

ITEM 30. FINANCIAL REPORT APRIL 1 - 30, 2017 AND CONSIDERATION OF EXPENDITURES FOR MARCH 2017.

Eigenberg reviewed the financial report for the period April 1, 2017 to April 30, 2017 that was distributed. It was moved by Volkmer and seconded by Miller to accept the financial report for April 2017 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns

There being no other business the chairman adjourned the meeting at 9:22 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held May 18, 2017, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one

copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

Upper Big Blue NRD
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Attachments: Exhibits 1-9.

BOARD OF DIRECTORS MEETING

June 15, 2017

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, June 15, 2017 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Nancy Brisk, Rod DeBuhr, Ken Feather, Scott Snell, Marie Krausnick, Jack Wergin, Nancy Beach, Joshua Bowers of NRCS, Seward County Commissioner Gene Gausman, Ken Quandt with Micrometer, and Tara Galaviz of Greenleaf Properties.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on June 8, 2017 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Jeff Bohaty requested an excused absence from the June 15, 2017 board of directors meeting.

It was moved by Rich and seconded by Volkmer to excuse the absence of Bohaty from the June 15, 2017 Board of Directors meeting as requested. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Dickinson and seconded by Rich to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Rich to approve the agenda for the June 15, 2017 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 7. *APPROVAL OF MINUTES OF THE MAY 18, 2017 BOARD OF DIRECTORS MEETING & PUBLIC HEARING.

It was moved by Dickinson and seconded by Rich to approve the minutes of the May 18, 2017 Board of Directors meeting and public hearing. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 8. GREENLEAF PROPERTIES LISTING UPDATE.

Tara Galaviz of Greenleaf Properties was present to update the board on their company's advertising campaign and sales strategies for the former NRD headquarters building. Tara suggested that the NRD allow her to put on an open house over the noon hour to showcase the office building. The Board gave their approval.

ITEM 9. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met June 6, 2017 and presented the committee's recommendations.

ITEM 10. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Six Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been received for final payments totaling \$3,000.00.

It was moved by Dickinson and seconded by Rich to make cost-share payments for six well abandonments as reviewed by the Committee, at a cost of \$3,000.00. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 11. EIGENBERG VS. SHERMAN E. WILSHUSEN.

Last month the Board voted to table action against Sherman E. Wilshusen until after the next June Water Committee meeting. Because it takes board action to bring the matter back to the table, the Water and Regulations Committee was only able to discuss and make recommendations for the Board to consider, if the matter was brought back before the board. The Water and Regulations Committee recommended that the board adopt the cease and desist order and change the compliance date from May 26, 2017 to July 5, 2017.

It was moved by Miller and seconded by Stahly to take from the table the motion regarding issuance of a cease and desist order against Sherman E. Wilshusen. The motion was approved

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

The motion brought back to the table, which was moved by Moore and seconded by Rich, read “to adopt the cease and desist order against Sherman E. Wilshusen.”

It was moved by Miller and seconded by Moore to amend the motion to include that the last paragraph of the cease and desist order read “The Upper Big Blue Natural Resources District Board of Directors hereby orders Sherman E. Wilshusen to install a District approved flow meter or well cap by July 5, 2017 and to cease and desist the reoccurrence of said violation at any time in the future.” The amendment carried.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

The question was called on the motion to adopt the cease and desist order against Sherman E. Wilshusen as amended. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 12. CABLE SEALING A POWER TAKE OFF.

At the June Water and Regulations Committee meeting Krausnick presented images of the four irrigation wells where District staff authorized cable seals be installed on the power take off shafts. The Water and Regulations Committee discussed that this was not authorized by the Board of Directors and instructed the staff to bring these four wells into compliance by having the owners install a steel plate on the well discharge.

It was moved by Miller and seconded by Rich to bring the four wells into compliance by July 5, 2017.
The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 13. PROJECT SENSE PROGRESS REPORT & PAYMENT.

The University of Nebraska-Lincoln Extension has submitted the year three progress report and payment request for Project SENSE in the amount of \$13,500.00. The final payment of \$6,750.00 will be invoiced upon submission of the final report.

It was moved by Miller and seconded by Luebbe to pay the University of Nebraska-Lincoln for year three of Project SENSE \$13,500.00. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 14. HIGH PLAINS CLIMATE CENTER WEATHER STATION PAYMENT.

The High Plains Climate Center has submitted their annual invoice in the amount of \$2,600.00 for the Recharge Lake weather station. In return for our sponsorship of the station, the District receives unlimited data access to the Statewide Climate Center data.

It was moved by Miller and seconded by Stahly to pay the Nebraska State Climate Office for the Recharge Lake weather station totaling \$2,600.00. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 15. LATE WELL PERMIT – HERMAN & ERMA GOERTZEN.

In 1984, Herman Goertzen constructed a replacement well for G-016040, located in the NW1/4 of Section 28-T10N-R5W in Hamilton County. At that time, well construction permits were not required for replacement wells. The original well was never decommissioned and is actively irrigating pivot corners. That makes the replacement well a new well, thus requiring a well construction permit.

It was moved by Miller and seconded by Luebbe to approve the late well construction permit for Herman W. & Erma M. Goertzen. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly

NAY: Roesler, Yates

NOT VOTING: Volkmer

NOT PRESENT: Bohaty

ITEM 16. GROUNDWATER TRANSFER AUTHORIZATION.

Eugene Gocke applied for a groundwater transfer to irrigate 35 acres in the N1/2 NW1/4 of Section 10-T09N-R01W from well G-097108 located in the S1/2 SW1/4 of Section 03-T09N-R01W, all in York County. The proposed transfer complies with the Districts groundwater regulations.

It was moved by Miller and seconded by Bruns to approve Groundwater Transfer T-097. The motion was approved.

AYE: Bruns, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Robotham, Stahly, Yates

NAY: Bethune, Dickinson, Kuehner, Rich, Roesler, Volkmer

NOT PRESENT: Bohaty

ITEM 17. GYPSUM BLOCKS – DELMHORST INSTRUMENT CO. PAYMENT.

The District has purchased 940 Gypsum blocks for resale. An invoice totaling, \$11,391.95 has been received from Delmhorst Instrument Co.

It was moved by Miller and seconded by Luebbe to pay Delmhorst Instrument Co. \$11,391.95 for gypsum blocks purchased for resale.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 18. ROUTINE FLOWMETER MAINTENANCE – TRI-CITY METERS PAYMENT.

Tri-City Meters has completed the routine flowmeter maintenance to fifty-four meters. An invoice totaling \$2,425.00 has been received.

It was moved by Miller and seconded by Luebbe to pay Tri-City Meter \$2,425.00 for the routine maintenance of fifty-four flowmeters. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 19. FLOW METER REPAIR COST-SHARE.

Ten flow meter repair cost-share applications have been approved for final payments totaling \$1,447.15.

It was moved by Miller and seconded by Luebbe to pay ten flow meter repair cost-share claims totaling \$1,447.15. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 20. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the irrigated acres' certification for 94 parcels totaling 6,699.85 acres, yielding an increase in acres of 760.21. This brings the total irrigated acres to 1,236,207.13.

It was moved by Miller and seconded by Rich to certify the irrigated acres' changes as presented to the Board. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 21. CITY OF YORK DEMONSTRATION PROJECT INTERLOCAL AGREEMENT.

Krausnick updated the Committee on Project GROW. Krausnick outlined the three components of the project: pollinator habitat, a community garden, and soil health demonstrations on a portion of the City of York Wellfield land around the new softball/baseball complex. The project would cover approximately 160 acres. An interlocal agreement has been signed by the City of York to proceed with the project. The City of York is asking the District to sign the interlocal agreement to finalize the partnership.

It was moved by Miller and seconded by Rich to authorize the Board Chairman to sign the interlocal agreement with the City of York for Project GROW. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 22. CONSIDERATION OF THE SEAMETRICS MODEL WMP104 FOR THE APPROVED FLOWMETER LIST.

Seametrics has a 2" and 3" plastic bodied Magmeter that they would like considered for the irrigation and non-irrigation approved flowmeter list. The flowmeter meets all the Districts criteria for inclusion. It would also fit into the District's electronic meter maintenance program.

It was moved by Miller and seconded by Houdersheldt to include the Seametrics model WMP104 flowmeter, at the 2" and 3" diameter size, on both the irrigation and non-irrigation approved flowmeter list. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Bohaty

ITEM 23. CONSIDERATION OF THE McCROMETER DURA MAG ELECTROMAGNETIC FLOWMETER FOR THE APPROVED FLOWMETER LIST.

McCrometer has introduced the Dura Mag Electromagnetic Flowmeter to their lineup of irrigation flowmeters. They would like the District to consider adding it to the irrigation approved flowmeter listing. The flowmeter meets all the Districts criteria for inclusion. It would also fit into the District's electronic meter maintenance program.

It was moved by Miller and seconded by Luebbe to add the McCrometer Dura Mag Electromagnetic Flowmeter to the approved flowmeter list. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: Moore
NOT VOTING: Eberle, Volkmer
NOT PRESENT: Bohaty

ITEM 24. RULE 5 CHANGES.

Both the steel plate for functional, inactive wells and mandatory flowmeter maintenance programs were established by Board approval and are not included in the District's Rule 5 regulations. Discussion by the Water and Regulations Committee was to add the steel plate language for inactive wells, but to leave the mandatory flowmeter maintenance language out of the proposed Rule 5 changes. Moore urged the Committee to move forward to include the steel plating language as soon as possible. The Water and Regulations Committee directed Staff to begin drafting language to include steel plating as an alternative to installing a flowmeter to functional, inactive wells.

It was moved by Miller and seconded by Moore to direct Staff to begin drafting language changes to Rule 5 to include steel plating as an alternative to installing a flowmeter to functional, inactive wells for the purpose of public hearing at the July 20, 2017 Board of Director's meeting. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: Miller, Volkmer
NOT PRESENT: Bohaty

ITEM 25. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on June 8, 2017 and presented the committee's recommendations.

ITEM 26. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District make payment of \$26,042.00 for eight completed land treatment applications. One completed land treatment application utilized \$501.75 of the remaining 2017 NSWCP land treatment funds and seven completed NRD land treatment applications (\$25,540.25) as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Bohaty

ITEM 27. *NEBRASKA BUFFER STRIP PROGRAM.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District make payment of \$13,510.19 for ten Nebraska Buffer Strip Program contracts as recommended by staff and reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Bohaty

ITEM 28. CORNERS FOR WILDLIFE PAYMENTS.

Four Corners for Wildlife sites which are pivot corners, or portions of pivot corners, have been developed for wildlife habitat. Program payments are being made with funds from the Environmental Trust through the Pheasants Forever Chapters.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District make payment of \$870.00 to Eunice O'Donnell for the development of two pivot corners pertaining to the Corners for Wildlife Program, and make payment of \$262.50 to Dale Nunns for development of one pivot corner, and a payment of \$252.00 to Joe Keenan for one pivot corner, as reviewed by the Projects and Programs Committee, for a total of \$1,384.50. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 29. PAYMENT TO NARD FOR TREES.

The District purchased 10,325 trees and shrubs from the Nebraska Association of Resources District for the planting of farmstead windbreaks, wildlife plantings, field windbreaks, timber plantings, and riparian plantings at a cost of \$7,561.01 (.64 cents/tree). Total cost includes tree and shrub materials, wood chips, plastic liners, and shipping.

It was moved by Dickinson and seconded by Robotham that the District make payment of \$7,561.01 to the Nebraska Association of Resources District for 10,325 tree seedlings as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 30. FALLERS NURSERY – PAYMENT FOR NEW OFFICE WINDBREAK.

On February 16, 2017, the Upper Big Blue Natural Resources District Board of Directors voted to authorize the District staff to spend \$7,000 to plant a windbreak at the District's administration building. The District purchased the following trees to develop the windbreak from Faller Landscape – York, NE: (5) Ponderosa Pine, (5) Norway Spruce, (5) White Pine, (5) Colorado Blue Spruce, (5) Korean Pine, (3) Douglas Fir, (5) Black Hills Spruce, and (5) Concolor Fir for a total of \$6,042.

It was moved by Dickinson and seconded by Bruns that the District make payment of \$6,042 to Faller Landscaping for trees and planting cost of the trees for the District's windbreak at the new administration building. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 31. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on June 8, 2017 and presented the committee's recommendations.

ITEM 32. FY18 LIABILITY, FIRE & CASUALTY INSURANCE.

Staff has been working with Cornerstone Insurance to obtain quotes for the FY18 insurance renewal

package. Due to the liability for the District owned dams, it has been difficult to get insurers to quote the complete package. We have 1 high-hazard dam (Hastings Northwest) and 2 significant-hazard dams (Recharge Lake and Oxbow Trails) and 42 low-hazard dams that the District owns and maintains.

The renewal quote for the District's insurance package through Glatfelter has been received from Cornerstone Insurance and The Harry A. Koch Company of Omaha. The quote for insurance for FY18 is \$67,627. FY17 quote was \$60,537. Workers Compensation carrier is BITCO. The work comp premium is based on actual payroll, so a payroll audit is done at the end of each fiscal year to determine any additional premium due.

	FY17	FY 18
Liability, Auto, Fire & Casualty	\$ 53,260	\$ 54,243
Workers Compensation	\$ 13,974	\$ 13,384
Estimated Total	\$ 67,234	\$ 67,627

ITEM 33. PAYMENT REQUEST FROM HARRY A. KOCH CO. INSURANCE.

An invoice for \$67,627 for insurance coverage for FY18 for liability, auto, workmen's compensation, fire and casualty insurance from Harry A. Koch Co. was received. Effective date of the policy is 7/1/17.

It was moved by Nuss and seconded by Dickinson to make payment of \$67,627 to Harry A. Koch Co. Insurance for liability, auto, workmen's compensation, fire and casualty insurance for FY18. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEAM 34. AUTHORITY TO MAKE PAYMENT OF JUNE 2017 FACILITY MORTGAGE PAYMENT.

The Executive Committee was advised that the mortgage loan payment of \$243,292.37 for the NRD HQ office facility is due June 16, 2017. The payment breakdown includes \$201,891.27 of principle and \$41,401.10 of interest.

It was moved by Nuss and seconded by Houdersheldt to authorize the General Manager to make payment to Cornerstone Bank of \$243,292.37 for the June, 2017 NRD mortgage loan payment. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 35. FY18 POSITION CREATION REQUEST.

The current workload of the Forestry and Parks Department was discussed and Eigenberg requested

that two additional positions be created in that department. Proposed positions are to be supervised by the Forestry and Parks Department Manager. Duties would focus on fence construction, dam right-of-way clearing, and other general maintenance.

Request:

Two Maintenance Staff

Salary range \$26K - \$30K each + Benefits Package

Estimated Cost Increase for Two Positions

Salaries = \$56,000

Payroll Taxes = 7.65%

Employees' Benefits = 25.1%

Cost of Benefits = \$18,368

Total Approximate Cost \$75,000

The Executive Committee was provided a detailed breakdown of the annual payroll expense for part-time seasonal labor that performed tree planting and maintenance duties, and the total dollars contracted for maintenance projects each year that are like the work to be done by the proposed new hires. The comparison illustrated the total costs versus the costs of hiring permanent full-time employees.

It was moved by Nuss and seconded by Eberle to create two new positions in the Forestry and Parks Department to assist in current workload. Positions will be supervised by Forestry and Parks Department Manager. Duties would be focused on fence construction, dam right-of-way clearing and other general maintenance. Hiring process to be contingent upon FY18 budgetary consideration. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Moore, Nuss, Rich, Robotham, Stahly, Yates

NAY: Kuehner, Luebbe, Miller, Roesler, Volkmer

NOT PRESENT: Bohaty

ITEM 36. FY18 DRAFT BUDGET.

The FY18 draft department budgets were forwarded to the Executive Committee for review. The Department budgets will be combined into the consolidated budget document for review and approval in July prior to the public hearing in August.

ITEM 37. GROUND WATER MANAGEMENT DISTRICT ASSOCIATION (GMDA) EXPENSE REIMBURSEMENT.

An expense claim totaling \$1,192.79 has been submitted by Linda Luebbe for attending the 2017 GMDA Conference in Albuquerque, New Mexico.

It was moved by Nuss and seconded by Bruns to approve total payment of \$1,192.79 for expenses claimed by Linda Luebbe for attending the 2017 GMDA Conference. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Luebbe

NOT PRESENT: Bohaty

ITEM 38. GENERAL MANAGER'S PERFORMANCE REVIEW AND WAGE ADJUSTMENT.

It was moved by Nuss and seconded by Houdersheldt to go into Executive Session at 9:02 p.m. for the purpose of discussing the General Manager's performance. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

It was moved by Miller and seconded by Moore to return to Open Session at 9:18 p.m. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

It was moved by Houdersheldt and seconded by Moore to adjust the salary of the General Manager to \$106,000. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 39. FINANCIAL REPORT APRIL 1 - 30, 2017 AND CONSIDERATION OF EXPENDITURES FOR MARCH 2017.

Eigenberg reviewed the financial report for the period May 1, 2017 to May 31, 2017 that was distributed. It was moved by Volkmer and seconded by Miller to accept the financial report for May 2017 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

There being no other business the chairman adjourned the meeting at 9:46 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held June 15, 2017, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one

copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb

**BOARD OF DIRECTORS MEETING
AND
RULE 5 PUBLIC HEARING
July 20, 2017**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, July 20, 2017 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeffrey Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Nancy Brisk, Ken Feather, Scott Snell, Marie Krausnick, Jack Wergin, Nancy Beach, Joshua Bowers of NRCS, and Kirt Smith of Hamilton County Emergency Management Agency.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on July 13, 2017 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call. Houdersheldt arrived at 7:53 p.m.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Bill Kuehner and Becky Roesler requested an excused absence from the July 20, 2017 board of directors meeting.

It was moved by Volkmer and seconded by Dickinson to excuse the absence of Kuehner and Roesler from the July 20, 2017 Board of Directors meeting as requested. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Kuehner, Roesler

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests for separate action, but Linda Luebbe asked that the vote on Item 16 of the June 15, 2017 board meeting minutes be corrected to show Kuehner voting nay and Luebbe voting aye.

It was moved by Dickinson and seconded by Volkmer to adopt the consent agenda, with the correction to the vote on Item 16 of the June 15, 2017 minutes. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Kuehner, Roesler

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Volkmer to approve the agenda for the July 20, 2017 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Kuehner, Roesler

ITEM 7. *APPROVAL OF MINUTES OF THE JUNE 15, 2017 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Volkmer to approve the minutes of the June 15, 2017 Board of Directors meeting, as corrected. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Kuehner, Roesler

ITEM 8. RULE 5 PUBLIC HEARING.

Chairman Yates opened the Public Hearing on proposed changes to District Rule 5 – Ground Water Management Rules and Regulations at 7:34 p.m. The purpose of the hearing is to hear testimony and receive other evidence concerning the proposed changes to Ground Water Management Area Rules and Regulations. The proposed changes would incorporate language to include metal plating as an option for inactive, functional wells in lieu of installing a flowmeter.

Notice of the Public Hearing was published in the York News-Times on June 29, July 6 and July 13, 2017.

YATES: At this time, I will open the public hearing on Rule 5. Marie.

KRAUSNICK: Marie Krausnick, Water Department Manager, Upper Big Blue Natural Resources District. I would like to enter in Exhibit 1 the notice of publication in the York News-Times. The notice of this

hearing was published on 6/29, 7/6 and 7/13 of 2017. I would like to submit a copy of Rule 5, with a draft of Rule 5 with the existing changes, with the proposed changes. [Exhibit 2.] I would like to enter in Exhibit 3, a letter of support from the Department of Natural Resources signed by Gordon Jeff Fassett. The proposed changes, everyone at their place should have a copy, an abbreviated summary of the changes, adding the language that a metal plate could be used in replacement of a flowmeter for inactive functional wells. With an inactive functional well being a well that has a gearhead and pump installed.

MOORE: Just to refresh my memory, for correction, that should be a pump head not a gearhead.

KRAUSNICK: Okay.

MOORE: Because if it were an electric pump or an engine pump it'd be called a pump head.

KRAUSNICK: Okay, that was probably...I don't think it references that. It doesn't reference that in here. In the definition.

MOORE: But that would be the proper definition.

YATES: And isn't that what it says? The metal plate must be attached to the pump head discharge?

MOORE: I'm just making sure it was in the changes.

YATES: Is there any other questions for Marie? Okay, if not, is there any public testimony at this time? Seeing none I'll close the verbal testimony and I will adjourn the public hearing, or close it at this time.

Yates adjourned the Public Hearing at 7:37 p.m.

ITEM 9. PROPOSED CHANGES TO DISTRICT RULE 5.

The proposed language change would add the following subparagraphs to Chapter 14.

01.02 If a functional water well, as described in Rule 5, Chapter 14, ¶01.01, is not being used, a metal plate must be attached over the pump head discharge.

01.02a The metal plate must be attached in a manner that is satisfactory to the District so as to make the pump discharge non-functional and allow for the installation of a wire seal by the District.

It was moved by Moore and seconded by Luebbe to adopt changes made to Rule 5, Chapter 14 to include paragraphs 01.02 and 01.02a. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Kuehner, Roesler

ITEM 10. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met July 11, 2017 and presented the committee's recommendations.

ITEM 11. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Sixteen Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$6,891.92.

It was moved by Dickinson and seconded by Volkmer to make cost-share payments for sixteen well abandonments as reviewed by the Committee, at a cost of \$6,891.92. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Houdersheldt, Kuehner, Roesler

ITEM 12. FLOW METER REPAIR COST-SHARE PAYMENTS.

Two flow meter repair cost-share applications have been approved for final payments totaling \$300.00.

It was moved by Miller and seconded by Luebbe to pay two flow meter repair cost-share claims totaling \$300.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Houdersheldt, Kuehner, Roesler

ITEM 13. CERTIFICATION OF IRRIGATED ACRES.

The Water & Regulations Committee and Board reviewed the irrigated acres' certification for 222 parcels totaling 18,129.85 acres, yielding an increase in acres of 167.74. This brings the total irrigated acres to 1,236,374.87.

It was moved by Miller and seconded by Moore to certify the irrigated acres' changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Houdersheldt, Kuehner, Roesler

ITEM 14. VILLAGE OF BENEDICT MUNICIPAL WATER SYSTEM ASSISTANCE PROGRAM PAYMENT.

The Village of Benedict has completed test hole construction, and are collecting water quality samples from the test hole through the summer. The Village is hopeful that this test hole site will provide a location for a new municipal well. The original motion was to cost share 25% of the cost of engineering and test hole construction, not to exceed \$6,400.00. The final cost share payment request is \$6,096.08.

It was moved by Miller and seconded by Rich to pay the Village of Benedict \$6,096.08 as part of the Municipal Water System Assistance Program. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Kuehner, Roesler

ITEM 15. PAYMENT TO CLEMENTS ASSOCIATES INC.

District staff has purchased soil probe handles, extension rods, and consultant tubes for resale; totaling \$5,653.00.

It was moved by Miller and seconded by Stahly to pay Clements Associates Inc. for materials for resale totaling \$5,653.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Kuehner, Roesler

ITEM 16. IRROMETER COMPANY INC. PAYMENT.

District staff has purchased 30 dataloggers for resale; totaling \$11,959.10. The equipment was not placed on inventory until after the close of the budget year. This payment will not be listed on the June financial statement.

It was moved by Miller and seconded by Luebbe to pay Irrrometer Company Inc. \$11,959.10 from the FY18 Budget for dataloggers for resale. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Kuehner, Roesler

ITEM 17. SHERMAN E. WILSHUSEN VIOLATION.

Krausnick updated the Water Committee and Board regarding the flow meter violation against Sherman E. Wilshusen. Mr. Wilshusen notified the District staff that he intended to install a flow meter on well G-006110. Upon inspection by District staff, the flow meter had not been installed.

It was moved by Moore and seconded by Miller to turn the matter over to District Court in Polk County regarding Sherman Wilshusen's failure to adhere to Rule 5. The motion carried.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner, Roesler

ITEM 18. BONNIE WILSHUSEN INACTIVE WELL PLATES.

Krausnick updated the Water Committee and Board on the four inactive wells in the District with cable seals on the PTO shafts. Two of the wells have already been brought into compliance. The remaining two wells owned by Bonnie Wilshusen have not. Her tenant, Jason Fellows, has been in contact with District staff regarding installation of metal plates, but as of the board meeting this hadn't been done.

It was moved by Moore and seconded by Rich to file a complaint against Bonnie Wilshusen for failure to comply with Rule 5. The motion carried.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner, Roesler

ITEM 19. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on July 11, 2017 and presented the committee's recommendations.

ITEM 20. HAZARD MITIGATION PLANNING--NRD PLAN (COMBINE HAMILTON, YORK, AND SEWARD COUNTY PLANS.)

The Nebraska Emergency Management Agency, York, Seward, and Hamilton County Emergency Managers requested that the Upper Big Blue Natural Resources District join these three counties in combining the Hazard Mitigation Plans for Hamilton, York, and Seward Counties, into one plan with support of the Upper Big Blue NRD. Hamilton, York, and Seward are the last three counties in Nebraska that have their own plans. Nicholas Walsh (Nebraska Emergency Management), Kirt Smith (Hamilton County Emergency Management) and Gary Petersen (York-Seward County Emergency Management) discussed the benefits of combining the Hazard Mitigation Plans into one plan. These plans are updated every five years and the next update is due in 2019. Plans are usually developed/updated with assistance of a consultant. There are grant funds available that can cover 75% of costs for

developing/updating these plans.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District staff draft an agreement for a combined Hamilton, York, and Seward County Hazard Mitigation Plan which will be presented for consideration at a future meeting. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner, Roesler

ITEM 21. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Nuss that the Upper Big Blue Natural Resources District make payment of \$23,108.92 for twelve completed NRD Land Treatment applications as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner, Roesler

ITEM 22. PRIVATE DAMS PROGRAM.

Several approved applications for dam construction through the Private Dams Program are expected to be completed this Fall. The NRD received one new application, which included two dams.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve the Rex Rasmussen Private Dams Program application for two (2) dams located in the Northeast Quarter of Section 12, Township 10 North, Range 3 West, just south of York for an estimated \$30,209.40 for funds, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner, Roesler

ITEM 23. VARIABLE RATE IRRIGATION PILOT PROGRAM.

The NRD received one new application from Dan Kouma for a speed control VRI system which included a variable frequency drive. The applicant will begin speed control this year and following harvest will complete EC mapping of the field and refine the VRI prescription.

It was moved by Dickinson and seconded by Nuss that the Upper Big Blue Natural Resources District approve the Dan Kouma Variable Rate Irrigation Pilot Program application located in the Northwest Quarter of Section 18, Township 13 North, Range 2 East, approximately 3 miles east of Surprise in Butler County for an estimated \$7,500.00 for funds, as recommended by staff and reviewed by the Committee.

The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer

NAY: Yates

NOT PRESENT: Kuehner, Roesler

ITEM 24. FY18 TREE & PLANTING PRICES.

After reviewing the tree report for FY17, Dave Eigenberg handed out some recommendations for proposed tree & planting increases.

It was moved by Dickinson and seconded by Miller that the Upper Big Blue Natural Resources District set purchase price for trees to \$1.10 per tree and set the cost for planting the trees at \$1.10 per tree, as reviewed by the Committee.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Bohaty

NOT PRESENT: Kuehner, Roesler

ITEM 25. PARKS & RECREATION PROGRAM WINDBREAK AT THE CITY OF YORK BALL FIELD COMPLEX.

On December 15, 2016, the Upper Big Blue Natural Resources District Board of Directors voted to fund the planting of a shelter belt at the City of York's Ball Field Complex, up to 25% of the local cost. On April 25, 2017, the District planted 200 Colorado Blue Spruce, 200 Ponderosa Pine, and 200 Eastern White Pine. The City was first planning to put wood chips around each tree, but changed their minds and decided to have Ron Brockman lay the conservation mulch, which added an additional cost of \$5,940.00 for 9,159 linear feet. The cost of the trees and planting was \$1,050.00, for a total cost of \$6,990.00.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District make payment of \$1,747.50 to the City of York for the trees, the planting of trees, and the laying of conservation mulch at the City of York Ball Field Complex. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Moore, Nuss, Rich

NAY: Bohaty, Robotham, Stahly, Volkmer

NOT VOTING: Houdersheldt, Miller, Yates

NOT PRESENT: Kuehner, Roesler

ITEM 26. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on July 18, 2017 and presented the committee's recommendations.

ITEM 27. *SECOND QUARTER DIRECTORS' PER DIEM & EXPENSES.

The Executive Committee reviewed the Directors' per diem and expenses for this past quarter. Totals for the second quarter Directors' per diem are \$10,150.00 and expenses are \$3,379.34. Individual expense vouchers were available for review.

It was moved by Dickinson and seconded by Volkmer to approve payment of second quarter Directors' per diem of \$10,150.00 and expenses of \$3,379.34 for a total expenditure of \$13,529.34. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Houdersheldt, Kuehner, Roesler

ITEM 28. BLUEPRINT NEWSLETTER PRINTING.

The Executive Committee reviewed the invoice of \$6,694.15 from York Printing, LLC for printing the June 2017 BLUEPRINT Newsletter.

It was moved by Nuss and seconded by Houdersheldt to approve payment of \$6,694.15 to York Printing, LLC for printing the June 2017 edition of the BLUEPRINT Newsletter. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Kuehner, Roesler

ITEM 29. SALARIES REIMBURSEMENT TO LITTLE BLUE NRD.

An invoice totaling \$12,167.40 was received for salaries for the Adams County and Clay County NRCS Clerks from the Little Blue NRD. This bill is for work performed in FY 2017 (July 1, 2016 - June 30, 2017).

It was moved by Nuss and seconded by Rich to approve payment of \$12,167.40 to the Little Blue NRD for NRCS Clerk salaries at Adams and Clay Counties for FY 2017. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Bohaty

NOT PRESENT: Kuehner, Roesler

ITEM 30. SALARIES REIMBURSEMENT TO LOWER BIG BLUE NRD.

An invoice for \$4,221.19 has been received for salaries for the Saline County NRCS Clerk and part time technician work from the Lower Big Blue NRD. This bill is for work performed in FY 2017 (July 1, 2016 - June 30, 2017).

It was moved by Nuss and seconded by Volkmer to approve payment of \$4,221.19 to the Lower Big Blue NRD for NRCS office salaries for FY 2017 (July 1, 2016 thru June 30, 2017). The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: Houdersheldt, Miller
NOT PRESENT: Kuehner, Roesler

ITEM 31. FY 2018 CONSOLIDATED BUDGET.

The final draft of the FY 2018 Consolidated Budget was presented to the Board. The total tax asking for FY 2018 is down 0.03% as compared to the FY 2017 budget. Eigenberg provided a brief presentation outlining the budgeting process and rationale behind the proposed budget.

Eigenberg also reviewed the lid calculations with the Board and advised them that the District is in compliance with the tax lid. He recommended that the Board approve the additional 1% restricted funds authority. A three-fourths majority vote of the Board is required for approval.

It was moved by Miller and seconded by Moore to approve an increase in the total budgeted restricted funds authority by an additional 1%. The motion carried by a three-fourths majority.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: Volkmer
NOT PRESENT: Kuehner, Roesler

It was moved by Houdersheldt and seconded by Dickinson that the Board approve the FY 2018 Budget for public hearing. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Kuehner, Roesler

The dates for two public hearings need to be set so that the proper public notices can be published. In the past, public hearings have coincided with August and September Board meetings. Action will be needed by the Board to schedule the FY 2018 Budget Hearing for 7:30 p.m., Thursday, August 17, 2017, and the Special Public Hearing for the FY 2018 Tax Request for 7:30 p.m., Monday, September 18, 2017.

It was moved by Houdersheldt and seconded by Dickinson to schedule the FY 2018 Budget Hearing for 7:30 p.m., Thursday, August 17, 2017, and the Special Public Hearing for the FY 2018 Tax Request for 7:30 p.m., Monday, September 18, 2017. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Kuehner, Roesler

ITEM 32. FINANCIAL REPORT JUNE 1 - 30, 2017 AND CONSIDERATION OF EXPENDITURES FOR JUNE 2017.

Eigenberg reviewed the financial report for the period June 1, 2017 to June 30, 2017 that was distributed. It was moved by Houdersheldt and seconded by Dickinson to accept the financial report for June 2017 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner, Roesler

There being no other business the chairman adjourned the meeting at 9:27 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held July 20, 2017, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb

Attachments: Rule 5 Exhibits

BOARD OF DIRECTORS MEETING
DELTON & RENEE GROTZ AND GROTZ FAMILY TRUST HEARING
FY 2018 BUDGET HEARING
August 17, 2017

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 17, 2017 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeffrey Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Ken Feather, Scott Snell, Marie Krausnick, Jack Wergin, Nancy Beach, John Bush, Joshua Bowers of NRCS, Seward County Commissioner Gene Gausman, Daniel Grotz, Delton Grotz, Clinton Schwartz, and Cleon Schwartz.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on August 10, 2017 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests for separate action.

It was moved by Rich and seconded by Moore to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Moore to approve the agenda for the August 17, 2017 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 7. *APPROVAL OF MINUTES OF THE JULY 20, 2017 BOARD OF DIRECTORS MEETING AND RULE 5 PUBLIC HEARING.

It was moved by Rich and seconded by Moore to approve the minutes of the July 20, 2017 Board of Directors meeting and Rule 5 Public Hearing. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 8. DELTON & RENEE GROTZ AND GROTZ FAMILY TRUST HEARING.

Chairman Yates opened the adjudicatory hearing at 7:34 p.m. The purpose of the hearing is to hear testimony and receive evidence regarding a complaint filed by General Manager David Eigenberg, on behalf of the District, against Delton and Renee Grotz and Grotz Family Trust alleging that the required flowmeters were not installed as required by the District's Ground Water Management Area Rules and Regulations. The Hearing Notice was published in the York News-Times on July 27, August 3 and 10, 2017.

YATES: At this time I am going to open the hearing and I'll let Marie speak.

KRAUSNICK: My name is Marie Krausnick, Water Department Manager, Upper Big Blue Natural Resources District. I would like to enter into Exhibit #1 Notice of Public Hearing. The notice was published in the York News-Times three consecutive Thursdays. Seven twenty-seven of seventeen, eight three of seventeen and eight ten of seventeen. I would like to submit Exhibit #2 which is District Rule 3 for the Conduct of Formal Adjudicatory Hearing Before the District. It outlines the steps and procedures we will go through this evening. Exhibit #3 is Rule 4 of the District's Rules and Regulations. Rules and Regulations for the Enforcement of the Groundwater Management and Protection Act that gives us the authority to hold this public hearing. Exhibit #4 is Rule 5 of the Upper Big Blue Natural Resources Groundwater Management Rules. These are the general regulations for the Groundwater Management Area 1, Groundwater Management Area 2, Upper Platte River Basin, and the Upper Platte River Basin Integrated Management Area. Exhibit # 5 is a work order for well G-049690 located in the NE ¼ of Section 16, Township 10 North, Range 3 West outlining the steps and the visits that we have made to Mr. Grotz's well. Exhibit #6 is correspondence sent in May of '17, May 12th of 2017, which is the Complaint of Violation against, at this time, it was Doris Grotz in care of Delton Grotz, but since then the property has changed hands. Half ownership of Delton and Renee Grotz and Grotz Family Trust. Signed

by Dave Eigenberg, General Manager, with proof that Doris, in care of Delton, had picked up the Complaint of Violation. Exhibit #7 was sent on June 16th 2017 which is the Investigation Report and the Schedule of Compliance, which was returned by Mr. Grotz on July 5th 2017 requesting a public hearing. Exhibit #8 is the second well, well G-065729 located in the SE ¼ of Section 15, Township 10 North, Range 3 West. This is the work order, which again outlines the steps and the visits and the outcomes leading up to Exhibit #9 which is the Complaint of Violation which was sent on June 15th of 2016. At that time the property was owned by Renee and Doris Grotz, and that too has since changed to Delton and Renee half interest, and Grotz Family Trust half interest. That complaint was also signed by Dave Eigenberg. And then there's also proof that the family...no actually they did not pick this one up. We send, it's the staff's policy to send, certified and then also to send a first-class mail duplicate. Exhibit #10 is the Investigation Report and Schedule of Compliance for the earlier well, well G-065729 also signed in May, May 5th of 2017, by Mr. Grotz requesting a public hearing. Exhibit #11, which is the last exhibit, was a letter sent to Renee L. Grotz and Grotz Family Trust which was Notice of Public Hearing that tonight we would meet to discuss the two wells that are out of compliance. And attached to that is also a copy of the notice of formal hearing that was sent to the York News-Times.

YATES: Is there any questions for Marie on the exhibits? Okay. At this time we'll take public testimony, so Mr. Grotz if, you're up I guess.

GROTZ: Just push this button?

YATES: Yeah, just let it go.

EIGENBERG: Is the light green?

GROTZ: Yep.

YATES: You're good to go. Go ahead.

GROTZ: Okay the first thing I want to add is in your Blueprint you sent out a month ago, it says in there it's illegal to operate an irrigation system that contributes to wasting groundwater. That's also in your resource district program. So I have a couple pictures here I want to hand out showing you..... you wanna hand those around?

YATES: So are those pictures of runoff water?

GROTZ: Yeah.

YATES: Okay.

BRISK: Can you make sure we have one for the hearing record?

YATES: Okay, but the reason we're here is for this other violation. We're not here tonight to deal with runoff water.

GROTZ: I know. I figured you wouldn't want to hear it, but you called me in here so just hear me out. It's only gonna take a minute.

YATES: Okay, okay that's fine, I just thought I'd mention it. Go ahead.

GROTZ: Those pictures are taken out by me and you'll notice it's laid out pipe running down through the field and it's run quite a while because the grass is green. You know what that water's doing? That's wasting that water. But it's running, pumping, trying to fill a dam that NRD helped pay for, and that's wasting water. But you guys don't care about that. Because you'd rather worry about me and my meters. And another reason you don't care about that is it's a NRD employee and there's a little bit of partiality there. So on 15-10-3 that well waters 14 acres a year, so it runs about 12 days the total year. So, it's basically to me it's cost prohibitive to put a \$2,500 meter on it. And therefore, if you guys would want to pay for part of it, fine, I'll put it on. 16-10-3, G-049690, that well has set there for 32 years, as long as I've owned the farm, it's never pumped, it's stuck solid, it has no discharge pipe, there's no power source and it wouldn't take a rocket scientist to know I'm never gonna pump that well. Therefore, it don't have a cap on it. It's clear out, I don't know when the last time you was out there but you'd had to wade through waist-high beans and corn to get there. So that's basically about all I have to say.

YATES: Okay.

GROTZ: Any questions?

YATES: Is there any questions from the board for Mr. Grotz?

ROESLER: I have one...

MOORE: On that second well...

YATES: Wait, wait. Becky.

ROESLER: On that well that you just discussed, since you have not use it for that long; why have you not just put a cap on it and abandoned it?

GROTZ: Well the pump's in there and I don't want to go to the cost of pulling the pump out.

ROESLER: Well then you should have put a closure on the end of it. That doesn't cost much.

GROTZ: It was never done. I just didn't do it. It's a little 6-inch well.

ROESLER: It's still an illegal well.

YATES: Larry?

MOORE: That was my question. If it's an inoperable well why not either abandon it or cap it?

GROTZ: Well that's why I didn't because I just never did pull the pump.

MOORE: Well, why not buy a 6-inch plate? What's that gonna cost you for a quarter inch thick plate?

GROTZ: Thirty cents.

MOORE: Huh?

GROTZ: About thirty cents probably.

MOORE: We've spent more than that tonight. I've already got several dollars worth of paper here. You've got several dollars invested in this by now.

GROTZ: Yep. But it's just the...actually I know I'm not gonna get anywhere, but I'm trying to make a point. There's several farmers out there that can't stand these regulations, me one of them. And everybody you talk to is you shouldn't even be doing this. But nobody will come forward and make a point, so I decided I would. Is there any farmers that agree with me? Probably not. I don't know. There is out there I know. I wish I'd had 110 people here tonight.

YATES: Is there any other questions? Go ahead Roger.

HOUDERSHELDT: Well we've got over 12,000 wells in this NRD and you're worrying about 14 acres. Which I agree with you, but it isn't \$2,500 for a water meter, because I've got one of my own on. But how would you suggest that we monitor the ground water on those 14 acre wells, or 50 acre wells, if we don't put a meter on them to accurately measure the flow?

GROTZ: I think on that small an amount time is good enough.

HOUDERSHELDT: You can't do that. It's not accurate enough. When we go to the state, when the state a couple years ago wanted to shut all irrigation off if the groundwater dropped below a certain level, the NRDs went and got it stopped because we could show them with our information from the wells, from those flow meters, what we were actually pumping. And what the groundwater was actually doing. If we don't have that then we don't have the information to take to the state the next time they decide that we need to change the rules.

GROTZ: So if you can afford a \$12,000,000 palace here why can't you afford to help pay for those meters?

HOUDERSHELDT: We had cost-share on meters for several years. But we could not, we could not cost-share on the total amount that was needed and be fair to anybody.

GROTZ: I see.

HOUDERSHELDT: We cost-shared on two or three thousand before it was mandatory. It got to the point where there was no way we could be fair to you and your neighbor or anybody else by cost-sharing. We could give you each two dollars unless we wanted to raise taxes a lot more.

GROTZ: So you mean the \$12,000,000 palace didn't raise taxes?

HOUDERSHELDT: Twelve million dollar what?

GROTZ: Palace. This place right here.

HOUDERSHELDT: Well I'd like to know where you got that number in the first place.

GROTZ: What'd you spend on it?

HOUDERSHELDT: Wasn't near that.

GROTZ: What was it?

DEBUHR: Four and a half million.

HOUDERSHELDT: I don't know what that has to do with anything. If you'd been to our previous building you'd understand. The lack of parking there was our number one complaint from all the farmers.

GROTZ: Yah? Well the Orscheln building sold for \$150,000. You could have remodeled it for \$500,000. Had plenty of parking.

HOUDERSHELDT: You ever check the roof on that place?

GROTZ: I said you could have remodeled....

YATES: Okay, I don't wanna stop you two, but we're getting off subject so let's stay with talking about what the hearing is about. Does anybody else have any questions? And I forgot have you state your name and address for the record.

GROTZ: Oh, I'm Delton Grotz, 1008 Road L, York, Nebraska.

YATES: Thank you very much. Is there anybody else that wants to do any public testimony? Or testify? I mean anybody's welcome to do it if they have something to say that pertains to the matter. Yah?

BRISK: Have him come up to the microphone and state his name.

YATES: Yah, come up to the microphone and state your name and address please.

SCHWARTZ: Cleon Schwartz, McCool Junction, 912 Road 4. I've never been in favor of these meters because I think they're a way to wide open for tax. We're already taxed to death. You know you guys and all this malarkey, and all this NRD, if you had half the money that you got, we wouldn't be sitting here. That's the problem. You guys got too much money. That woman back there was out there, had exhibits by the yard and it's just job security. You guys, and you guys okay the whole thing. And I don't agree with that. I never have, never will. I say the limiting factor on water will always be energy. And

we're not a bunch of dummies. We ain't gonna pump water just to see it go down the draw, most of us. That's where you guys, the NRD, I say that's your job is to monitor waste. If you see it, we're willing to do our part. We don't need meters. Never did, never will. All that is is the Governor and them guys down in Lincoln decided we needed them and you guys went along with it. You got more money than you can spend and so that's the way it goes. Look what you built here. Had no need for it. None. Just a bunch of baloney. And you will sit there defend it to the hilt, but as a farmer, we're already taxed to death, it looks foolish to me, and that's all I got to say.

YATES: Okay, thank you. Is there anyone else? Okay, if not, at this time I close the hearing.

The hearing was officially closed at 7:50 p.m.

ITEM 9. ACTION ON GROTZ VIOLATION.

Moore requested that Krausnick read the proposed cease and desist order for the Board.

It was moved by Moore and seconded by Roesler to adopt the Cease and Desist Order against Delton and Renee Grotz and Grotz Family Trust. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Bohaty, Nuss

ITEM 10. FY 2018 BUDGET HEARING.

Chairman Yates opened the FY 2018 Budget Hearing at 7:57 p.m. and stated for the record that the Notice of the Budget Hearing was published in the York News-Times on August 2, 2017. Dave Eigenberg reviewed the proposed FY 2018 Budget and lid computations. Chairman Yates asked for comments or proposed changes to the budget. The hearing was officially closed at 8:00 p.m.

ITEM 11. ADOPTION OF FY 2018 BUDGET.

It was moved by Houdersheldt and seconded by Nuss to adopt the FY 2018 Budget as presented. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Bohaty, Bruns, Kuehner, Volkmer

ITEM 12. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met August 8, 2017 and presented the committee's recommendations.

ITEM 13. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Six Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$2,040.65.

It was moved by Rich and seconded by Moore to make cost-share payments for six well abandonments as reviewed by the Committee, at a cost of \$2,040.65. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehne, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 14. GROUNDWATER TRANSFER AUTHORIZATION.

James Anderson applied for a groundwater transfer to irrigate 6 acres in the E1/2 NE1/4 Section 05-T11N-R05W from well G-065846 located in the E1/2 SE1/4 of Section 32-T12N-R05W, all in Hamilton County. The proposed transfer complies with the District's groundwater regulations.

It was moved by Miller and seconded by Moore to approve Groundwater Transfer T-096. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates
NAY: Bethune, Bohaty, Luebbe, Roesler, Volkmer

ITEM 15. FLOW METER REPAIR COST-SHARE.

One flow meter repair cost-share application has been submitted for final payment totaling \$150.00.

It was moved by Miller and seconded by Luebbe to pay one flow meter repair cost-share claim totaling \$150.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: None
NOT PRESENT: Volkmer

ITEM 16. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the non-cropland and irrigated acres' certification for 226 parcels totaling 21,561.13 acres, yielding an increase in acres of 474.62. This brings the total irrigated acres to 1,236,849.49.

It was moved by Miller and seconded by Luebbe to certify the acre changes as presented to the Board.
The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss,
Rich, Robotham, Roesler, Stahly, Yates
NAY: None
NOT VOTING: Volkmer

ITEM 17. SERVI-TECH NITRATE ANALYSIS PAYMENT.

An invoice for nitrate sample analysis for Groundwater Management Area wells has been received from Servi-Tech Labs totaling \$1,980.00.

It was moved by Miller and seconded by Rich to pay Servi-Tech for nitrate analysis totaling \$1,980.00.
The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss,
Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 18. BEEHIVE HOME BASE.

Krausnick gave a brief demonstration of Beehive Home Base; a public portal to view NRD information. Krausnick proposes setting up a Home Base for certification data.

It was moved by Miller and seconded by Rich to instruct staff to work with Beehive to develop a "Scope of Work" document to be presented at the September Committee meeting. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Roesler, Stahly
NAY: Bohaty, Kuehner, Luebbe, Robotham, Volkmer, Yates

ITEM 19. NACD GRANT DOCUMENTS.

The Memorandum of Agreement for the National Association of Conservation Districts grant for "Project GROW" has been received. The agreement can be signed by the Board Chairman, or a designated official.

It was moved by Miller and seconded by Rich to authorize Lynn Yates, Board Chairman, to enter into the agreement with the National Association of Conservation Districts. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss,
Rich, Robotham, Roesler, Stahly, Volkmer
NAY: None
NOT VOTING: Yates

ITEM 20. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Volkmer reported that the Projects & Programs Committee met on August 10, 2017 and presented the committee's recommendations.

ITEM 21. PRIVATE DAMS PROGRAM.

Several approved dams are planned for Fall construction. The NRD received one new application.

It was moved by Volkmer and seconded by Roesler that the Upper Big Blue Natural Resources District approve the Dan Leininger Private Dams Program application for a dam located in the Southwest Quarter of Section 3, Township 10 North, Range 3 West, just west of York for an estimated cost of \$36,194.80 and an estimated 75% cost share of \$27,146.10, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 22. PIONEER TRAILS – CONTRACT TO CONTROL EROSION NEAR BOAT RAMP.

The parking area above the boat ramp at Pioneer Trails Recreation Area continues to have erosion issues. Staff developed a plan to construct a small berm, regrade and place crushed rock to fix the ruts in the parking area.

It was moved by Volkmer and seconded by Miller that the Upper Big Blue Natural Resources District approve the proposal from Mid Nebraska Land Developers, LLC. of \$7,312.00 for regrading and re-rocking the parking area above the boat ramp, and for constructing a small berm along the north edge of the parking area at Pioneer Trails recreation area, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Bohaty

ITEM 23. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on August 10, 2017 and presented the committee's recommendations.

ITEM 24. NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS FY2018 DUES.

An invoice for \$31,546.79 has been received for the FY 2018 NARD Dues.

It was moved by Nuss and seconded by Luebbe to approve payment of \$31,546.79 to the NARD for the FY 2018 dues. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: Volkmer

ITEM 25. NARD LEGISLATIVE RESOLUTION.

The Executive Committee was informed that the Little Blue Natural Resources District has submitted a resolution for consideration at the 2017 Fall conference; NATURAL DISASTER ASSISTANCE FUNDING THROUGH NEBRASKA EMERGENCY MANAGEMENT AGENCY (NEMA). This resolution seeks changes in the "State of Nebraska's Guidelines for Public Officials" regarding public disaster declarations to Improvement Project Areas which have been established by Natural Resources Districts for the public good, and for which no public tax money is being invested for the construction, operation, maintenance and management of such project, shall be eligible for reimbursement of a portion of the repair costs from NEMA when such projects are damaged by natural disasters and meet all other eligibility requirements.

It was moved by Nuss and seconded by Moore to support the Little Blue Natural Resources District's Resolution: NATURAL DISASTER ASSISTANCE FUNDING THROUGH NEBRASKA EMERGENCY MANAGEMENT AGENCY. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 26. LOWER PLATTE NORTH NRD SALARIES REIMBURSEMENT.

Lower Platte North NRD submitted an invoice totaling \$8,855.21; \$8,105.88 for the Butler County NRCS Clerk and \$749.33 for the technician's work for the last 6 months in FY 2017.

It was moved by Nuss and seconded by Bruns to approve payment of \$ 8,855.21 to the Lower Platte North NRD for Butler County NRCS Clerk and technician salaries for the last half of FY 2017 (January 1, 2017 thru June 30, 2017). The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: Houdersheldt, Miller, Volkmer

ITEM 27. FINANCIAL REPORT JULY 1 - 31, 2017 AND CONSIDERATION OF EXPENDITURES FOR JULY 2017.

Eigenberg reviewed the financial report for the period July 1, 2017 to July 31, 2017 that was distributed. It was moved by Volkmer and seconded by Miller to accept the financial report for July 2017 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: Bohaty

There being no other business the chairman adjourned the meeting at 8:56 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held August 17, 2017, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb
Attachments

**BOARD OF DIRECTORS MEETING
AND
FY 2018 TAX REQUEST HEARING
September 18, 2017**

The Board of Directors of the Upper Big Blue Natural Resources District met Monday, September 18, 2017 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeffrey Bohaty, Doug Dickinson, Gary Eberle, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Ken Feather, Scott Snell, Marie Krausnick, Jack Wergin, Nancy Beach, Josh Bowers of NRCS, Don Linscott and Tara Galaviz of Greenleaf Properties, Ross Ronne of Green Realty and Zoe Vallas with AmeriCorps.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on September 12, 2017 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Doug Bruns, Roger Houdersheldt and Merlin Volkmer requested that their absence from the September 18, 2017 board of directors meeting be excused.

It was moved by Rich and seconded by Roesler to excuse the absence of Volkmer, Bruns and Houdersheldt from the September 18, 2107 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests for separate action.

It was moved by Rich and seconded by Dickinson to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Dickinson to approve the agenda for the September 18, 2017 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 7. *APPROVAL OF MINUTES OF THE AUGUST 17, 2017 BOARD OF DIRECTORS MEETING, GROTZ HEARING, AND FY 18 BUDGET HEARING.

It was moved by Rich and seconded by Dickinson to approve the minutes of the August 17, 2017 Board of Directors meeting, Grotz Hearing and FY 18 Budget Hearing. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 8. FY 18 TAX REQUEST HEARING.

Chairman Yates open the Fiscal Year 2018 Tax Request Hearing at 7:34 p.m. The Notice of Special Hearing to Set Final Tax Request was published in the York News-Times on September 8, 2017. General Manager, Dave Eigenberg, reviewed the property tax requests and valuations with the Board. Last year the Upper Big Blue NRD had a property tax request of \$3,820,334.63 and the total valuation was \$15,475,123,511. This fiscal year we adopted a budget with a property tax request of \$3,819,151.46. The total valuation for FY 2018 is \$15,469,357,215. The valuation decreased \$5,766,296, or 0.04% from last year. He reviewed each county's valuation and the amount of increase or decrease in valuation.

Eigenberg explained that the Board would need to adopt a resolution following the Tax Request Hearing to set the property tax requirement and tax levy.

As there were no questions, Chairman Yates closed the hearing at 7:39 p.m.

ITEM 9. RESOLUTION TO SET PROPERTY TAX REQUEST.

Eigenberg read the following Resolution to set the property tax request.

Resolution

Whereas the FY 2018 Budget for the Upper Big Blue NRD, as adopted by this board of directors on August 17, 2017, has a property tax requirement of \$3,819,151.46;

Whereas the final total valuation of the NRD is \$15,469,357,215;

Whereas the FY 2017 Budget (prior year) required a tax request of \$3,820,334.63 and a property tax rate of \$ 0.024687;

Whereas the FY 2018 (current year) property tax rate would be \$0.024696 to generate \$3,820,334.63;

Therefore, be it resolved by this Board of Directors on September 18, 2017, to set the **FY 2018 tax request at \$ 3,819,151.46** for the Upper Big Blue Natural Resources District which will require a **property tax rate of \$0.024688**.

It was moved by Roesler and seconded by Eberle to adopt the Resolution to set the FY 18 Tax Request. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Bohaty, Kuehner, Luebbe

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 10. GREENLEAF PROPERTIES UPDATE ON PURCHASE OFFERS.

Don Linscott and Tara Galaviz told the board that they had received two separate purchase offers for the former NRD headquarters building located at 105 N Lincoln Avenue in York, Nebraska. The first purchase offer was received September 13, 2017 and the offer expires on September 19, 2017. The second offer was received late in the day on September 18, 2017. Ross Ronne of Green Realty is the realtor representing the two interested parties.

It was moved by Nuss and seconded by Rich to go into closed session at 7:43 p.m. to discuss the purchase offers on the District's former headquarters located at 105 N Lincoln Ave, York, Nebraska. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

It was moved by Miller and seconded by Moore to return to open session at 8:39 p.m. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Robotham, Volkmer

It was moved by Luebbe and seconded by Miller to authorize the four officers (Yates, Nuss, Stahly, Bruns) to negotiate the sale of the building and authorize the General Manager to sign the necessary documents. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 11. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met September 12, 2017 and presented the committee's recommendations.

ITEM 12. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Two Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$933.20.

It was moved by Rich and seconded by Dickinson to make cost-share payments for two well abandonments as reviewed by the Committee at a cost of \$933.20. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 13. FLOW METER REPAIR COST-SHARE.

Three flow meter repair cost-share applications have been approved for final payments totaling \$434.15.

It was moved by Miller and seconded by Luebbe to pay three flow meter repair cost-share claims totaling \$434.15. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: None
NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 14. BEEHIVE MAINTENANCE AGREEMENT PAYMENT.

The annual Beehive Industries maintenance fee is due. This covers the software updates, technical support, training, database service, and database backup. The maintenance fee did not increase. The total payment is \$25,740.00.

It was moved by Miller and seconded by Rich to pay \$25,740.00 to Beehive Industries for the annual software maintenance fee. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: None
NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 15. CROSBY GUENZEL LLP PAYMENT.

An invoice for work completed on the flowmeter violation for Sherman E. Wilshusen totaling \$1,601.56 has been received from Crosby Guenzel LLP. The invoice covers work completed by Steve Seglin to file paperwork with the District Court on the District's behalf.

It was moved by Miller and seconded by Rich to pay Crosby Guenzel LLP \$1,601.56 for work completed on the Sherman E. Wilshusen flowmeter violation. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates
NAY: None
NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 16. SERVI-TECH PAYMENT.

An invoice for \$3,042.00 was received from Servi-Tech Inc. The invoice covers Ground Water Management Area #2 sample nitrate analysis and the purchase for resale of one profiler.

It was moved by Miller and seconded by Luebbe to pay Servi-Tech Inc. \$3,042.00 for nitrate analysis and profiler. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 17. CERTIFICATION OF IRRIGATED ACRES.

The Water & Regulations Committee reviewed the irrigated acres' certification for 45 parcels totaling 4,555.54 acres, yielding an increase in acres of 292.73. This brings the total irrigated acres to 1,237,142.22.

It was moved by Miller and seconded by Stahly to certify the acre changes as presented to the Board.
The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 18. BEEHIVE HOMEBASE SCOPE OF WORK.

Homebase is a public web portal offered by Beehive Industries. Beehive has submitted a Scope of Work for the Committee's consideration to build and host such a portal for the District. Krausnick reviewed the document with the Committee. The Committee requested the following edits to the document: removal of the primary operators from the tracts of land; adding language to filter out the public and municipal wells from display; and adding the voting sub-district boundary as a display layer.

It was moved by Miller and seconded by Rich to accept the Homebase Scope of Work document with edits made to the primary operator, well display, and adding the voting sub-district boundary. The motion failed.

AYE: Bethune, Eberle, Moore, Nuss, Rich, Roesler, Stahly

NAY: Bohaty, Dickinson, Kuehner, Luebbe, Miller, Robotham, Yates

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 19. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on September 14, 2017 and presented the committee's recommendations.

ITEM 20. SUTTON PARK RENOVATION PROJECT - EAGLE SCOUT PROJECT.

Jared Switzer presented a plan for improvements to the Pleasant Hills Children's Park in Sutton. This is Jared's Eagle Scout Project. The project includes renovations to several pieces of playground equipment,

repairs to two park benches, the addition of a third bench, relocation and improvement to three grills, and staining the wooden components for the existing picnic shelter. The total cost of Jared's project is estimated to be approximately \$2,100. In addition, the City would like to plant a few trees in the park at an estimated cost of \$400, for a total project cost of \$2,500. The Districts Parks Improvement Program provides for twenty-five percent of the cost up to \$10,000.

It was moved by Dickinson and seconded by Luebbe that the District enter an agreement with the City of Sutton for the improvement of Pleasant Hill's Children's Park and that the District contribute 25% of the project cost not to exceed \$625.00. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 21. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Nuss that the Upper Big Blue Natural Resources District approve payment of \$3,029.85 for one completed NSWCP Land Treatment application as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 22. *NEBRASKA BUFFER STRIP PROGRAM.

Portions of one buffer strip contract have been determined to be ineligible for payment. Adjacent ground is in CRP which makes it ineligible for the buffer strip program. Staff is working with the NRCS and Nebraska Department of Agriculture to revise the contract and adjust future payments.

It was moved by Rich and seconded by Dickinson that the Upper Big Blue Natural Resources District make payment of \$7,222.10 for four Nebraska Buffer Strip Program contracts as recommended by staff and reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 23. OXBOW TRAILS SPILLWAY TREE AND SILT REMOVAL CONTRACT PAYMENT.

The contractor (M.E. Collins) has completed the work at Oxbow Trails and submitted an invoice totaling \$24,494.00. The contractor removed trees and silt from the auxiliary spillway, reseeded areas, and constructed fence in northeast area. Staff approved additional \$500 for contractor to chip pile of trees

removed by NRD which was added to original contract amount of \$23,994.00 for a total of \$24,494.00.

It was moved by Dickinson and seconded by Nuss that the Upper Big Blue Natural Resources District make payment of \$24,494.00 to M.E. Collins for work completed at Oxbow Trails Recreation Area as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 24. SMITH CREEK SHORELINE EROSION PROTECTION, CROSSING, FILL ALONG FENCE LINE-UPDATE.

The contractor (Gana Trucking) has completed the work at Smith Creek and has submitted an invoice totaling \$18,657.16. Additional rock was needed for shoreline and for base of crossing which added \$1,662.16 to original contract of \$16,995.00 for total of \$18,657.16.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District make payment of \$18,657.16 to Gana Trucking for work completed at Smith Creek Recreation Area as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 25. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on September 14, 2017 and presented the committee's recommendations.

ITEM 26. 2017 NARD LEGISLATIVE RESOLUTION.

The Tri-Basin Natural Resources District has submitted a resolution for consideration at the 2017 fall conference; Resolution 2017-2 - Surface Water Leasing for Groundwater Recharge. This resolution seeks changes in the Nebraska statutes or state rules and regulations that will streamline and simplify the process of surface water rights leasing. Staff recommendation is to monitor status of this resolution.

It was moved by Nuss and seconded by Stahly to monitor the Tri-Basin Natural Resources District's Resolution 2017-2 Surface Water Leasing for Groundwater Recharge. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 27. OCTOBER 2017 MORTGAGE PAYMENT TO CORNERSTONE BANK.

The Executive Committee was advised that the mortgage loan payment of \$243,292.37 for the NRD office facility is due October 16, 2017. (\$223,936.58 principal and \$19,355.79 interest)

It was moved by Nuss and seconded by Dickinson to authorize the General Manager to make payment to Cornerstone Bank of \$243,292.37 for the October, 2017 NRD mortgage loan payment. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 28. ADDITIONAL FY18 BUDGETED MORTGAGE PRINCIPAL PAYMENT.

The recently adopted FY18 budget included an additional \$100,000 principal loan payment on the NRD mortgage.

It was moved by Nuss and seconded by Stahly to authorize the General Manager to make payment to Cornerstone Bank of \$100,000 for an additional facility mortgage payment. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 29. AGREEMENT NUMBER: A-6526-17-101 BETWEEN THE USDA NATURAL RESOURCES CONSERVATION SERVICE AND THE UPPER BIG BLUE NATURAL RESOURCES DISTRICT.

The Committee was informed that the signing ceremony for Upper Big Blue Natural Resources District's Regional Conservation Partnership Program project, "Divots in the Pivots" is scheduled at the Marsh Family Farms just west of Giltner, Nebraska on September 20th at 10:00 a.m. The "Divots in the Pivots" project is a whole-field conservation program that restores wetlands, improves irrigation efficiency, recharges the aquifer, and provides habitat for the millions of migratory waterfowl and other wetland dependent species that rely on the Rainwater Basin Wetland Complex during their biannual migrations.

RCPD Project - Divots in the Pivots

Proposed NRCS Investment: \$1,863,750

Lead Partner: Upper Big Blue Natural Resources District

It was moved by Nuss and seconded by Eberle to authorize the General Manager to enter into Agreement Number: A-6526-17-101 with the NRCS as the lead agency for the RCPP project - Divots in the Pivots. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 30. MEMORANDUM OF UNDERSTANDING BETWEEN NEBRASKA CONSERVATION EDUCATION FUND (NCEF) AMERICORPS PARTNERSHIP AND THE UPPER BIG BLUE NATURAL RESOURCES DISTRICT.

To improve environmental stewardship in Nebraska, the Nebraska Conservation Education Fund (NCEF) AmeriCorps Partnership launched the Common Ground Program in 2016. Currently, Common Ground is led by volunteers who organize educational events and community conversations within their own communities. These events and conversations focus on conservation issues including water, soil, habitat, and clean energy. Our objective is for these events and discussions to result in locally-led conservation projects, such as a program that improves water management by individuals or planting native grasses and plants. The educational programs and projects are directed by our local community partners and volunteers.

The District was approached by the Nebraska AmeriCorps Partnership as a possible host site for an AmeriCorps staff member. Two AmeriCorps members will work together to serve five communities located within this region of Nebraska (York, Hastings, Kearney, Grand Island, and Central City). One AmeriCorps member in the region will lead educational events, and one will lead service learning programming.

Ms. Zoe Vallas is a community organizer and an AmeriCorps Member through the Nebraska Conservation Education Fund. She grew up in Upstate New York before going to college at Clark University in Massachusetts. After graduating from Clark University with her bachelor's degree in December of 2014, she moved to New York City and worked for organizations on projects that included community outreach or community organizing. With Board approval, Ms. Vallas would be housed in our office and assist part-time with Project GROW.

It was moved by Nuss and seconded by Rich to authorize the General Manager to enter into the Memorandum of Understanding Between Nebraska Conservation Education Fund (NCEF) AmeriCorps Partnership and the Upper Big Blue Natural Resources District. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 31. LISTING AGREEMENT WITH GREENLEAF PROPERTIES, LINCOLN, NEBRASKA.

In January 19, 2017, the Board passed the motion authorizing management to sign a marketing contract for a minimum 6 months with Greenleaf Properties, 300 N 44th Street Suite 207, Lincoln, Nebraska, and request them to attend the February board meeting to discuss pricing. This written contract expired on July 31, 2017. After the August Board meeting, management was contacted and a 3-month extension to this contract was requested. Management verbally granted a contract extension until the September 18th Board meeting. Representatives from Greenleaf were invited to attend the September Board meeting and provide an update to marketing strategies and request a 3-month extension to the listing agreement.

It was moved by Nuss and seconded by Miller to authorize management to sign a 3-month extension to the marketing contract with Greenleaf Properties, 300 N 44th Street Suite 207, Lincoln, Nebraska. Agreement would be effective through October 31, 2017. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

ITEM 32. FINANCIAL REPORT AUGUST 1 - 31, 2017 AND CONSIDERATION OF EXPENDITURES FOR AUGUST 2017.

Eigenberg reviewed the financial report for the period August 1, 2017 to August 31, 2017 that was distributed. It was moved by Rich and seconded by Roesler to accept the financial report for August 2017 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bruns, Houdersheldt, Volkmer

There being no other business the chairman adjourned the meeting at 10:16 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held September 18, 2017, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb
Attachment

BOARD OF DIRECTORS MEETING October 19, 2017

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, October 19, 2017 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Doug Bruns, Gary Eberle, Roger Houdersheldt, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Ken Feather, Scott Snell, Marie Krausnick, Jack Wergin, Nancy Beach, Josh Bowers of NRCS, Seward County Commissioner Gene Gausman, and Steve Moseley of York News-Times.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on October 12, 2017 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the board room.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Bill Kuehner, Jeff Bohaty and Doug Dickinson requested that their absence from the October 19, 2017 board of directors meeting be excused.

It was moved by Volkmer and seconded by Rich to excuse the absence of Kuehner, Bohaty and Dickinson from the October 19, 2017 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bruns, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Dickinson, Kuehner

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. Miller requested that action on the Directors' per diem and expenses be removed from the consent agenda for separate consideration.

It was moved by Rich and seconded by Stahly to adopt the consent agenda. The motion was approved.

AYE: Bruns, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: Bethune

NOT PRESENT: Bohaty, Dickinson, Kuehner

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Stahly to approve the agenda for the October 19, 2017 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bruns, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: Bethune

NOT PRESENT: Bohaty, Dickinson, Kuehner

ITEM 7. *APPROVAL OF MINUTES OF THE SEPTEMBER 18, 2017 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Stahly to approve the minutes of the September 18, 2017 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bruns, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: Bethune

NOT PRESENT: Bohaty, Dickinson, Kuehner

ITEM 8. FISCAL YEAR 2017 AUDIT.

Gayle Steiger of Romans, Wiemer & Associates presented the FY 2017 audit to the Board of Directors. He reviewed the contents of the audit and told the board that as stated in the management letter that accompanied the audit Romans, Wiemer & Associates did not find any deficiencies in internal controls or material weaknesses.

It was moved by Houdersheldt and seconded by Luebbe to accept the FY 2017 audit as presented. The motion was approved.

AYE: Bethune, Bruns, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Dickinson, Kuehner

ITEM 9. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met October 10, 2017 and presented the committee's recommendations.

ITEM 10. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Four Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$1,299.01.

It was moved by Rich and seconded by Stahly to make cost-share payments for four well abandonments as reviewed by the Committee, at a cost of \$1,299.01. The motion was approved as part of the consent agenda.

AYE: Bruns, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: Bethune

NOT PRESENT: Bohaty, Dickinson, Kuehner

ITEM 11. GREEN COVER SEED PAYMENT.

Triticale was planted on 132 acres at Project GROW. The triticale will act as a cover crop this fall/winter and the seed will be harvested next summer. An invoice for the seed and delivery totaling \$2,250.00 has been received. This cost will be paid through the National Association of Conservation District (NACD) Urban Agriculture Grant.

It was moved by Miller and seconded by Luebbe to pay \$2,250.00 to Green Cover Seed for the triticale seed and delivery. The motion was approved.

AYE: Bethune, Bruns, Eberle, Houdersheldt, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Dickinson, Kuehner, Moore

ITEM 12. PAYMENT TO SCOTT GONNERMAN.

Scott Gonnerman has planted the 132 acres of triticale at Project GROW. An invoice for \$2,112.00 has been received for the work completed. This cost will be paid through the NACD Urban Agriculture Grant.

It was moved by Miller and seconded by Luebbe to pay Scott Gonnerman \$2,112.00 for work completed at Project GROW. The motion was approved.

AYE: Bethune, Bruns, Eberle, Houdersheldt, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Dickinson, Kuehner, Moore

ITEM 13. CROSBY GUENZEL LLP PAYMENT.

An invoice has been received from Crosby Guenzel LLP totaling \$2,175.08. Of which, \$1,935.08 pertains to work completed on the Grotz Family Trust violation.

It was moved by Miller and seconded by Rich to pay Crosby Guenzel LLP \$1,935.08 for work completed on the Grotz Family Trust violation. The motion was approved.

AYE: Bethune, Bruns, Eberle, Houdersheldt, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Moore

NOT PRESENT: Bohaty, Dickinson, Kuehner

ITEM 14. WELL SPACING VARIANCE REQUEST.

Sam Anderson has applied for a well spacing variance to construct an irrigation well in the SE1/4 of Section 14-T12N-R06W, Hamilton County. This site is in the High-Risk Groundwater Management Area (HRGA), and has 1,250-foot spacing from all high capacity wells and domestic wells of different ownership, except for a domestic well 972 feet from the proposed construction site. The current domestic well owner has signed documents showing their understanding of the HRGA spacing requirements and giving approval to construct the irrigation well within the 1,250-foot spacing. After much discussion by the Committee it was moved to deny the variance.

It was moved by Miller and seconded by Rich to deny Sam Anderson's well spacing variance application. The motion was approved.

AYE: Bethune, Bruns, Eberle, Houdersheldt, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Stahly, Yates

NAY: Nuss

NOT VOTING: Volkmer

NOT PRESENT: Bohaty, Dickinson, Kuehner

ITEM 15. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the certification of acres for 100 parcels totaling 6,484.26 acres, yielding a decrease in irrigated acres of 125.52. This brings the total irrigated acres to 1,237,016.70.

It was moved by Miller and seconded by Rich to certify the acre changes as presented to the Board. The motion was approved.

AYE: Bethune, Bruns, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Dickinson, Kuehner

ITEM 16. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Volkmer reported that the Projects & Programs Committee met on October 12, 2017 and presented the committee's recommendations.

ITEM 17. PAYMENT TO MID-NEBRASKA LAND DEVELOPERS FOR WORK AT PIONEER TRAILS.

Mid-Nebraska Land Developers has completed the grading and rocking of the area east of the boat ramp at Pioneer Trails.

It was moved by Volkmer and seconded by Luebbe that the Upper Big Blue Natural Resources District make payment of \$7,312.00 to Mid-Nebraska Land Developers for work completed at Pioneer Trails Recreation Area as recommended by staff and reviewed by the Committee. The motion was approved

AYE: Bethune, Bruns, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Dickinson, Kuehner

ITEM 18. ALL HAZARD MITIGATION PLAN INTERLOCAL AGREEMENT.

Staff worked with the Hamilton County Emergency Manager and the York-Seward County Emergency Manager on a draft Interlocal Agreement for Cooperative All-Hazards Mitigation Planning Effort.

It was moved by Volkmer and seconded by Rich that the Upper Big Blue Natural Resources District enter into an Interlocal Agreement for Cooperative All-Hazards Mitigation Planning Effort with Hamilton, York and Seward Counties as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Dickinson, Kuehner

ITEM 19. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on October 12, 2017 and presented the committee's recommendations.

ITEM 20. DIRECTORS' THIRD QUARTER PER DIEM & EXPENSES.

The Committee reviewed the Directors' per diem and expense summary for the 3rd Quarter of 2017.

It was moved by Nuss and seconded by Miller to approve payment of 3rd Quarter 2017 Directors' per diem of \$10,290.00 and expenses of \$3,766.24 for a total of \$14,056.24 and to publish these approved expenditures in the September 2017 Financial Report, except that each director who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. The individual motions were approved.

AYE: **Bethune** (with an abstention on his own per diem and expenses), **Brun**s (with an abstention on his own per diem and expenses), **Eberle** (with an abstention on his own per diem and expenses),

Houdersheldt (with an abstention on his own per diem and expenses), **Luebbe** (with an abstention on her own per diem and expenses), **Miller** (with an abstention on his own per diem and expenses), **Moore** (with an abstention on his own per diem and expenses), **Rich** (with an abstention on her own per diem and expenses), **Robotham** (with an abstention on his own per diem and expenses), **Roesler** (with an abstention on her own per diem and expenses), **Stahly** (with an abstention on his own per diem and expenses) **Volkmer** (with an abstention on his own per diem and expenses), **Yates** (with an abstention on his own per diem and expenses.)

NAY: **Nuss**

NOT PRESENT: **Bohaty, Dickinson, Kuehner**

ITEM 21. PROPOSED CHANGE TO OPERATING POLICY NO. 10: AGENDA OF BOARD MEETINGS.

Advisory Opinion #203 was adopted by the Nebraska Accountability and Disclosure Commission on September 8, 2017. The opinion is based upon questions regarding local school board member's reimbursement for expenses and local school board members that also are members of the Nebraska Association of School Boards. Although this opinion specifically references school boards and NASB, the same guidance may apply to local NRD board members and NRD board members that serve on the Nebraska Association of Resources Districts (NARD) Board of Directors. Opinion #203 is summarized by: A school board member who submits expenses for reimbursement may not vote on his/her own reimbursement because of a direct financial interest on that vote. A school board member who is also a board member or officer of the Nebraska Association of School Boards ("NASB"), has a business association with NASB and may not vote on questions of financial gain or detriment to NASB.

Current Operating Policy No. 10 of the UBBNRD creates a Consent Agenda. Consent Agenda items may include but are not limited to:

- A. Adoption of the Agenda
- B. Approval of Minutes
- C. Directors' Per Diem and Expenses
- D. Buffer Strip Payments
- E. Decommissioned Well Payments

To ensure that the UBBNRD adheres to the intent of NADC Advisory Opinion #203 the consensus of the Committee was to remove Directors' Per Diem and Expenses from the Consent Agenda and to have a separate motion(s) to approve Directors' Per Diem and Expenses.

It was moved by Nuss and seconded by Rich to amend *Operating Policy No. 10: Agenda of Board Meetings* to remove Directors' Per Diem and Expenses from Consent Agenda. The motion was approved.

AYE: Bethune, Bruns, Eberle, Houdersheldt, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: Nuss

NOT PRESENT: Bohaty, Dickinson, Kuehner

ITEM 22. OUT-OF- STATE TRAVEL APPROVAL FOR 2018 GMDA CONFERENCE – BATON ROUGE, LOUISIANA.

The 2018 Groundwater Management District Association (GMDA) Annual Conference is January 17-19, 2018, in Baton Rouge, Louisiana. Management and field staff request approval to participate in this conference. Staff are encouraged to attend one major conference per year. Attending the summer GMDA Conference is difficult for field staff because of workload. Management also feels attendance as a more cohesive group will foster a more unified department. Staff attending this annual conference in Baton Rouge would not be allowed to attend any other out of state conference this year. Several Board members also showed interest in attending.

It was moved by Nuss and seconded by Miller to approve out-of-state travel for the Assistant Manager, Water Department Manager, Water Conservationist, up to four Water Technicians and up to seven Board members that wish to attend the 2018 Groundwater Management District Association (GMDA) Annual Conference – January 17-19, 2018, in Baton Rouge, Louisiana. The motion was approved.

AYE: Bethune, Bruns, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Volkmer

NOT PRESENT: Bohaty, Dickinson, Kuehner

ITEM 23. APPROVAL FOR MANAGER'S OUT-OF-STATE TRAVEL TO WASHINGTON, D.C.

The Executive Committee was informed that a meeting is potentially being scheduled with the Department of Agriculture and NRCS Leadership. This meeting would be in Washington, D.C. The General Manager requests out-of-state travel approval to attend this meeting. Dates for this meeting have not yet been confirmed. Travel expenses would not exceed airfare, food and lodging for a two-night stay in the D.C. area.

It was moved by Nuss and seconded by Bruns to approve out-of-state travel for the General Manager to attend a leadership meeting of the Department of Agriculture and the Natural Resources Conservation Service in Washington, D.C. Travel expenses will not exceed airfare and food and lodging for a two-night stay in the D.C. area. The motion was approved.

AYE: Bethune, Bruns, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Dickinson, Kuehner

ITEM 24. PUBLIC RELATIONS - CRISIS COMMUNICATION PLAN APPROVAL.

Snell has written and presented to the Board a Crisis Communication Plan outlining the components of a crisis plan and protocol that the Upper Big Blue Natural Resources District (UBBNRD) would follow to communicate effectively with the media and its citizens in case of a crisis. Snell also presented the concept of the plan at the 2017 NARD Fall Conference. The UBBNRD is the first NRD to have written such a plan. Management requests the Board approves and adopts this plan as a working document for the UBBNRD.

It was moved by Nuss and seconded by Eberle to approve the Crisis Communication Plan for Upper Big Blue Natural Resources District as presented at the September Board Meeting. Such plan will be effective upon full Board approval. The motion was approved.

AYE: Bethune, Bruns, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Houdersheldt

NOT PRESENT: Bohaty, Dickinson, Kuehner

ITEM 25. FINANCIAL REPORT SEPTEMBER 1 - 30, 2017 AND CONSIDERATION OF EXPENDITURES FOR SEPTEMBER 2017.

Eigenberg reviewed the financial report for the period September 1, 2017 to September 30, 2017 that was distributed. It was moved by Volkmer and seconded by Luebbe to accept the financial report for September 2017 as presented, approve payments of the accounts payable and publish the expenditures. The individual motions were approved.

AYE: **Bethune** (with an abstention on his own expenses), **Brun**s (with an abstention on his own expenses), **Eberle** (with an abstention on his own expenses), **Houdersheldt** (with an abstention on his own expenses), **Luebbe** (with an abstention on her own expenses), **Miller** (with an abstention on his own expenses), **Moore** (with and abstention on his own expenses), **Nuss** (with an abstention on his own expenses), **Rich** (with an abstention on her own expenses), **Robotham** (with an abstention on his own expenses), **Roesler** (with an abstention on her own expenses), **Stahly** (with an abstention on his own expenses), **Volkmer** (with an abstention on his own expenses), **Yates** (with an abstention on his own expenses.)

NAY: None

NOT PRESENT: **Bohaty, Dickinson, Kuehner**

There being no other business the chairman adjourned the meeting at 8:56 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held October 19, 2017, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb

BOARD OF DIRECTORS MEETING November 16, 2017

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, November 16, 2017 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, David Robotham, Becky Roesler, Bill Stahly, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Nancy Brisk, Scott Snell, Marie Krausnick, Nancy Beach, Lindsay Eichelberger, Delton Grotz, Daniel Grotz, Grant Jackson and Josh Bowers of NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on November 9, 2017 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Houdersheldt, Rich and Volkmer requested that their absence from the November 16, 2017 board of directors meeting be excused.

It was moved by Miller and seconded by Dickinson to excuse the absence of Houdersheldt, Rich, and Volkmer from the November 16, 2017 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Rich, Volkmer

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Dickinson and seconded by Luebbe to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Rich, Volkmer

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Luebbe to approve the agenda for the November 16, 2017 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Rich, Volkmer

ITEM 7. *APPROVAL OF MINUTES OF THE OCTOBER 19, 2017 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Luebbe to approve the minutes of the October 19, 2017 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Rich, Volkmer

ITEM 8. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met November 7, 2017 and presented the committee's recommendations.

ITEM 9. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Eight Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$2,127.32.

It was moved by Dickinson and seconded by Luebbe to make cost-share payments for eight well abandonments as reviewed by the Committee, at a cost of \$2,127.32. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Rich, Volkmer

ITEM 10. FLOW METER REPAIR COST-SHARE.

Two flow meter repair cost-share applications have been approved for final payments totaling \$242.29.

It was moved by Luebbe and seconded by Robotham to pay two flow meter repair cost-share claims totaling \$242.29. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Rich, Volkmer

ITEM 11. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the acres' certification for 122 parcels totaling 8,691.40 acres, yielding an increase in irrigated acres of 461.39. This brings the total irrigated acres to 1,237,478.09.

It was moved by Luebbe and seconded by Miller to certify the acre changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Rich, Volkmer

ITEM 12. UNIVERSITY OF NEBRASKA-LINCOLN CONSERVATION AND SURVEY DIVISION MONITORING WELL.

Aaron Young, with University of Nebraska-Lincoln Conservation and Survey Division (UNL CSD), approached the District concerning two observation wells located on the Cornerstone Sports Complex. Both wells are used to track daily water level changes. One well is identical in construction to our lobby well. Our lobby well will be treated as a replacement and all prior data moved to our well. The remaining well needs the datalogger replaced. After discussion with Aaron, the UNL CSD will retain ownership of the observation well. They are asking the District to provide the datalogger to continue the collection of data at this site.

It was moved by Luebbe and seconded by Stahly to provide the datalogger for the offsite observation well located on the Cornerstone Sports Complex, not to exceed \$1,300.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Rich, Volkmer

ITEM 13. ARSENIC, URANIUM, AND SELENIUM SAMPLING.

Krausnick and Widup met with Dr. Karrie Weber, with the University of Nebraska-Lincoln, about monitoring for Arsenic, Uranium, and Selenium. As these are new monitoring contaminants, it was discussed to sample the District's nine dedicated monitoring well sites five times during the 2018

calendar year to map trends in these contaminants concentrations. In all, the District would collect 120 samples during the calendar year.

It was moved by Luebbe and seconded by Bethune for staff to sample the nine-dedicated monitoring well sites five times during the 2018 calendar year analyzing for Arsenic, Uranium, and Selenium. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Rich, Volkmer

ITEM 14. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on November 7, 2017 and presented the committee's recommendations.

ITEM 15. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Bruns that the Upper Big Blue Natural Resources District approve payment of \$7,500.00 for one completed NSWCP Land Treatment application as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Rich, Volkmer

ITEM 16. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on November 7, 2017 and presented the committee's recommendations.

ITEM 17. PAYMENT TO ROMANS, WIEMER & ASSOCIATES FOR FY 2017 AUDIT.

An invoice for \$4,450.00 has been received from Romans, Wiemer & Associates for conducting the FY 2017 Audit.

It was moved by Nuss and seconded by Miller to approve payment of \$4,450.00 to Romans, Wiemer & Associates for the FY 2017 Audit. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Rich, Volkmer

ITEM 18. BLUE BASIN REGIONAL GROUNDWATER MODEL INTERLOCAL AGREEMENT.

The Committee was informed that work continues with the Department of Natural Resources, Lower Big Blue, Little Blue, and Tri-Basin NRDs to create a Blue Basin Regional Groundwater Model. Kurt Zeiler, hydro-geologist from Brown and Caldwell, has provided a scope of work to determine the most applicable inputs to develop a Blue Basin Regional Groundwater Model. Additional meetings and phone conferences are being scheduled with the Department, and the three NRDs to plan the next steps in pursuing a basin-wide groundwater model.

It was moved by Nuss and seconded by Dickinson to instruct the staff to develop an Interlocal Agreement that would utilize resources from all interested parties; Nebraska Department of Natural Resources, Lower Big Blue, Little Blue, and Tri-Basin NRDs to evaluate the most applicable inputs for and ultimately create a Blue Basin Regional Groundwater Model.

It was moved by Miller and seconded by Moore to amend the motion to strike the words "interlocal agreement" and replace with "contract." The amendment carried.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Rich, Volkmer

The question was called on the motion as amended. The motion was approved as amended.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Rich, Volkmer

ITEM 19. PHASE II & III NEWSLETTER PRINTING.

An invoice from York Printing Company, LLC has been received for \$2,750.12. This represents the printing cost for the 2017 Phase II & III newsletter.

It was moved by Nuss and seconded by Stahly to approve payment in the amount of \$2,750.12 to York Printing Company for printing of the 2017 Phase II & III newsletter. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Rich, Volkmer

ITEM 20. FINANCIAL REPORT OCTOBER 1 - 31, 2017 AND CONSIDERATION OF EXPENDITURES FOR OCTOBER 2017.

Eigenberg reviewed the financial report for the period October 1, 2017 to October 31, 2017 that was distributed. It was moved by Dickinson and seconded by Eberle to accept the financial report for

October 2017 as presented, approve payments of the accounts payable and publish the expenditures.
The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham,
Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Houdersheldt, Rich, Volkmer

There being no other business the chairman adjourned the meeting at 2:34 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held November 16, 2017, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb

**BOARD OF DIRECTORS MEETING
&
FORMAL HEARING
December 21, 2017**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, December 21, 2017 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Scott Snell, Marie Krausnick, Nancy Beach, Lindsay Eichelberger, Jack Wergin, Carleen Light, Ken Feather, Courtney Widup, Joshua Eickmeier, City of Seward, Grant Jackson of NRCS, Michael Bash, JEO Consulting Group, Ed Gonzalez, City of Seward, Greg Butcher, City of Seward and Mel Aldrich with the City of Seward.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on December 14, 2017 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call. Houdersheldt arrived at 1:33 p.m.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Bethune and Bohaty requested that their absence from the December 21, 2017 board of directors meeting be excused.

It was moved by Rich and seconded by Dickinson to excuse the absence of Bethune and Bohaty from the December 21, 2017 board of directors meeting as requested. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests. Luebbe asked that Item 8 of the November 16, 2017 board meeting minutes be corrected to show that she gave the committee report and not Miller.

It was moved by Rich and seconded by Stahly to adopt the consent agenda. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Stahly to approve the agenda for the December 21, 2017 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

ITEM 7. *APPROVAL OF MINUTES OF THE NOVEMBER 16, 2017 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Stahly to approve the minutes of the November 16, 2017 Board of Directors meeting, as corrected. The motion was approved as part of the consent agenda.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

ITEM 8. GROUNDWATER QUALITY MANAGEMENT AREA VIOLATIONS HEARING.

Chairman Yates opened the hearing at 1:34 p.m. The purpose of the hearing was to hear testimony and receive evidence regarding complaints filed by General Manager David Eigenberg, on behalf of the District, against Scott Duer, Staplehurst, Nebraska; Jon G. Hansen, Marquette, Nebraska; Scott C. Harmon, Trumbull, Nebraska; Glenn M. Huebert, Hampton, Nebraska; and Robb Samuelson of Trumbull, Nebraska alleging that the Best Management Practices (BMP) in Phase II and III Management Areas were not reported to the District by April 1, 2017 as required by the District's Ground Water Management Area Rules and Regulations.

Public Notice of this hearing was published in the York News-Times on November 30, 2017 and December 7, and 14, 2017.

Yates: Okay, at this time we, I am going to open our Groundwater Quality Management Area violation hearing, um, and I will turn it over to Marie.

Krausnick: We have five people that are outstandings that have not turned in their Phase II and III annual nitrogen reports, um, I would like to enter in as Exhibit #1, the note-notice of public hearing, Exhibit #2, Rule 3 of the Districts Rules and Regulations, Exhibit #3, Rule 4 of the Districts Rules and Regulations, Exhibit #4, Rule 5 of the Districts Rules and Regulations pertaining to Groundwater Quality Management. The first hearing will be against Scott Duer of Staplehurst, Nebraska. His folder is, should be the top one in your stack. Exhibit #5, is the initial mailing that we sent out in January containing his report, his list of previous fields, um, along with any supporting documents to fill out his reports. Exhibit #6, is the reminder postcard that was mailed out in March notifying everyone that their, that the due date was April 1, 2017 to turn in their nitrogen use report, or nitrogen management reports. Exhibit #7 is the past due postcard that was sent out on April 12th to notify that they are past due on their nitrogen reports. Exhibit #8, is May 11th correspondence with a complaint of violation for not filing his documents along with an original, a copy of the original packet that we sent out, which is the cover letter, his list of previous fields, the reporting sheet and the supporting documents to fill out the report. Exhibit #9 is the September 11th correspondence where we gave, where we followed up with a violation investigation and a schedule of compliance. Um, his was not returned, but he did pick up the certified document. Exhibit #10 is the first notice of public hearing that was, where it stated that the public hearing notice that went to the paper was incorrect and so we had to reschedule, so Exhibit #11, is the document with the rescheduled hearing date for today, December 21 at 1:30.

Yates: At, oh uh go ahead Larry.

Moore: Scott is still operating this, is an operating farmer, he's in business yet, right?

Krausnick: According to our records, he is.

Moore: Okay.

Yates: Okay, so was there, I don't think Scott's here; is he? Is there anybody here that wants to speak on his behalf? If, if not...

Dickinson: I, ...

Yates: Okay.

Dickinson: I guess I've got a question on this one.

Yates: Yep.

Dickinson: I don't know if he's presently, has farmed these in this past year, I'm not for sure.

Yates: Okay.

Krausnick: Okay, well in correspondence and trying to reach him, he has not notified us otherwise.

Yates: Oh, okay if there isn't any other questions for that uh, okay Scott Duer was first on the agenda once Marie has submitted all evidence against Duer the following statement will be made to transition to John Hansen. Is, is that what you want me to do?

Krausnick: Nope you need to read the next, you need to read the statement.

Yates: Oh, okay uh we will now close the hearing proceeding pertaining to the violation against Scott Duer and proceed with the evidence for John G. Hansen.

Krausnick: Um, Exhibit #1, we'll recycle Exhibits #1 through #4, Exhibit #1 is the notice of public hearing. Exhibit #2 is a copy of Rule 3 of the District's Rules and Regulations. Exhibit #3 is Rule 4 of the District's Rules and Regulations. Exhibit #4 is Rule 5 of the District's Rules and Regulations. Exhibit# 5 is correspondence in January to John G. Hansen with the initial mailing that has the cover letter, his list of fields that he has reported, the report, and supporting documents to fill out the report. Exhibit #6 is the reminder postcard dated March 7, 2017, of, reminding producers of the April 1 deadline. Exhibit #7 is the past due postcard sent on April 12, 2017 notifying John G. Hansen that he had not turned in his documents. Exhibit# 8 is the May 11th correspondence with the complaint of violation along with a copy of the original packet, showing his fields to be reported, his report and the supporting documents to fill out that report. Exhibit #9 is the September 11, 2017 mailing with the cease and, er, sorry, with the investigation report and the schedule of compliance. Exhibit #10 is the first public hearing notice, along with a copy of the complaint, er, the tracking of the document, the investigation report, schedule of compliance, which he did not sign and return, along with a copy of his complaint and violation. And Exhibit #11 is the rescheduled hearing date.

Yates: Is there um, any public comment on this? Does anybody want to speak on his behalf? If not, uh we will close the hearing proceeding pertaining to the violation against John G. Hansen and proceed with the evidence for Scott C. Harmon.

Krausnick: Okay, Exhibit #1 is the notice of public hearing. Exhibit #2 is Rule 3 of the District's Rules and Regulations. Exhibit #3 is Rule 4 of the District's Rules and Regulations. Exhibit #4 is Rule 5 of the District's Rules and Regulations. Exhibit #5 is the original correspondence to Scott C. Harmon on January 27, 2017 which includes the cover letter, the report, and supporting documents to fill out the report. Exhibit #6 is the reminder postcard dated March 7, 2017 reminding producers of the April 1 deadline. Exhibit #7 is the April 12th past due notice notifying Scott C. Harmon that he had not turned in his report. Exhibit #8 is the complaint of violation sent out on May 11, 2017 along with a copy of the original packet, with the cover letter, report, and supporting documents to fill out the report. Exhibit #9 is the September 11th investigation report and schedule of compliance which was not returned signed. Exhibit #10 is the first notice of formal public hearing along with the tracking, and then the investigation reports and schedule of compliance. And Exhibit #11 is the final notice of public hearing that's scheduled for today, December 21, 2017 at 1:30 at our office.

Yates: Okay is uh, an I, I don't believe Scott's here, is there anybody from the public that wants to say anything? Okay, if not uh, we will close the hearing proceeding pertaining to the violation against Scott C. Harmon and proceed with the evidence for Glenn M. Huebert.

Krausnick: Okay, Exhibit #1 is the notice of public hearing. Exhibit #2 is Rule 3 of the District's Rules and Regulations. Exhibit #3 is Rule 4 of the District's Rules and Regulations. Exhibit #4 is Rule 5 of the District's Rules and Regulations. Exhibit #5 is the initial court, is the initial packet sent to Glenn M. Huebert with his cover letter, report, list of reported fields, the report and supporting documents needed to fill out the doc, fill out the report. Exhibit #7 is the April 12th, oh whoa sorry. Exhibit #6 is the March 7th reminder postcard notifying producers of the April 1 deadline. Exhibit #7 is the April 12th past due postcard notifying Glenn M. Huebert that his reports had not been turned in. Exhibit #8 is the complaint of violation along with the packet, original packet that the, with the cover letter, list of previous fields reported, along with the report and supporting documents. Exhibit #9 is the investigation report and the schedule of compliance that was not returned with a signature. Exhibit #10 is the first formal notice of public hearing along with a copy of the investigation report and the schedule of compliance. And Exhibit #11 is the final notice of formal hearing.

Yates: Oh, okay at this time is there anybody that wants to speak? Okay.

Kuehner: Lynn?

Yates: Oh, yes, I'm sorry, go ahead.

Kuehner: I, I'm not speaking on his behalf. Marie uh, I noticed on the certified letters to, to Mr. Huebert there's no receipt.

Krausnick: We send out copies of them certified and then one first class mail. And if they don't go to the post office and pick 'em up then we do not get the green card returned to us.

Yates: Okay any other questions? Okay we will close the hearing proceedings pertaining to the violation against Scott [Glenn] M. Huebert and proceed with evidence for Robb Samuelson.

Krausnick: Exhibit #1 is the notice of public hearing. Exhibit #2 is Rule 3 of the District's Rules and Regulations. Exhibit #3 is Rule 4 of the District's Rules and Regulations. Exhibit #4 is Rule 5 of the District's Rules and Regulations. Exhibit #5 is the initial packet to Robb Samuelson with his report and supporting documents needed to, to fill out the report. Exhibit #6 is the March 7th reminder postcard reminding producers of the April 1 deadline. Exhibit #7 is the April 12, 2017 past due notice, notifying Robb Samuelson that he had not turned in his report. Exhibit #8 is the complaint of violation form along with the initial packet containing his report and the supporting documents to fill out the report. Exhibit #9 is the September 11th investigation report and schedule of compliance. Exhibit #10 is the formal notice, the first formal notice of public hearing along with copies of his investigation report and schedule of compliance. And Exhibit #11 is the second formal notice of public hearing.

Yates: Okay, at this time is there anybody that wants to, Linda go ahead.

Luebbe: Marie, there's a note on the May 11th, uh, Exhibit #8 that says "5-16-17 will get reports sent in..."

Krausnick: Soil sample.

Luebbe: "Graph in by next week." That was a phone call?

Krausnick: Yes.

Yates: Oh, okay is there any other, uh, public input for Robb Samuelson, or comments? And I guess I'll ask again on any one of the five, is there anything anybody wants to comment, ah, ask questions about? Okay, at this time I will close the hearing.

The hearing was officially closed at 1:49 p.m.

ITEM 9. GROUNDWATER QUALITY MANAGEMENT AREA ACTION ON ALLEGED VIOLATIONS.

It was moved by Miller and seconded by Rich to adopt the Cease and Desist Order against Scott Duer.
The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

It was moved by Miller and seconded by Moore to adopt the Cease and Desist Order against Jon. G. Hansen. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

It was moved by Miller and seconded by Roesler to adopt the Cease and Desist Order against Scott C. Harmon. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Kuehner

NOT PRESENT: Bethune, Bohaty

It was moved by Miller and seconded by Rich to adopt the Cease and Desist Order against Glenn M. Huebert. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

It was moved by Miller and seconded by Robotham to adopt the Cease and Desist Order against Robb Samuelson. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Kuehner

NOT PRESENT: Bethune, Bohaty

ITEM 10. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met December 14, 2017 and presented the committee's recommendations.

ITEM 11. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Six Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$2,783.30.

It was moved by Rich and seconded by Stahly to make cost-share payments for six well abandonments as reviewed by the Committee, at a cost of \$2,783.30. The motion was approved as part of the consent agenda.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

ITEM 12. UNIVERSITY OF NEBRASKA-LINCOLN EXTENSION DATA REQUEST.

Steve Melvin, Hamilton and Merrick Counties Extension Agent, is requesting irrigation soil moisture data collected by the District. He is requesting graphs and readings from a subset of producers in the District's Phase II & III Management Areas. District staff would remove any personal information on the reports, leaving only the section, township, range, and soil moisture readings.

It was moved by Miller and seconded by Rich to put together a subset of soil moisture data for analysis by UNL Extension. District staff will remove any personal information on the reports, leaving only the section, township, range and soil moisture readings. The motion was approved.

AYE: Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Bruns, Dickinson, Kuehner, Luebbe, Volkmer

NOT PRESENT: Bethune, Bohaty

ITEM 13. SCOTT GONNERMAN PAYMENT-PROJECT GROW.

Scott Gonnerman has submitted two invoices from Central Valley Ag, for the custom application of Phosphorus fertilizer on the Project GROW site. The fertilizer was applied to both cover crop demonstration fields. The total cost of both invoices is \$3,737.45. The costs will be covered through the NACD Grant.

It was moved by Miller and seconded by Luebbe to pay Scott Gonnerman \$3,727.45 for the custom application of Phosphorus fertilizer at the Project GROW demonstration sites. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

ITEM 14. UNANIMOUS PAYMENT-PROJECT GROW.

The webpage for Project GROW has been created. It is located on the Programs tab of the District website. Unanimous has submitted a bill for the page development totaling \$952.00. The costs will be covered through the NACD Grant.

It was moved by Miller and seconded by Luebbe to pay Unanimous \$952.00 for the development of the Project GROW webpage. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

ITEM 15. FLOW METER REPAIR COST-SHARE.

One flow meter repair cost-share application has been approved for final payment totaling \$150.00.

It was moved by Miller and seconded by Robotham to pay one flow meter repair cost-share claim totaling \$150.00. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT VOTING: Volkmer

NOT PRESENT: Bethune, Bohaty

ITEM 16. GROUNDWATER TRANSFER AUTHORIZATION-TIMOTHY & JULIE MCMEEKIN/TIMOTHY MCMEEKIN.

Timothy McMeekin applied for a groundwater transfer to irrigate 20.4 acres in the NW1/4 NE1/4 of Section 19-T14N-R2W from well permit UBB-1-5613 located in the W1/2 SE1/4 of Section 18-T14N-R2W, all in Polk County. The proposed transfer complies with the Districts groundwater regulations.

It was moved by Miller and seconded by Moore to approve Groundwater Transfer T-098. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates

NAY: Roesler, Volkmer

NOT PRESENT: Bethune, Bohaty

ITEM 17. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the acres' certification for 21 parcels totaling 1,601.41 acres, yielding a decrease in irrigated acres of 222.01. This brings the total irrigated acres to 1,237,256.08.

It was moved by Miller and seconded by Luebbe to certify the acre changes as presented to the Board. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

ITEM 18. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on December 14, 2017 and presented the committee's recommendations.

ITEM 19. *NEBRASKA BUFFER STRIP PROGRAM COST-SHARE PAYMENTS.

It was moved by Rich and seconded by Stahly that the Upper Big Blue Natural Resources District approve payment of \$6,237.78 for six Nebraska Buffer Strip Program Payments as recommended by staff and reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

ITEM 20. LAND TREATMENT PROGRAM COST-SHARE PAYMENT.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve payment of \$2,676.13 for one completed NSWCP Land Treatment application as recommended

by staff and reviewed by the Committee. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

ITEM 21. PRIVATE DAMS PROGRAM NEW APPLICATION.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District approve the Abbi Kleinschmidt Private Dams Program application for a dam located in the Southwest Quarter of Section 17, Township 8 North, Range 4 West, Northwest of Grafton in Fillmore County for an estimated cost of \$70,000.00, and an estimated cost-share of \$50,000.00, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Stahly, Volkmer

NAY: Nuss

NOT VOTING: Yates

NOT PRESENT: Bethune, Bohaty

ITEM 22. PRIVATE DAMS PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District approve payment of \$37,666.99 for two Private Dam Program payments as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

ITEM 23. CITY OF SEWARD LEVEE EVALUATION.

Gregg Butcher, City Administrator for Seward, Lalit Jha and Michael Bash of JEO Consulting gave a presentation to the Projects and Programs Committee on the Seward Levee, including the history, the roles of the Federal Emergency Management Agency, the Corps of Engineers, and the City of Seward. Mr. Bash gave some background on FEMA's flood risk mapping and the FEMA process for levee accreditation. The evaluation timeline showed a 9-12 month process with a proposed cost of \$146,110.00. Mel Aldrich discussed the annual inspections of the levee. Ted Hughes and Matt Stryson of Hughes Brothers Inc. spoke in support of the levee accreditation.

It was moved by Dickinson and seconded by Miller that the Upper Big Blue Natural Resources District enter into an interlocal agreement with the City of Seward to provide 50% cost-share not to exceed \$75,000.00 using fiscal year 2019 funds for the evaluation of Seward's levee as reviewed by the Committee. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

ITEM 24. WATER QUALITY MANAGEMENT PLAN / VOLUNTARY INTEGRATED MANAGEMENT PLAN.

Rod DeBuhr gave an update on the WQMP/VIMP activities. The NRD has been working with the Nebraska Department of Environmental Quality and the Nebraska Department of Natural Resources. These will be separate plans developed with a joint stakeholder process.

It was moved by Dickinson and seconded by Eberle that the Upper Big Blue Natural Resources District authorize staff to issue a Request for Proposals (RFP) for the development of both a Water Quality Management Plan and a Voluntary Integrated Management Plan as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Volkmer

NOT PRESENT: Bethune, Bohaty

ITEM 25. PIONEER TRAILS RECREATION AREA IMPROVEMENTS.

Staff is finishing up the final design of the drainage, access road, parking area, and fencing improvements at Pioneer Trails Recreation Area. Work includes improving drainage and access on the west side, adding a parking lot in the northwest area, and clearing and repairing fence along the north property line. Construction work could begin in April 2018.

It was moved by Dickinson and seconded by Bruns that the Upper Big Blue Natural Resources District authorize staff to advertise for contractor bids to construct drainage, access road, parking area, and fencing improvements at Pioneer Trails as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer

NAY: Yates

NOT PRESENT: Bethune, Bohaty

ITEM 26. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on December 14, 2017 and presented the committee's recommendations.

ITEM 27. CONTRACTUAL AGREEMENT FOR REGIONAL GROUNDWATER MODEL DEVELOPMENT.

The Executive Committee was provided a draft of a potential contract between Brown and Caldwell, Department of Natural Resources, Lower Big Blue, Little Blue, Tri-Basin and the Upper Big Blue NRDs to evaluate inputs for a Blue Basin Regional Groundwater Model.

It was moved by Nuss and seconded by Houdersheldt to authorize the General Manager to sign a contract between Brown and Caldwell, Nebraska Department of Natural Resources, Lower Big Blue, Little Blue, Tri-Basin and Upper Big Blue NRDs to evaluate Blue Basin Regional Groundwater Model inputs. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

ITEM 28. NARD VOTING DELEGATE & ALTERNATE.

The Board needs to select the directors that are going to be the Nebraska Association of Resources District (NARD) Voting Delegate and Alternate for the 2018 NARD Legislative Conference to be held January 23-24, 2018.

It was moved by Nuss and seconded by Dickinson to have Larry Moore as the NARD Voting Delegate and Gary Eberle as the Alternate for the 2018 NARD Legislative Conference. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

ITEM 29. AUTHORITY TO MAKE PAYMENT OF ADDITIONAL FY18 BUDGETED MORTGAGE PAYMENT.

The FY18 Budget included an additional loan payment on the NRD facility mortgage from the proceeds for the sale of the building at 105 North Lincoln Avenue, York, Nebraska. Proceeds of the sale were \$228,833.75.

It was moved by Nuss and seconded by Rich to authorize the General Manager to make payment to Cornerstone Bank of \$230,000 for an additional facility mortgage payment. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

ITEM 30. COMPUTER SERVER UPGRADE QUOTES.

Quotes have been received from Bluestem IT for upgrading the District computer server. Quote 1 represents refurbishing existing computer hardware. Deliverables of this quote includes upgrading existing server by replacing hard drives and providing a new operating system. Total dollar amount of

this quote is \$5,412.79. This amount includes the cost of 12 hours labor. Quote 2 is for a total replacement of computer hardware and providing an all new operating system. Quote for this option is \$11,651.10. This quote includes the cost of 12 hours labor.

The staffs' recommendation is to accept Quote 1 for \$5,412.79 to refurbish existing computer hardware. The FY18 budget includes \$8,000.00 for server upgrade and operating system improvements.

It was moved by Nuss and seconded by Rich to accept the quote of \$5,412.79 to upgrade existing server by replacing hard drives and providing a new operating system. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: Miller

NOT PRESENT: Bethune, Bohaty

ITEM 31. BLUEPRINT NEWSLETTER PRINTING.

The Executive Committee reviewed an invoice of \$6,699.75 from York Printing, LLC for printing of November 2017 BLUEPRINT Newsletter.

It was moved by Nuss and seconded by Dickinson to approve payment of \$6,699.75 to York Printing, LLC for printing the November 2017 edition of the BLUEPRINT Newsletter. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

ITEM 32. UPDATE ON SALE OF FORMER OFFICE BUILDING.

Eigenberg provided an update on the sale of the property at 105 North Lincoln Avenue. Additional expense for the repair of the stop box on the municipal water service line is not included.

Sales Proceeds		
105 North Lincoln Avenue, York Nebraska		
	Debit	Credit
Selling Price		\$ 250,000.00
Broker's Fee (3% total sale)	\$ 7,500.00	
Broker's Fee (5% total sale)	\$ 12,500.00	
Documentary Fee (250 x \$2.25)	\$ 562.50	
Title Insurance (50% of \$707.50)	\$ 353.75	
Closing Fees by Escrow Agent	\$ 250.00	
	\$ 21,166.25	\$ 250,000.00
	\$ 228,833.75	
	\$ 250,000.00	\$ 250,000.00

ITEM 33. FINANCIAL REPORT NOVEMBER 1 - 30, 2017 AND CONSIDERATION OF EXPENDITURES FOR NOVEMBER 2017.

Eigenberg reviewed the financial report for the period November 1, 2017 to November 30, 2017 that was distributed. It was moved by Houdersheldt and seconded by Volkmer to accept the financial report for November 2017 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Bohaty

There being no other business the chairman adjourned the meeting at 3:16 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held December 21, 2017, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb/lae

BOARD OF DIRECTORS MEETING

January 18, 2018

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, January 18, 2018 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Lindsay Eichelberger, Scott Snell, Marie Krausnick, Jack Wergin, Ken Feather, Nancy Beach, Seward County Commissioner Gene Gausman, Josh Bowers of NRCS, and Zoe Vallas of AmeriCorps.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on January 11, 2018 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Luebbe requested that her absence from the January 18, 2018 board of directors meeting be excused.

It was moved by Rich and seconded by Volkmer to excuse the absence of Luebbe from the January 18, 2018 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Rich and seconded by Miller to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Miller to approve the agenda for the January 18, 2018 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe

ITEM 7. *APPROVAL OF MINUTES OF THE DECEMBER 21, 2017 BOARD OF DIRECTORS MEETING AND FORMAL HEARING.

It was moved by Rich and seconded by Miller to approve the minutes of the December 21, 2017 Board of Directors meeting, and formal hearing. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe

ITEM 8. DIRECTOR RECOGNITION.

Chairman Yates presented Roger Houdersheldt with an engraved walnut plaque in the shape of the state of Nebraska in recognition of 25 years of service on the Upper Big Blue NRD board of directors.

Chairman Yates presented Doug Dickinson with a framed Michael Forsberg print in recognition of 35 years of service as a member of the Upper Big Blue NRD board of directors.

ITEM 9. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Water & Regulations Committee met January 11, 2018 and presented the committee's recommendations.

ITEM 10. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Eight Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$2,880.71.

It was moved by Rich and seconded by Miller to make cost-share payments for eight well abandonments as reviewed by the Committee, at a cost of \$2,880.71. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe

ITEM 11. TRI-CITY METERS PAYMENT FOR ROUTINE METER MAINTENANCE FIRST INSTALLMENT.

Tri-City Meters has completed 226 routine flow meter maintenance inspections. An invoice totaling \$10,375.00 has been received. This is the first installment for work completed by Tri-City Meters.

It was moved by Kuehner and seconded by Houdersheldt to pay Tri-City Meters \$10,375.00 for the first installment of the routine meter maintenance program. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe

ITEM 12. NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ) ANNUAL CHEMIGATION PAYMENT.

The annual chemigation report to NDEQ has been completed. To comply with state statute, we owe NDEQ \$3,188.00 for their administration of the chemigation program.

It was moved by Kuehner and seconded by Rich to pay the Nebraska Department of Environmental Quality \$3,188.00 for their administration of the Chemigation Program. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe

ITEM 13. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the acres' certification for 9 parcels totaling 311.83 acres, yielding a decrease in irrigated acres of 99.93. This brings the total irrigated acres to 1,237,156.15.

It was moved by Kuehner and seconded by Miller to certify the acre changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe

ITEM 14. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on January 11, 2018 and presented the committee's recommendations.

ITEM 15. LAND TREATMENT PROGRAM COST-SHARE PAYMENT.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve payment of \$6,389.51 for two completed NSWCP Land Treatment applications and \$6,952.51 for one completed NRD Land Treatment application, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe

ITEM 16. PRIVATE DAMS PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve payment of \$46,272.45 for two completed dams under the Private Dams Program as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe

ITEM 17. PARKS & RECREATION PROGRAM – WINDBREAK AT VILLAGE OF EXETER CEMETERY.

The Village of Exeter is requesting grant monies through the District's Parks & Recreation Program. The District will fund up to 25% of the local share of the estimated, or actual costs, whichever is less. The Village of Exeter has plans to plant a two-row shelterbelt on the north side of the cemetery, which will be approximately 250 trees, and lay the conservation mulch for the benefit of weed control, for an estimated cost of \$2,200.00.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District enter into an agreement and fund the windbreak planting at the cemetery owned and operated by the Village of Exeter at the rate of 25% of the estimated cost of \$2,200.00, for a total not to exceed \$550.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe

ITEM 18. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on January 11, 2018 and presented the committee's recommendations.

ITEM 19. DIRECTORS' 4TH QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors' per diem and expenses for this past quarter. Totals for the fourth quarter directors' per diem are \$7,700.00 and expenses are \$2,674.73 for a total expenditure of \$10,374.73. Individual expense vouchers were available for review.

It was moved by Nuss and seconded by Houdersheldt to approve payment of fourth quarter 2017 directors' per diem of \$7,700.00 and expenses of \$2,674.73 for a total of \$10,374.73 and to publish these approved expenditures in the December 2017 Financial Report, except that each director, who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. The motion was approved.

AYE: **Bethune** (abstained on his own per diem and expense reimbursement), **Bohaty** (abstained on his own per diem and expense reimbursement), **Bruns** (abstained on his own per diem and expense reimbursement), **Dickinson** (abstained on his own per diem and expense reimbursement), **Eberle** (abstained on his own per diem and expense reimbursement), **Houdersheldt** (abstained on his own per diem and expense reimbursement), **Kuehner** (abstained on his own per diem and expense reimbursement), **Miller** (abstained on his own per diem and expense reimbursement), **Moore** (abstained on his own per diem and expense reimbursement), **Nuss** (abstained on his own per diem and expense reimbursement), **Rich** (abstained on her own per diem and expense reimbursement), **Robotham** (abstained on his own per diem and expense reimbursement), **Roessler** (abstained on her own per diem and expense reimbursement), **Stahly** (abstained on his own per diem and expense reimbursement), **Volkmer** (abstained on his own per diem and expense reimbursement), **Yates** (abstained on his own per diem and expense reimbursement).

NAY: None

ABSTAIN: Each director who voted to approve the motion abstained on their own per diem and expense reimbursements.

NOT PRESENT: Luebbe

ITEM 20. 2018 PAYMENT FOR 2020 NATIONAL ENVIROTHON.

During the March 16, 2017 Board Meeting, it was moved by Nuss and seconded by Dickinson to support the dues based assessment of 5.9% of the \$400,000.00 estimated cost of the 2020 National Envirothon. Obligating funds in the amount \$7,823.00 per year for a three-year period starting in FY18 and ending in FY20. Total amount to be expended is not to exceed \$23,469.00. An invoice has been received from NARD for \$5,202.00 for first year sponsorship of the 2020 National Envirothon.

It was moved by Nuss and seconded by Dickinson to approve payment for first year sponsorship of the 2020 National Envirothon of \$5,202.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe

ITEM 21. FINANCIAL REPORT DECEMBER 1 - 31, 2017 AND CONSIDERATION OF EXPENDITURES FOR DECEMBER 2017.

Eigenberg reviewed the financial report for the period December 1, 2017 to December 31, 2017 that was distributed. It was moved by Volkmer and seconded by Roesler to accept the financial report for December 2017 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: **Bethune** (abstained on his own per diem and expense reimbursement), **Bohaty** (abstained on his own per diem and expense reimbursement), **Brun**s (abstained on his own per diem and expense reimbursement), **Dickinson** (abstained on his own per diem and expense reimbursement), **Eberle** (abstained on his own per diem and expense reimbursement), **Houdersheldt** (abstained on his own per diem and expense reimbursement), **Miller** (abstained on his own per diem and expense reimbursement), **Moore** (abstained on his own per diem and expense reimbursement), **Nuss** (abstained on his own per diem and expense reimbursement), **Rich** (abstained on her own per diem and expense reimbursement), **Robotham** (abstained on his own per diem and expense reimbursement), **Roesler** (abstained on her own per diem and expense reimbursement), **Stahly** (abstained on his own per diem and expense reimbursement), **Volkmer** (abstained on his own per diem and expense reimbursement), **Yates** (abstained on his own per diem and expense reimbursement).

NAY: Kuehner

ABSTAIN: Each director who voted to approve the December 2017 expenditures abstained on their own per diem and expense reimbursements.

NOT PRESENT: Luebbe

There being no other business the chairman adjourned the meeting at 2:28 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held January 18, 2018, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb

BOARD OF DIRECTORS MEETING

February 15, 2018

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, February 15, 2018 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, John Miller, Larry Moore, Mike Nuss, Ronda Rich, Becky Roesler, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Scott Snell, Marie Krausnick, Jack Wergin, Ken Feather, Nancy Beach, Seward County Commissioner Gene Gausman, Rick Wilson of JEO Consulting, and Jim Green with Village of McCool Junction.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on February 8, 2018 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call. Roesler arrived at 1:35 p.m.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Luebbe and Robotham requested that their absence from the February 15, 2018 board of directors meeting be excused.

It was moved by Volkmer and seconded by Rich to excuse the absence of Luebbe and Robotham from the February 15, 2018 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe, Robotham, Roesler

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Dickinson and seconded by Bruns to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe, Robotham

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Bruns to approve the agenda for the February 15, 2018 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe, Robotham

ITEM 7. *APPROVAL OF MINUTES OF THE JANUARY 18, 2018 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Bruns to approve the minutes of the January 18, 2018 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe, Robotham

ITEM 8. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met February 8, 2018 and presented the committee's recommendations.

ITEM 9. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Four Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$1,728.44. Moore advised the board that he would abstain on the motion to approve payment due to a financial interest in one of the payments.

It was moved by Dickinson and seconded by Bruns to make cost-share payments for four well abandonments as reviewed by the Committee, at a cost of \$1,728.44. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Moore

NOT PRESENT: Luebbe, Robotham

ITEM 10. FLOW METER REPAIR COST-SHARE PAYMENT.

One flow meter repair cost-share application has been approved for final payment totaling \$150.00.

It was moved by Miller and seconded by Moore to pay one flow meter repair cost-share claim totaling \$150.00. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Bohaty

NOT PRESENT: Luebbe, Robotham

ITEM 11. MUNICIPAL WATER SYSTEM ASSISTANCE PROGRAM VILLAGE OF MCCOOL JUNCTION.

The Village of McCool Junction has two municipal wells with upward trending nitrate levels. They would like to drill three test holes to identify a new well site. If the test holes are promising, they would like to drill a test well to monitor groundwater quality over time before constructing a new municipal well. The total cost of the project is \$25,500.00. The NRD share would be \$6,375.00.

It was moved by Miller and seconded by Rich to approve the Municipal Water System Assistance Program application for McCool Junction, not to exceed \$6,375.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe, Robotham

ITEM 12. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the acres' certification for 8 parcels totaling 663.63 acres, yielding an increase in irrigated acres of 76.82. This brings the total irrigated acres to 1,237,232.97.

It was moved by Miller and seconded by Stahly to certify the acre changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe, Robotham

ITEM 13. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on February 8, 2018 and presented the committee's recommendations.

ITEM 14. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve payment of \$26,827.84 for five completed NSWCP Land Treatment applications as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe, Robotham

ITEM 15. PRIVATE DAMS PROGRAM COST-SHARE PAYMENT.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve payment of \$25,275.41 for one completed dam (Dan Leininger) under the Private Dams Program as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe, Robotham

ITEM 16. WATER QUALITY MANAGEMENT PLAN / VOLUNTARY INTEGRATED MANAGEMENT PLAN – CONSULTANT SELECTION.

Three consultants submitted proposals as the result of the District's RFP for a Water Quality Management Plan/Voluntary Integrated Management Plan. District staff, along with staff from the Nebraska Department of Environmental Quality and the Nebraska Department of Natural Resources, interviewed the three consultants (JEO, FYRA, and Olsson Associates) on Monday, February 5, 2018. The interview team agreed on the ranking of consultant's proposals.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District enter into a contract with JEO Consulting Group, Inc. to prepare the District's Water Quality Management Plan, and provide the technical information and conduct stakeholder meetings for the District's Voluntary Integrated Management Plan for the submitted bid price of \$307,400.00. The contract will also include the option of having JEO write the Voluntary Integrated Management Plan for the submitted bid price of \$19,100.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Miller

NOT PRESENT: Luebbe, Robotham

ITEM 17. SEWARD LEVEE – INTERLOCAL AGREEMENT.

Staff prepared an interlocal agreement between the District and the City of Seward for the Seward levee evaluation project, which has an estimated cost of \$146,110.00. The draft Interlocal Agreement was reviewed by the City of Seward and comments were incorporated.

It was moved by Dickinson and seconded by Miller that the Upper Big Blue Natural Resources District enter into an Interlocal Agreement with the City of Seward for the evaluation of the Seward Levee in which the District agrees to provide 50% cost-share assistance, not to exceed \$75,000.00 as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe, Robotham

ITEM 18. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on February 8, 2018 and presented the committee's recommendations.

ITEM 19. GROUND WATER MANAGEMENT DISTRICT ASSOCIATION (GMDA) EXPENSE REIMBURSEMENT.

An expense claim in the amount of \$1,039.05 has been submitted by Linda Luebbe for attending the 2018 GMDA Conference in Baton Rouge, Louisiana.

Reimbursement Claims for Directors Attending 2017 GMDA Conference			
Name	Reimbursement		Total Amount Due
	Mileage*	Other	
Linda Luebbe	\$350.82	\$688.23	\$1,039.05

* Reimbursement for mileage is either actual miles driven multiplied by the mileage reimbursement rate or airfare on commercial airline whichever is less.

It was moved by Nuss and seconded by Bruns to approve total payment of \$1,039.05 for expenses claimed by Linda Luebbe for attending the 2018 GMDA Conference. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe, Robotham

ITEM 20. CONSIDERATION OF REVISIONS TO PERSONNEL POLICY NO. 19: HOLIDAYS.

Eigenberg requested that the Executive Committee reconsider action taken by the Board on November 20, 1997, which traded Martin Luther King Day for the day after Thanksgiving as a paid holiday.

Eigenberg asked that beginning in calendar year 2019 *Personnel Policy No. 19: Holidays* be revised to close the office on the third Monday of January in observance of Martin Luther King Day. Several additional options were discussed.

It was moved by Nuss and seconded by Dickinson to revise the current *Personnel Policy No. 19: Holidays* to include Martin Luther King Day (total of 11 days paid holidays per year; New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, Day after Thanksgiving and Christmas Day).

It was moved by Moore and seconded by Eberle to amend the motion to strike "Columbus Day" and add "Arbor Day."

It was moved by Houdersheldt and seconded by Bohaty to go into Executive Session at 2:02 p.m. to discuss Personnel Policies. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer
NAY: Bruns, Yates
NOT PRESENT: Luebbe, Robotham

It was moved by Dickinson and seconded by Stahly to return to Open Session at 2:30 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Luebbe, Robotham

It was moved by Rich and seconded by Roesler to amend the amendment to strike "Columbus Day" in exchange for the "Day after Thanksgiving" in order to keep it at 10 paid holidays.

It was moved by Moore and seconded by Miller to refer the matter back to the Executive Committee. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Eberle, Kuehner, Miller, Moore, Rich, Stahly, Volkmer, Yates
NAY: Bethune, Houdersheldt, Nuss, Roesler
NOT PRESENT: Luebbe, Robotham

ITEM 21. FINANCIAL REPORT JANUARY 1 - 31, 2018 AND CONSIDERATION OF EXPENDITURES FOR JANUARY 2018.

Eigenberg reviewed the financial report for the period January 1, 2018 to January 31, 2018 that was distributed. It was moved by Stahly and seconded by Houdersheldt to accept the financial report for January 2018 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich,

Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Luebbe, Robotham

There being no other business the chairman adjourned the meeting at 2:52 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held February 15, 2018, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb

BOARD OF DIRECTORS MEETING

March 15, 2018

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, March 15, 2018 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Scott Snell, Marie Krausnick, Jack Wergin, Jeff Ball, Ken Feather, Nancy Beach, Steve Moseley of York News-Times, and Josh Bowers with York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on March 8, 2018 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call. Kuehner arrived at 1:34 p.m.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests.

It was moved by Miller and seconded by Luebbe to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Miller and seconded by Luebbe to approve the agenda for the March 15, 2018 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 7. *APPROVAL OF MINUTES OF THE FEBRUARY 15, 2018 BOARD OF DIRECTORS MEETING.

It was moved by Miller and seconded by Luebbe to approve the minutes of the February 15, 2018 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 8. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Water & Regulations Committee met March 8, 2018 and presented the committee's recommendations.

ITEM 9. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Five Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$1,600.02.

It was moved by Miller and seconded by Luebbe to make cost-share payments for five well abandonments as reviewed by the Committee, at a cost of \$1,600.02. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Kuehner

ITEM 10. FLOW METER REPAIR COST-SHARE PAYMENTS.

Three flow meter repair cost-share applications have been reviewed for final payment totaling \$450.00.

It was moved by Luebbe and seconded by Rich to pay three flow meter repair cost-share claims totaling \$450.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

ITEM 11. KLEIN SALES & SERVICE PAYMENT FOR IRRIGATION SCHEDULING EQUIPMENT.

The District has purchased 950 Watermark Soil Moisture Sensors for resale from Klein Sales & Service. The total cost is \$32,510.00.

It was moved by Luebbe and seconded by Stahly to pay Klein Sales & Service for 950 Watermark Soil Moisture Sensors totaling \$32,510.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 12. TRI-CITY METERS PAYMENT.

Tri-City Meters has completed routine maintenance on 246 mechanical flowmeters. The invoiced total for work completed is \$12,140.00.

It was moved by Luebbe and seconded by Rich to pay Tri-City Meters \$12,140.00 for the routine maintenance of 246 mechanical flowmeters. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 13. PAYMENT TO IRRIGATION COMPONENTS INTERNATIONAL, INC.

The District has purchased 101 Seametrics battery replacement kits for resale. The invoice total is \$8,433.50. If the invoice is paid before March 15, 2018 a discount of \$253.01 can be deducted from the invoiced total.

It was moved by Luebbe and seconded by Miller to authorize payment for Irrigation Components International, Inc. by March 15, 2018 at the discounted cost of \$8,180.49. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 14. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the acres' certification for 92 parcels totaling 8,710.41 acres, yielding an increase in irrigated acres of 469.02. This brings the total irrigated acres to 1,237,701.99.

It was moved by Luebbe and seconded by Rich to certify the acre changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 15. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on March 8, 2018 and presented the committee's recommendations.

ITEM 16. *BUFFER STRIP PROGRAM COST-SHARE PAYMENTS.

It was moved by Miller and seconded by Luebbe that the Upper Big Blue Natural Resources District make payments of \$2,435.00 for three Nebraska Buffer Strip Program contracts as recommended by staff and reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Kuehner

ITEM 17. VARIABLE RATE IRRIGATION PILOT PROGRAM APPLICATIONS.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve two Variable Rate Irrigation Pilot Program Applications, (Steve Troester - \$7,500.00 and Lindberg Family Limited Partnership - \$3,985.00), for a total cost-share of \$11,485.00 as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer
NAY: Yates

ITEM 18. PIONEER TRAILS – WEST DRAINAGE, NW ACCESS, NORTH FENCE.

A pre-bid meeting was held at Pioneer Trails at 10:00 a.m. on March 1, 2018. Attendance at the pre-bid meeting was a requirement to submit a bid. Two contractors attended the pre-bid meeting; B – D Construction from Columbus and M.E. Collins from Wahoo. Bid opening was held at 10:00 a.m. on March 7, 2018 at the Upper Big Blue NRD Office. Bids were received from both B – D Construction and M.E. Collins. Another requirement for submitting a bid was that; "Each Bidder submitting a bid must be pre-qualified as a General Contractor (Code Index #10) with the Nebraska Department of Roads." B – D Construction is not listed as a Code Index #10 General Contractor with the Nebraska Department of Transportation, so the Upper Big Blue NRD does not recognize B – D Construction's bid as a qualified bid. In reviewing the bid items, the original engineer's estimate was revised to \$147,158.00.

It was moved by Dickinson and seconded by Eberle that the Upper Big Blue Natural Resources District award a contract to M.E. Collins for \$172,443.00 for the Pioneer Trails Recreation Area 2018 Park Improvement Project, as recommended by staff and reviewed by the Committee. The motion was

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Roesler
NAY: Bohaty, Miller, Robotham, Stahly, Volkmer, Yates

ITEM 19. OXBOW TRAILS – ADDITIONAL RIGHT OF WAY FOR RECREATION IMPROVEMENTS.

Staff met with John Klement, the land manager of the property on the west side of Oxbow Trails. Staff proposed adding 300 feet to the west of the existing west right of way line, which would be 16.3 acres. The land manager asked if the NRD would consider purchasing the ground all the way to the creek, (which would be another estimated 40 acres), along with the tree area in the southwest corner of the section, (which would add an estimated 14 acres). The land manager discussed the request with the landowner, Bonnie Kilgore Lund, and reported back to the NRD that the landowner was willing to listen to proposals from the Upper Big Blue NRD for purchasing additional land.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District hire someone to have the land west of the Oxbow Trail recreation area appraised as an initial step for consideration of obtaining additional land for recreational development. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer
NAY: Kuehner, Luebbe, Stahly, Yates

ITEM 20. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on March 8, 2018 and presented the committee's recommendations.

ITEM 21. PAYMENT TO YORK PRINTING COMPANY FOR THE BLUEPRINT NEWSLETTER.

The Committee reviewed an invoice from York Printing Company in the amount of \$6,703.39 for printing the March 2018 issue of the BLUEPRINT newsletter.

It was moved by Nuss and seconded by Houdersheldt to approve payment of \$6,703.39 to York Printing Company for printing the March 2018 edition of the BLUEPRINT newsletter. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 22. APPROVAL FOR OUT-OF-STATE TRAVEL FOR THE 2018 GMDA SUMMER CONFERENCE.

The 2018 Groundwater Management District Association (GMDA) Summer Conference will be held May 30 – June 1, 2018, in Savannah, Georgia. Management requested approval for staff to participate in this conference. Several Board members also showed interest in attending.

It was moved by Nuss and seconded by Stahly to approve out-of-state travel for up to six representatives that wish to attend the 2018 Groundwater Management District Association (GMDA) Annual Conference to be held May 30 – June 1, 2018, in Savannah, Georgia. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Luebbe

ITEM 23. DIRECTOR'S REQUEST FOR WASHINGTON, D.C. CONFERENCE EXPENSE REIMBURSEMENT.

Ronda Rich requested reimbursement for \$455.96 for airfare to attend the 2018 Directors Washington D.C. NARD Conference. Additional expense claims from Director Rich and others will be submitted later.

It was moved by Nuss and seconded by Luebbe to approve payment of \$455.96 to reimburse Ronda Rich for airfare to attend the 2018 Director Washington D.C. NARD Conference. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Rich

ITEM 24. PROPOSED CHANGES TO PERSONNEL POLICY NO. 19: HOLIDAYS.

Eigenberg requested that the Executive Committee reconsider action taken by the Board on November 20, 1997, which "traded" Martin Luther King Day for the day after Thanksgiving as a paid holiday. Eigenberg asked that beginning in calendar year 2019 Personnel Policy No. 19: Holidays be revised to close the office on the third Monday of January in observance of Martin Luther King Day.

It was moved by Nuss and seconded by Rich to revise the current Personnel Policy No. 19: Holidays beginning in calendar year 2019 providing ten paid holidays per year. Paid holidays will include New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Day after Thanksgiving and Christmas Day. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Yates

NAY: Bohaty, Bruns, Kuehner, Robotham, Roesler, Volkmer

ITEM 25. FINANCIAL REPORT FEBRUARY 1- 28, 2018 AND CONSIDERATION OF EXPENDITURES FOR FEBRUARY 2018.

Eigenberg reviewed the financial report for the period February 1, 2018 to February 28, 2018 that was distributed. It was moved by Houdersheldt and seconded by Volkmer to accept the financial report for February 2018 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

ITEM 26. MOTION TO ADJOURN.

It was moved by Houdersheldt and seconded by Rich to adjourn at 2:50 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: Houdersheldt

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held March 15, 2018, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb

BOARD OF DIRECTORS MEETING

April 19, 2018

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, April 19, 2018 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Scott Snell, Marie Krausnick, Jack Wergin, Ken Feather, Nancy Beach, Seward County Commissioner Gene Gausman, Steve Moseley of York News-Times, and Josh Bowers with York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on April 12, 2018 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Larry Moore requested that his absence from the April 19, 2018 board meeting be excused due to illness.

It was moved by Miller and seconded by Houdersheldt to excuse the absence of Larry Moore from the April 19, 2018 board of directors meeting. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests for separate action. Luebbe requested that a correction be made to Item 8 of the March 15, 2018 board minutes to reflect that she gave the Water & Regulations Committee report and not John Miller.

It was moved by Rich and seconded by Miller to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Miller to approve the agenda for the April 19, 2018 board of directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 7. *APPROVAL OF MINUTES OF THE MARCH 15, 2018 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Miller to approve the minutes of the March 15, 2018 Board of Directors meeting, as corrected. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 8. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Water & Regulations Committee met April 12, 2018 and presented the committee's recommendations.

ITEM 9. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Twenty-Two Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$10,479.16.

It was moved by Rich and seconded by Miller to make cost-share payments for twenty-two well abandonments as reviewed by the Committee, at a cost of \$10,479.16. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 10. FLOW METER REPAIR COST-SHARE PAYMENT.

One flow meter repair cost-share application has been reviewed for final payment totaling \$150.00.

It was moved by Luebbe and seconded by Rich to pay one flow meter repair cost-share claim totaling \$150.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 11. CLEMENTS ASSOCIATES INC. – IRRIGATION SCHEDULING EQUIPMENT.

The District has purchased five back saver probe handles with cleaners, and five 12-inch consultant tubes for resale from Clements Associates Inc. at a cost of \$2,532.85.

It was moved by Luebbe and seconded by Miller to pay Clements Associates Inc. for five back saver probe handles with cleaners, and five 12-inch consultant tubes totaling \$2,532.85. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 12. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the certification of acres for 103 parcels totaling 9,355.91 acres, yielding an increase in irrigated acres of 92.08. This brings the total irrigated acres to 1,237,794.07.

It was moved by Luebbe and seconded by Rich to certify the acre changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 13. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on April 12, 2018 and presented the committee's recommendations.

ITEM 14. BEAVER CROSSING – HIKING/BIKING TRAIL AROUND CITY PARK.

Jere Lief of Beaver Crossing presented information on a proposed hiking/biking trail in the city park. The trail will be approximately 0.5 miles long and six feet wide. The city plans on using four-inch pulverized concrete that has been used on other trails and parking lots. The trail will be built with volunteer labor. The projected cost will be approximately \$25,000 and the City has raised around \$19,000.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District provide 25% cost-share not to exceed \$6,250 to the Village of Beaver Crossing for the construction of a hiking/biking trail in the Village park, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
 NAY: None
 NOT VOTING: Luebbe
 NOT PRESENT: Moore

ITEM 15. PAYMENT TO JEO FOR WATER QUALITY MANAGEMENT PLAN/VOLUNTARY INTEGRATED MANAGEMENT PLAN.

The Upper Big Blue received the first invoice from JEO Consulting Group for the Water Quality Management Plan and Voluntary Integrated Management Plan for work through March 29, 2018. Total invoice was \$7,999.50, with \$5,467.88 for work on the Water Quality Management Plan and \$2,531.62 on the Voluntary Integrated Management Plan. The Nebraska Department of Environmental Quality share (60% of the WQMP) will be \$3,280.73 and the Nebraska Department of Natural Resources share (50% of the VIMP) will be \$1,265.81 and both will reimburse the NRD for these costs. The NRD's share will be \$3,452.96 (\$2,187.15 for the WQMP and \$1,265.81 for the VIMP).

Agency	WQMP	VIMP	Total
Nebraska Department of Environmental Quality	\$3,280.73	\$ 0.00	\$3,280.73
Nebraska Department of Natural Resources	\$ 0.00	\$1,265.81	\$1,265.81
Upper Big Blue Natural Resource District	\$2,187.15	\$1,265.81	\$3,452.96
	=====	=====	=====
Total	\$5,467.88	\$2,531.62	\$7,999.50

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District approve payment of \$7,999.50 to JEO Consulting Group Inc. for services provided for the Water Quality Management Plan and Voluntary Integrated Management Plan through March 29, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Houdersheldt, Luebbe, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
 NAY: Bruns, Kuehner, Miller
 NOT PRESENT: Moore

ITEM 16. PAYMENT TO TOWNER NURSERY.

The District purchased 2,800 trees; 500 Black Hills Spruce and 2,300 Colorado Blue Spruce from Towner State Nursery for the planting of farmstead windbreaks at a cost of \$2,856.00, including freight.

It was moved by Dickinson and seconded by Eberle that the Upper Big Blue Natural Resources District approve payment to Towner State Nursery for 2,300 trees, including freight, totaling \$2,856.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 17. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on April 12, 2018 and presented the committee's recommendations.

ITEM 18. DIRECTORS' 1ST QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors' per diem and expenses for this past quarter. The first quarter directors' per diem is \$9,380.00 and expenses are \$4,435.79 for a total of \$13,815.79.

It was moved by Nuss and seconded by Luebbe to approve payment of first quarter 2018 directors' per diem of \$9,380.00 and expenses of \$4,435.79 for a total of \$13,815.79, and to publish these approved expenditures in the March financial report, except that each director, who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. The motion was approved.

AYE: Bethune (abstained on his own per diem and expense reimbursement), Bohaty (abstained on his own per diem and expense reimbursement), Bruns (abstained on his own per diem and expense reimbursement), Dickinson (abstained on his own per diem and expense reimbursement), Eberle (abstained on his own per diem and expense reimbursement), Houdersheldt (abstained on his own per diem and expense reimbursement), Luebbe (abstained on her own per diem and expense reimbursement), Miller (abstained on his own per diem and expense reimbursement), Nuss (abstained on his own per diem and expense reimbursement), Rich (abstained on her own per diem and expense reimbursement), Robotham (abstained on his own per diem and expense reimbursement), Roesler (abstained on her own per diem and expense reimbursement), Stahly (abstained on his own per diem and expense reimbursement), Volkmer (abstained on his own per diem and expense reimbursement), Yates (abstained on his own per diem and expense reimbursement.)

NAY: Kuehner

NOT VOTING: Each director who voted to approve the motion abstained on their own per diem and expense reimbursements.

NOT PRESENT: Moore

ITEM 19. APPROVAL FOR OUT-OF-STATE TRAVEL FOR THE 2018 WATER & NATURAL RESOURCES TOUR.

The 2018 Water & Natural Resources Tour will be held June 26-29, 2018. The tour will be in the North Platte River Basin visiting sites in both Nebraska and Wyoming. Several board members showed interest in attending.

It was moved by Nuss and seconded by Luebbe to approve out-of-state travel for up to four representatives that wish to attend the 2018 Water & Natural Resources Tour to be held June 26-29, 2018. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 20. PROPOSED REVIEW OF OPERATING POLICIES.

Eigenberg requested approval to have legal counsel provide a review of the Operating Policies. Operating Policies were originally adopted in December of 1992. Several in-house revisions have been made since then, but no legal review has been conducted. Staff has reviewed the current policies and have suggestions on grammar, spelling and address corrections. Board action would be required before any edits could be made to the policies.

It was moved by Nuss and seconded by Rich to have legal counsel provide a review of the operating policies, and instruct staff to incorporate proposed changes into a 2018 version of the Operating Policies for Board approval. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 21. REVISIONS AND REPRINTING OF INSTITUTIONAL IDENTITY BROCHURES.

Snell provided the Executive Committee a brief review and the reasons for updating our Institutional Identity Brochures. The 2018 Public Relation Budget will support the financial commitment of the reprinting. Staff will oversee the editing and all new editions will go through an extensive in-house peer review before printing.

It was moved by Nuss and seconded by Rich to approve expenditure of up to \$12,000.00 to edit and print Institutional Identity Brochures to be distributed to the public. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Moore

ITEM 22. FINANCIAL REPORT MARCH 1- 31, 2018 AND CONSIDERATION OF EXPENDITURES FOR MARCH 2018.

Eigenberg reviewed the financial report for the period March 1, 2018 to March 31, 2018 that was distributed. It was moved by Volkmer and seconded by Miller to accept the financial report for March 2018 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune (abstained on his own per diem and expense reimbursement), Bohaty (abstained on his own per diem and expense reimbursement), Bruns (abstained on his own per diem and expense reimbursement), Dickinson (abstained on his own per diem and expense reimbursement), Eberle (abstained on his own per diem and expense reimbursement), Houdersheldt (abstained on his own per diem and expense reimbursement), Kuehner (abstained on his own per diem and expense reimbursement), Luebbe (abstained on her own per diem and expense reimbursement), Miller (abstained on his own per diem and expense reimbursement), Nuss (abstained on his own per diem and expense reimbursement), Rich (abstained on her own per diem and expense reimbursement), Robotham (abstained on his own per diem and expense reimbursement), Roesler (abstained on her own per diem and expense reimbursement), Stahly (abstained on his own per diem and expense reimbursement), Volkmer (abstained on his own per diem and expense reimbursement), Yates (abstained on his own per diem and expense reimbursement.)

NAY: None

NOT VOTING: Each director who voted to approve the motion abstained on their own per diem and expense reimbursements.

NOT PRESENT: Moore

ITEM 23. MOTION TO ADJOURN.

It was moved by Houdersheldt and seconded by Volkmer to adjourn at 8:27 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: Houdersheldt

NOT PRESENT: Moore

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held April 19, 2018, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb

BOARD OF DIRECTORS MEETING

May 17, 2018

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, May 17, 2018 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Doug Bruns, Doug Dickinson, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Scott Snell, Marie Krausnick, Jack Wergin, Ken Feather, Nancy Beach, DeeDee Novotny, Seward County Commissioner Gene Gausman, Jim Panek of Irrigation Components International, and Josh Bowers with York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on May 10, 2018 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Jeff Bohaty, Gary Eberle, and Becky Roesler requested that their absence from the May 17, 2018 board meeting be excused.

It was moved by Volkmer and seconded by Rich to excuse the absence of Jeff Bohaty, Gary Eberle, and Becky Roesler from the May 17, 2018 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests for separate action.

It was moved by Rich and seconded by Stahly to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Stahly to approve the agenda for the May 17, 2018 board of directors meeting as presented. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 7. *APPROVAL OF MINUTES OF THE APRIL 19, 2018 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Stahly to approve the minutes of the April 19, 2018 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 8. EMPLOYEE RECOGNITION.

DeeDee Novotny, Water Department Secretary, was recognized by the Board for 10 years of service to the District. She was presented with an engraved paperweight.

ITEM 9. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met May 10, 2018 and presented the committee's recommendations.

ITEM 10. CONSIDER ADDING THE SPARLING FM314 & BLUEWATER MAG FLOWMETERS TO THE APPROVED METER LIST.

Jim Panek, with Irrigation Components International Incorporated, requested that the Sparling FM314 and BlueWater MAG flowmeters be added to the District's approved flowmeter list. Both meters fit the District's minimum specifications for inclusion on the approved flow meter list.

It was moved by Miller and seconded by Moore to add the Sparling GM314 Flowmeter to the Districts Approved Flowmeter List. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer

NAY: Yates

NOT PRESENT: Bohaty, Eberle, Roesler

It was moved by Miller and seconded by Moore to add the Sparling BlueWater MAG Flowmeter to the Districts Approved Flowmeter List. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer

NAY: Yates

NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 11. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Thirteen Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$6,124.48.

It was moved by Rich and seconded by Stahly to make cost-share payments for thirteen well abandonments as reviewed by the Committee, at a cost of \$6,124.48. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 12. TRI-CITY METERS PAYMENT FOR ROUTINE METER MAINTENANCE.

Tri-City Meters has already completed the routine flowmeter maintenance for 1,049 mechanical flowmeters. Two invoices totaling \$27,950.00 have been received for the 577 remaining flowmeters, 63 canopy covers, and 52 vic gaskets.

It was moved by Miller and seconded by Moore to pay Tri-City Meters for the routine flowmeter maintenance of 577 flowmeters, 63 canopy covers, and 52 vic gaskets totaling \$27,950.00. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 13. DELMHORST INSTRUMENTS CO. PAYMENT FOR IRRIGATION SCHEDULING EQUIPMENT.

The District has purchased 650 Gypsum Blocks for resale totaling \$5,938.37.

It was moved by Miller and seconded by Moore to pay Delmhorst Instruments Co. for 650 Gypsum Blocks totaling \$5,938.37. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 14. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the acres' certification for 153 parcels totaling 12,565.64 acres, yielding an increase in irrigated acres of 662.81. This brings the total irrigated acres to 1,238,476.88.

It was moved by Miller and seconded by Rich to certify the acre changes as presented to the Board. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 15. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Houdersheldt reported that the Projects & Programs Committee met on May 10, 2018 and presented the committee's recommendations.

ITEM 16. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Houdersheldt and seconded by Luebbe that the Upper Big Blue Natural Resources District approve payment of \$421.94 for one completed NSWCP Land Treatment application and \$358.34 for one completed NRD Land Treatment application, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 17. PRIVATE DAMS PROGRAM NEW APPLICATION.

It was moved by Houdersheldt and seconded by Nuss that the Upper Big Blue Natural Resources District approve Aaron Crabtree's Private Dam Program application for a dam located in the NW ¼ of Section 24 Township 9 North, Range 2 East, in Seward County, with an estimated cost of \$15,529.00 and a NRD cost share of \$11,646.75 as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 18. VARIABLE RATE IRRIGATION PILOT PROGRAM APPLICATION.

It was moved by Houdersheldt and seconded by Rich that the Upper Big Blue Natural Resources District approve one Variable Rate Irrigation Pilot Program Application for James Konzak with an estimated cost of \$19,024.40, for a total cost-share of \$7,500.00 as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 19. RECHARGE LAKE – ARCHERY AREA DRAINAGE IMPROVEMENT.

The access and parking area of the Archery Range at the west end of Recharge Lake has had drainage problems for several years. Staff developed a plan to improve the drainage and access road, and requested a bid from Gana Trucking for this work. Work would be completed in June of 2018.

It was moved by Houdersheldt and seconded by Luebbe that the Upper Big Blue Natural Resources District approve the bid from Gana Trucking of \$26,251.62 for improving the access road, constructing a drainage channel, and fixing the fence at the Archery Range area on the west end of Recharge Lake as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates

NAY: Volkmer

NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 20. WATER QUALITY MANAGEMENT PLAN / VOLUNTARY INTEGRATED MANAGEMENT PLAN PAYMENT.

The Upper Big Blue received the second invoice from JEO Consulting Group for the Water Quality Management Plan and Voluntary Integrated Management Plan for services from March 30 through April 24, 2018. Total invoice was \$9,864.75. The NRD also had \$1,047.11 of in-kind services for the WQMP. The NRD will be reimbursed by Nebraska Department of Environmental Quality and the Nebraska Department of Natural Resources for costs as listed below.

Agency	WQMP	VIMP	Total
Nebraska Department of Environmental Quality	\$4,150.54	\$0.00	\$4,150.54
Nebraska Department of Natural Resources	\$0.00	\$2,346.19	\$2,346.19
Upper Big Blue Natural Resource District	\$1,021.83	\$2,346.19	\$3,368.03

	=====	=====	=====
Total	\$5,172.37	\$4,692.38	\$9,864.75

It was moved by Houdersheldt and seconded by Dickinson that the Upper Big Blue Natural Resources District approve payment of \$9,864.75 to JEO Consulting Group Inc. for services provided for the Water Quality Management Plan and Voluntary Integrated Management Plan from March 30 through April 24, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Miller

NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 21. PIONEER TRIALS WEST DRAINAGE, NW ACCESS, NORTH FENCE PAYMENT.

The contractor M.E. Collins has completed the clearing and grubbing, and continues to haul fill material to the site.

It was moved by Houdersheldt and seconded by Nuss that the Upper Big Blue Natural Resources District approve the payment to M.E. Collins for work completed through May 1, 2018 of \$18,457.34 for work on the west side of Pioneer Trails as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 22. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on May 10, 2018 and presented the committee's recommendations.

ITEM 23. REGIONAL SCALE GROUNDWATER FLOW MODEL OF BLUE RIVER BASIN.

The Committee was informed that an invoice has been received from Brown and Caldwell for work performed on *Task 1: Review Existing Data & Models*. The agreement, signed February 1, 2018, is between Department of Natural Resources, Upper Big Blue, Lower Big Blue, Little Blue, and Tri-Basin NRDs. Upper Big Blue NRD is responsible for 19.5% of overall cost of the project.

Regional Basin Model		Budget			Contract No.: 151863		
Task 1: Review Existing Data & Models		\$ 21,428					
Task 2: Develop Modeling Dataset		\$ 19,660					
Task 3: Project Management		\$ 7,892					
Total		\$ 48,980					
Breakdown of Total Project							
Principles	Budget	Current Invoice	Percent of Total	=	Amount Due	Paid to Date	Budget Remaining
NeDNR	\$ 24,490.00	\$ 5,632.99	50.0%	=	\$ 2,816.50	\$ -	\$ 21,673.51
LBNRD	\$ 8,081.70	\$ 5,632.99	16.5%	=	\$ 929.44	\$ -	\$ 7,152.26
LLBNRD	\$ 5,632.70	\$ 5,632.99	11.5%	=	\$ 647.79	\$ -	\$ 4,984.91
TBNRD	\$ 1,224.50	\$ 5,632.99	2.5%	=	\$ 140.82	\$ -	\$ 1,083.68
UBBNRD	\$ 9,551.10	\$ 5,632.99	19.5%	=	\$ 1,098.43	\$ -	\$ 8,452.67
	\$ 48,980.00						\$ 43,347.01
Total Amount Due					\$ 5,632.99		
Upper Big Blue Portion =		\$ 1,098.43					

It was moved by Nuss and seconded by Houdersheldt to approve payment in the amount of \$1,098.43 to Brown and Caldwell for work performed on Task 1: Review Existing Data & Models of Regional Scale Groundwater Flow Model of Blue River Basin. The motion was approved.

- AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Bohaty, Eberle, Luebbe, Roesler

ITEM 24. AUTHORITY TO MAKE PAYMENT OF JUNE 2018 FACILITY MORTGAGE PAYMENT.

The Committee was advised that the mortgage loan payment of \$243,292.37 for the NRD office/storage facility is due June 16, 2018. The payment consists of \$230,118.89 in principle and \$13,173.48 in interest.

It was moved by Nuss and seconded by Stahly to authorize the General Manager to make payment to Cornerstone Bank of \$243,292.37 for the June 2018 NRD mortgage loan payment. The motion was approved.

- AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Bohaty, Eberle, Luebbe, Roesler

ITEM 25. BURKE SCHOLARSHIP SELECTION.

Nine applications have been received for the Burke Scholarship. Staff have reviewed and ranked all applications. Eigenberg is recommending that two applicants be awarded scholarships and that one alternate be named.

\$2,000 Scholarship:	Chantelle Schulz – York
\$2,000 Scholarship:	Caden Schuster – Phillips
Alternate:	Caden Theis – Osceola

It was moved by Nuss and seconded by Volkmer to award a \$2,000 scholarship to Chantelle Schulz of York; a \$2,000 scholarship to Caden Schuster of Phillips; and to further name Caden Theis of Osceola as the alternate. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: None
NOT VOTING: Luebbe
NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 26. HOTEL EXPENSE FOR 2018 WASHINGTON D.C. CONFERENCE.

An invoice from NARD has been received for the 2018 Washington D.C. NARD Conference hotel expense. Expense total \$7,842.08. (Director Rich \$2,045.76, Director Roesler \$2,045.76, Director Yates \$2,045.76, and \$1,704.80 for Eigenberg.)

It was moved by Nuss and seconded by Houdersheldt to approve payment to NARD of \$7,842.08 for hotel expense from the 2018 NARD Washington D.C. Conference. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 27. FY19 WAGE INCREASE REQUEST.

FY19 salaries and wages of the employees were discussed with the Executive Committee. Eigenberg asked that the board authorize \$45,782 (3.5% of total FY18 payroll) for salary increases for the staff in the FY19 budget.

It was moved by Nuss and seconded by Houdersheldt to adjust the annual FY19 salaries of the district staff, except for the General Manager, by an amount not to exceed \$45,782 (3.5% of total FY18 payroll), and to authorize the General Manager to determine and make the salary and wage adjustments, in accordance with the Operating Policy. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Stahly, Yates
NAY: Robotham
NOT VOTING: Luebbe, Volkmer
NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 28. FINANCIAL REPORT APRIL 1- 30, 2018 AND CONSIDERATION OF EXPENDITURES FOR APRIL 2018.

Eigenberg reviewed the financial report for the period April 1, 2018 to April 30, 2018 that was distributed. It was moved by Volkmer and seconded by Miller to accept the financial report for April 2018 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Eberle, Roesler

ITEM 29. MOTION TO ADJOURN.

It was moved by Volkmer and seconded by Luebbe to adjourn at 8:24 p.m. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Eberle, Roesler

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held May 17, 2018, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb

BOARD OF DIRECTORS MEETING

June 21, 2018

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, June 21, 2018 at 7:34 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Jeff Bohaty, Doug Bruns, Doug Dickinson, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Merlin Volkmer, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Scott Snell, Marie Krausnick, Jack Wergin, Ken Feather, Jeff Ball, Teresa Ball, Seward County Commissioner Gene Gausman, Josh Bowers of York County NRCS, Jim Green with the Village of McCool, Jessica Kolterman of Lincoln Premium Poultry, and Leann Nelson of York County Farm Service Agency.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on June 14, 2018 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Paul Bethune, Gary Eberle and Bill Stahly requested that their absence from the June 21, 2018 board meeting be excused.

It was moved by Volkmer and seconded by Rich to excuse the absence of Paul Bethune, Gary Eberle, and Bill Stahly from the June 21, 2018 board of directors meeting as requested. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests for separate action.

It was moved by Rich and seconded by Miller to adopt the consent agenda. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Miller to approve the agenda for the June 21, 2018 board of directors meeting as presented. The motion was approved as part of the consent agenda.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 7. *APPROVAL OF MINUTES OF THE MAY 17, 2018 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Miller to approve the minutes of the May 17, 2018 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 8. EMPLOYEE RECOGNITION.

Jeff Ball, Lead Engineering Technician, was recognized by the Board for 40 years of dedicated service to the District. He was presented with a framed print.

ITEM 9. LINCOLN PREMIUM POULTRY.

Jessica Kolterman, representing Lincoln Premium Poultry, asked to address the Board. Lincoln Premium Poultry is the poultry company associated with Costco which will have grower barns in approximately 14 counties. She presented information on the company's plans for poultry production facilities in our district and told the board that the growers will be coming to the NRD for well permits. She answered questions about the project including estimated water usage.

ITEM 10. FARM SERVICE AGENCY COUNTY COMMITTEE ELECTIONS.

Leann Nelson, County Executive Director of the York and Hamilton County Farm Service Agency, spoke to the board about the FSA County Committee election process. The FSA County Committee holds elections each year. Members are elected to a 3-year term and cannot serve more than 3 terms, or 9 years. Each county has 3 Local Administrative Areas (LAA) and each year elections are held in one of the LAA's in the county. The Farm Service Agency's County Committee is looking for nominees to serve on

the committee. She encouraged the board to speak with individuals that might be interested in being nominated to serve on the committee. Nominations must be submitted by August 1.

ITEM 11. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met June 14, 2018 and presented the committee's recommendations.

ITEM 12. MCCOOL JUNCTION MUNICIPAL WATER SYSTEM ASSISTANCE PROGRAM UPDATE.

In February 2018, the Village of McCool Junction was awarded funding under the Municipal Water System Assistance Program for the construction of three test holes and one test well. The original cost was to be \$25,500.00 with work to be completed before June 30, 2018. During the bidding process, the low bid was \$33,400.00. The Village would like to amend the agreement to account for the overrun in cost and extend the agreement to September 30, 2018.

It was moved by Miller and seconded by Rich to amend the agreement with the Village of McCool Junction to allow for the cost increase with the District share not to exceed \$8,350.00, and extend the agreement to September 30, 2018. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 13. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Three Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$1,480.00.

It was moved by Rich and seconded by Miller to make cost-share payments for three well abandonments, as reviewed by the Committee, at a cost of \$1,480.00. The motion was approved as part of the consent agenda.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 14. SCOTT GONNERMAN PROJECT GROW PAYMENT.

Scott Gonnerman applied nitrogen fertilizer to the Triticale plots at Project GROW. The total invoice for the application and fertilizer is \$3,597.11.

It was moved by Miller and seconded by Luebbe to pay Scott Gonnerman for the application and fertilizer for Project GROW totaling \$3,597.11. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 15. PAYMENT TO IRRIGATION COMPONENTS INTERNATIONAL INC. FOR MATERIALS FOR RESALE.

The District has purchased 55 Seametrics battery kits for resale totaling \$4,478.22.

It was moved by Miller and seconded by Moore to pay Irrigation Components International Inc. for 55 Seametrics battery kits totaling \$4,478.22. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 16. IRROMETER COMPANY, INC. PAYMENT FOR MATERIALS FOR RESALE.

The District has purchased 20 dataloggers from Irrrometer Company, Inc. for resale totaling \$7,938.46.

It was moved by Miller and seconded by Luebbe to pay Irrrometer Company, Inc. for 20 dataloggers totaling \$7,938.46. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 17. HASTINGS UTILIITES PAYMENT FOR VADOSE ZONE STUDY.

The City of Hastings is continuing work on the Vadose Zone Nitrate Study with the University of Nebraska. An invoice of \$19,503.61 has been received for work completed.

It was moved by Miller and seconded by Rich to pay the City of Hastings \$19,503.61 for work completed on the Vadose Zone Nitrate Study. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 18. NEBRASKA STATE CLIMATE OFFICE WEATHER STATION PAYMENT.

An invoice has been received from the Nebraska State Climate Office for the maintenance of the York

2W weather station located at Recharge Lake totaling \$2,600.00.

It was moved by Miller and seconded by Rich to pay the University of Nebraska for the maintenance of the Recharge Lake weather station totaling \$2,600.00. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 19. PROJECT SENSE FINAL PAYMENT.

A final invoice for Project SENSE has been received from the University of Nebraska – Lincoln totaling \$6,750.00.

It was moved by Miller and seconded by Houdersheldt to pay the University of Nebraska - Lincoln the final payment of \$6,750.00 for Project SENSE. The motion was approved

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer

NAY: None

NOT VOTING: Yates

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 20. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the acres' certification for 44 parcels totaling 3,404.92 acres, yielding an increase in irrigated acres of 103.51. This brings the total irrigated acres to 1,238,600.39.

It was moved by Miller and seconded by Luebbe to certify the acre changes as presented to the Board. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 21. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on June 14, 2018 and presented the committee's recommendations.

ITEM 22. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve payment of \$27,388.90 for four completed NSWCP Land Treatment applications and

\$68,318.95 for twenty-two completed NRD Land Treatment applications, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT VOTING: Moore

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 23. *NEBRASKA BUFFER STRIP PAYMENTS.

It was moved by Rich and seconded by Miller that the Upper Big Blue Natural Resources District approve payment of \$7,585.57 for seven buffer strips established under the Nebraska Buffer Strip Program, as recommended by staff and reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 24. PRIVATE DAMS PROGRAM NEW APPLICATION.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve Dwaine Kubicek's Private Dam Program application for a dam located in the West ½ of Section 2, Township 6 North, Range 1 West, in Fillmore County, with an estimated cost of \$75,000, and an NRD cost share of \$50,000, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Volkmer, Yates

NAY: Nuss

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 25. PRIVATE DAMS PROGRAM FINAL PAYMENT.

It was moved by Dickinson and seconded by Nuss that the Upper Big Blue Natural Resources District make final payment of \$22,213.79 to Stonebridge Farms (Ken Heine) for construction of a dam located in Section 11, Township 11 North, Range 2 West, in York County, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 26. CORNERS FOR WILDLIFE PAYMENTS.

These five Corners for Wildlife sites are pivot corners, or portions of pivot corners, that have been developed for wildlife habitat. The payments to landowners are being made with funds from the Nebraska Environmental Trust through the Pheasants Forever chapters.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District make payment of \$870.00 to Eunice O'Donnell for the development of two pivot corners pertaining to the Corners for Wildlife Program, and make payment of \$262.50 to Dale Nunns for development of one pivot corner, and payment of \$252.00 to Joe Keenan for one pivot corner, and \$150.00 to Thomas Menze for the development of one pivot corner, as recommended by staff and reviewed by the Committee, for a total of \$1,534.50. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 27. PAYMENT TO NARD FOR CONSERVATION TREES.

The District purchased 13,930 trees and shrubs from the Nebraska Association of Resources District for the planting of farmstead windbreaks, wildlife plantings, field windbreaks, timber plantings, and riparian plantings at a cost of \$10,179.59 (.73 cents/tree). Total cost includes tree and shrub materials, wood chips, plastic liners, and shipping.

It was moved by Dickinson and seconded by Bruns that the District make payment of \$10,179.59 to the Nebraska Association of Resources District for 13,930 tree seedlings, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 28. GREAT PLAINS APPRAISAL, INC. – OXBOW TRAIL RECREATION AREA.

Thomas W. Kubert, MAI, with Great Plains Appraisal, Inc. conducted an appraisal on land located adjacent to Oxbow Trail Recreation Area, located in the SW1/4 of Section 23, Township 13 North, Range 2 East, Butler County, Nebraska owned by Bonnie L. Kilgore Lund. The appraisal was made on three separate parcels.

Tract 1 was a 16.3 acre parcel, which is a 300-foot strip of land located adjacent to Oxbow Trail Recreation Area, which was appraised at \$5,500/acre, for a total of \$89,650.

Tract 2 is an area including the 16.3 acre tract, and an additional 40.1 acres of farmland adjacent to Tract 1, for a total of 56.4 acres appraised at \$5,500/acre, for a total of \$310,200.

Tract 3 is the remaining lands located in the SW1/4, including Tract 1 & Tract 2, for a total of 101.76

acres, plus 2.04 acres of public Right-Of-Way appraised at \$5,500/acre, for a total of \$559,680.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District make an offer of \$89,650 to Bonnie L. Kilgore Lund to only purchase the lands in Tract 1 (16.3 Acres) to develop for recreational use. The motion failed.

AYE: Dickinson, Houdersheldt, Miller, Moore, Rich, Roesler
 NAY: Bohaty, Bruns, Kuehner, Luebbe, Nuss, Robotham, Volkmer, Yates
 NOT PRESENT: Bethune, Eberle, Stahly

ITEM 29. GREAT PLAINS APPRAISAL, INC. PAYMENT.

The District hired Wayne W. Kubert, MAI of Great Plains Appraisal, Inc. to do an appraisal of land located in the SW1/4 of Section 23, Township 13 North, Range 2 East, Butler County Nebraska. The lands being considered in this appraisal would be used for the development of recreation and wildlife habitat.

It was moved by Dickinson and seconded by Miller that the District make payment of \$2,500.00 to Great Plains Appraisal, Inc. for the appraisal of land located in the SW1/4 of Section 23, Township 13 North, Range 2 East, Butler County Nebraska. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates
 NAY: None
 NOT PRESENT: Bethune, Eberle, Stahly

ITEM 30. WATER QUALITY MANAGEMENT PLAN / VOLUNTARY INTEGRATED MANAGEMENT PLAN – PAYMENT.

The Upper Big Blue NRD received the third invoice from JEO Consulting Group for the Water Quality Management Plan, and Voluntary Integrated Management Plan, for their services from April 21 through May 18, 2018. Total invoice was \$7,774.00. The NRD also had \$513.09 of in-kind services for the WQMP. The NRD will be reimbursed by Nebraska Department of Environmental Quality and the Nebraska Department of Natural Resources for costs as listed below.

Agency	WQMP	VIMP	Total
Nebraska Department of Environmental Quality	\$4,086.54	\$ 0.00	\$4,086.54
Nebraska Department of Natural Resources	0.00	909.13	\$ 909.13
Upper Big Blue Natural Resource District	\$1,869.20	\$ 909.13	\$2,778.33
	=====	=====	=====
Total	\$5,955.74	\$1,818.26	\$7,774.00

It was moved by Dickinson and seconded by Nuss that the Upper Big Blue Natural Resources District approve payment of \$7,774.00 to JEO Consulting Group Inc. for services provided for the Water Quality Management Plan and Voluntary Integrated Management Plan from April 21 through May 18, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: Miller

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 31. PAYMENT TO M.E. COLLINS - PIONEER TRIALS.

M.E. Collins continues working on the northwest access to Pioneer Trails. Work still to be done includes, fencing, parking lot bollards, and seeding.

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District approve the payment to M.E. Collins for work completed through May 31, 2018 of \$72,262.21 for work on the west side of Pioneer Trails, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 32. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on June 14, 2018 and presented the committee's recommendations.

ITEM 33. SEWARD COUNTY 2018 PRIMARY ELECTION COSTS.

It was moved by Nuss and seconded by Bruns to approve payment of \$4,576.16 to the Seward County Clerk for 2018 primary election costs. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Kuehner, Stahly

ITEM 34. PAYMENT TO THE HARRY A. KOCH COMPANY FOR FY19 INSURANCE PACKAGE.

An invoice totaling \$66,201 was received from The Harry A. Koch Company for liability, auto, workmen's compensation, and fire and casualty insurance for FY19. The effective date of the policy is July 1, 2018.

It was moved by Nuss and seconded by Dickinson to make payment of \$66,201.00 to The Harry A. Koch Company for liability, auto, workmen's compensation, fire and casualty insurance for FY19. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 35. LITTLE BLUE NRD SALARY REIMBURSEMENT.

An invoice totaling \$17,624.75 was received from the Little Blue NRD for salaries for the Adams County and Clay County NRCS Clerks for FY 2018 (July 1, 2017 - June 30, 2018). The Upper Big Blue NRD share for the Adams County clerk's wages and benefits was \$5,705.57 and our share of the Clay County clerk's wages and benefits was \$11,919.18.

It was moved by Nuss and seconded by Bruns to approve payment of \$17,624.75 to the Little Blue NRD for NRCS Clerk salaries at Adams and Clay Counties for FY 2018. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 36. UPPER BIG BLUE NRD BENEFITS PACKAGE REVIEW.

Management described the challenges of hiring new staff when competing with area employers offering full or partial payment of health insurance premiums for dependent coverage. Management also explained that there is a difference in human resources philosophies between retention and recruitment of employees. Contributions towards the expense of health insurance may assist with the recruitment process, and may have an impact on retention of current employees.

The Executive Committee discussed whether changes were needed to the current benefits package and the impacts to the FY19 budget. Consensus of the Committee was to include the estimated cost of 50% of the premiums for dependent coverage in the FY19 Draft Budget. And to make these funds available starting January 1, 2019, to supplement medical insurance for employee/spouse, employee/child or employee/family coverage, if their spouse's employer does not provide insurance options, or if the cost of their spouse's insurance options exceeds the UBBNRD employee's share of NARD dependent coverage.

To make funds available starting January 1, 2019, to supplement medical insurance premiums for employees that qualify to participate in the Upper Big Blue NRD insurance program. Compensation will be provided at 50% of the NARD dependent coverage premium for employee/spouse, employee/child or family coverage for those employees whose spouse's employer does not provide insurance options or the cost of spouse's employer insurance options exceed UBBNRD employee's share for NARD coverage. The motion was approved.

AYE: Bruns, Dickinson, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham

NAY: Bohaty, Kuehner, Luebbe, Roesler, Volkmer, Yates

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 37. GENERAL MANAGER'S JOB PERFORMANCE AND COMPENSATION.

The Executive Committee recommended that the board consider the General Manager's job performance and any salary adjustment at the June 21st Board Meeting.

It was moved by Nuss and seconded by Bruns to go to closed session at 9:12 p.m. to prevent needless injury and protect the reputation of the General Manager while conducting an evaluation of this job performance. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

It was moved by Luebbe and seconded by Rich to return to open session at 9:31 p.m. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

It was moved by Kuehner and seconded by Luebbe to give the General Manager a salary adjustment to \$108,000 [effective July 1, 2018]. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Moore, Rich, Robotham, Roesler, Volkmer, Yates

NAY: Houdersheldt, Miller, Nuss

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 38. FINANCIAL REPORT MAY 1 - 31, 2018 AND CONSIDERATION OF EXPENDITURES FOR MAY 2018.

Eigenberg reviewed the financial report for the period May 1, 2018 to May 31, 2018 that was distributed. It was moved by Miller and seconded by Nuss to accept the financial report for May 2018 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

ITEM 39. MOTION TO ADJOURN.

It was moved by Luebbe and seconded by Volkmer to adjourn at 10:18 p.m. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Volkmer, Yates

NAY: None

NOT PRESENT: Bethune, Eberle, Stahly

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held June 21, 2018, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb

BOARD OF DIRECTORS MEETING

July 26, 2018

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, July 26, 2018 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Dickinson, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Scott Snell, Marie Krausnick, Jack Wergin, Ken Feather, Conor Ward of York County NRCS, Steve Moseley of York News-Times, Richard R. Johnson of Sutton, and Jeff Hofaker with the City of Sutton.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on July 19, 2018 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Doug Bruns, Gary Eberle and Ronda Rich requested that their absence from the July 26, 2018 board meeting be excused.

It was moved by Volkmer and seconded by Luebbe to excuse the absence of Doug Bruns, Gary Eberle, and Ronda Rich from the July 26, 2018 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler (except for Rich), Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests for separate action.

It was moved by Dickinson and seconded by Volkmer to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Volkmer to approve the agenda for the July 26, 2018 board of directors meeting as presented. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 7. *APPROVAL OF MINUTES OF THE JUNE 21, 2018 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Volkmer to approve the minutes of the June 21, 2018 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 8. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met July 12, 2018 and presented the committee's recommendations.

ITEM 9. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Three Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$1,500.00.

It was moved by Dickinson and seconded by Volkmer to make cost-share payments for three well abandonments, as reviewed by the Committee, at a cost of \$1,500.00. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 10. FLOWMETER REPAIR COST-SHARE PAYMENTS.

Thirteen flow meter repair cost-share applications have been reviewed for final payments totaling \$1,900.00.

It was moved by Miller and seconded by Luebbe to pay thirteen flow meter repair cost-share claims totaling \$1,900.00. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 11. PAYMENT TO IRROMETER COMPANY, INC. FOR MATERIALS FOR RESALE.

The District has purchased 10 dataloggers from Irrrometer Company, Inc. for resale totaling \$3,993.15.

It was moved by Miller and seconded by Roesler to pay Irrrometer Company, Inc. for 10 dataloggers totaling \$3,993.15. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 12. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the acres' certification for 47 parcels totaling 2,787.77 acres, yielding a decrease in irrigated acres of -123.65 and one parcel for wetland acres totaling 78.45 acres yielding an increase of 38.45 acres. This brings the total irrigated acres to 1,238,476.74.

It was moved by Miller and seconded by Robotham to certify the acre changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 13. PROJECT GROW FARMING EXPENSES.

Scott Gonnerman has invoiced the District for harvest of the Triticale and purchase of the cover crop seed to be planted following harvest totaling \$7,120.00. A portion of this cost will be used to match the NACD grant. The City of York will be billed for the balance.

It was moved by Miller and seconded by Bethune to pay Scott Gonnerman for custom harvest cost and cover crop seed for Project GROW totaling \$7,120.00. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 14. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on July 12, 2018 and presented the committee's recommendations.

ITEM 15. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve payment of \$41,455.14 for twelve completed NRD Land Treatment applications, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 16. VARIABLE RATE IRRIGATION PILOT PROGRAM.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve payment of \$11,743.48 for two completed VRI Pilot Program applications (Jim Konzak - \$6,886.98, Steve Troester - \$4,856.50), as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 17. PAYMENT TO THE VILLAGE OF EXETER FOR CEMETERY WINDBREAK.

On January 18, 2018, the Upper Big Blue Natural Resources District Board of Directors voted to fund the tree planting at the Village of Exeter Cemetery in an amount not to exceed \$550.00. The project included the cost and planting of 250 trees and laying 2,400 linear feet of conservation mulch.

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District make payment of \$472.45 to the Village of Exeter for the 250 trees, the planting of the trees and laying 2,030 linear feet of conservation mulch at the Village of Exeter Cemetery. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 18. SUTTON PARK PEDESTRIAN BRIDGE.

Jeff Hofaker, City Administrator for the City of Sutton, gave a presentation to the Projects and Programs Committee on their request for assistance with the pedestrian bridge replacement in Sutton. The City has been working with JEO Consulting Group on the evaluation of the pedestrian bridge along Saunders Avenue which connects the sections of trail in Sutton. This is the only pedestrian bridge that connects the two sides of town that are split by School Creek. The bridge has been inspected and needs to be replaced. The estimated cost for replacing the bridge is \$410,220 (\$327,620 for the bridge and \$82,600 for professional services). Sutton is hoping to get a grant from the Nebraska Game and Parks Commission for \$250,000 (which is the maximum assistance available from the NGPC Trails Program). Sutton is requesting funding assistance from the NRD in the amount of \$41,000 (10% of the total project) which would leave Sutton with a commitment of \$119,210.

Mr. Hofaker, and Richard Johnson who is a business owner and resident of Sutton, addressed the board to explain the need for the pedestrian bridge replacement and answer questions.

It was moved by Dickinson and seconded by Kuehner that the Upper Big Blue Natural Resources District provide \$10,000 of funding assistance through an Interlocal Agreement to the City of Sutton for the construction of a pedestrian bridge on the City's trail on the west side of Saunders Avenue that will replace the existing pedestrian bridge.

It was moved by Houdersheldt and seconded by Miller to amend the motion to provide \$41,000 of funding assistance. The amendment failed.

AYE: Bethune, Houdersheldt, Miller, Moore, Nuss, Yates

NAY: Bohaty, Dickinson, Kuehner, Luebbe, Robotham, Roesler, Stahly, Volkmer

NOT PRESENT: Bruns, Eberle, Rich

It was moved by Moore and seconded by Miller to amend the motion to fund 25% of the local share not to exceed \$40,000. The amendment failed.

AYE: Bethune, Houdersheldt, Miller, Moore, Nuss, Robotham

NAY: Bohaty, Dickinson, Kuehner, Luebbe, Roesler, Volkmer, Yates

NOT VOTING: Stahly

NOT PRESENT: Bruns, Eberle, Rich

It was moved by Stahly and seconded by Roesler to amend the motion to fund \$20,000. The amendment carried.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: Moore

NOT PRESENT: Bruns, Eberle, Rich

The question was called on the original motion as amended. The motion carried.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 19. VILLAGE OF CORDOVA – TREE PLANTING AROUND THE BALL FIELD.

Lance Larsen of the Village of Cordova addressed the Projects and Programs Committee. The Village of Cordova has been working with Faller Landscape for a tree planting around the ball field in Cordova. The total cost of this project, including trees and planting is \$6,563.74. The District's policy is to fund 25% of the local share, not to exceed \$10,000.

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District fund the tree planting around the Village of Cordova's ball field at 25% of the shared cost (\$6,563.74), not to exceed \$1,640.94.

It was moved by Moore and seconded by Miller to amend the motion to not exceed \$820. The amendment carried.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Miller, Moore, Nuss, Robotham

NAY: Luebbe, Roesler, Stahly, Volkmer, Yates

NOT PRESENT: Bruns, Eberle, Rich

The question was called on the original motion as amended. The motion carried.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Miller, Moore, Nuss, Robotham, Stahly, Volkmer

NAY: Luebbe, Roesler, Yates

NOT PRESENT: Bruns, Eberle, Rich

ITEM 20. RECHARGE LAKE ARCHERY RANGE DRAINAGE IMPROVEMENT PAYMENT.

It was moved by Dickinson and seconded by Bethune that the Upper Big Blue Natural Resources District approve payment of \$17,623.13 to Gana Trucking and Excavating Inc. for work completed through July 9, 2018 on the Archery Range access and drainage project, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Yates

NAY: Volkmer

NOT PRESENT: Bruns, Eberle, Rich

ITEM 21. PAYMENT TO M.E. COLLINS FOR PIONEER TRIALS WEST DRAINAGE.

It was moved by Dickinson and seconded by Stahly that the Upper Big Blue Natural Resources District approve the payment of \$73,844.15 to M.E. Collins for work completed through July 9, 2018 on the west side of Pioneer Trails, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 22. WATER QUALITY MANAGEMENT PLAN / VOLUNTARY INTEGRATED MANAGEMENT PLAN – PAYMENT.

The Upper Big Blue NRD received the fourth invoice from JEO Consulting Group for their services on the Water Quality Management Plan and Voluntary Integrated Management Plan from May 19 through June 22, 2018. Total invoice was \$32,721.25 and the costs will be split as listed below. The NRD will be reimbursed by Nebraska Department of Environmental Quality and the Nebraska Department of Natural Resources.

Agency	WQMP	VIMP	Total
Nebraska Department of Environmental Quality	\$13,122.15	\$ 0.00	\$13,122.15
Nebraska Department of Natural Resources	\$0.00	\$5,425.75	\$ 5,425.75
Upper Big Blue Natural Resource District	\$ 8,748.10	\$5,425.75	\$14,173.85
	=====	=====	=====
Total	\$21,870.25	\$10,851.50	\$32,721.75

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District approve payment of \$32,721.75 to JEO Consulting Group Inc. for services provided for the Water Quality Management Plan and Voluntary Integrated Management Plan from May 19 through June 22, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Luebbe, Moore, Nuss, Robotham, Roesler, Stahly, Yates

NAY: Kuehner, Miller

NOT VOTING: Volkmer

NOT PRESENT: Bruns, Eberle, Rich

ITEM 23. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on July 24, 2018 and presented the committee’s recommendations.

ITEM 24. DIRECTORS’ SECOND QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors' per diem and expenses for this past quarter. Totals for the second quarter directors' per diem are \$7,000.00 and expenses are \$2,368.03 for a total expenditure of \$9,368.03. Individual expense vouchers were available for review.

It was moved by Nuss and seconded by Robotham to approve payment of second quarter 2018 directors' per diem of \$7,000.00 and expenses of \$2,368.03 for a total of \$9,368.03, and to publish these approved expenditures in the June 2018 Financial Report, except that each director, who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: Houdersheldt, Kuehner

NOT PRESENT: Bruns, Eberle, Rich

ITEM 25. NEBRASKA EMERGENCY MANAGEMENT AGENCY (NEMA) HAZARD MITIGATION PLANNING GRANT.

The Executive Committee was provided a copy of a grant agreement between the District and Nebraska Emergency Management Agency (NEMA), for a project titled Hamilton-Seward-York Mitigation Plan for their review.

It was moved by Nuss and seconded by Dickinson to enter into a grant agreement with Nebraska Emergency Management Agency (NEMA) for a project titled Hamilton-Seward-York Mitigation Plan. Terms of the agreement is federal grant funding not to exceed \$60,000 or 75%, with the District providing at least \$20,000 (25%) through local non-federal cash, or in-kind of the actual allowable project costs. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Kuehner

NOT PRESENT: Bruns, Eberle, Rich

ITEM 26. JEO CONSULTING GROUP HAZARD MITIGATION PLANNING CONTRACT.

Rod DeBuhr briefed the Executive Committee on the agreement between the District and JEO Consulting Group. JEO would coordinate and develop the Hamilton-Seward-York Mitigation Plan for a lump sum payment of \$80,000. DeBuhr described the scope of work to the Committee.

It was moved by Nuss and seconded by Stahly to approve the agreement with JEO Consulting Group to coordinate and develop the Hamilton-Seward-York Mitigation Plan for a lump sum payment of \$80,000. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Luebbe, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Kuehner, Miller

NOT PRESENT: Bruns, Eberle, Rich

ITEM 27. NRD SALARIES REIMBURSEMENT.

An invoice totaling \$5,474.34 was received for salaries for the Saline County NRCS field office clerk and technician's wages from the Lower Big Blue NRD. This bill is for work performed in FY 2018 (July 1, 2017 - June 30, 2018).

It was moved by Nuss and seconded by Luebbe to approve payment of \$5,474.34 to the Lower Big Blue NRD for NRCS clerk and technician salaries in Saline County for FY 2018. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Kuehner, Luebbe, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: Houdersheldt, Miller

NOT PRESENT: Bruns, Eberle, Rich

An invoice totaling \$19,465.73 was received for salaries for the Butler County NRCS field office clerk from the Lower Platte North NRD. This bill is for work performed in FY 2018 (July 1, 2017 - June 30, 2018).

It was moved by Nuss and seconded by Luebbe to approve payment of \$19,465.73 to the Lower Platte North NRD for NRCS clerk in Butler County for FY 2018. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 28. PAYMENT TO YORK PRINTING COMPANY FOR THE BLUEPRINT NEWSLETTER.

The Executive Committee reviewed an invoice from York Printing Company in the amount of \$6,711.10 for printing the July 2018 issue of the BLUEPRINT newsletter.

It was moved by Nuss and seconded by Houdersheldt to approve payment of \$6,711.10 to York Printing Company for printing the July 2018 edition of the BLUEPRINT newsletter. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 29. PAYMENT TO YORK PRINTING COMPANY FOR THE INSTITUTIONAL IDENTITY BROCHURES.

The Executive Committee reviewed invoices from York Printing Company in the amount totaling \$9,381.00 for printing the Institutional Identity Brochures. (1,000 copies Forestry-\$1,593.00, 1,000 copies Projects-\$1,593.00, 1,000 copies Water - \$1,895.00, 2,500 copies Parks & Recreation-\$4,300.00)

It was moved by Nuss and seconded by Houdersheldt to approve payment of \$9,381.00 to York Printing Company for printing the Institutional Identity Brochures. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 30. FY 2019 CONSOLIDATED BUDGET.

The final draft of the FY 2019 Consolidated Budget was presented to the Board. The total tax request for FY 2019 is down 1.45% as compared to the FY 2018 budget. Eigenberg provided a brief presentation outlining the budgeting process and rationale behind the proposed budget.

It was moved by Nuss and seconded by Houdersheldt to approve the FY 2019 Budget for public hearing. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Miller, Moore, Nuss, Robotham, Stahly, Volkmer, Yates

NAY: Kuehner

NOT VOTING: Luebbe, Roesler

NOT PRESENT: Bruns, Eberle, Rich

ITEM 31. ADDITIONAL ONE PERCENT ALLOWABLE INCREASE.

Eigenberg reviewed the lid calculations with the Committee, and the District is compliant with the tax lid. He recommended that the Board approve the additional 1% restricted funds authority. Three-fourths majority of the Board is required for approval.

It was moved by Nuss and seconded by Miller to approve an increase in the total budgeted restricted funds authority by an additional 1%. The motion failed.

AYE: Bethune, Dickinson, Houdersheldt, Miller, Moore, Nuss, Robotham, Stahly, Yates

NAY: Bohaty, Kuehner, Volkmer

NOT VOTING: Luebbe, Roesler

NOT PRESENT: Bruns, Eberle, Rich

ITEM 32. BUDGET HEARING AND SPECIAL TAX REQUEST HEARING DATES.

The dates for two public hearings need to be set so that the proper public notices can be published. In the past, public hearings have coincided with August and September Board meetings. Action will be needed by the Board to schedule the FY 2019 Budget Hearing for 7:30 p.m., Thursday, August 16, 2018, and the Special Public Hearing for the FY 2018 Tax Request for 7:30 p.m., Tuesday, September 18, 2018. Regular monthly Board meetings will also occur on these dates.

It was moved by Nuss and seconded by Miller to schedule the FY 2019 Budget Hearing for 7:30 p.m., Thursday, August 16, 2018, and the Special Public Hearing for the FY 2019 Tax Request for 7:30 p.m., Tuesday, September 18, 2018. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 33. SINKING FUND REVIEW.

The Executive Committee reviewed the funds earmark for future projects in the sinking fund.

It was moved by Nuss and seconded by Stahly to reassign account number 82298 currently labeled Struebing Project to Oxbow Trails Project and reassign account number 82300 currently labeled Future Projects to Urban Storm Water. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Rich

ITEM 34. REVIEW OF GENERAL AND PRIMARY ELECTION PROCESS.

Management provided a briefing on the election options for NRDs. There are three options that can be followed. Currently the UBBNRD has 8 sub-districts and one at-large position. The current election method for the Upper Big Blue NRD is option 1. Options are:

Nominated from sub-districts, and from the District at-large, but elected by voters of the entire District. (2 directors from each sub-district and an at-large position.)

Nominated and elected from the District at-large (no sub-districts)

Nominated and elected from the individual sub-districts except any at-large candidates would be nominated and elected by all the voters of the District; (2 directors from each sub-district and an at-large position or 1 director from each sub-district, but no at-large director which would require 17 sub-districts, unless the number of Directors is changed)

It was moved by Nuss and seconded by Miller to adopt the process of: "Nominated and elected from the

individual sub-districts except any at-large candidates would be nominated and elected by all the voters of the District” beginning for the 2020 election cycle.

It was moved by Moore and seconded by Roesler to refer the matter back to the Executive Committee.
The motion was approved.

AYE: Bohaty, Dickinson, Luebbe, Moore, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: Bethune, Houdersheldt, Kuehner, Miller

NOT PRESENT: Bruns, Eberle, Rich

ITEM 35. FINANCIAL REPORT JUNE 1 - 30, 2018 AND CONSIDERATION OF EXPENDITURES FOR JUNE 2018.

Eigenberg reviewed the financial report for the period June 1, 2018 to June 30, 2018 that was distributed. It was moved by Volkmer and seconded by Stahly to accept the financial report for June 2018 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bruns, Eberle, Moore, Rich

There being no other business the Chairman adjourned the meeting at 9:55 p.m.

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held July 26, 2018, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb

**BOARD OF DIRECTORS MEETING
AND
FY19 BUDGET HEARING
August 16, 2018**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 16, 2018 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Scott Snell, Marie Krausnick, Jack Wergin, Nancy Beach, Ken Feather, Josh Bowers of York NRCS and Steve Shaw.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on August 9, 2018 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call. Robotham and Roesler arrived at 7:35 p.m.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absences.

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests for separate action.

It was moved by Rich and seconded by Volkmer to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Robotham, Rich

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Volkmer to approve the agenda for the August 16, 2018 board of directors meeting as presented. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Robotham, Rich

ITEM 7. *APPROVAL OF MINUTES OF THE JULY 26, 2018 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Volkmer to approve the minutes of the July 26, 2018 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Robotham, Rich

ITEM 8. FY 2019 BUDGET HEARING.

The Notice of Budget Hearing and Budget Summary was published in the York News-Times on August 7, 2018. The purpose of the hearing is to hear support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed budget.

Chairman Yates opened the hearing at 7:31 p.m., at which time he turned it over to the General Manager, Dave Eigenberg.

Eigenberg reviewed the proposed FY 2019 budget, including the revenues and expenditures. The proposed property tax request is \$3,763,656.99, which is a decrease of 1.45% from last year, or \$55,494.77. He explained where he made reductions in line items to allow for the additional \$10,000 funding for the Sutton walking bridge that was approved last month. He pointed out that \$75,000 was being earmarked for the Seward West Trail. He also explained that there is an additional \$100,000 included in the budget to make an additional payment on the building loan principal.

Chairman Yates asked if there was anyone from the public that wanted to comment or ask questions about the budget. There were no questions from the public. He then asked the board if any of them had comments on the proposed budget. Hearing none he officially closed the hearing at 7:40 p.m.

ITEM 9. ADOPTION OF FY 2019 BUDGET.

It was moved by Houdersheldt and seconded by Miller to adopt the FY 2019 Budget. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer Yates

NAY: Kuehner

ITEM 10. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met August 9, 2018 and presented the committee's recommendations.

ITEM 11. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Five Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$2,500.00.

It was moved by Rich and seconded by Volkmer to make cost-share payments for five well abandonments, as reviewed by the Committee, at a cost of \$2,500.00. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Robotham, Rich

ITEM 12. FLOWMETER REPAIR COST-SHARE PAYMENTS.

Two flow meter repair cost-share applications have been reviewed for final payment totaling \$300.00.

It was moved by Miller and seconded by Luebbe to pay two flow meter repair cost-share claims totaling \$300.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 13. FALLER'S LANDSCAPING PAYMENT – PROJECT GROW.

Faller's Landscaping has planted a variety of fruit trees and shrubs at Project GROW totaling \$1,932.80. Once producing fruit, local youth and church groups will have the fundraising opportunity to harvest the fruit for resale.

It was moved by Miller and seconded by Rich to pay Faller's Landscaping for the purchase and planting of fruit trees and shrubs at Project GROW totaling \$1,932.80. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Volkmer

ITEM 14. SETTJE ENGINEERING INC. PAYMENT – PROJECT GROW.

After the Triticale harvest, manure was applied to the soil health demonstration acres of Project GROW. Settje Engineering was contracted to deliver and apply the manure for a total of \$9,528.00.

It was moved by Miller and seconded by Luebbe to pay Settje Engineering Inc. for the delivery and application of manure at Project GROW totaling \$9,528.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Volkmer

ITEM 15. SCOTT GONNERMAN PAYMENT – PROJECT GROW.

Scott Gonnerman has submitted a bill for pollinator and cover crop seed, drilling costs, and trucking of the Triticale to Bladen from Project GROW, totaling \$3,816.18.

It was moved by Miller and seconded by Luebbe to pay Scott Gonnerman for pollinator and cover crop seed, drilling costs, and Triticale seed trucking for Project GROW totaling \$3,816.18. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Volkmer

ITEM 16. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the acres' certification for 217 parcels totaling 18,359.22 acres, yielding an increase in irrigated acres of 878.00. This brings the total irrigated acres to 1,239,334.74.

It was moved by Miller and seconded by Moore to certify the acre changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 17. LATE WELL CONSTRUCTION PERMIT – BRYAN K & GLENDA J GOERTZEN.

In 1982, a replacement well was constructed on the SW1/4 of Section 21-T9N-R5W for well G-035759. The original well was never decommissioned. At the time of construction, well construction permits

were not required for replacement wells. A late well construction permit will be required before the new well owner can register the well.

It was moved by Miller and seconded by Rich to approve the late well construction permit issued to Bryan K & Glenda J Goertzen. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Roesler

ITEM 18. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Volkmer reported that the Projects & Programs Committee met on August 9, 2018 and presented the committee's recommendations.

ITEM 19. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Volkmer and seconded by Luebbe that the Upper Big Blue Natural Resources District approve payment of \$12,116.35 for two completed NSWCP Land Treatment applications, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 20. FY 2019 TREE & PLANTING PRICES.

The District has received the tree prices for FY 2019 from Bessey Nursery. The prices for 2-0 conifers and 2-0 hardwoods have increased from .70/tree to .75/tree, 1-0 hardwoods have increased from .65/tree to .70/tree, rooted cuttings have increased from .85/tree to .90/tree, and the small acre packages have increased from \$50.00/package to \$55.00/package.

It was moved by Volkmer and seconded by Rich that the Upper Big Blue Natural Resources District set the purchase price for trees at \$1.15 per tree and set the planting cost at \$1.15 per tree as reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 21. BEAVER CROSSING PARK TRAIL – REIMBURSEMENT.

Through an interlocal agreement with the Village of Beaver Crossing, the NRD agreed to provide 25% of the costs for completing a walking trail in the park.

It was moved by Volkmer and seconded by Stahly that the Upper Big Blue Natural Resources District approve payment of \$2,535.52, which is 25% of the total cost of \$10,142.08, for the completed Beaver Crossing Park Trail Project, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Luebbe

ITEM 22. PAYMENT TO GANA TRUCKING FOR ARCHERY RANGE DRAINAGE IMPROVEMENTS.

Work remaining at the Archery Range access and drainage project includes spreading topsoil and seeding. Staff plans to ask for approval for additional work to fill the borrow pit used to build up the access road.

It was moved by Volkmer and seconded by Robotham that the Upper Big Blue Natural Resources District approve payment of \$8,232.37 to Gana Trucking and Excavating Inc. for work completed through July 27, 2018 on the Archery Range access and drainage project, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 23. APPROVAL FOR ADDITIONAL WORK ON ARCHERY RANGE DRAINAGE IMPROVEMENT PROJECT.

The original plan was to use material excavated from the drainage channel to build the access road. Material excavated from drains was unsuitable for the access road, so staff instructed the contractor to get the material needed for the access road from an area northeast of the restrooms. This left a borrow pit that needs to be filled. Staff also instructed the contractor to remove trees and construct drainage along the south edge of the access to improve drainage and to prevent ponding issues.

Material removed for drains was stockpiled. Two July rain events showed that drains are working well. Remaining work plan is to have the contractor spread topsoil over exposed areas and fill the borrow pit. NRD staff would complete seeding of exposed areas, install bollards and gate, and complete south boundary fencing. Once topsoil has been spread across exposed areas, the remaining stockpile will be placed in the borrow pit. If needed, the contractor will bring additional material from offsite to fill the borrow pit. The cost estimates for additional work are \$4,000 for spreading topsoil and \$10,000 for filling the borrow pit with material from stockpile. We won't know if there is enough stockpiled soil to fill the borrow pit until spreading of topsoil has been completed. The actual cost for filling the borrow pit will be higher if offsite material is needed.

It was moved by Volkmer and seconded by Stahly that the Upper Big Blue Natural Resources District proceed with plans to have Gana Trucking and Excavating Inc. spread topsoil across exposed areas and

fill borrow pit, and NRD staff complete seeding, installation of bollards, gate, and south fencing on the Archery Range access and drainage project, at a cost not to exceed \$25,000, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Bethune, Kuehner, Miller, Robotham

ITEM 24. FINAL PAYMENT TO M.E. COLLINS FOR NW ACCESS AT PIONEER TRAILS.

The contractor, M.E. Collins, has completed work on the northwest access to Pioneer Trails.

It was moved by Volkmer and seconded by Miller that the Upper Big Blue Natural Resources District approve the final payment of \$19,269.86 to M.E. Collins for work completed through July 30, 2018 on the west side of Pioneer Trails, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 25. PAYMENT TO JEO CONSULTING GROUP FOR WATER QUALITY MANAGEMENT PLAN / VOLUNTARY INTEGRATED MANAGEMENT PLAN.

The Upper Big Blue NRD received the fifth invoice from JEO Consulting Group for the Water Quality Management Plan, and Voluntary Integrated Management Plan, for their services from June 23 through July 20, 2018. Total invoice was \$13,589.00 and the costs will be split as listed below. The NRD will be reimbursed by Nebraska Department of Environmental Quality and the Nebraska Department of Natural Resources.

Agency	WQMP	VIMP	TOTAL
Nebraska Department of Environmental Quality	\$ 7,361.53	\$ 0.00	\$ 7,361.53
Nebraska Department of Natural Resources	0.00	998.13	998.13
Upper Big Blue Natural Resources District	4,231.22	998.13	5,229.35
Total	\$ 11,592.75	\$ 1,996.26	\$ 13,589.00

It was moved by Volkmer and seconded by Houdersheldt that the Upper Big Blue Natural Resources District approve payment of \$13,589.00 to JEO Consulting Group Inc. for services provided for the Water Quality Management Plan and Voluntary Integrated Management Plan from June 23 through July 20, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: Miller

ITEM 26. PAYMENT TO CITY OF SEWARD FOR LEVEE EVALUATION.

The Upper Big Blue Natural Resources District is providing financial assistance to the City of Seward through an interlocal agreement for the evaluation of the Seward levee. The NRD agreed to provide 50% of costs not to exceed \$75,000 using fiscal year 2019 funds.

It was moved by Volkmer and seconded by Luebbe that the Upper Big Blue Natural Resources District approve payment of \$30,670.58 to the City of Seward (for services provided by JEO Consulting Group Inc.) for the Seward Levee Evaluation Project through July 20, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 27. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on August 9, 2018 and presented the committee's recommendations.

ITEM 28. FILLMORE CENTRAL HIGH SCHOOL GREENHOUSE FUNDING REQUEST.

Kurt VanDeWalle, FFA instructor with Fillmore Central High School, provided a brief presentation on the community's desire to construct a greenhouse. He requested assistance for funding this project. The greenhouse would be located on school property and be used for FFA, Biological and General Agricultural instruction. Estimated price for the project is \$68,000. Funding sources would include Fillmore Central FFA Booster Club, Community businesses, and State & National Grants. FY 2019 Budget has dollars allocated for the support of this project.

It was moved by Nuss and seconded by Luebbe to approve funding of \$1,500 to support the construction of a FFA greenhouse facility on the property of Fillmore Central High School.

It was moved by Houdersheldt and seconded by Moore to amend the motion to \$3,400. The amendment was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

The question was called on the original motion as amended. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 29. NEBRASKA ASSOCIATION OF RESOURCES DISTRICT'S FY19 DUES.

It was move by Nuss and seconded by Bethune to approve payment of \$32,808.66 to the NARD for the FY 2019 Dues. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Yates

NAY: Volkmer

ITEM 30. NARD VOTING DELEGATE & ALTERNATE.

The Voting Delegate and Alternate for the 2018 September NARD Conference need to be selected from the Board members attending the September Conference.

It was moved by Nuss and seconded by Houdersheldt to appoint Larry Moore as the NARD Voting Delegate and Ronda Rich as the Alternate for the 2018 September NARD Conference. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Moore, Rich

ITEM 31. 2018 PRIMARY ELECTION COSTS.

It was moved by Nuss and seconded by Bruns to approve payment of \$2,795.42 to the Hamilton County Clerk for 2018 Primary Election costs. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

It was moved by Nuss and seconded by Volkmer to approve payment of \$1,448.87 to the Clay County Clerk for 2018 Primary Election costs. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

It was moved by Nuss and seconded by Robotham to approve payment of \$1,204.57 to the Butler County Clerk for 2018 Primary Election costs. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 32. RAINWATER BASIN JOINT VENTURE REQUEST (RWBJV).

The Rainwater Basin Joint Venture is submitting a Nebraska Environmental Trust grant for grazing infrastructure. As part of this grant, funds are being requested for a portable tube chute and alley system. These systems, when equipped with the hydraulic head gate, cost approximately \$24,000. As part of this grant, RWBJV is hoping Upper Big Blue NRD would hold title to a unit. The NRD would need to add the unit to the District's insurance. Kim Seibert, President of the York-Hamilton County Nebraska Cattlemen Local Affiliate, has agreed to assist with management of the unit. The unit would be stored in the fenced yard at the UBBNRD facility. A user agreement would need to be developed. This agreement would need to have a check-out and check-in protocol and clearly state that the user is responsible for any damage that would occur during use or transport of the unit.

It was moved by Nuss and seconded by Houdersheldt to agree to support the RWBJV sponsored Nebraska Environmental Trust Grant that would purchase a portable tube chute/alley system equipped with the hydraulic head gate to be used by cattlemen in the area to assist them in moving cattle to or from wetland grazing areas.

It was moved by Miller and seconded by Volkmer to amend the motion by offering a substitute motion. The substitute motion would read as follows: "To agree to hold title, to store, provide insurance coverage and management oversight of check-in and check-out for a portable tube chute/alley system equipped with hydraulic head. The amendment carried.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: Bohaty, Kuehner

The question was called on the motion as amended. The motion carried.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

ITEM 33. CLOSED SESSION.

It was moved by Nuss and seconded by Houdersheldt to go to closed session at 9:07 p.m. to prevent needless injury and protect the reputation of staff while discussing their job performance. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None

It was moved by Miller and seconded by Houdersheldt to return to Open Session at 9:13 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 34. FINANCIAL REPORT JULY 1 - 31, 2018 AND CONSIDERATION OF EXPENDITURES FOR JULY 2018.

Eigenberg reviewed the financial report for the period July 1, 2018 to July 31, 2018 that was distributed. It was moved by Volkmer and seconded by Roesler to accept the financial report for July 2018 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

ITEM 35. MOTION TO ADJOURN.

It was moved by Luebbe and seconded by Houdersheldt to adjourn the meeting at 9:44 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held August 16, 2018, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb

**BOARD OF DIRECTORS MEETING
AND
FY19 TAX REQUEST HEARING
September 18, 2018**

The Board of Directors of the Upper Big Blue Natural Resources District met Tuesday, September 18, 2018 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Linda Luebbe, Larry Moore, Mike Nuss, Ronda Rich, Becky Roesler, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Scott Snell, Marie Krausnick, Jack Wergin, Ken Feather, Adam Hladky, and Steve Moseley of York News-Times.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on September 13, 2018 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Fourteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Bill Kuehner and John Miller requested that their absence from the board meeting be excused.

It was moved by Volkmer and seconded by Dickinson to excuse the absence of Kuehner and Miller from the September 18, 2018 Board of Directors meeting as requested. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests for separate action.

It was moved by Rich and seconded by Volkmer to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Volkmer to approve the agenda for the September 18, 2018 board of directors meeting as presented. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 7. *APPROVAL OF MINUTES OF THE AUGUST 16, 2018 BOARD OF DIRECTORS MEETING AND FY19 BUDGET HEARING.

It was moved by Rich and seconded by Volkmer to approve the minutes of the August 16, 2018 Board of Directors meeting and FY19 Budget Hearing. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 8. FY 2019 TAX REQUEST HEARING.

The Notice of Special Hearing to Set Final Tax Request was published in the York News-Times on September 5, 2018.

Chairman Yates opened the hearing at 7:31 p.m., at which time he turned it over to the General Manager, Dave Eigenberg. Eigenberg provided information regarding the final valuations by county for the Board's review. He advised the Board that following the Hearing they would need to adopt a Resolution setting the FY19 Tax Request.

Chairman Yates asked if there was anyone from the public that wanted to comment or ask questions about the tax request. There were no questions from the public or Board members. He officially closed the hearing at 7:35 p.m.

ITEM 9. ADOPTION OF RESOLUTION TO SET FY 2019 TAX REQUEST.

It was moved by Houdersheldt and seconded by Rich to adopt the following resolution to set the FY 2019 Tax Request.

Resolution

Whereas the FY 2019 Budget for the Upper Big Blue NRD, as adopted by this board of directors on August 16, 2018 has a property tax requirement of \$3,763,656.99;

Whereas the final total valuation of the NRD is \$15,328,404,899;

Whereas the FY 2018 Budget (prior year) required a tax request of \$3,819,151.46 and a property tax rate of \$ 0.024688;

Whereas the FY 2019 (current year) property tax rate would be \$0.024916 to generate \$3,819,151.46;

Therefore, be it resolved by this Board of Directors on September 18, 2018, to set the **FY 2019 tax request at \$ 3,763,656.99** for the Upper Big Blue Natural Resources District which will require a **property tax rate of \$0.024553.**

The motion to adopt the resolution was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 10. FISCAL YEAR 2018 AUDIT.

Gayle Steiger of Romans, Wiemer & Associates presented the FY 2018 Audit to the Board and answered questions regarding the audit. There were no negative findings.

It was moved by Dickinson and seconded by Luebbe to accept the FY 2018 Audit as presented. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 11. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Water & Regulations Committee met September 13, 2018 and presented the committee's recommendations.

ITEM 12. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Four Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments totaling \$1,917.30

It was moved by Rich and seconded by Volkmer to make cost-share payments for four well abandonments, as reviewed by the Committee, at a cost of \$1,917.30. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 13. WELL SPACING VARIANCE – ADAM HLADKY.

Adam Hladky has requested a variance to the Ground Water Management Area Rules and Regulations (Rule 5, Chapter 10, Paragraph 02 - Well Spacing) for the construction of two commercial wells with a capacity of 80 gallons per minute each, in the Northwest ¼ of Section 1, Township 11 North, Range 1 East, Seward County. The wells would be located approximately 625 feet from an irrigation well owned by Hartman Brothers and 725 feet from an irrigation well owned by BD Borchers, LLC. The proposed variance will provide water to a proposed meat chicken facility.

The staff expressed concern that granting such variances set precedents for future requests and could have unintended consequences. If the variance isn't granted Mr. Hladky would have additional costs but it wouldn't stop his ability to get water for the project.

DeBuhr distributed a draft resolution that, if adopted, would grant Mr. Hladky a variance. The Resolution sets out the conditions under which this variance would be granted so that when future variance requests are made there is criteria that could be considered to place consistent limitation on such requests.

WELL SPACING VARIANCE FOR ADAM HLADKY

WHEREAS, ADAM HLADKY has requested a variance to the Upper Big Blue Natural Resources District Ground Water Management Area Rules and Regulations (Rule 5, Chapter 10, Paragraph 02 – Well Spacing) for the construction of two commercial wells in the Northwest ¼ of Section 1, Township 11 North, Range 1 East, Seward County, Nebraska, and

WHEREAS, MR. HLADKY has stated that only one well will be used at a time, while the second well will serve as a backup in the event the primary well cannot function, and

WHEREAS, Rule 5, Chapter 10, Paragraph 02 requires wells with a pumping capacity greater than 50 gallons per minute to “be located at least one thousand (1,000) feet from any other water well under different ownership” and

WHEREAS, without such a variance, the proposed wells, being approximately six-hundred twenty-five (625) feet from well number G-051426, currently owned by HARTMAN BROTHERS, would be in violation of Rule 5, Chapter 10, Paragraph 02, and

WHEREAS, without such variance, the proposed wells, also being approximately seven-hundred twenty-five (725) feet from well number G-139959, currently owned by BD BORCHERS LLC, would be in violation of Rule 5, Chapter 10, Paragraph 02, and

WHEREAS, the primary purpose of well spacing restrictions is to reduce the risk of interference among high capacity wells, and

WHEREAS, the risk of well interference is generally considered to be greater between wells with capacities greater than one-hundred (100) gallons per minute than those of lesser capacities, and

WHEREAS, revisions to state statutes in 2003 changed permitting requirements to include wells greater than fifty (50) gallons per minute, and

WHEREAS, prior to 2004, District Rule 5 did not apply to wells with a pumping capacity of less than one-hundred (100) gallons per minute, and

WHEREAS, Chapter 46-609, Nebraska Revised Statute provides that well spacing between wells must be a least six -hundred (600) feet, and

WHEREAS, Mr. Hladky's wells are not being constructed in a "High Risk Groundwater Area" as provided in Rule 5 – Chapter 25, and

WHEREAS, the owners of wells G-051426 and G-139959 have signed waivers granting permission for construction and operation of Mr. Hladky's wells.

NOW THEREFORE, BE IT RESOLVED that the Upper Big Blue Natural Resources District's Board of Directors hereby grant a variance to Rule 5, Chapter 10, Paragraph 02, for two commercial wells to be constructed in the Northwest $\frac{1}{4}$ of Section 1, Township 11 North, Range 1 East, Seward County, Nebraska, with the following restrictions:

1. Each well must have a pumping capacity of less than one-hundred (100) gallons per minute.
2. Only one well may be operated at a time, with the other well serving as a backup.
3. The wells must be a least six-hundred (600) feet from any other wells under separate ownership with a capacity greater than fifty (50) gallons per minute.

It was moved by Luebbe and seconded by Houdersheldt that the Board adopt the Resolution for Well Spacing Variance for Adam Hladky dated September 18, 2018, for the construction of two commercial wells with a capacity of 80 g.p.m. each, in the Northwest $\frac{1}{4}$ of Section 1, Township 11 North, Range 1 East, Seward County.

The Board reviewed the draft resolution, discussed the pros and cons of allowing the variance, and whether to allow the use of both wells at the same time. Mr. Hladky spoke on his behalf and answer questions from the Board.

It was moved by Houdersheldt and seconded by Moore to amend the motion to strike the second paragraph "Whereas, Mr. Hladky has stated that only one well will be used at a time, while the second well will serve as a backup in the event the primary well cannot function" and item 2 of the last paragraph "Only one well may be operated at a time, with the other well serving as a backup."

After further discussion the question was called on the amendment. The amendment failed.

AYE: Houdersheldt, Nuss

NAY: Bethune, Bohaty, Bruns, Dickinson, Luebbe, Moore, Rich, Roesler, Stahly, Volkmer, Yates

NOT VOTING: Eberle

NOT PRESENT: Kuehner, Miller, Robotham

The question was called on the original motion. The motion failed.

AYE: Bohaty, Dickinson, Houdersheldt, Luebbe, Nuss, Stahly

NAY: Bethune, Bruns, Eberle, Moore, Roesler, Volkmer, Yates

NOT VOTING: Rich

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 14. SCOTT GONNERMAN PAYMENT FOR SPRAYING PROJECT GROW.

Scott Gonnerman has invoiced the District \$2,512.10 for spraying the Project GROW triticale stubble prior to seeding the cover crop.

It was moved by Luebbe and seconded by Rich to pay Scott Gonnerman for spraying the Project GROW triticale stubble prior to seeding the cover crop totaling \$2,512.10. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Rich, Roesler, Stahly, Yates

NAY: Nuss, Volkmer

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 15. PAYMENT TO WYAD UTILITIES CONTRACTORS – PROJECT GROW.

Wyad Utilities Contractors Inc. hauled manure to Project GROW for a total cost of \$5,820.

It was moved by Luebbe and seconded by Moore to pay Wyad Utilities Contractors Inc. for hauling manure to Project GROW at a cost totaling \$5,820. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 16. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the acres' certification for 10 parcels totaling 497.91 acres, yielding an increase in irrigated acres of 141.00. This brings the total irrigated acres to 1,239,475.74.

It was moved by Luebbe and seconded by Bruns to certify the acre changes as presented to the Board.
The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 17. WINTER WORKSHOP SPEAKER RAY ARCHULETA.

Ray Archuleta is considered a leader in the study and promotions of soil health. The staff would like to have Mr. Archuleta speak at the NRD's winter workshop on December 12th. His speaking fee is \$4,500 plus expenses which will likely bring the total to about \$6,000. There is approximately \$3,900 remaining in the NACD grant for project GROW. NACD has agreed to allow that money to be used toward Mr. Archuleta's fee.

It was moved by Luebbe and seconded by Rich to authorize the staff to use the balance of the NACD grant fund toward Ray Archuleta's speaking fees and expenses. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer

NAY: Bohaty, Yates

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 18. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on September 13, 2018 and presented the committee's recommendations.

ITEM 19. *NEBRASKA BUFFER STRIP PAYMENTS.

It was moved by Rich and seconded by Volkmer that the Upper Big Blue Natural Resources District approve payment of \$7,222.10 for four buffer strips established under the Nebraska Buffer Strip Program, as recommended by staff and reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 20. PRIVATE DAMS PROGRAM – NEW APPLICATION.

Greg Mach submitted an application for a new dam located southeast of Milford, which will be designed by a private engineering firm. Design costs can be included in the cost-share but will not be reimbursed until construction has been completed.

It was moved by Dickinson and seconded by Stahly, that the Upper Big Blue Natural Resources District approve Greg Mach's Private Dam Program application under the Private Dams Program for a dam with an estimated cost of \$68,000, with a maximum cost-share of \$50,000, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 21. PRIVATE DAMS PROGRAM PAYMENT.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve payment of \$11,557.95 (75% of total cost of \$15,410.60) to Aaron Crabtree under the Private Dams Program for a dam located northwest of Dorchester. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 22. INTERLOCAL AGREEMENT WITH NARD FOR OBTAINING SEEDLING TREES & SHRUBS.

The Interlocal Agreement for the Conservation Tree Program is between the Upper Big Blue Natural Resources District and Nebraska Association of Resources Districts to obtain seedling trees and shrubs. The agreement designates the NARD to act on behalf of the NRD's for acquiring trees and shrubs from the Forest Service. By October 1, the NRD's should have firm prices and inventories for seedlings to be harvested the following spring. The NARD and the Forest Service, in cooperation with the NARD, agree to confirm the orders of participating NRD's for seedlings by November 15 of each year. Between February 1 and April 1, orders may be increased but not decreased.

Prior to May 1, weather permitting, the trees and shrubs will be cut, dug, lifted, and transported to the packing shed and prepared for shipping. On or before June 15, each NRD agrees to pay NARD for the seedling trees and shrubs ordered.

This agreement is effective until September 30, 2021, unless terminated sooner. Charges payable to the NARD will not exceed .03 per seedling.

It was moved by Dickinson and seconded by Bruns that the Upper Big Blue Natural Resources District enter into the agreement with the Nebraska Association of Resources District for the purpose of obtaining seedling trees and shrubs from the Forest Service. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 23. WATER QUALITY MANAGEMENT PLAN / VOLUNTARY INTEGRATED MANAGEMENT PLAN – PAYMENT.

The Upper Big Blue NRD received the sixth invoice from JEO Consulting Group for the Water Quality Management Plan, and Voluntary Integrated Management Plan, for their services from July 21 through August 24, 2018. Total invoice was \$31,761.00 and costs split as listed below. The NRD will be reimbursed by Nebraska Department of Environmental Quality and the Nebraska Department of Natural Resources.

Agency	WQMP	VIMP	TOTAL
Nebraska Department of Environmental Quality	\$14,888.58	0.00	\$14,888.58
Nebraska Department of Natural Resources	0.00	4,016.63	4,016.63
Upper Big Blue Natural Resource District	8,839.16	4,016.63	12,855.79
Total	\$23,727.74	\$8,033.26	\$31,761.00

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve payment of \$31,761.00 to JEO Consulting Group Inc. for services provided for the Water Quality Management Plan and Voluntary Integrated Management Plan from July 21 through August 24, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 24. HAZARD MITIGATION PLAN PAYMENT.

It was moved by Dickinson and seconded by Stahly that the Upper Big Blue Natural Resources District approve payment of \$3,272.00 to JEO Consulting Group Inc. for services provided for the Seward-York-Hamilton County Hazard Mitigation Plan update through August 24, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 25. SEWARD LEVEE EVALUATION PAYMENT.

The Upper Big Blue Natural Resources District is providing financial assistance to the City of Seward through an interlocal agreement for the evaluation of the Seward levee. The NRD agreed to provide 50% of costs not to exceed \$75,000 using fiscal year 2019 funds.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District approve payment of \$6,227.17 to the City of Seward (for services provided by JEO Consulting Group Inc.) for the Seward Levee Evaluation Project from July 21 through August 24, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT VOTING: Luebbe

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 26. OXBOW TRAIL – SHORELINE PROTECTION, TREE REMOVAL PROPOSAL.

The shoreline between the boat dock and fishing pier is experiencing some erosion. There is also a need to place additional rock on the dock access ramp and on the fishing pier. Staff solicited two quotes for the rock work. There is also an area of black locust trees just east of the access road that staff recommends be removed.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District approve the \$10,714.00 quote from Pankoke Construction for placement of rock (\$7,864) and removal of trees (\$2,850) at Oxbow Trail Recreation Area. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 27. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on September 13, 2018 and presented the committee's recommendations.

ITEM 28. 2018 PRIMARY ELECTION COSTS - FILLMORE COUNTY.

Fillmore County has billed the District \$2,766.53 for Primary Election costs.

It was moved by Nuss and seconded by Rich to approve payment of \$2,766.53 to the Fillmore County Clerk for 2018 Primary Election costs. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Stahly, Yates

NAY: Nay

NOT VOTING: Roesler, Volkmer

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 29. OCTOBER 2018 FACILITY MORTGAGE PAYMENT.

The Executive Committee was advised that the mortgage loan payment of \$243,292.37 for the NRD office facility is due October 16, 2018. (\$226,995.18 principal and \$16,297.19 interest)

It was moved by Nuss and seconded by Rich to authorize the General Manager to make payment of \$243,292.37 to Cornerstone Bank for the October 2018 NRD mortgage loan payment. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 30. ADDITIONAL FY19 BUDGETED FACILITY MORTGAGE PAYMENT.

The recently adopted FY19 budget included an additional \$100,000 loan payment on the NRD facility mortgage.

It was moved by Nuss and seconded by Houdersheldt to authorize the General Manager to make an additional mortgage loan principal payment of \$100,000 to Cornerstone Bank. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 31. PRIVATE AGREEMENT TO MEET THE WISHES OF MARILYN HARROLD.

Correspondence between Legal Counsel, Upper Big Blue NRD and Lower Platte South NRD has identified a solution to honor the wishes of Marilyn Harrold. Staff recommends that the following Agreement be passed by the board.

PRIVATE AGREEMENT
ESTATE OF MARILYN HARROLD

Pursuant to Neb. Rev. Stat. § 30-24,110, this Private Agreement ("Agreement") is made on September 18, 2018, by and between:

Beth Harrold, Personal Representative of the Estate of Marilyn Harrold;
Jay Harrold, as an individual and beneficiary of a life estate;
The Upper Big Blue Natural Resources District; a Nebraska political subdivision and beneficiary of a remainder interest;
The Lower Platte South Natural Resources District; a Nebraska political subdivision; and
Nebraska Game and Parks Commission; a Nebraska political subdivision.

WITNESSETH:

WHEREAS, the Last Will and Testament of Marilyn Harrold provides in Article VI, paragraph (a), for the distribution of certain real estate:

The South Half (1/2) of the Southwest Quarter (1/4), Section Twenty-Five (25), Township Nine (9), Range Four (4), East of the 6th Principal Meridian, Seward County, Nebraska, commonly known as 1506 Rokeby Road, together with all appurtenances and improvements used in connection therewith, to my son JAY HARROLD, if he shall survive me, in life estate, with the remainder to THE UPPER BIG BLUE NATURAL RESOURCES DISTRICT, so long as said property is used for conservation purposes and is not sold or divided. If the property is no longer used for conservation purposes, or is sold or divided, it shall go to NEBRASKA GAME AND PARKS COMMISSION.

WHEREAS, the parties agree Decedent's intent was to conserve the property by leaving a remainder interest to the natural resources district (NRD) in which it was located.

WHEREAS, the Last Will & Testament leaves the property to the Upper Big Blue Natural Resources District, but the property is in fact located in the Lower Platte South Natural Resources District.

THEREFORE, in consideration of these recitals, which are incorporated by reference, and the promises and agreements set forth, the parties agree as follows:

The parties agree Marilyn Harrold's intent was to grant a remainder interest in the property described above to the natural resources district in which it is located.

Accordingly, the parties agree the Personal Representative may devise a remainder interest to the Lower Platte South Natural Resources District, rather than the Upper Big Blue Natural Resources District.

The Lower Platte South Natural Resources District agrees to accept a remainder interest in the property on the terms and conditions described above.

The Upper Big Blue Natural Resources District waives all claims against the Personal Representative for not following the terms of the Last Will and Testament.

The Nebraska Game and Parks Commission, which is the alternative remainder beneficiary, agrees to accept the property under the same conditions in the event the Lower Platte South Natural Resources District is unable or unwilling to use the property for conservation purposes or sells or divides the property.

Each party agrees no promise or agreement not expressed herein has been made to them regarding the execution of this Agreement. No party hereto is relying upon any statement or representation made by any other party or person not set forth herein. Each party is relying solely upon their own judgment, and each party has had the opportunity to be represented by independent counsel regarding this Agreement.

Each party agrees this Private Agreement constitutes a settlement that is mutual, final, and binding, and it ensures to the benefit of the parties hereto, their heirs, legatees, personal representatives, successors, and assigns.

The parties agree:

Time is of the essence in this Agreement;

This Agreement constitutes the entire understanding of the parties;

This Agreement may not be modified except in writing fully executed by each party hereto; and

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original but all of which shall constitute one and the same document.

It was moved by Nuss and seconded by Moore to authorize signature of the document "Private Agreement Estate of Marilyn Harrold." The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 32. FINANCIAL REPORT AUGUST 1 - 31, 2018 AND CONSIDERATION OF EXPENDITURES FOR AUGUST 2018.

Eigenberg reviewed the financial report for the period August 1, 2018 to August 31, 2018 that was distributed. It was moved by Houdersheldt and seconded by Volkmer to accept the financial report for August 2018 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Stahly, Volkmer, Yates

NAY: Nay

NOT VOTING: Roesler

NOT PRESENT: Kuehner, Miller, Robotham

ITEM 33. MOTION TO ADJOURN.

It was moved by Houdersheldt and seconded by Dickinson to adjourn the meeting at 9:30 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Kuehner, Miller, Robotham

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held September 18, 2018, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb

BOARD OF DIRECTORS MEETING

October 18, 2018

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, October 18, 2018 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Nancy Brisk, Marie Krausnick, Jack Wergin, Nancy Beach, Eric Melcher and Adam Darbro with City of Aurora, and Bill Gilg of Aurora NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on October 11, 2018 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Thirteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Jeff Bohaty, Roger Houdersheldt, Bill Kuehner, and Becky Roesler requested that their absence from the board meeting be excused.

It was moved by Volkmer and seconded by Rich to excuse the absence of Bohaty, Houdersheldt, Kuehner and Roesler from the October 18, 2018 Board of Directors meeting as requested. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests for separate action.

It was moved by Rich and seconded by Miller to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly,
Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Miller to approve the agenda for the October 18, 2018 board of directors meeting as presented. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly,
Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 7. *APPROVAL OF MINUTES OF THE SEPTEMBER 18, 2018 BOARD OF DIRECTORS MEETING AND FY19 TAX REQUEST HEARING.

It was moved by Rich and seconded by Miller to approve the minutes of the September 18, 2018 Board of Directors meeting and FY19 Tax Request Hearing. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly,
Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 8. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Luebbe reported that the Water & Regulations Committee met October 11, 2018 and presented the committee's recommendations.

ITEM 9. MUNICIPAL WATER SYSTEM ASSISTANCE PROGRAM – CITY OF AURORA.

The City of Aurora is planning to construct a new municipal well to replace an existing municipal well that has consistently been testing over the safe drinking water standard for nitrates. They are applying for Municipal Water System Assistance funds for the construction of the new well. In 2017, the City was awarded funds totaling \$50,000.00 for the construction of a new municipal well. Per the program document, the City of Aurora is not eligible for more than \$100,000.00 of funding in a 5-year period. The total estimated project cost is \$900,000.00 and should be completed before June 30, 2019. The City of Aurora would be eligible for an additional \$50,000.00 for the construction of the new municipal well.

It was moved by Luebbe and seconded by Rich to approve the Municipal Water System Assistance Program application for the City of Aurora, for the construction of a new municipal well, not to exceed \$50,000.00 to be paid from the FY2019 Budget. The motion was approved.

AYE: Bethune, Bruns, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: Dickinson
NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 10. SCOTT GONNERMAN PAYMENT – PROJECT GROW.

Scott Gonnerman has submitted a bill for cover crop seed, handling the cattle grazing, biomass & soil testing, and drilling of the cover crop seed, totaling \$4,320.50. The District will apply for reimbursement from the City of York for the total bill.

It was moved by Luebbe and seconded by Miller to pay Scott Gonnerman for his labor and materials at Project GROW totaling \$4,320.50. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: Nay
NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 11. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Three Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments, totaling \$1,470.43.

It was moved by Rich and seconded by Miller to make cost-share payments for three well abandonments, as reviewed by the Committee, at a cost of \$1,470.43. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: Nay
NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 12. FLOW METER REPAIR COST-SHARE PAYMENTS.

Three flow meter repair cost-share applications have been reviewed for final payment totaling \$433.50.

It was moved by Luebbe and seconded by Stahly to pay three flow meter repair cost-share claims totaling \$433.50. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: Nay
NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 13. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the acres' certification for 43 parcels totaling 3,415.41 acres, yielding a decrease in irrigated acres of 114.17. This brings the total irrigated acres to 1,239,361.57.

It was moved by Luebbe and seconded by Rich to certify the acre changes as presented to the Board.
The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly,
Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 14. BEEHIVE ONLINE PRODUCER INPUT.

District staff and representatives from Beehive have put together a draft outline for an online reporting portal. Beehive has time between now and the end of the calendar year to begin working on this component. Staff is asking to work with Beehive representatives to draft an agreement to begin work on an online portal.

It was moved by Luebbe and seconded by Rich to authorize the staff to work with Beehive representatives to draft an agreement for the construction of an online reporting portal. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer,
Yates

NAY: Miller

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 15. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on October 11, 2018 and presented the committee's recommendations.

ITEM 16. LAND TREATMENT PROGRAM COST-SHARE PAYMENT.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve payment of \$5,179.76 for one completed NSWCP Land Treatment application, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly,
Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 17. PRIVATE DAMS PROGRAM NEW APPLICATION.

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District approve the Private Dam Application from Candyce Widness for a dam located in the Southeast Quarter of Section 13, T10N, R6W, in Hamilton County with an estimated cost of \$9,995.00. The NRD's cost-share amount will be \$7,496.25, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 18. SEWARD LEVEE EVALUATION UPDATE AND PAYMENT.

Michael Bash of JEO Consulting, and Greg Butcher, Seward City Administrator, gave an update on the Seward levee evaluation project. A report of the evaluation should be completed in November. Small freeboard deficiencies (less than 1 foot) can be addressed through a risk analysis. The next step will be a freeboard risk analysis followed by the certification phase. The provisional accreditation for the levee will expire in June of 2020.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve payment of \$7,327.75 (50% of \$14,655.50) to the City of Seward (for services provided by JEO Consulting Group Inc.), for work completed on the Seward Levee Evaluation Project from August 24 through September 21, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 19. SUTTON PLEASANT HILL CHILDREN'S PARK PROJECT.

Jarrold Switzer has completed the renovation work on the Pleasant Hill Children's Park project, which was his community project to become an Eagle Scout.

The Upper Big Blue Natural Resources District Board of Directors voted to fund this project at a rate of 25% of the estimated cost of \$2,500.00, not to exceed \$625.00. The total project costs came to \$2,162.88.

It was moved by Dickinson and seconded by Nuss that the Upper Big Blue Natural Resources District make payment of \$540.72 to the City of Sutton for the renovation work completed by Jarrold Switzer at the Pleasant Hill Children's Park. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 20. RECHARGE LAKE ARCHERY RANGE & DRAINAGE PROJECT PAYMENT.

Gana Trucking completed earthwork at the archery range. NRD staff will complete the seeding, fencing, and install a new gate.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve payment of \$16,892.87 to Gana Trucking and Excavating Inc. for work completed on the Archery Range access and drainage project, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 21. OXBOW TRAIL SHORELINE PROTECTION AND TREE REMOVAL PROPOSAL.

Pankoke Construction completed placing rock along the west shoreline, on the boat dock approach, on the fishing pier, and took out trees below the dam at Oxbow Trail Recreation Area.

It was moved by Dickinson and seconded by Nuss that the Upper Big Blue Natural Resources District approve payment of \$10,767.76 to Pankoke Construction Inc. for work completed at Oxbow Trail Recreation Area, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 22. WATER QUALITY MANAGEMENT PLAN / VOLUNTARY INTEGRATED MANAGEMENT PLAN PAYMENT.

The Upper Big Blue NRD received the seventh invoice from JEO Consulting Group for the Water Quality Management Plan, and Voluntary Integrated Management Plan, for their services from August 24 through September 21, 2018. Total invoice was \$24,547.50, and costs split as listed below. The NRD will be reimbursed by Nebraska Department of Environmental Quality, and the Nebraska Department of Natural Resources. A stakeholder meeting was held on September 10, 2018, and a Technical Advisory Committee meeting was held on October 1, 2018.

AGENCY	WQMP	VIMP	TOTAL
Nebraska Department of Environmental Quality	12,500.40	0.00	12,500.40
Nebraska Department of Natural Resources	0.00	2,064.56	2,064.56

Upper Big Blue Natural Resources District	7,917.98	2,046.56	9,982.54
Total	\$20,418.38	\$4,129.12	\$24,547.50

It was moved by Dickinson and seconded by Nuss that the Upper Big Blue Natural Resources District approve payment of \$24,547.50 to JEO Consulting Group Inc. for services provided for the Water Quality Management Plan and Voluntary Integrated Management Plan from August 24 through September 21, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Miller

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 23. HAZARD MITIGATION PLAN UPDATE AND PAYMENT.

Costs are split with 6.25% each for Seward, York, and Hamilton Counties, 6.25% for the Upper Big Blue NRD, and 75% from a FEMA grant (Federal Emergency Management Agency).

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District approve payment of \$3,640.00 to JEO Consulting Group Inc. for services provided for the Seward-York-Hamilton County Hazard Mitigation Plan update from August 24 through September 21, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 24. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on October 11, 2018 and presented the committee's recommendations.

ITEM 25. DIRECTORS' THIRD QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors' per diem & expenses for this past quarter. Totals for the third quarter directors' per diem are \$9,660.00 and expenses are \$4,132.15. For a total expenditure of \$13,792.15. Individual expense vouchers were available for review.

It was moved by Nuss and seconded by Rich to approve payment of third quarter 2018 directors' per diem of \$9,660.00 and expenses of \$4,132.15 for a total of \$13,792.15 and to publish these approved expenditures in the September 2018 Financial Report, except that each director, who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 26. PAYMENT TO ROMANS, WIEMER & ASSOCIATES FOR FY 2018 AUDIT.

An invoice for \$4,700.00 has been received from Romans, Wiemer & Associates for conducting the FY 2018 Audit.

It was moved by Nuss and seconded by Volkmer to approve payment of \$4,700.00 to Romans, Wiemer & Associates for the FY 2018 Audit. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 27. 2020 NATIONAL ENVIROTHON FINANCING.

An invoice for \$5,202.00 has been received from the NARD for the second-year contribution for the 2020 NCF Envirothon. The Committee discussed the need to support the 2020 National Envirothon. Discussion focused on providing an opportunity to showcase the uniqueness of Nebraska's Natural Resources Districts to participants of this event. The Committee was reminded of the Board Motion of March 2017 supporting the dues-based assessment, of 5.9%, of the \$400,000 estimated cost of the 2020 National Envirothon. Obligating funds in the amount of \$7,823 per year for a three-year period starting in FY18 and ending in FY20. Total amount to be budgeted is not to exceed \$23,469.00. Funds for this contribution have been budgeted in the FY19 budget.

It was moved by Nuss and seconded by Moore to approve payment of \$5,202.00 to the NARD for the second-year contribution for the 2020 NCF Envirothon. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 28. WATER DEPARTMENT PICKUP TRUCK.

The Executive Committee discussed the need for a replacement Water Department pickup truck. Staff made the request for the authority to advertise for bids for a truck to meet the minimum specifications list. Staff recommended that the 2006 extended cab Ford truck (140K miles) be traded off on the purchase. Funds for purchase have been budgeted in the FY19 budget.

It was moved by Nuss and seconded by Dickinson to request bids for a 2018 or 2019 1/2-ton crew cab pickup truck that meets the minimum standards list. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 29. COMMERCIAL LAWN MOWER.

The Committee discussed the need for a replacement commercial mower. Staff made the request for the authority to advertise for bids for a new commercial lawn mower. The recommended size of the mower is 60 to 65-inch deck with a 25 to 30 horsepower diesel engine. The mower would need to be able to utilize the snow removal attachments purchased for the Grasshopper 725. Staff recommended that the old Grasshopper mower be traded off on the purchase. The new mower would be principally used to support maintenance department needs. Funds for purchase have been budgeted in the FY19 budget.

It was moved by Nuss and seconded by Rich to request bids for a 25 to 30 horsepower diesel commercial lawn mower with a 60 to 65-inch mowing deck. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 30. MAINTENANCE DEPARTMENT TRACTOR.

The Committee discussed the need for a replacement maintenance department tractor. Staff made the request for the authority to advertise for bids for a new maintenance department tractor equipped with a loader. The recommended size of the tractor is 70 to 75 horsepower. Staff recommended that the 1982 240A International utility tractor be traded off on the purchase. Funds for purchase have been budgeted in the FY19 budget.

It was moved by Nuss and seconded by Stahly to request bids for a 70 to 75 horsepower, front wheel assist, diesel tractor that meets the minimum standards list. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 31. FINANCIAL REPORT SEPTEMBER 1 - 30, 2018 AND CONSIDERATION OF EXPENDITURES FOR SEPTEMBER 2018.

Eigenberg reviewed the financial report for the period September 1, 2018 to September 30, 2018 that was distributed. It was moved by Miller and seconded by Volkmer to accept the financial report for September 2018 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly,
Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

ITEM 32. MOTION TO ADJOURN.

It was moved by Miller and seconded by Volkmer to adjourn the meeting at 8:36 p.m. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly,
Volkmer, Yates

NAY: Nay

NOT PRESENT: Bohaty, Houdersheldt, Kuehner, Roesler

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held October 18, 2018, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb

BOARD OF DIRECTORS MEETING

November 15, 2018

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, November 15, 2018 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Ken Feather, Nancy Beach, Scott Snell, DeeDee Novotny, Erinn Richert, Jessica Kolterman of Lincoln Premium Poultry, Jenilynn Storm and Joe Kresha of Grosch Drilling, Lisa Schultz, Wayne Schultz, Paul Weiss, and Josh Bowers of York NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on November 8, 2018 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Thirteen directors were present during roll call. Roesler arrived at 1:36 p.m.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Jeff Bohaty, Mike Nuss and Merlin Volkmer requested that their absence from the board meeting be excused.

It was moved by Rich and seconded by Miller to excuse the absence of Bohaty, Nuss and Volkmer from the November 15, 2018 Board of Directors meeting as requested. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates

NAY: None

NOT PRESENT: Bohaty, Nuss, Roesler, Volkmer

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests for separate action.

It was moved by Houdersheldt and seconded by Rich to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates

NAY: None

NOT PRESENT: Bohaty, Nuss, Roesler, Volkmer

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Houdersheldt and seconded by Rich to approve the agenda for the November 15, 2018 board of directors meeting as presented. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates

NAY: None

NOT PRESENT: Bohaty, Nuss, Roesler, Volkmer

ITEM 7. *APPROVAL OF MINUTES OF THE OCTOBER 18, 2018 BOARD OF DIRECTORS MEETING.

It was moved by Houdersheldt and seconded by Rich to approve the minutes of the October 18, 2018 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates

NAY: None

NOT PRESENT: Bohaty, Nuss, Roesler, Volkmer

ITEM 8. EMPLOYEE RECOGNITION.

Erinn Richert, Water Resources Technician, was presented with an engraved desk plaque in recognition of 5 years of service to the District.

ITEM 9. DIRECTOR RECOGNITION.

Board member Doug Dickinson was recognized for 35 years of service. Board member Roger Houdersheldt was recognized for 25 years of service. They were presented framed certificates given out by the Nebraska Association of Resources Districts.

ITEM 10. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met November 8, 2018 and presented the committee's recommendations.

ITEM 11. WELL SPACING VARIANCE WAYNE & LISA SCHULTZ.

Wayne and Lisa Schultz applied for a well construction permit in January 2018 for two wells for a livestock facility. In the review process, District staff incorrectly mapped the proposed well location and approved the permit outside of the High-Risk Groundwater Area. The wells were constructed at the permit application location inside the High-Risk Groundwater Area. The well driller when registering the wells, incorrectly registered the wells, placing them 1,250 feet apart. Staff was not aware of the error until October when a District Technician arrived on site to conduct the flowmeter inspection and noticed that the two wells were 50 feet apart in a High-Risk Groundwater Area. The well owner, well driller, and District Staff have drafted a well spacing variance to allow the two wells to exist due to the approval and registration errors by the District and well driller. A copy of the variance is attached to these minutes.

It was moved by Miller and seconded by Houdersheldt to approve the Well Spacing Variance for Wayne and Lisa Schultz, as presented to the Committee. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Miller, Moore, Rich, Robotham
NAY: Bethune, Luebbe, Roesler, Stahly, Yates
NOT PRESENT: Bohaty, Nuss, Volkmer

It was moved by Miller and seconded by Moore to waive the \$100.00 variance application fee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates
NAY: Roesler
NOT PRESENT: Bohaty, Nuss, Volkmer

ITEM 12. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

One Aquifer Quality Well Abandonment Cost-Share Assistance Program application has been approved for final payment, totaling \$500.00.

It was moved by Houdersheldt and seconded by Rich to make cost-share payment for one well abandonment, as reviewed by the Committee, at a cost of \$500.00. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates
NAY: None
NOT PRESENT: Bohaty, Nuss, Roesler, Volkmer

ITEM 13. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on November 8, 2018 and presented the committee's recommendations.

ITEM 14. WILD NEBRASKA - RON & PEGGY HINRICHS GRASSLAND RESTORATION ENHANCEMENT

PROJECT.

This is a grassland restoration/enhancement project involving the wildlife cooperator, Nebraska Game and Parks Commission, and Upper Big Blue NRD. All parties are interested in management and restoration practices that improve and enhance natural habitats within the grasslands in southeastern Nebraska. The overall goal of this project is to restore and enhance approximately 9.2 acres of grasslands (kill existing vegetation, and seed native warm season grasses and forbs) for the benefit of the flora and fauna native to the area at a cost of \$1,150.00. Nebraska Game & Parks Commission's share is \$862.50 and the Upper Big Blue NRD's share is \$287.50. The project is located in the SW1/4 Section 8, T9N, R7W, Hamilton County, Nebraska. This is a 10-year contract and the cooperator will control the public access to the area.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District enter into the WILD Nebraska Wildlife Habitat Agreement with Ron and Peggy Hinrichs, and Nebraska Game & Parks Commission in restoring, developing, and enhancing the lands located in the SW1/4 of Section 8, T9N, R7W, Hamilton County, Nebraska for the purpose of developing upland habitat in the amount of \$1,150.00. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bohaty, Nuss, Volkmer

ITEM 15. PAYMENT TO CITY OF SEWARD FOR SEWARD LEVEE EVALUATION.

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District approve payment of \$11,140.00 (50% of \$22,280.00) to the City of Seward for services provided by JEO Consulting Group Inc., for work completed on the Seward Levee Evaluation Project from September 22 through October 19, 2018 as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bohaty, Nuss, Volkmer

ITEM 16. PAYMENT TO JEO CONSULTING GROUP FOR WATER QUALITY MANAGEMENT PLAN / VOLUNTARY INTEGRATED MANAGEMENT PLAN.

The Upper Big Blue NRD received the eighth invoice from JEO Consulting Group for the Water Quality Management Plan, and Voluntary Integrated Management Plan, for their services from September 22 through October 19, 2018. Total invoice was \$21,588.75.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District approve payment of \$21,588.75 to JEO Consulting Group Inc. for services provided for the Water Quality Management Plan and Voluntary Integrated Management Plan from September 22 through October 19,

2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Rich, Robotham, Roesler, Stahly, Yates

NAY: Miller

NOT PRESENT: Bohaty, Nuss, Volkmer

ITEM 17. PAYMENT TO JEO CONSULTING GROUP FOR HAZARD MITIGATION PLAN.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District approve payment of \$6,896.00 to JEO Consulting Group Inc. for services provided for the Seward-York-Hamilton County Hazard Mitigation Plan update from September 22 through October 19, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bohaty, Nuss, Volkmer

ITEM 18. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Stahly reported that the Executive Committee met on November 8, 2018 and presented the committee's recommendations.

ITEM 19. APPROVAL FOR OUT-OF-STATE TRAVEL.

The 2019 GMDA Winter Conference will be held January 7-9, 2019 in Phoenix, Arizona at the Hilton Phoenix Airport Hotel.

It was moved by Stahly and seconded by Miller to approve out-of-state travel for up to seven Water Department Staff and any Board members that wish to attend the 2019 Groundwater Management District Association Annual Conference – January 7-9, 2019 in Phoenix, Arizona. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Stahly, Yates

NAY: Kuehner

NOT PRESENT: Bohaty, Nuss, Volkmer

ITEM 20. WATER DEPARTMENT PICKUP TRUCK.

Bids for a new Water Department truck were reviewed. The 2006 Ford was to be traded in on the purchase or sold privately. Bids were requested for 2018 or 2019-year new trucks, with the minimum specifications listed on the bid sheet. Bids for both 2-wheel or 4-wheel drive options were requested. Six area truck dealers submitted proposals for this procurement process. Bids were received from Chevrolet, Dodge and Ford dealers. Bid prices for 2-wheel drive trucks ranged from \$24,699 to \$33,130. Bid prices for 4-wheel drive trucks ranged from \$ 27,795 to \$36,730.

It was moved by Stahly and seconded by Robotham to purchase a 2019 Dodge RAM 1500 SLT Crew Cab 4-wheel drive truck from Erdkamp Motors, Inc. of Exeter, Nebraska for a total of \$27,795, and to trade-in one 2006 Ford F150 truck to Erdkamp Motors, Inc. of Exeter, Nebraska. Total net cost of purchase is \$27,795. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Rich, Robotham, Roesler, Stahly

NAY: Bruns, Miller, Yates

NOT PRESENT: Bohaty, Nuss, Volkmer

ITEM 21. COMMERCIAL LAWN MOWER.

Bids for a replacement commercial mower were reviewed. Specifications for the mower included a 60 to 65-inch deck, with a 25 to 30 horsepower diesel engine, and the ability to utilize the snow removal attachments purchased for the Grasshopper 725D. Staff recommended that the old grasshopper mower be traded off on the purchase. The new mower would be principally used to support maintenance department needs. Bids were received from three area dealers. Bid prices ranged from \$13,838 to \$17,840.

It was moved by Stahly and seconded by Dickinson to purchase a 2019 Grasshopper 725DT commercial lawn mower from Friesen Chevrolet of Sutton, Nebraska for a total of \$13,838. To trade-in one 725D Grasshopper mower to Friesen Chevrolet of Sutton, Nebraska for \$5,000. Total net cost of purchase is \$8,838. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bohaty, Nuss, Volkmer

ITEM 22. MAINTENANCE DEPARTMENT TRACTOR.

Bids for a replacement maintenance department tractor were reviewed. Specifications for the tractor included a range of 70 to 75 horsepower, front wheel assist, with a diesel engine. Staff recommended that the 1982 240A International utility tractor be traded off on the purchase. Bids were received from three area dealers. Bids were received from Massey Ferguson, John Deere and Case IH dealers. Bid prices for a tractor without a cab ranged from \$46,000 to \$60,730. Bid prices for a tractor with a cab ranged from \$54,606 to \$68,597.

It was moved by Stahly and seconded by Eberle to purchase a 2019 Case IH Farmall 90C Tractor with cab, front wheel assist, diesel tractor equipped with a front-end loader from York Equipment of York, Nebraska for a total of \$54,606, and to trade-in one 1982 240A International utility tractor on this purchase. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Stahly, Yates

NAY: Kuehner

NOT PRESENT: Bohaty, Nuss, Volkmer

ITEM 23. FINANCIAL REPORT OCTOBER 1 - 31, 2018 AND CONSIDERATION OF EXPENDITURES FOR OCTOBER 2018.

Eigenberg reviewed the financial report for the period October 1, 2018 to October 31, 2018 that was distributed. It was moved by Houdersheldt and seconded by Dickinson to accept the financial report for October 2018 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bohaty, Nuss, Volkmer

ITEM 24. EXECUTIVE SESSION.

It was moved by Miller and seconded by Houdersheldt to go to closed session at 2:47 p.m. for the purpose of advising the Board of Directors of potential litigation involving the District. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bohaty, Nuss, Volkmer

It was moved by Miller and seconded by Rich to return to open session at 3:10 p.m. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bohaty, Nuss, Volkmer

ITEM 25. MOTION TO ADJOURN.

It was moved by Luebbe and seconded by Dickinson to adjourn the meeting at 3:11 p.m. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Stahly, Yates

NAY: None

NOT PRESENT: Bohaty, Nuss, Volkmer

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held November 15,

2018, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb
Attachment

BOARD OF DIRECTORS MEETING
And
FORMAL HEARING
December 20, 2018

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, December 20, 2018 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Becky Roesler, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Marie Krausnick, Ken Feather, Scott Snell, Nancy Beach, Wade Backstrom, Drew ten Bensel, John Bush, Dan Leininger, Josh Bowers of York NRCS, Steve Moseley of the York News-Times, Senator Curt Friesen, Senator Mark Kolterman, Senator Bruce Bostelman and Senators-elect Tom Brandt and Dave Murman.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Yates reported that we published the legal notice of the board of directors' meeting on December 13, 2018 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairman Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Jeff Bohaty requested that his absence from the board meeting be excused.

It was moved by Volkmer and seconded by Rich to excuse the absence of Bohaty from the December 20, 2018 Board of Directors meeting as requested. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer

NAY: Yates

NOT PRESENT: Bohaty

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairman Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests for separate action.

It was moved by Rich and seconded by Miller to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Miller to approve the agenda for the December 20, 2018 board of directors meeting as presented. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 7. *APPROVAL OF MINUTES OF THE NOVEMBER 15, 2018 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Miller to approve the minutes of the November 15, 2018 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 8. DIALOG WITH STATE SENATORS REPRESENTING UPPER BIG BLUE NRD.

Senator Bruce Bostelman, District 23; Senator Mark A. Kolterman, District 24; Senator-elect Tom Brandt, District 32; Senator Steve Halloran, District 33; Senator Curt Friesen, District 34; and Senator-elect Dave Murman, District 38 were invited to share current issues for the upcoming legislative session. The only Senator that was unable to join us was Senator Halloran. Discussion took place between the Senators, NRD Directors, staff and the public.

ITEM 9. GROUNDWATER QUALITY MANAGEMENT AREA VIOLATIONS HEARING.

Chairman Yates opened the hearing at 3:03 p.m. The purpose of the hearing was to hear testimony and receive evidence regarding complaints filed by General Manager, David Eigenberg, on behalf of the District, against Steven L. Anderson; Fred W. Blase; Mike Campbell; Doug DeVries; Glenn M. Huebert; Nicholas Johnson; Mitchell Leif; Allen J. Luebbe; Jeary E. Morgan; Gareth J. Peters; Arlo D. "Bud" Stevens; William Stevens; Merlin G. and Chad M. Stuhr; and Ivan Tyrell, alleging that the Best Management Practices (BMP) in Phase II & III Management Areas were not reported to the District by April 1, 2018, as required by the District's Groundwater Management Area Rules and Regulations.

Notice of the Formal Hearing was published for three consecutive Thursdays prior to the hearing. Publication occurred in the York News-Times on November 29, 2018, October 6, 2018 and October 13, 2018.

YATES: The next thing on the agenda is the Groundwater Quality Management Area Violation Hearing and at this time, I will open the hearing and the first one we have is, we will now open the hearing proceedings for Steve L. Anderson and I will turn it over to Marie.

KRAUSNICK: My name is Marie Krausnick, M-A-R-I-E K-R-A-U-S-N-I-C-K, Water Department Manager for the Upper Big Blue NRD, 319 East 25th Street, York, Nebraska 68467.

The District would like to enter into the record the Notice of Formal Hearing as **Exhibit 1** in your packet.

The District would like to enter into the record the Upper Big Blue Natural Resources District Rule 3, Conduct of Formal Adjudicatory Hearings Before the District as **Exhibit 2**; District Rule 4 Rules and Regulation for the Enforcement of the Groundwater Management and Protection Act as **Exhibit 3**; and Rule 5 Upper Big Blue Natural Resources District Groundwater Management Rules and Regulations as **Exhibit 4**.

The District would like to enter into the record as **Exhibit 5** the original packet mailed to Steven L. Anderson on February 5, 2018. It contains the necessary forms and supporting documents to fulfill the reporting requirement for a Phase II & III Management Area.

The District would like to enter into the record as **Exhibit 6** the reporting deadline reminder postcard mailed on March 16, 2018.

The District would like to enter into the record as **Exhibit 7** the past due reminder postcard mailed on April 6, 2018.

The District would like to enter into the record as **Exhibit 8** a complaint of violation signed by David A. Eigenberg and mailed on May 7, 2018. Included in the mailing was a copy of the District Rule 5, previously entered into the record as Exhibit 4 and the original packet previously entered into the record as Exhibit 5.

The District would like to enter into the record as **Exhibit 9** the investigation report and schedule of compliance signed by Marie Krausnick, Compliance Officer for the District, and the returned certified mail receipt stamped October 19, 2018. Accompanying the mailing were the copies of District Rule 4 previously entered into the record as Exhibit 3; District Rule 5 previously entered into the records as Exhibit 4; the original packet previously entered into the record as Exhibit 5; and the complaint of violation previously entered into the record as Exhibit 8.

This District, the District would like to enter into the record as **Exhibit 10** the failure to report best management practices in Phase II & III areas – formal hearing notice, mailed on November 9, 2018 by certified mail.

The District would like to enter into the record as **Exhibit 11** a Revised Notice of Formal Hearing mailed on November 21, 2018.

The Staff recommends the issuance of a Cease and Desist Order against Steven L. Anderson directing compliance by January 4, 2019.

YATES: Okay at this time, is there any questions on, on this particular one; Steve Anderson? Or comments? Okay, if not, we will close hearing proceedings pertaining to the violation against Steve L. Anderson and proceed with evidence for Fred W. Blase.

KRAUSNICK: The District will again enter **Exhibits 1-4** into the record as stated previously.

The District would like to enter into the record as **Exhibit 5** the original packet mailed to Fred W. Blase on February 5, 2018. It contains the necessary forms and supporting documents to fulfill the reporting requirement for a Phase II & III Management Area.

The District would like to enter into the record as **Exhibit 6** the reporting deadline reminder postcard mailed on March 16, 2018.

The District would like to enter into the record as **Exhibit 7** the past due reminder postcard mailed on April 6, 2018.

The District would like to enter into the record as **Exhibit 8** a complaint of violation signed by David A. Eigenberg and mailed on May 7, 2018. Included in the mailing was a copy of the District Rule 5, previously entered into the record as Exhibit 4 and the original packet previously entered into the record as Exhibit 5.

The District would like to enter into the record as **Exhibit 9** the investigation report and schedule of compliance signed by Marie Krausnick, Compliance Officer for the District, and the returned certified mail receipt stamped October 19, 2018. Accompanying the mailing were copies of District Rule 4 previously entered into the record as Exhibit 3; District Rule 5 previously entered into the record as Exhibit 4; the original packet previously entered into the record as Exhibit 5; and the complaint of violation previously entered into the record as Exhibit 8.

This District would like to enter into the record as **Exhibit 10** the failure to report best management practices in Phase II & III areas – formal hearing notice, mailed on November 9, 2018 by certified mail.

The District would like to enter into the record as **Exhibit 11** Revised Notice of Formal Hearing mailed on November 21, 2018.

The Staff recommends the issuance of a Cease and Desist Order against Fred W. Blase directing compliance by January 4, 2019.

NUSS: Marie? Is this guy the operator or the owner?

KRAUSNICK: To our knowledge he is the operator. He has not told us otherwise.

YATES: Okay; is there any other questions? Okay, we will close the hearing proceedings pertaining to the hearing violation against Fred W. Blase and proceed with evidence for Mike Campbell.

KRAUSNICK: The District will again enter **Exhibits 1-4** into the record as stated previously.

The District would like to enter into the record as **Exhibit 5** the original packet mailed to Mike Campbell on February 5, 2018. It contains the necessary forms, list of previously reported fields, and supporting documents to fulfill the reporting requirement for a Phase II & III Management Area.

The District would like to enter into the record as **Exhibit 6** the reporting deadline reminder postcard mailed on March 16, 2018.

The District would like to enter into the record as **Exhibit 7** the past due reminder postcard mailed on April 6, 2018.

The District would like to enter into the record as **Exhibit 8** a complaint of violation signed by David A. Eigenberg and mailed on November 7, or, May 7, 2018. Included in the mailing was a copy of the District Rule 5, previously entered into the record as Exhibit 4 and the original packet previously entered into the record as Exhibit 5.

The District would like to enter into the record as **Exhibit 9** the investigation report and schedule of compliance signed by Marie Krausnick, Compliance Officer for the District, and the returned certified mail receipt stamped October 19, 2018. Accompanying the mailing were copies of District Rule 4 previously entered into the record as Exhibit 3; District Rule 5 previously entered into the records as Exhibit 4; the original packet previously entered into the record as Exhibit 5; and the complaint of violation previously entered into the record as Exhibit 8.

This District would like to enter into the record as **Exhibit 10** the failure to report best management practices in Phase II & III areas – formal hearing notice, mailed on November 9, 2018 by certified mail.

The District would like to enter into the record as **Exhibit 11** Revised Notice of Formal Hearing mailed on November 21, 2018.

The Staff recommends the issuance of a Cease and Desist Order against Mike Campbell directing compliance by January 4, 2019.

YATES: Is there any questions on this one? Okay, we will now close hearing proceedings pertaining to the violation against Mike Campbell and proceed with evidence for Doug DeVries.

NUSS: DeVries.

YATES: DeVries.

KRAUSNICK: The District will again enter **Exhibits 1-4** into the record as stated previously.

The District would like to enter into the record as **Exhibit 5** the original packet mailed to Doug DeVries on February 5, 2018. It contains the necessary forms, list of previously reported fields, and supporting documents to fulfill the reporting requirement for a Phase II & III Management Area.

The District would like to enter into the record as **Exhibit 6** the reporting deadline reminder postcard mailed on March 16, 2018.

The District would like to enter into the record as **Exhibit 7** the past due reminder postcard mailed on April 6, 2018.

The District would like to enter into the record as **Exhibit 8** a complaint of violation signed by David A. Eigenberg and mailed on May 7, 2018. Included in the mailing was a copy of the District Rule 5, previously entered into the record as Exhibit 4 and the original packet previously entered into the record as Exhibit 5.

The District would like to enter into the record as **Exhibit 9** the investigation report and schedule of compliance signed by Marie Krausnick, Compliance Officer for the District, and the returned certified mail receipt stamped October 19, 2018. Accompanying the mailing were copies of District Rule 4 previously entered into the record as Exhibit 3; District Rule 5 previously entered into the record as Exhibit 4; the original packet previously entered into the record as Exhibit 5; and the complaint of violation previously entered into the record as Exhibit 8.

This District would like to enter into the record as **Exhibit 10** the failure to report best management practices in Phase II & III areas – formal hearing notice, mailed on November 9, 2018 by certified mail.

The District would like to enter into the record as **Exhibit 11** Revised Notice of Formal Hearing mailed on November 21, 2018.

The Staff recommends the issuance of a Cease and Desist Order against Doug DeVries directing compliance by January 4, 2019.

YATES: Is there any questions on this one; comments from the Board? Okay, uhm, we will now close the hearing proceedings pertaining to the violation against Doug DeVries and proceed with evidence for Glenn M. Huebert.

KRAUSNICK: The District will again enter **Exhibits 1-4** into the record as stated previously.

The District would like to enter into the record as **Exhibit 5** the original packet mailed to Glenn M. Huebert on February 5, 2018. It contains the necessary forms, list of previously reported fields, and supporting documents to fulfill the reporting requirement for a Phase II & III Management Area.

The District would like to enter into the record as **Exhibit 6** the reporting deadline reminder postcard mailed on March 16, 2018.

The District would like to enter into the record as **Exhibit 7** the past due reminder postcard mailed on April 6, 2018.

The District would like to enter into the record as **Exhibit 8** a complaint of violation signed by David A. Eigenberg and mailed on May 7, 2018. Included in the mailing was a copy of the District Rule 5, previously entered into the record as Exhibit 4 and the original packet previously entered into the record as Exhibit 5.

The District would like to enter into the record as **Exhibit 9** the investigation report and schedule of compliance signed by Marie Krausnick, Compliance Officer for the District, and the returned certified mail receipt stamped October 19, 2018. Accompanying the mailing were copies of District Rule 4 previously entered into the record as Exhibit 3; District Rule 5 previously entered into the record as Exhibit 4; the original packet previously entered into the record as Exhibit 5; and the complaint of violation previously entered into the record as Exhibit 8.

This District would like to enter into the record as **Exhibit 10** the failure to report best management practices in Phase II & III areas – formal hearing notice, mailed on November 9, 2018 by certified mail.

The District would like to enter into the record as **Exhibit 11** Revised Notice of Formal Hearing mailed on November 21, 2018.

The Staff recommends the issuance of a Cease and Desist Order against Glenn M. Huebert directing compliance by January 4, 2019.

YATES: Is there any questions on this one? Okay, we will now close hearing proceedings pertaining to the violation against Glenn M. Huebert and proceed with evidence for Nicholas Johnson. Go ahead Marie.

KRAUSNICK: The District will again enter **Exhibits 1-4** into the record as stated previously.

The District would like to enter into the record as **Exhibit 5** the original packet mailed to Nicholas Johnson on February 5, 2018. It contains the necessary forms, list of previously reported fields, and supporting documents to fulfill the reporting requirement for a Phase II & III Management Area.

The District would like to enter into the record as **Exhibit 6** the reporting deadline reminder postcard mailed on March 16, 2018.

The District would like to enter into the record as **Exhibit 7** the past due reminder postcard mailed on April 6, 2018.

The District would like to enter into the record as **Exhibit 8** a complaint of violation signed by David A. Eigenberg and mailed on May 7, 2018. Included in the mailing was a copy of District Rule 5, previously entered into the record as Exhibit 4 and the original packet previously entered into the record as Exhibit 5.

The District would like to enter into the record as **Exhibit 9** the investigation report and schedule of compliance signed by Marie Krausnick, Compliance Officer for the District, and the returned certified mail receipt stamped October 19, 2018. Accompanying the mailing were copies of District Rule 4

previously entered into the record as Exhibit 3; District Rule 5 previously entered into the record as Exhibit 4; the original packet previously entered into the record as Exhibit 5; and the complaint of violation previously entered into the record as Exhibit 8.

This District would like to enter into the record as **Exhibit 10** the failure to report best management practices in Phase II & III areas – formal hearing notice, mailed on November 9, 2018 by certified mail.

The District would like to enter into the record as **Exhibit 11** Revised Notice of Formal Hearing mailed on November 21, 2018.

The Staff recommends the issuance of a Cease and Desist Order against Nicholas Johnson directing compliance by January 4, 2019.

YATES: Is there any questions on this one? Okay, we will now close hearing proceedings pertaining to the violation against Nicholas Johnson and proceed with evidence for Mitchell Leif.

KRAUSNICK: The District will again enter **Exhibits 1-4** into the record as stated previously.

The District would like to enter into the record as **Exhibit 5** the original packet mailed to Mitchell Leif on February 5, 2018. It contains the necessary forms, list of previously reported fields, and supporting documents to fulfill the reporting requirement for a Phase II & III Management Area.

The District would like to enter into the record as **Exhibit 6** the reporting deadline reminder postcard mailed on March 16, 2018.

The District would like to enter into the record as **Exhibit 7** the past due reminder postcard mailed on April 6, 2018.

The District would like to enter into the record as **Exhibit 8** a complaint of violation signed by David A. Eigenberg and mailed on May 7, 2018. Included in the mailing was a copy of the District Rule 5, previously entered into the record as Exhibit 4 and the original packet previously entered into the record as Exhibit 5.

The District would like to enter into the record as **Exhibit 9** the investigation report and schedule of compliance signed by Marie Krausnick, Compliance Officer for the District, and the returned certified mail receipt stamped October 19, 2018. Accompanying the mailing were copies of District Rule 4 previously entered into the record as Exhibit 3; District Rule 5 previously entered into the record as Exhibit 4; the original packet previously entered into the record as Exhibit 5; and the complaint of violation previously entered into the record as Exhibit 8.

The District would like to enter into the record as **Exhibit 10** the failure to report best management practices in Phase II & III areas – formal hearing notice, mailed on November 9, 2018 by certified mail.

The District would like to enter into the record as **Exhibit 11** Revised Notice of Formal Hearing mailed on November 21, 2018.

The Staff recommends the issuance of a Cease and Desist Order against Mitchell Leif directing compliance by January 4, 2019.

YATES: Okay; Roger?

HOUDERSHELDT: Marie I don't know if you can answer this. I see that was signed for by two different people and none of them were ever the guy. I think they all say, by agent, or something like that.

LUEBBE: No, Stan is his dad.

HOUDERSHELDT: Huh?

LUEBBE: Stan is his dad.

HOUDERSHELDT: But I said, neither one of them were signed for by him. One is Teresa somebody.

LUEBBE: That's his sister. He lives with, that's where he lives, with his parents.

HOUDERSHELDT: I knew he did. I just didn't know if that was any kind of a return thing..... if it could mess us up in any way. As long as it was signed by an agent I guess it's alright?

KRAUSNICK: We mail, anything that goes out certified mail is also mailed direct first-class mail. We just have the certified for verification that they picked it up.

HOUDERSHELDT: Okay, that's all I'm asking. Thank you.

YATES: Is there any other questions?

NUSS: I have one.

YATES: Yes. Mike.

NUSS: He's got an operating partner. Does that individual get this too then?

KRAUSNICK: No. Mitchell was the one who attended training and is certified to fill out the reports for the operating partner.

YATES: Okay, any other questions? Okay, we will now close hearing proceedings pertaining to the violation against Mitchell Leif and proceed with evidence for Allen J. Luebbe.

KRAUSNICK: The District will again enter **Exhibits 1-4** into the record as stated previously.

The District would like to enter into the record as **Exhibit 5** the original packet mailed to Allen J. Luebbe on February 5, 2018. It contains the necessary forms, list of previously reported fields, and supporting documents to fulfill the reporting requirement for a Phase II & III Management Area.

The District would like to enter into the record as **Exhibit 6** the reporting deadline reminder postcard mailed on March 16, 2018.

The District would like to enter into the record as **Exhibit 7** the past due reminder postcard mailed on April 6, 2018.

The District would like to enter into the record as **Exhibit 8** a complaint of violation signed by David A. Eigenberg and mailed on May 7, 2018. Included in the mailing was a copy of the District Rule 5, previously entered into the record as Exhibit 4 and the original packet previously entered into the record as Exhibit 5.

The District would like to enter into the record as **Exhibit 9** the investigation report and schedule of compliance signed by Marie Krausnick, Compliance Officer for the District, and the returned certified mail receipt stamped October 19, 2018. Accompanying the mailing were copies of District Rule 4 previously entered into the record as Exhibit 3; District Rule 5 previously entered into the records as Exhibit 4; the original packet previously entered into the record as Exhibit 5; and the complaint of violation previously entered into the record as Exhibit 8.

This District would like to enter into the record as **Exhibit 10** the failure to report best management practices in Phase II & III areas – formal hearing notice, mailed on November 9, 2018 by certified mail.

The District would like to enter into the record as **Exhibit 11** Revised Notice of Formal Hearing mailed on November 21, 2018.

The Staff recommends the issuance of a Cease and Desist Order against Allen J. Luebbe directing compliance by January 4, 2019.

YATES: Any questions on this one? Okay, we will now close the hearing proceedings pertaining to the violation against Allen J. Luebbe and proceed with evidence for Jeary E. Morgan.

KRAUSNICK: The District will again enter **Exhibits 1-4** into the record as stated previously.

The District would like to enter into the record as **Exhibit 5** the original packet mailed to Jeary E. Morgan on February 5, 2018. It contains the necessary forms, list of previously reported fields, and supporting documents to fulfill the reporting requirements for a Phase II & III Management Area.

The District would like to enter into the record as **Exhibit 6** the reporting deadline reminder postcard mailed on March 16, 2018.

The District would like to enter into the record as **Exhibit 7** the past due reminder postcard mailed on April 6, 2018.

The District would like to enter into the record as **Exhibit 8** a complaint of violation signed by David A. Eigenberg and mailed on May 7, 2018. Including in the mailing was a copy of the District Rule 5, previously entered into the record as Exhibit 4 and the original packet previously entered into the record as Exhibit 5.

The District would like to enter into the record as **Exhibit 9** the investigation report and schedule of compliance signed by Marie Krausnick, Compliance Officer for the District, and the returned certified mail receipt stamped October 19, 2018. Accompanying the mailing were copies of District Rule 4 previously entered into the record as Exhibit 3; District Rule 5 previously entered into the record as Exhibit 4; the original packet previously entered into record as Exhibit 5; and the complaint of violation previously entered into the record as Exhibit 8.

This District would like to enter into the record as **Exhibit 10** the failure to report best management practices in Phase II & III areas – formal hearing notice, mailed on November 9, 2018 by certified mail.

The District would like to enter into the record as **Exhibit 11** Revised Notice of Formal Hearing mailed on November 21, 2018.

The Staff recommends the issuance of a Cease and Desist Order against Jeary E. Morgan directing compliance by January 4, 2019.

YATES: Any questions? John?

MILLER: On the original letter on top; is that certification date correct?

KRAUSNICK: Yes. He is also out of compliance for training.

MOORE: He's in double trouble.

YATES: Larry did you want to say something?

MOORE: That was the same question I had.

YATES: Is there any other questions? Okay, we will now close the hearing evidence pertaining to the violation against Jeary E. Morgan and proceed with evidence for Garet J. Peters.

KRAUSNICK: The District will again enter **Exhibits 1-4** into the record as stated previously.

The District would like to enter into the record as **Exhibit 5** the original packet mailed to Garet J. Peters on February 5, 2018. It contains the necessary forms, list of previously reported fields, and supporting documents to fulfill the reporting requirement for a Phase II & III Management Area.

The District would like to enter into the record as **Exhibit 6** the reporting deadline reminder postcard mailed on March 16, 2018.

The District would like to enter into the record as **Exhibit 7** the past due reminder postcard mailed on April 6, 2018.

The District would like to enter into the record as **Exhibit 8** a complaint of violation signed by David A. Eigenberg and mailed on May 7, 2018. Included in the mailing was a copy of the District Rule 5,

previously entered into the record as Exhibit 4 and the original packet previously entered into the record as Exhibit 5.

The District would like to enter into the record as **Exhibit 9** the investigation report and schedule of compliance signed by Marie Krausnick, Compliance Officer for the District, and the returned certified mail receipt stamped October 19, 2018. Accompanying the mailing were copies of District Rule 4 previously entered into the record as Exhibit 3; District Rule 5 previously entered into the record as Exhibit 4; the original packet previously entered into the record as Exhibit 5; and the complaint of violation previously entered into the record as Exhibit 8.

The District would like to enter into the record as **Exhibit 10** the failure to report best management practices in Phase II & III areas – formal hearing notice, mailed on November 9, 2018 by certified mail.

The District would like to enter into the record as **Exhibit 11** Revised Notice of Formal Hearing mailed on November 21, 2018.

The Staff recommends the issuance of a Cease and Desist Order against Garet J. Peters directing compliance by January 4, 2019.

YATES: Okay. Doug?

DICKINSON: On a case were these were never delivered were they returned to us?

KRAUSNICK: He would have received a first-class copy.

DICKINSON: Okay. He doesn't even have to sign for it?

KRAUSNICK: If they don't sign for it we can't... I mean...

DICKINSON: You can't make him sign?

KRAUSNICK. Yeah. That's why we mail out two sets.

DICKINSON: Okay.

KRAUSNICK: So we are sure they get one.

YATES: Doesn't the post office hold those, and they get notified there is a letter at the post office that they're supposed to pick up?

KRAUSNICK: Yes.

YATES: And if they do that then they'll have to sign there I would think.

KRAUSNICK: Yes. Yes.

YATES: Is there any other questions? Okay, we will now close the hearing proceeding pertaining to the violation against Garet J. Peters and proceed with evidence for Arlo D. "Bud" Stevens.

KRAUSNICK: The District will again enter **Exhibits 1-4** into the record as stated previously.

The District would like to enter into the record as **Exhibit 5** the original packet mailed to Arlo "Bud" Stevens on February 5, 2018. It contains the necessary forms and supporting documents to fulfill the reporting requirement for a Phase II & III Management Area.

The District would like to enter into the record as **Exhibit 6** the reporting deadline reminder postcard mailed on March 16, 2018.

The District would like to enter into the record as **Exhibit 7** the past due reminder postcard mailed on April 6, 2018.

The District would like to enter into the record as **Exhibit 8** a complaint of violation signed by David A. Eigenberg and mailed on May 7, 2018. Including in the mailing was a copy of the District Rule 5, previously entered into the record as Exhibit 4 and the original packet previously entered into the record as Exhibit 5.

The District would like to enter into the record as **Exhibit 9** the investigation report and schedule of compliance signed by Marie Krausnick, Compliance Officer for the District, and returned certified mail stamped, receipt stamped October 19, 2018. Accompanying the mailing were copies of District Rule 4 previously entered into the record as Exhibit 3; District Rule 5 previously entered into the record as Exhibit 4; the original packet previously entered into the record as Exhibit 5; and the complaint of violation previously entered into the record as Exhibit 8.

The District would like to enter into the record as **Exhibit 10** the failure to report best management practices in Phase II & III areas – formal hearing notice, mailed on November 9, 2018 by certified mail.

The District would like to enter into the record as **Exhibit 11** Revised Notice of Formal Hearing mailed on November 21, 2018.

The Staff recommends the issuance of a Cease and Desist Order against Arlo "Bud" Stevens directing compliance by January 4, 2019.

YATES: Do you have any questions on this one?

STAHLY: On the bottom of the letter there where there's a training certification number. Have they not been trained at all?

KRAUSNICK: No.

MILLER: There's a number there.

KRAUSNICK: Everybody is issued a number, but if there is not a date accompanying that number, they have not been trained.

YATES: Okay, any other questions? We will now close hearing proceedings pertaining to the violation against Arlo D. "Bud" Stevens and proceed with evidence for Steve Williams.

KRAUSNICK: The District...

STAHLY: William Stevens.

YATES: Oh.

KRAUSNICK: I think I may have had yours backwards Lynn.

YATES: Oh, mine is backwards. I will change that and proceed with evidence for William Stevens.

KRAUSNICK: The District will again enter **Exhibits 1-4** into the record as stated previously.

The District would like to enter into the record as **Exhibit 5** the original packet mailed to William Stevens on February 5, 2018. It contains the necessary forms and supporting documents to fulfill the reporting requirement for a Phase II & III Management Area.

The District would like to enter into the record as **Exhibit 6** the reporting deadline reminder postcard mailed on March 16, 2018.

The District would like to enter into the record as **Exhibit 7** the past due reminder postcard mailed on April 6, 2018.

The District would like to enter into the record as **Exhibit 8** a complaint of violation signed against, signed by, David A. Eigenberg and mailed on May 7, 2018. Included in the mailing was a copy of the District Rule 5, previously entered into the record as Exhibit 4 and the original packet previously entered into the record as Exhibit 5.

The District would like to enter into the record as **Exhibit 9** the investigation report and schedule of compliance signed by Marie Krausnick, Compliance Officer for the District, and the returned certified mail receipt stamped October 19, 2018. Accompanying the mailing were copies of District Rule 4 previously entered into the record as Exhibit 3; District Rule 5 previously entered into the record as Exhibit 4; the original packet previously entered into the record as Exhibit 5; and the complaint of violation previously entered into the record as Exhibit 8.

This District would like to enter into the record as **Exhibit 10** the failure to report best management practices in Phase II & III areas – formal hearing notice, mailed on November 9, 2018 by certified mail.

The District would like to enter into the record as **Exhibit 11** Revised Notice of Formal Hearing mailed on November 21, 2018.

The Staff recommends the issuance of a Cease and Desist Order against William Stevens directing compliance by January 4, 2019.

YATES: Any questions on this one? We will now close the hearing proceedings pertaining to the violation William Stevens and proceed with evidence for Merle [Merlin] G. and Chad M. Stuhr.

KRAUSNICK: The District will again enter **Exhibits 1-4** into the record as stated previously.

The District would like to enter into the record as **Exhibit 5** the original packet mailed to Merlin G. and Chad M. Stuhr on February 5, 2018. It contains the necessary forms, list of previously reported fields, and supporting documents to fulfill the reporting requirement for a Phase II & III Management Area.

The District would like to enter into the record as **Exhibit 6** the reporting deadline reminder postcard mailed on March 16, 2018.

The District would like to enter into the record as **Exhibit 7** the past due reminder postcard mailed on April 6, 2018.

The District would like to enter into the record as **Exhibit 8** a complaint of violation signed by David A. Eigenberg and mailed on May 7, 2018. Included in the mailing was a copy of the District Rule 5, previously entered into the record as Exhibit 4 and the original packet previously entered into the record as Exhibit 5.

The District would like to enter into the record as **Exhibit 9** the investigation report and schedule of compliance signed by Marie Krausnick, Compliance Officer for the District, and the returned certified mail receipt stamped October 19, 2018. Accompanying the mailing were copies of District Rule 4 previously entered into the record as Exhibit 3; District Rule 5 previously entered into the record as Exhibit 4; the original packet previously entered into the record as Exhibit 5; and the complaint of violation previously entered into the record as Exhibit 8.

The District would like to enter into the record as **Exhibit 10** the failure to report best management practices in Phase II & III areas – formal hearing notice, mailed on November 9, 2018 by certified mail.

The District would like to enter into the record as **Exhibit 11** Revised Notice of Formal Hearing mailed on November 21, 2018.

The Staff recommends the issuance of a Cease and Desist Order against Merlin G. and Chad M. Stuhr directing compliance by January 4, 2019.

YATES: Any questions? We will now close the hearing proceedings. Oops, I'm sorry. Was there one?

BRISK: I think that Paul [Weiss] was going to ask a question.

WEISS: Maybe I shouldn't ask.

YATES: Yah.

WEISS: Were those mailed to Chad, just Chad? Or, were they mailed to both of them?

KRAUSNICK: We have them in our database together collectively to the address that was on the packet.

YATES: Chad signed for one of them, I think.

WEISS: Chad lives at that address and there's a possibility Merle knows nothing about it. Is that correct?

KRAUSNICK: Yes.

YATES: Okay. Which one am I on here? Okay, we will know close the hearing proceedings pertaining to the violation against Merle [Merlin] G. and Chad M. Stuhr and proceed with evidence for Ivan Tyrrell.

KRAUSNICK: The District will again enter **Exhibits 1-4** into the record as stated previously.

The District would like to enter into the record as **Exhibit 5** the original packet mailed to Ivan Tyrrell on February 5, 2018. It contains the necessary forms, list of previously reported fields, and supporting documents to fulfill the reporting requirement for a Phase II & III Management Area.

The District would like to enter into the record as **Exhibit 6** the reporting deadline reminder postcard mailed on March 16, 2018.

The District would like to enter into the record as **Exhibit 7** the past due reminder postcard mailed on April 6, 2018.

The District would like to enter into the record as **Exhibit 8** a complaint of violation signed by David A. Eigenberg and mailed on May 7, 2018. Included in the mailing was a copy of District Rule 5, previously entered into the record as Exhibit 4 and the original packet previously entered into the record as Exhibit 5.

The District would like to enter into the record as **Exhibit 9** the investigation report and schedule of compliance signed by Marie Krausnick, Compliance Officer for the District, and the returned certified mail receipt stamped October 19, 2018. Accompanying the mailing were copies of District Rule 4 previously entered into the record as Exhibit 3; District Rule 5 previously entered into the record as Exhibit 4; the original packet previously entered into the record as Exhibit 5; and the complaint of violation previously entered into the record as Exhibit 8.

The District would like to enter into the record as **Exhibit 10** the failure to report best management practices in Phase II & III areas – formal hearing notice, mailed on November 9, 2018 by certified mail.

The District would like to enter into the record as **Exhibit 11** Revised Notice of Formal Hearing mailed on November 21, 2018.

The Staff recommends the issuance of a Cease and Desist Order against Ivan Tyrrell directing compliance by January 4, 2019.

YATES: Is there any questions on this one?

HOUDERSHELDT: Not on this one. I've got one comment on one of em, but it can wait.

YATES: Wait. So, we will now close the hearing processing pertaining to violation against IvanTyrrell. Okay, is there any questions on any others? Go ahead now.

HOUDERSHELDT: On Steven Anderson, I don't think he's farmed that for three or four years.

KRAUSNICK: Okay.

HOUDERSHELDT: If he's the one I'm thinking about. He farmed for a couple years in there. He didn't farm for a lot of years and then his folks passed away, or whatever, and then he farmed for about two years. And then he rented it all out for the last three or four.

KRAUSNICK: Okay, he has not notified us of that change.

HOUDERSHELDT: If it's the guy I'm thinking of it doesn't surprise me a lot.

YATES: Larry?

MOORE: I don't know if this is the right time or not. What recourse do we have?

YATES: Wait. Wait. Uh

MOORE: This is part of the hearing. I want to know what's going on.

YATES: If there's any questions on any of these violations let's do that and then I will close the hearing and we can talk about that.

MOORE: Is this a cease and desist order Dave's gonna sign? That's what I wanna know. The cease and desist order.

EIGENBERG: Lynn signs it. Lynn signs it not me.

MOORE: This would be a cease and desist order? And then next, what, District court if they don't comply? What's the penalties? We're gonna have a hearing we gotta know what the penalties are.

YATES: Nancy?

BEACH: I just have for clarification, the one on the Stuhrs, I heard Merle and Chad and I believe it should be Merlin.

KRAUSNICK: I stated, I stated Merlin into the record.

YATES: Oh. I might have said it wrong, but my sheet does say Merlin. So, okay.

EIGENBERG: You gotta start all over.

YATES: No, we're not starting over. Okay if there isn't any other questions I will close the proceedings on this hearing dealing with Groundwater Quality Management Area Violations. So okay. Thank you very much Marie and everybody else for sitting through that.

Chairman Yates officially closed the hearing at 3:46 p.m.

ITEM 10. GROUNDWATER QUALITY MANAGEMENT AREA ACTION ON ALLEGED VIOLATIONS.

It was moved by Miller and seconded by Moore to adopt the Cease and Desist Order against Steven L. Anderson. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

It was moved by Miller and seconded by Moore to adopt the Cease and Desist Order against Fred W. Blase. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

It was moved by Moore and seconded by Robotham to adopt the Cease and Desist Order against Mike Campbell. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

It was moved by Miller and seconded by Rich to adopt the Cease and Desist Order against Doug DeVries. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Kuehner

NOT PRESENT: Bohaty

It was moved by Miller and seconded by Moore to adopt the Cease and Desist Order against Glenn Huebert. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Bohaty

It was moved by Moore and seconded by Rich to adopt the Cease and Desist Order against Nicholas Johnson. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT VOTING: Miller, Nuss
NOT PRESENT: Bohaty

It was moved by Miller and seconded by Roesler to adopt the Cease and Desist Order against Mitchell Leif. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT VOTING: Nuss
NOT PRESENT: Bohaty

It was moved by Miller and seconded by Rich to adopt the Cease and Desist Order against Allen J. Luebbe. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT VOTING: Houdersheldt
NOT PRESENT: Bohaty

It was moved by Miller and seconded by Moore to adopt the Cease and Desist Order against Jeary E. Morgan. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT PRESENT: Bohaty

It was moved by Miller and seconded by Rich to adopt the Cease and Desist Order against Gareth J. Peters. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Robotham

NOT PRESENT: Bohaty

It was moved by Miller and seconded by Roesler to adopt the Cease and Desist Order against Arlo "Bud" Stevens. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Houdersheldt

NOT PRESENT: Bohaty

It was moved by Miller and seconded by Rich to adopt the Cease and Desist Order against William Stevens. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Houdersheldt

NOT PRESENT: Bohaty

It was moved by Miller and seconded by Rich to adopt the Cease and Desist Order against Merlin G. and Chad M. Stuhr. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT VOTING: Eberle, Houdersheldt

NOT PRESENT: Bohaty

It was moved by Miller and seconded by Moore to adopt the Cease and Desist Order against Ivan Tyrrell. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 11. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met December 13, 2018 and presented the committee's recommendations.

ITEM 12. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Four Aquifer Quality Well Abandonment Cost-Share Assistance Program applications has been approved for final payment, totaling \$2,000.00.

It was moved by Rich and seconded by Miller to make cost-share payments for four well abandonments, as reviewed by the Committee, at a cost of \$2,000.00. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 13. IRROMETER COMPANY INC. PAYMENT.

Staff has purchased twelve Watermark dataloggers for resale totaling \$4,805.05.

It was moved by Miller and seconded by Luebbe to pay Irrrometer Company Inc. for twelve Watermark Dataloggers totaling \$4,805.05. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 14. BEEHIVE ONLINE PRODUCER INPUT.

District staff and representatives from Beehive have finalized a contract for the construction of an online reporting portal. Beehive has time between now and the end of the calendar year to begin working on this component. The contract outlines the deliverables, contracted costs, and maintenance fees. The cost for development of the online reporting portal is \$76,240.00. With the annual maintenance of \$7,600.00.

It was moved by Miller and seconded by Rich to enter into a contract with Beehive Industries for the development of an online reporting portal not to exceed \$76,240.00 with annual maintenance, as presented to the Committee. The motion was approved.

AYE: Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Roesler, Stahly, Yates

NAY: Dickinson, Nuss, Volkmer

NOT PRESENT: Bohaty

ITEM 15. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on December 13, 2018 and presented the committee's recommendations.

ITEM 16. *BUFFER STRIP PROGRAM.

It was moved by Rich and seconded by Miller that the Upper Big Blue Natural Resources District approve second quarter payments totaling \$6,237.78 for seven Nebraska Buffer Strip contracts, as recommended by staff and reviewed by the Committee. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 17. SEWARD LEVEE EVALUATION PAYMENT TO CITY OF SEWARD.

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District approve payment of \$8,970.50 (50% of \$17,941.00) to the City of Seward (for services provided by JEO Consulting Group Inc.), for work completed on the Seward Levee Evaluation Project from October 20 through November 23, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 18. WATER QUALITY MANAGEMENT PLAN / VOLUNTARY INTEGRATED MANAGEMENT PLAN – PAYMENT TO JEO.

The Upper Big Blue NRD received the ninth invoice from JEO Consulting Group for the Water Quality Management Plan, and Voluntary Integrated Management Plan, for their services from October 20 through November 23, 2018. Total invoice was \$22,036.30. The cost-share amounts, (for reimbursement from NDEQ and NDNR), for this invoice will be determined next week. A Stakeholder meeting was held November 27th in York. A sponsor meeting and a Technical Advisory Committee meeting was held on December 3rd.

Agency	WQMP	VIMP	TOTAL
Nebraska Department of Environmental Quality	\$10,256.54	\$ 0.00	\$10,256.54
Nebraska Department of Natural Resources	0.00	2,998.13	2,998.13
Upper Big Blue Natural Resource District	5,783.51	2,998.13	8,781.64
Total	\$16,039.05	\$5,996.26	\$22,036.30

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District approve payment of \$22,036.30 to JEO Consulting Group Inc. for services provided for the Water Quality Management Plan and Voluntary Integrated Management Plan from October 20 through November 23, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Moore, Nuss, Rich, Stahly, Yates
NAY: Kuehner, Miller, Robotham, Roesler, Volkmer
NOT PRESENT: Bohaty

ITEM 19. HAZARD MITIGATION PLAN PAYMENT TO JEO.

A meeting was held in Seward on December 10th. Meetings were held in York on December 17th and in Aurora on December 19th. Costs are split with 6.25% each for Seward, York, and Hamilton Counties, 6.25% for the Upper Big Blue NRD, and 75% from a Federal Emergency Management Agency (FEMA) grant.

It was moved by Dickinson and seconded by Rich that the Upper Big Blue Natural Resources District approve payment of \$5,688.00 to JEO Consulting Group Inc. for services provided for the Seward-York-Hamilton County Hazard Mitigation Plan update from October 20 through November 23, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates
NAY: None
NOT VOTING: Miller
NOT PRESENT: Bohaty

ITEM 20. BEAVER CROSSING PARK RESTROOM PROJECT.

Jere Leif of Beaver Crossing was present at the Projects and Programs Committee meeting to discuss the Beaver Crossing funding request. The Village of Beaver Crossing has plans to make improvements to their village park, which includes the restrooms and snack shack. These improvements will meet ADA Standards, and funds are available through the Districts Parks & Recreation Program. Through this program, the District can fund up to 25% of the local share of the estimated or actual cost, whichever is less. The maximum is \$10,000 of NRD funds per application per year. The total estimated cost of this project is \$70,500. Beaver Crossing is hoping to receive additional funds from other sources for this project.

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District fund the Beaver Crossing Park Restroom Project in the amount of \$5,000.00 for FY 2019 and an additional \$5,000.00 for FY 2020. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Houdersheldt, Luebbe, Nuss, Rich, Robotham, Stahly, Volkmer, Yates
NAY: Bethune, Kuehner, Miller, Roesler

NOT VOTING: Moore

NOT PRESENT: Bohaty

ITEM 21. PARK & RECREATION PROGRAM - WINDBREAKS AT YORK TREATMENT PLANT COMPLEX & CITY OF YORK LANDFILL.

The City of York is requesting funding through the District's Park & Recreation Program. Through this program, the District can fund up to 25% of the local share of the estimated or actual cost, whichever is less. The City of York has plans to plant 325 trees at the new Treatment Plant Complex and lay 3,654 L.F. of conservation mulch for a total cost of \$3,305.30, of which 25% would be \$826.33. The City of York also has plans to plant 325 trees at the City Landfill and lay 2,741 L.F. of conservation mulch for a total cost of \$2,608.70, of which 25% would be \$652.18.

It was moved by Dickinson and seconded by Nuss that the Upper Big Blue Natural Resources District fund the planting of trees at the City of York's new Treatment Plant Complex and the Landfill in the amount of \$1,478.51, which is 25% of the total cost of \$5,914.00. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 22. JOHNSON CREEK #46 SLIP LINING.

Johnson Creek #46 Dam has pinholes in the riser, in the drawdown pipe, and in the downstream end of the principle spillway. Johnson Creek #46 was constructed with a layer of hydrated lime due to the soil conditions at the site. Staff has been investigating slip lining the principle spillway pipe and replacing the riser with pipe from Snap-Tite. Staff has been consulting with personnel from the Lower Big Blue NRD, who have completed a couple slip lining projects. The Lower Big Blue NRD is willing to assist the Upper Big Blue with the installation of the slip lining. Combining pipe orders with the Lower Big Blue will help with shipping costs. Staff estimated installation costs, (not including materials), at \$30,000, which would include equipment rental and Lower Big Blue NRD staff time reimbursement.

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District approve ordering materials (pipe, riser, and trash rack) for the Johnson Creek #46 Dam slip lining project, not to exceed \$17,500.00, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 23. BULGRIN DAM AND FRIESEN DAM – SHREDDING.

Staff treated tree growth on the Bulgrin and Friesen Dams last summer and has now received quotes for

shredding and bushwhacking both the upstream and downstream faces.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District accept the quote for \$7,850.00 from Henry Thompson Tree Service for shredding and bushwhacking the upstream and downstream faces of Bulgrin Dam and Friesen Dam, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty

ITEM 24. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on December 13, 2018 and presented the committee's recommendations.

ITEM 25. 2018 GENERAL ELECTION COSTS.

It was moved by Nuss and seconded by Rich to approve payment of \$4,576.16 to the Seward County Clerk for 2018 general election costs. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Moore, Robotham

ITEM 26. PAYMENT TO YORK PRINTING COMPANY FOR THE BLUEPRINT NEWSLETTER.

The Executive Committee reviewed an invoice from York Printing Company in the amount of \$6,719.21 for printing the October 2018 issue of the BLUEPRINT newsletter.

It was moved by Nuss and seconded by Bruns to approve payment of \$6,719.21 to York Printing Company for printing the October 2018 edition of the BLUEPRINT newsletter. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Moore, Robotham

ITEM 27. PAYMENT TO FRIESEN CHEVROLET.

On November 15, 2018 the Board approved the purchase of a 2019 Grasshopper 725DT commercial mower from Friesen Chevrolet of Sutton, Nebraska. The price of the mower was originally \$13,838, but

with the trade-in of \$5,000 for the older mower the purchase price was \$8,838. The District took delivery of the mower on December 12, 2018 and payment was due upon delivery.

It was moved by Nuss and seconded by Rich to approve payment to Friesen Chevrolet in the amount of \$8,838 for the purchase of a 2019 Grasshopper 725DT commercial lawn mower. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Robotham

ITEM 28. FINANCIAL REPORT NOVEMBER 1 - 30, 2018 AND CONSIDERATION OF EXPENDITURES FOR NOVEMBER 2018.

Eigenberg reviewed the financial report for the period November 1, 2018 to November 30, 2018 that was distributed. It was moved by Volkmer and seconded by Roesler to accept the financial report for November 2018 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bruns, Eberle, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: None

NOT PRESENT: Bohaty, Dickinson, Robotham

ITEM 29. MOTION TO ADJOURN.

It was moved by Volkmer and seconded by Roesler to adjourn the meeting at 5:04 p.m. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Miller, Moore, Nuss, Rich, Roesler, Stahly, Volkmer, Yates

NAY: Houdersheldt

NOT PRESENT: Bohaty, Luebbe, Robotham

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held December 20, 2018, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

William Stahly, Secretary

:ndb

BOARD OF DIRECTORS MEETING

January 17, 2019

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, January 17, 2019 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Marie Krausnick, Ken Feather, Scott Snell, Dr. Richard Ferguson and Dr. Joe Luck of the University of Nebraska Lincoln, and Josh Bowers of York NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Yates reported that we published the legal notice of the board of directors' meeting on January 10, 2019 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairperson Yates advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Gary Eberle requested that his absence from the board meeting be excused.

It was moved by Houdersheldt and seconded by Rich to excuse the absence of Eberle from the January 17, 2019 Board of Directors meeting as requested. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Eberle

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairperson Yates asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. There were no requests for separate action.

It was moved by Rich and seconded by Volkmer to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None
NOT PRESENT: Eberle

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Rich and seconded by Volkmer to approve the agenda for the January 17, 2019 board of directors meeting as presented. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None
NOT PRESENT: Eberle

ITEM 7. *APPROVAL OF MINUTES OF THE DECEMBER 20, 2018 BOARD OF DIRECTORS MEETING AND FORMAL HEARING.

It was moved by Rich and seconded by Volkmer to approve the minutes of the December 20, 2018 Board of Directors meeting and formal hearing. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None
NOT PRESENT: Eberle

ITEM 8. EMPLOYEE RECOGNITION.

Water Conservationist, Dan Leininger, and Public Relations Department Manager, Scott Snell, were both recognized for 15 years of service to the District. They were each presented with an engraved desk plaque.

ITEM 9. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met January 10, 2019 and presented the committee's recommendations.

ITEM 10. *AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Three Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payment, totaling \$1,500.00.

It was moved by Rich and seconded by Volkmer to make cost-share payments for three well abandonments, as reviewed by the Committee, at a cost of \$1,500.00. The motion was approved as part of the consent agenda.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None
NOT PRESENT: Eberle

ITEM 11. WATER SCIENCES LABORATORY PAYMENT.

An invoice for \$5,940.00 was received for the arsenic, uranium, and selenium sample analysis performed at the District's dedicated monitoring well sites in 2018.

It was moved by Miller and seconded by Moore to pay the Water Sciences Laboratory for arsenic, uranium, and selenium sample analysis totaling \$5,940.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None
NOT PRESENT: Eberle

ITEM 12. CHEMIGATION PAYMENT TO NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY.

District staff prepared the 2018 annual chemigation report for submission to the Nebraska Department of Environmental Quality. In 2018, the District accepted 211 new and 1,196 renewal chemigation applications. By Statute, a portion of the application fee is required to be paid to the Nebraska Department of Environmental Quality for program administration. The District owes the Nebraska Department of Environmental Quality \$3,447.00 for the administration of the Chemigation Act.

It was moved by Miller and seconded by Robotham to pay the Nebraska Department of Environmental Quality for the administration of the Chemigation Act totaling \$3,447.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None
NOT PRESENT: Eberle

ITEM 13. KERRY'S RESTAURANT & CATERING PAYMENT - PROJECT GROW WINTER WORKSHOP.

Kerry's Restaurant & Catering has submitted a bill for the Project GROW Winter Workshop break and luncheon totaling \$2,205.00.

It was moved by Miller and seconded by Stahly to pay Kerry's Restaurant & Catering for the Project GROW Winter Workshop break and luncheon totaling \$2,205.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Eberle

ITEM 14. RULE 5 PROPOSED CHANGES.

Rod DeBuhr discussed possible changes to Rule 5 concerning the application of fall fertilizer in Phase III Management Areas, and groundwater quantity as it pertains to livestock feeding operations.

It was moved by Miller and seconded by Houdersheldt to bring the Rule 5 changes for Chapters 4 and 14 to the Board for purpose of a public hearing. The motion was approved.

AYE: Bethune, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates

NAY: Bohaty, Bruns, Dickinson, Kuehner, Volkmer

NOT PRESENT: Eberle

It was moved by Miller and seconded by Rich to bring the Rule 5 changes for Chapters 21 and 22 to the Board for the purpose of public hearing. The motion failed.

AYE: Bethune, Luebbe, Moore, Nuss, Rich, Robotham, Yates

NAY: Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Miller, Stahly, Volkmer, Weiss

NOT PRESENT: Eberle

ITEM 15. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Projects & Programs Committee met on January 10, 2019 and presented the committee's recommendations.

ITEM 16. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Dickinson and seconded by Volkmer that the Upper Big Blue Natural Resources District approve payment of \$15,000.00 for two completed NSWCP land treatment applications, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Eberle

ITEM 17. VILLAGE OF CORDOVA – TREE PLANTING AROUND THE BALLFIELD.

The Village of Cordova has completed their tree planting around the village's ballfield. The total cost of the project was \$6,771.94. The estimated cost was \$6,563.74. In July 2018 the Upper Big Blue NRD Board of Directors voted to fund this tree planting project in an amount not to exceed \$820.00.

It was moved by Dickinson and seconded by Bruns that the Upper Big Blue Natural Resources District make payment of \$820.00 for the planting of trees around the Village of Cordova's Ballfield. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Eberle

ITEM 18. PAYMENT TO CITY OF SEWARD FOR SEWARD LEVEE EVALUATION.

JEO has completed several of the evaluation tasks and will be developing a fact sheet and a summary of findings to be presented to the City of Seward. Staff will request that JEO present their findings to the Upper Big Blue NRD as well at a future committee or board meeting.

It was moved by Dickinson and seconded by Luebbe that the Upper Big Blue Natural Resources District approve payment of \$7,337.00 (50% of \$14,674.00) to the City of Seward for services provided by JEO Consulting Group Inc., for work completed on the Seward Levee Evaluation Project from November 24 through December 14, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bohaty, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Bethune, Bruns, Weiss

NOT PRESENT: Eberle

ITEM 19. WATER QUALITY MANAGEMENT PLAN / VOLUNTARY INTEGRATED MANAGEMENT PLAN – PAYMENT.

The Upper Big Blue NRD received the tenth invoice from JEO Consulting Group for the Water Quality Management Plan, and Voluntary Integrated Management Plan. A Stakeholder meeting was held January 14th in York.

Agency	WQMP	VIMP	TOTAL
Nebraska Department of Environmental Quality	11,079.92	0.00	11,079.92
Nebraska Department of Natural Resources	0.00	2,597.50	2,597.50
Upper Big Blue Natural Resource District	6,332.43	2,597.50	8,929.93
Total	\$17,412.35	\$ 5,195.00	\$22,607.35

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District approve payment of \$22,607.35 to JEO Consulting Group Inc. for services provided for the Water Quality Management Plan and Voluntary Integrated Management Plan from November 24 through December 14, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Kuehner, Luebbe, Miller, Weiss

NOT PRESENT: Eberle

ITEM 20. HAZARD MITIGATION PLAN – PAYMENT TO JEO.

Planning meetings were held in Seward on December 10th, in York on December 17th and in Aurora on December 19th. Costs are split 6.25% each for Seward, York, and Hamilton Counties and the Upper Big Blue NRD, and 75% from a FEMA grant (Federal Emergency Management Agency).

It was moved by Dickinson and seconded by Bruns that the Upper Big Blue Natural Resources District approve payment of \$7,576.00 to JEO Consulting Group Inc. for services provided for the Seward-York-Hamilton County Hazard Mitigation Plan update from November 24 through December 14, 2018, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Kuehner, Luebbe, Weiss

NOT PRESENT: Eberle

ITEM 21. RECHARGE LAKE ACCESS ROAD / DRAINAGE IMPROVEMENT.

Staff has prepared specifications for correcting drainage issues and road conditions on the access road into Recharge Lake. Plans include installing a culvert and a drain along the east side of the access road, and re-grading the access road from the entrance to the RV area. The construction timeline could delay opening of the day use and RV areas this spring.

It was moved by Dickinson and seconded by Stahly that the Upper Big Blue Natural Resources District solicit quotes from contractors for drainage improvements and access road maintenance at the Recharge Lake Recreation Area, and present quotes at the February Committee meeting, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Eberle

ITEM 22. DORCHESTER CHANNEL, BULGRIN DAM CHANNEL CLEARING.

Staff has prepared specifications for removing sediment from the channel below Bulgrin Dam, for removing sediment from Dorchester Channels 1 and 3, and adding rock to the Dorchester Channel drop structure.

It was moved by Dickinson and seconded by Houdersheldt that the Upper Big Blue Natural Resources District solicit quotes from contractors to clear sediment from the channel below Bulgrin Dam, to clear sediment from Dorchester Channel 1, and to place rock at the Dorchester channel drop structure, as

recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Eberle

ITEM 23. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Nuss reported that the Executive Committee met on January 10, 2019 and presented the committee's recommendations.

ITEM 24. DIRECTORS' 4TH QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors' per diem and expenses for this past quarter. The directors' per diem for the fourth quarter was \$7,070.00 and expenses were \$2,709.16 for a total of \$9,779.16. Individual expense vouchers were available for review.

It was moved by Nuss and seconded by Rich to approve payment of fourth quarter 2018 directors' per diem of \$7,070.00 and expenses of \$2,709.16 for a total of \$9,779.16 and to publish these approved expenditures in the December 2018 Financial Report, except that each director, who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Houdersheldt, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: Kuehner

NOT VOTING: Bohaty

NOT PRESENT: Eberle

ITEM 25. GROUNDWATER MODEL DEVELOPMENT.

The Executive Committee was informed that efforts continue with the Nebraska Department of Natural Resources, Upper Big Blue, Lower Big Blue, Little Blue, and Tri-Basin NRDs, to develop a Blue Basin Regional Groundwater Model. A meeting was held with the Department leadership, and the three other NRDs to pursue a basin-wide groundwater model. The Committee was provided a draft of a Memorandum of Agreement (MOA). This MOA is intended to capture and express the joint desire of the Nebraska Department of Natural Resources (NeDNR), Upper Big Blue Natural Resources District, Lower Big Blue Natural Resources District, Little Blue Natural Resources District, and Tri-Basin Natural Resources District to collaborate on the development of a regional groundwater model that can be used to support integrated management planning activities.

It was moved by Nuss and seconded by Dickinson to authorize the General Manager to sign the Memorandum of Agreement (MOA) between Nebraska Department of Natural Resources, Lower Big Blue, Little Blue, Tri-Basin and Upper Big Blue NRDs to collaborate on the development of a regional groundwater model that can be used to support integrated management planning activities. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates

NAY: Robotham

NOT PRESENT: Eberle

ITEM 26. 2018 GENERAL ELECTION COSTS.

County Clerks from the following counties have submitted billing statements for the 2018 General Election Costs; Adams County - \$968.36, Butler County - \$1,869.93, Clay County - \$2,545.01, and York County - \$4,543.92.

It was moved by Nuss and seconded by Miller to approve payment of \$968.36 to Adams County, \$1,869.93 to Butler County, \$2,545.01 to Clay County and \$4,543.92 to York County for 2018 general election expense. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Eberle

ITEM 27. APPROVAL FOR OUT-OF-STATE TRAVEL FOR THE 2019 NARD WASHINGTON D.C. CONFERENCE.

The 2019 Nebraska Association of Recourses District (NARD) Washington D.C. Conference will be held March 30 – April 3, 2019. Management requested approval for staff to participate in this conference. Several Board members also showed interest in attending.

It was moved by Nuss and seconded by Dickinson to approve out-of-state travel for up to five representatives to attend the 2019 Nebraska Association of Resources District (NARD) Washington D.C. Conference to be held March 30 – April 3, 2019. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Weiss

NOT PRESENT: Eberle

ITEM 28. FINANCIAL REPORT DECEMBER 1 - 31, 2018 AND CONSIDERATION OF EXPENDITURES FOR DECEMBER 2018.

Eigenberg reviewed the financial report for the period December 1, 2018 to December 31, 2018 that was distributed. It was moved by Houdersheldt and seconded by Rich to accept the financial report for December 2018 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

ITEM 29. NOMINATING COMMITTEE REPORT.

The Nominating Committee consisted of directors Kuehner, Rich and Robotham. The slate of candidates for election of officers was presented to the Board. Chairperson Yates instructed the board that nominations from the floor would also be accepted. The voting to elect leadership was conducted by secret ballot as provided for in Operating Policy 9. Chairperson Yates appointed Rod DeBuhr and Marie Krausnick to collect and tally the ballots.

ITEM 30. ELECTION OF CHAIRPERSON.

The nominees for the office of Chairperson were Roger Houdersheldt and Ronda Rich. There were no nominations from the floor. Chairperson Yates instructed that nominations cease and ballots for Chairperson be cast.

Roger Houdersheldt received 9 votes and Ronda Rich received 7 votes. Houdersheldt will serve as Chairperson for a two-year term.

ITEM 31. ELECTION OF VICE-CHAIRPERSON.

The nominees for the office of Vice-Chairperson were John Miller and David Robotham. There were no nominations from the floor. Yates instructed that nominations cease and ballots for Vice-Chairperson be cast.

Miller received 10 votes and Robotham received 6 votes. Miller will serve as Vice-Chairperson for a two-year term.

ITEM 32. ELECTION OF SECRETARY.

The nominees for the office of Secretary were Bill Stahly and Linda Luebbe. There were no nominations from the floor. Yates instructed that nominations cease and ballots for Secretary be cast.

Stahly received 7 votes and Luebbe received 9 votes. Luebbe will serve as Secretary for a two-year term.

ITEM 33. ELECTION OF TREASURER.

The nominees for the office of Treasurer were Doug Bruns and Doug Dickinson. There were no nominations from the floor. Yates instructed that nominations cease and ballots for Treasurer be cast.

Bruns received 4 votes and Dickinson received 12 votes. Dickinson will serve as Treasurer for a two-year term.

ITEM 34. ELECTION OF NARD REPRESENTATIVE & ALTERNATE.

The nominees for the office of NARD Representative and Alternate were Larry Moore and Paul Bethune. There were no nominations from the floor. Yates instructed the board that nominations cease, and ballots be cast. He further instructed that the nominee with the most votes would serve as the NARD Representative and Voting Delegate and the runner-up would serve as NARD Alternate Representative and Alternate Voting Delegate.

Moore received 7 votes and Bethune received 9 votes. Bethune will serve as NARD Representative and Voting Delegate for a two-year period and Moore will serve as the NARD Alternate Representative and Alternate Voting Delegate for two years.

ITEM 35. MOTION TO ADJOURN.

It was moved by Miller and seconded by Moore to adjourn the meeting at 3:55 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Houdersheldt, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Eberle

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held January 17, 2019, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Linda Luebbe, Secretary

:ndb

**BOARD OF DIRECTORS MEETING
AND
RULE 5 HEARING**

February 21, 2019

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, February 21, 2019 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Marie Krausnick, Ken Feather, Scott Snell, Jeff Ball, Dr. Daniel Snow, UNL, Mike Mundhenke, Seward County Commissioner, Grant Jackson of York NRCS, and Steve Moseley of York News-Times.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Houdersheldt reported that we published the legal notice of the board of directors' meeting on February 14, 2019 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairperson Houdersheldt advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Jeff Bohaty requested that his absence from the February 21, 2019 board meeting be excused.

It was moved by Stahly and seconded by Robotham to excuse the absence of Bohaty from the February 21, 2019 board of directors meeting as requested. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: Bethune

NOT PRESENT: Bohaty

ITEM 5. *ADOPTION OF CONSENT AGENDA.

Chairperson Houdersheldt asked whether there were any items that the board, or members of the public, would like to have removed from the consent agenda for separate action. Miller requested that

the Aquifer Quality Well Abandonment Cost-share Assistance Program payments be removed from the consent agenda.

It was moved by Dickinson and seconded by Rich to adopt the consent agenda. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: Nuss

NOT PRESENT: Bohaty

ITEM 6. *ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Rich to approve the agenda for the February 21, 2019 board of directors meeting as presented. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: Nuss

NOT PRESENT: Bohaty

ITEM 7. *APPROVAL OF MINUTES OF THE JANUARY 17, 2019 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Rich to approve the minutes of the January 17, 2019 Board of Directors meeting. The motion was approved as part of the consent agenda.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: Nuss

NOT PRESENT: Bohaty

ITEM 8. RULE 5 PUBLIC HEARING – LIVESTOCK FEEDING OPERATIONS.

Notice of the public hearing was published in the York News-Times on January 31, February 7 and February 14, 2019. The purpose of the hearing was to receive comments on proposed changes to District Rule 5 – Groundwater Management Area Rules and Regulations. Proposed changes would impact Livestock Feeding Operations and their requirement to report annual water use. The proposed changes would provide definitions for a livestock feeding operation (LFO) and reserve well. The proposed changes would also impact flowmeter installation requirements for some LFO's. A complete copy of Rule 5 and the proposed changes was available at the District's Headquarters and on the website.

Chairperson Houdersheldt opened the hearing at 1:57 p.m.

HOUDERSHELDT: The next item is Rule 5, the public hearing for livestock feeding operations. At this time, I'll open the hearing and Marie if you will enter in the presentation, enter in the

record the notice of the hearing, we'll uh, and then the presentation of Rule 5 changes.

KRAUSNICK: Roger, sorry I just missed it. Did you just enter into the record the notice of public hearing?

HOUDERSHELDT: Yah. I have proof of publication here. We'll enter that into the hearing.

KRAUSNICK: Okay. Throughout this document there are minor grammar changes and I guess I'm not going to go into each of those specifically, but if we start at page 5-2 we did change the effective date of the rules to be, if you adopt them today as they are, February 21, 2019.

On page 5-4 the effective date of the Rules, if you choose to adopt the change of today with the livestock metering language, we set those to start at April 1, 2019 because we will have to publish the changes if they are adopted.

If you turn to page 5-8 we did include in the definitions a livestock feeding operation or an LFO. A livestock feeding operation or LFO means a confined animal feeding operation as defined in Nebraska Administrative Code Title 130 and utilizes one or more wells with a combined pumping capacity greater than fifty gallons per minute to provide groundwater for the operation.

On page 5-11 we also included a definition for a reserve water well. A reserve water well means a well operated by an "other user" that is only used if it is needed to replace the function of an active water well. The pumping capacity of the reserve water well shall not be included when determining the capacity of water wells that are commingled, combined, clustered, or joined until it is needed to replace the function of an active water well.

On page 5-27 we added language that would state under 07.01a water wells reported shall include active, inactive and reserve wells. So, we just incorporated in that new definition into that sentence.

And on page 5-32 is the language pertaining to the special rule for a livestock feeding operation. A livestock feeding operation shall be considered an "other user" and must comply with all applicable provisions of District Rule 5, with the following exceptions. Water wells constructed prior to January 1, 2016 are not required to be metered. Water wells constructed after January 1, 2016 must be metered. If the groundwater user of the LFO chooses not to meter his or her groundwater withdrawal, groundwater withdrawal will be estimated based on the LFO's permitted capacity at the following livestock water use rates. Dairy cows 20 gallons per day, feeder cattle 5 gallons per day, feeder pigs 2 gallons per day, chickens .3 gallons per day, finishing cattle 7 gallons per day, finishing hogs 4 gallons per day, sows and boars 6 gallons per day, turkeys .5 gallons per day. Other species of livestock will be considered on a case-by-case basis decided by the Board of Directors.

On page 5-50 we did add, if you choose to forward this as a new draft of the rules and regulations, revisions adopted with today's date. And that would conclude my going through of the rule changes.

HOUDERSHELDT: Okay, do we have any questions for Marie, or anybody, on these changes or on these rules? Paul?

WEISS: Where did you come up with the gallons you used?

KRAUSNICK: Those numbers came from University documents. And there was considerable discussion initially whether these numbers were correct, especially as pertaining to dairy cattle. We looked through what we have in our system for the dairies in our District and the 20 gallons I don't think is enough, but I know in visiting with everybody on the committee we wanted to do some more research on that. And I wanted to just go based on more than just what we have in our system for dairy usage. And we could change that number at a later date. Did I get that right Committee? That's kind of what came from the discussion; or am I wrong? Okay, I must be right.

HOUDERSHELDT: Other questions? Questions from the public; or testimony? Do we have anybody that wants to testify on this at this public hearing? Thank you, Marie. Seeing there is nobody wanting to testify I'm going to close the hearing.

Houdersheldt officially closed the hearing at 2:04 p.m.

ITEM 9. ADOPTION OF PROPOSED CHANGES TO DISTRICT RULE 5 – LIVESTOCK FEEDING OPERATIONS.

It was moved by Dickinson and seconded by Eberle to adopt the changes to Rule 5 as presented during the public hearing. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt

NAY: Nuss, Volkmer, Weiss

NOT PRESENT: Bohaty

ITEM 10. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Water & Regulations Committee met February 14, 2019 and presented the committee's recommendations.

ITEM 11. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Three Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments, totaling \$1,216.69.

It was moved by Miller and seconded by Rich to make cost-share payment for three well abandonments, as reviewed by the Committee, at a cost of \$1,216.69. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt,

NAY: None

NOT VOTING: Nuss

NOT PRESENT: Bohaty

ITEM 12. FLOWMETER REPAIR COST-SHARE.

One flow meter repair cost-share application has been reviewed for final payment totaling \$150.00.

It was moved by Miller and seconded by Luebbe to pay one flow meter repair cost-share claim totaling \$150.00. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bohaty

ITEM 13. BEEHIVE ONLINE PRODUCER INPUT PAYMENT.

Beehive has submitted an invoice for work completed on the Online Producer Portal totaling \$50,000.00. The total cost of the project is \$76,240.00. The online portal is scheduled to be ready early spring, and staff will open it to the public for Fall 2019 withdrawal reporting.

It was moved by Miller and seconded by Rich to pay Beehive Industries for work completed on the Online Producer Portal totaling \$50,000.00. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: Bruns, Nuss, Volkmer

NOT PRESENT: Bohaty

ITEM 14. KLEIN SALES & SERVICE PAYMENT FOR MATERIALS FOR RESALE.

Staff have purchased 150 Watermark Soil Moisture Sensors for resale totaling \$5,250.00.

It was moved by Miller and seconded by Luebbe to pay Klein Sales & Service for the purchase of 150 Watermark Soil Moisture Sensors totaling \$5,250.00. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY None

NOT PRESENT: Bohaty

ITEM 15. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the acres' certification for 42 parcels totaling 3,166.66 acres, yielding an increase in irrigated acres of 138.76. This brings the total irrigated acres to 1,239,500.33.

It was moved by Miller and seconded by Stahly to certify the acre changes as presented to the Board.
The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY None

NOT PRESENT: Bohaty

ITEM 16. PROPOSED RULE 5 CHANGES.

The Water and Regulations Committee brought back for discussion the proposed Rule 5 changes pertaining to the application of Fall anhydrous ammonia in Phase II & III Water Quality Management Areas in the District. The original proposed changes would ban the application of Fall anhydrous ammonia in Phase III Management Areas beginning in 2019. It also bans the application of Fall anhydrous in Phase II Management Areas when the median nitrate level is over 9 ppm for 2 consecutive years following 2019, and 7 ppm for 5 years following 2019.

It was moved by Miller on behalf of the committee and seconded by Moore to adopt the Rule 5 changes as proposed for the purpose of public hearing. After considerable discussion it was moved by Kuehner and seconded by Nuss to refer the matter back to the Water and Regulations Committee. The question was called on the motion to refer to committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Nuss, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: Moore, Rich

NOT VOTING: Houdersheldt

NOT PRESENT: Bohaty

ITEM 17. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Volkmer reported that the Projects & Programs Committee met on February 14, 2019 and presented the committee's recommendations.

ITEM 18. LAND TREATMENT PROGRAM COST-SHARE PAYMENT.

It was moved by Volkmer and seconded by Nuss that the Upper Big Blue Natural Resources District approve payment of \$7,500.00 for one completed NSWCP land treatment application, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY None

NOT PRESENT: Bohaty

ITEM 19. PAYMENT TO CITY OF SEWARD FOR SEWARD LEVEE EVALUATION.

JEO has completed several of the evaluation tasks. JEO and/or Seward plan on presenting findings at a future Committee or Board Meeting.

It was moved by Volkmer and seconded by Robotham that the Upper Big Blue Natural Resources District approve payment of \$427.00 (50% of \$854.00) to the City of Seward for services provided by JEO Consulting Group Inc. for work completed on the Seward Levee Evaluation Project from December 15, 2018 through January 18, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY None

NOT PRESENT: Bohaty

ITEM 20. PAYMENT TO JEO CONSULTING GROUP FOR WATER QUALITY MANAGEMENT PLAN AND VOLUNTARY INTEGRATED MANAGEMENT PLAN.

The Upper Big Blue NRD received an invoice for \$26,548.00 from JEO Consulting Group for the Water Quality Management Plan, and Voluntary Integrated Management Plan. The Technical Advisory Committee met on February 4, 2019.

Agency	WQMP	VIMP	TOTAL
Nebraska Department of Environmental Quality	\$13,340.98	\$ 0.00	\$13,340.98
Nebraska Department of Natural Resources	0.00	2,632.88	2,632.88
Upper Big Blue Natural Resource District	7,941.26	2,632.88	10,574.14
Total	\$21,282.24	\$5,265.76	\$26,548.00

It was moved by Volkmer and seconded by Yates that the Upper Big Blue Natural Resources District approve payment of \$26,548.00 to JEO Consulting Group Inc. for services provided for the Water Quality Management Plan and Voluntary Integrated Management Plan from December 15, 2018 through January 18, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly,
Volkmer, Weiss, Yates, Houdersheldt
NAY Miller
NOT PRESENT: Bohaty

ITEM 21. PAYMENT TO JEO CONSULTING GROUP FOR HAZARD MITIGATION PLAN UPDATE.

The Upper Big Blue NRD received an invoice for \$10,800.00 from JEO Consulting Group for services provided for the Seward-York-Hamilton County Hazard Mitigation Plan. Seventy-five percent of the cost of the plan will be paid for through a FEMA grant, with the remaining 25% to be split between the three counties and the NRD, or 6.25% each.

It was moved by Volkmer and seconded by Dickinson that the Upper Big Blue Natural Resources District approve payment of \$10,800.00 to JEO Consulting Group Inc. for services provided for the Seward-York-Hamilton County Hazard Mitigation Plan update from December 15, 2018 through January 18, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham,
Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY None
NOT PRESENT: Bohaty

ITEM 22. LOWER PLATTE NORTH NRD HAZARD MITIGATION PLAN AGREEMENT.

The Lower Platte North NRD is beginning the process for the five-year update of the All Hazards Mitigation Plan for Butler County. Five Butler County communities (Rising City, Surprise, Ulysses, Garrison, and Dwight) are located in the Upper Big Blue NRD.

It was moved by Volkmer and seconded by Stahly that the Upper Big Blue Natural Resources District enter into an Interlocal Cooperation Act Agreement with the Lower Platte North Natural Resources District for the All Hazards Mitigation Plan for Butler County and provide cost share of \$2,125.00 for the portion of Butler County within the UBBNRD, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Stahly,
Volkmer, Weiss, Yates, Houdersheldt
NAY Moore
NOT PRESENT: Bohaty

ITEM 23. RECHARGE LAKE ACCESS ROAD DRAINAGE IMPROVEMENTS.

A bid opening was held for the Recharge Lake access road and drainage improvement project at 10:00 a.m. on Tuesday, February 12, 2019. A total of four bids were submitted. The low bid was from Mid-Nebraska Land Developers for \$44,876.19.

It was moved by Volkmer and seconded by Miller that the Upper Big Blue Natural Resources District award a contract to Mid-Nebraska Land Developers of Aurora for \$44,876.19 for the Recharge Lake 2019 Maintenance and Improvement Project, as recommended by staff and reviewed by the Committee. The motion was approved

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY None

NOT PRESENT: Bohaty

ITEM 24. DORCHESTER CHANNEL AND BULGRIN DAM CHANNEL CLEARING.

Staff received five quotes for the Dorchester Channel and Bulgrin Dam Channel Clearing project. Quotes were due by end of business on Tuesday, February 12, 2019. The low quote was from Pankoke Construction for \$22,000.00.

It was moved by Volkmer and seconded by Luebbe that the Upper Big Blue Natural Resources District award a contract to Pankoke Construction of Beaver Crossing for \$22,000.00 for removing sediment from the Bulgrin Dam outlet channel, removing sediment from portions of Dorchester Channels 1 and 3, and placing rock on the sheet pile drop on Dorchester Channel 3, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY None

NOT PRESENT: Bohaty

ITEM 25. PIONEER TRAILS – ROCK ON DAM FACE.

The face of the dam at Pioneer Trails has been experiencing some erosion from wave action. Staff proposes installing rock on the upstream face of the dam.

It was moved by Volkmer and seconded by Nuss that the Upper Big Blue Natural Resources District solicit quotes for placing rock on the upstream dam face at Pioneer Trails, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY None

NOT PRESENT: Bohaty, Robotham

ITEM 26. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on February 14, 2019 and presented the committee's recommendations.

ITEM 27. GROUNDWATER MODEL DEVELOPMENT.

The Committee was informed that efforts continue with the Department of Natural Resources (DNR) and Basin NRDs to develop a Blue Basin Regional Groundwater Model. A meeting was held with the DNR leadership to discuss contracting with Brown & Caldwell and Flat-Water Group. It has been determined that Brown & Caldwell is not on the State of Nebraska current preferred engineering contractor list. If work is to continue in a timely manner with existing engineers and consulting firms, the Basin Districts will need to develop an Interlocal Agreement to contract with Brown & Caldwell. This contract would name the Upper Big Blue NRD as the Lead Agency. Flat-Water Group would work under Brown & Caldwell as a subcontractor. Flat-Water Group would evaluate watershed model input files. This contract will cover the entire project and delivery of a completed, calibrated basin-wide model. The Upper Big Blue NRD will be billed for all completed work by the contractor and their subcontractors. Upper Big Blue NRD will then bill out DNR at 50%, Little Blue NRD at 16.5%, Lower Big Blue NRD at 11.5%, Tri-Basin NRD at 2.5% of the contract expenditures. The remaining 19.5% will be the Upper Big Blue NRD's responsibility. A separate Intergovernmental Agreement will be entered into by DNR and Upper Big Blue NRD outlining the financial commitment of the DNR, as it relates to this project, given availability of state funding. A copy of this draft contract between Brown and Caldwell, Lower Big Blue, Little Blue, Tri-Basin, and the Upper Big Blue NRDs, and an Intergovernmental Agreement between DNR and Upper Big Blue NRD should be available in March for Committee review and potential Board action. This should allow the continuation into the development for a Blue Basin Regional Groundwater Model.

A Memorandum of Agreement (MOA) has been agreed to by all involved partners. This MOA expresses the desire of the DNR, Upper Big Blue Natural Resources District, Lower Big Blue Natural Resources District, Little Blue Natural Resources District, and Tri-Basin Natural Resources District to collaborate on the development of a regional groundwater model that can be used to support integrated management planning activities.

It was moved by Miller and seconded by Nuss to authorize the General Manager to pursue an Interlocal Agreement between the Blue River Basin Districts to contract Brown & Caldwell to develop a basin wide groundwater model. This contract would name the Upper Big Blue NRD as the Lead Agency as it relates to project management and to approve authority to General Manager to pursue for a separate Intergovernmental Agreement between DNR and Upper Big Blue NRD that outlines the financial commitment of the DNR, as it relates to this project. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY None

NOT PRESENT: Bohaty

ITEM 28. 2018 GENERAL ELECTION COSTS.

Invoices have been received for general election costs. Requests are from Clerks of: Fillmore County for \$4,107.40, Hamilton County for \$5,851.73, and Saline County for \$4,951.91. Invoices total \$14,911.04.

It was moved by Miller and seconded by Rich to approve payments of \$4,107.40 to Fillmore County, \$5,851.73 to Hamilton County, and \$4,951.91 to Saline County for the 2018 general election costs. The

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY None

NOT PRESENT: Bohaty

ITEM 29. RESOLUTION TO UPDATE SIGNATURE CARDS FOR CORNERSTONE BANK.

Signatures on financial documents at Cornerstone Bank need to be updated to include the name of the newly elected treasurer. Names recorded on these documents will include: Douglas L. Dickinson, Treasurer; David A. Eigenberg, General Manager; Rodney DeBuhr, Assistant Manager; and Nancy Brisk, Office Manager.

It was moved by Miller and seconded by Yates to approve authority for updating all documents dealing with finances at Cornerstone Bank including, but not limited to: Account Agreement Signature Cards, Corporate Authorization Resolution Form and Safe Deposit Box Lease. The documents shall contain the signatures of Douglas L. Dickinson, Treasurer; David A. Eigenberg, General Manager; Rodney DeBuhr, Assistant Manager; and Nancy Brisk, Office Manager. The motion was approved.

AYE: Bethune, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY None

NOT VOTING: Dickinson

NOT PRESENT: Bohaty

ITEM 30. RESOLUTION TO UPDATE SIGNATURE CARDS FOR YORK STATE BANK.

Signatures on financial documents at York State Bank need to be updated to include the name of the newly elected treasurer. Names recorded on these documents will include: Douglas L. Dickinson, Treasurer; and David A. Eigenberg, General Manager.

It was moved by Miller and seconded by Rich to approve authority for updating all documents dealing with finances at York State Bank including, but not limited to: Account Agreement Signature Cards and Entity Authorization Form. The documents shall contain the signatures of Douglas L. Dickinson, Treasurer; and David A. Eigenberg, General Manager. The motion was approved.

AYE: Bethune, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY None

NOT VOTING: Dickinson

NOT PRESENT: Bohaty

ITEM 31. REVISED OPERATING POLICIES.

The Executive Committee provided feedback on the draft copy of the revised Operating Policies.

Suggested changes were incorporated in a final draft to be considered by the full Board for approval. Final draft was available at the end of the February 14, 2019 Committee Meeting.

It was moved by Miller and seconded by Yates to approve Operating Policies labeled Amended and Restated February 21, 2019 as the policies that govern the operations of the Upper Big Blue Natural Resources District. And that these policies shall supersede all prior policies which cover the same subject matter. However, they may be waived or superseded by the Board, for good cause, unless otherwise provided by law. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY None

NOT PRESENT: Bohaty

ITEM 32. 2019 – 2020 COMMITTEE ASSIGNMENTS.

It was moved by Miller and seconded by Yates to approve the Committee assignments and to forward assignments to the full Board for their consideration. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY None

NOT PRESENT: Bohaty

The Board meeting was recessed from 3:40 p.m. until 3:52 p.m. to allow the subcommittees to caucus for the purpose of electing a committee chair and vice chair and then allow the Executive Committee to appoint two additional representatives to the Executive Committee. The final committee assignments are listed below.

2019 – 2020 Committee Members Assignments		
Projects & Programs	Water & Regulations	Executive
Bohaty	Eberle	Chairman*Houdersheldt
Bruns	Kuehner, Committee Chair	Vice Chairman*Miller
Nuss	Moore	Secretary*Luebbe
Robotham, Committee Chair	Rich, Committee Vice Chair	Treasurer*Dickinson
Weiss, Committee Vice Chair	Stahly	NARD Representative*Bethune
Yates	Volkmer	Robotham, Projects Chairman
Bethune	Luebbe	Kuehner, Water Chairman
Dickinson	Miller	Yates, Projects Representative
Houdersheldt, Board Chair	Houdersheldt, Board Chair	Eberle, Water Representative

* Any one of these officers may be appointed to the committees but may not serve as Committee Chairman or Vice Chairman

ITEM 33. GMDA ASSISTANCE REQUEST -- 2020 CONFERENCE PLANNING.

Linda Luebbe is the Vice President of the Groundwater Management Districts Association (GMDA). As Vice President, she is in charge of planning the next winter and summer conferences. The 2020 winter conference is in Florida. She requests out-of-state travel approval to travel to Florida to arrange for a hotel and conference meeting venues. There will be a need to assist with conference planning, administration, and registrations. A contract for the venue will be negotiated, but to hold the dates, conference rooms, and hotel rooms, a deposit will need to be made to execute any contract. The District is being requested to handle the GMDA 2020 Conferences registrations, bills, and accounting. The conference expenses are covered by the registrations. The District did the same work for the conferences in the past.

It was moved by Miller and seconded by Stahly to approve the request from GMDA for the District staff to manage the GMDA 2020 Winter Conference registrations, bills, and accounting. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY None

NOT VOTING: Luebbe

NOT PRESENT: Bohaty

ITEM 34. EDUCATIONAL CAPITAL ASSISTANCE PROJECTS FUND (ECAP).

Committee reviewed the developing policy and application for an Educational Capital Assistance Projects Fund. This fund would assist with funding for capital items physically located, constructed, and maintained within the District. These educational capital projects would typically be located on school property. The award of these funds would be on a case-by-case basis as determined by the Board.

It was moved by Miller and seconded by Luebbe to approve adoption of the Educational Capital Assistance Projects fund (ECAP), consider this opportunity as a replacement to the Outdoor Classroom Project Funding, and to include an overview of this new program in the Current District Program document. This program will have an open application period with an annual deadline for applications of October 15. The award of these funds will be on a case-by-case basis as determined by the Board. If a warranted application(s) is received, the successful candidate will be notified by December 1st each year. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY None

NOT PRESENT: Bohaty

ITEM 35. RHINO SHREDDER PURCHASE.

The Parks and Maintenance Department has requested the purchase of a new shredder. Staff has taken four quotes on a new Rhino Turbo 96 Shredder. The following quotes were received for consideration:

TURBO 96 RHINO SHREDDER			
VENDOR	QUOTE PRICE	TRADE-IN	FINAL COST
Geneva Implement Co. Inc. 1411 W 13th Geneva, NE 68361	\$7,000.00	\$2,500.00	\$4,500.00
Grosshans International Inc. 1471 w Hwy 24 Aurora NE 68818	\$6,123.00	\$500.00	\$5,623.00
York Equipment 2706 S Lincoln Ave. York NE 68467	\$6,100.00	NO TRADE	\$6,100.00
Plains Power Group -JD 3221 N Lincoln Ave York NE 58467	\$6,559.55	NO TRADE	\$6,559.55

It was moved by Miller and seconded by Rich to purchase a new Rhino Turbo 96 Shredder from Geneva Implement Company, Inc. in the amount of \$4,500.00, which includes a \$2,500.00 trade-in for the used Rhino TW96 Shredder. Original price, with no trade, is quoted at \$7,000. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
 NAY None
 NOT PRESENT: Bohaty

ITEM 36. FINANCIAL REPORT JANUARY 1 - 31, 2019 AND CONSIDERATION OF EXPENDITURES FOR JANUARY 2019.

Eigenberg reviewed the financial report for the period January 1, 2019 to January 31, 2019 that was distributed. It was moved by Stahly and seconded by Yates to accept the financial report for January 2019 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
 NAY None
 NOT PRESENT: Bohaty, Nuss

ITEM 37. MOTION TO ADJOURN.

It was moved by Yates and seconded by Volkmer to adjourn the meeting at 4:05 p.m. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly,
Volkmer, Weiss, Yates, Houdersheldt

NAY None

NOT PRESENT: Bohaty, Nuss

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held February 21, 2019, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Linda L. Luebbe, Secretary

:ndb

BOARD OF DIRECTORS MEETING

March 21, 2019

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, March 21, 2019 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, William Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Marie Krausnick, Ken Feather, Scott Snell, Nancy Beach, Kyle Yrkoski, Josh Bowers of York NRCS, and Steven Moseley of York News-Times.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Houdersheldt reported that we published the legal notice of the board of directors' meeting on March 14, 2019 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairperson Houdersheldt advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 5. ADOPTION OF AGENDA.

It was moved by Rich and seconded by Volkmer to approve the agenda for the March 21, 2019 board of directors meeting as presented. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 6. APPROVAL OF MINUTES OF THE FEBRUARY 21, 2019 BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Yates to approve the minutes of the February 21, 2019 Board of Directors meeting. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Water & Regulations Committee met March 19, 2019 and presented the committee's recommendations.

ITEM 8. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

One Aquifer Quality Well Abandonment Cost-Share Assistance Program application has been approved for final payment, totaling \$500.00.

It was moved by Kuehner and seconded by Volkmer to make cost-share payment for one well abandonment, as reviewed by the Committee, at a cost of \$500.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 9. BEEHIVE ANNUAL MAINTENANCE AGREEMENT PAYMENT.

The annual software maintenance agreement with Beehive Industries totaling \$25,740.00 was received. The maintenance agreement runs from September 2018 to August 2019. The agreement covers database software hosting, technical support and minor software development changes.

It was moved by Kuehner and seconded by Yates to pay Beehive Industries for the annual software maintenance agreement totaling \$25,740.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 10. WISH NEBRASKA INC. PAYMENT FOR REPLACEMENT BATTERIES.

Staff has purchased 200 Seametrics batteries to be installed during the electronic meter maintenance program totaling \$21,200.00. The cost of these batteries will be billed back to the flow meter owner.

It was moved by Kuehner and seconded Volkmer to pay WISH Nebraska, Inc. for 200 Seametrics batteries totaling \$21,200.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 11. ATBATT PAYMENT FOR REPLACEMENT BATTERIES.

Staff has purchased 500 Senninger batteries totaling \$2,123.00. The cost of these batteries will be billed back to the flow meter owner.

It was moved by Kuehner and seconded by Miller to pay AtBatt for 500 Senninger batteries totaling \$2,123.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 12. TRI-CITY METERS, INC. PAYMENT FOR ROUTINE METER MAINTENANCE.

Tri-City Meters has completed 298-meter inspections, installed 14 canopy covers and 9 Vic gaskets to date. An invoice for services totaling \$13,800.00 was received.

It was moved by Kuehner and seconded by Stahly to pay Tri-City Meters for the routine flow meter maintenance to date totaling \$13,800.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 13. CERTIFICATION OF IRRIGATED ACRES.

The Committee reviewed the acres certification for 664 parcels totaling 69,105.52 acres, yielding an increase in irrigated acres of 773.24. This brings the total irrigated acres to 1,240,273.57.

It was moved by Kuehner and seconded by Luebbe to certify the acre changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 14. PROPOSED CHANGES TO RULE 4.

The staff brought suggested changes to District Rule 4 - Rules and Regulations for the Enforcement of the Groundwater Management and Protection Act. The changes would streamline the rules enforcement workflow by allowing District Staff to issue cease and desist orders to violators, unless the violator requests a public hearing before the District's Board of Directors.

It was moved by Kuehner and seconded by Yates to adopt the Rule 4 changes as proposed for the purpose of public hearing.

There was discussion about the proposed changes to paragraphs 5.3 and 8.1 that shortened the time

that alleged violators have to respond to the complaint to no more than 3 days. Staff indicated that this change was consistent with state statutes.

It was moved by Stahly and seconded by Volkmer to amend the motion to strike “not less than three (3) days” from paragraph 5.3 and strike “three (3) days” from paragraph 8.1 and insert “ten (10) days”. The amendment was approved.

AYE: Bethune, Bohaty, Dickinson, Kuehner, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: Bruns, Eberle, Luebbe, Miller, Moore

The question was called on the original motion as amended. The motion carried.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: Bruns

ITEM 15. TELEMETRY DEMONSTRATION.

Staff have been developing a telemetry demonstration to place three different types of telemetry systems in the field to gather the ending flow meter readings in a format useful by the District. The water department budgeted \$10,000.00 for this demonstration. Staff has identified five individuals willing to participate and drafted a contract between the participant and the District for the project. The two-year project would be funded by the District. At the end of the second year, if the participant elects to continue for three more years at their expense, then at the end of the five years, the hardware would be turned over to the participant.

It was moved by Kuehner and seconded by Stahly to authorize Dave Eigenberg, General Manager, to sign the telemetry demonstration agreements with the participants. The motion failed.

AYE: Bethune, Moore, Nuss, Rich

NAY: Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

ITEM 16. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on March 19, 2019 and presented the committee’s recommendations.

ITEM 17. BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Robotham and seconded by Bruns that the Upper Big Blue Natural Resources District approve third quarter payments totaling \$3,110.00 for three Nebraska Buffer Strip contracts, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 18. PRIVATE DAMS PROGRAM NEW APPLICATION.

It was moved by Robotham and seconded by Rich that the Upper Big Blue Natural Resources District approve a Private Dams Program application from Dalen Hall for a dam located in the Southeast Quarter of Section 34, Township 9 North, Range 3 West in York County, with an estimated cost of \$41,078.00, and NRD's 75% cost-share would be \$30,808.50, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 19. NEW CORNERS FOR WILDLIFE PROGRAM CONTRACT.

Steve Anderson has one pivot corner located in the NW1/4 Section 18, Township 10 North, Range 7 West, Hamilton County, Nebraska. The plan is to inter-seed a 2.8-acre portion of the pivot corner to a high-diversity seed mix, including a pollinator habitat mix. The contract includes a pollinator habitat mix and premium nesting cover. The contract is paid for with funds from the local Pheasants Forever Chapter and the Environmental Trust. Mr. Anderson will receive \$75/acre for a 5-year period on the 2.8 acres. The NRD will receive the funds from the Pheasants Forever Chapter prior to making payment to the landowner.

It was moved by Robotham and seconded by Bethune that the Upper Big Blue Natural Resources District enter into the Corners for Wildlife contract with Steve Anderson and the Pheasants Forever located in the NW1/4 Section 18, Township 10 North, Range 7 West, Hamilton County, Nebraska for a period of 5 years with an annual payment of \$210.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 20. WATER QUALITY MANAGEMENT PLAN / VOLUNTARY INTEGRATED MANAGEMENT PLAN PAYMENT.

The Upper Big Blue NRD received an invoice for \$24,990.00 from JEO Consulting Group for the Water Quality Management Plan, and Voluntary Integrated Management Plan. The Technical Advisory Committee will meet on April 1st and an open house will be held on April 2nd at the NRD Office.

Agency	WQMP	VIMP	TOTAL
Nebraska Department of Environmental Quality	10,111.42	0.00	10,111.42
Nebraska Department of Natural Resources	0.00	4,365.31	4,365.31
Upper Big Blue Natural Resources District	6,147.96	4,365.31	10,513.27
Total	\$16,259.38	\$8,730.62	\$24,990.00

It was moved by Robotham and seconded by Yates that the Upper Big Blue Natural Resources District approve payment of \$24,990.00 to JEO Consulting Group Inc. for services provided for the Water Quality Management Plan and Voluntary Integrated Management Plan from January 19, 2019 through February 22, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: Kuehner, Luebbe, Miller

ITEM 21. HAZARD MITIGATION PLAN PAYMENT.

The Upper Big Blue NRD received an invoice for \$12,624.00 from JEO Consulting Group for services provided for the Seward-York-Hamilton County Hazard Mitigation Plan. Costs are split with 6.25% each for Seward, York, and Hamilton Counties, 6.25% for the Upper Big Blue NRD, and 75% from a FEMA grant (Federal Emergency Management Agency).

It was moved by Robotham and seconded by Nuss that the Upper Big Blue Natural Resources District approve payment of \$12,624.00 to JEO Consulting Group Inc. for services provided for the Seward-York-Hamilton County Hazard Mitigation Plan update from January 19, 2019 through February 22, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: Kuehner, Luebbe

ITEM 22. BULGRIN DAM AND FRIESEN DAM BRUSH CUTTING – PARTIAL PAYMENT REQUEST.

Henry Thompson Tree Service completed approximately 75% of the work before the weather forced them to stop. They submitted a partial payment request and will complete work as soon as site conditions improve.

It was moved by Robotham and seconded by Miller that the Upper Big Blue Natural Resources District approve partial payment (50% of contract) of \$3,925.00 to Henry Thompson Tree Service for brush clearing work completed on Bulgrin Dam and Friesen Dam, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 23. PROJECTS PRIORITY LIST.

Staff presented a listing of possible future projects for the Project and Program Committee's consideration. Prioritizing the list will guide staff on future workloads and will assist in the development of the NRD's long range plan.

It was moved by Robotham and seconded by Yates that the Projects Priority List be forwarded to the Board of Directors for consideration and ranking with the exception of removing the Hazard Mitigation Projects section. Each hazard project will be included with other projects at the sites or considered separately.

Moore told the board that the prioritization, or ranking, should have taken place at the committee level and then been forwarded to the board for their consideration. It was moved by Moore and seconded by Miller to send the matter back to the Projects and Programs Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: Houdersheldt

ITEM 24. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on March 19, 2019 and presented the committee's recommendations.

ITEM 25. PAYMENT TO YORK PRINTING COMPANY FOR BLUEPRINT NEWSLETTER.

The Executive Committee reviewed an invoice from York Printing Company in the amount of \$6,814.21 for printing the February 2019 issue of the Blueprint newsletter.

It was moved by Miller and seconded by Yates to approve payment of \$6,814.21 to York Printing Company for printing the February 2019 edition of the Blueprint newsletter. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 26. FINANCIAL REPORT FEBRUARY 1 - 28, 2019 AND CONSIDERATION OF EXPENDITURES FOR FEBRUARY 2019.

Eigenberg reviewed the financial report for the period February 1, 2019 to February 28, 2019 that was distributed. It was moved by Yates and seconded by Dickinson to accept the financial report for February 2019 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 27. MOTION TO ADJOURN.

It was moved by Bruns and seconded by Eberle to adjourn the meeting at 3:07 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich,
Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held March 21, 2019, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Linda L. Luebbe, Secretary

:ndb

**BOARD OF DIRECTORS MEETING
and
RULE 4 PUBLIC HEARING
April 18, 2019**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, April 18, 2019 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Nancy Brisk, Jack Wergin, Marie Krausnick, Ken Feather, Nancy Beach, Kent Norquest of Fillmore County NRCS, Pat Goesch of Gresham, Nebraska, and Julie M. Schmid of Rising City, Nebraska.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Houdersheldt reported that we published the legal notice of the board of directors' meeting on April 11, 2019 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairperson Houdersheldt advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Jeff Bohaty and Bill Kuehner requested that their absence from the April 18, 2019 board of directors meeting be excused.

It was moved by Volkmer and seconded by Robotham to excuse the absence of Bohaty and Kuehner from the April 18, 2019 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bohaty, Kuehner

ITEM 5. ADOPTION OF AGENDA.

It was moved by Stahly and seconded by Volkmer to approve the agenda for the April 18, 2019 board of directors meeting as presented. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bohaty, Kuehner

ITEM 6. APPROVAL OF MINUTES OF THE MARCH 21, 2019 BOARD OF DIRECTORS MEETING.

It was moved by Moore and seconded by Rich to approve the minutes of the March 21, 2019 Board of Directors meeting. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bohaty, Kuehner

ITEM 7. RULE 4 PUBLIC HEARING.

Notice of this public hearing was published for three consecutive weeks in the York News-Times. Dates of publication were March 28, 2019, April 4, 2019 and April 11, 2019. The purpose of the hearing was to receive comments on proposed changes to District Rule 4 – Rules and Regulations for the Enforcement of the Groundwater Management and Protection Act. Proposed changes would impact violators of the District’s Rules and Regulations. The changes would allow the Upper Big Blue NRD Board of Directors to proceed with the issuance of Cease and Desist Orders for those violating the Rules and Regulations if they do not request a public hearing. A complete copy of the proposed changes to Rule 4 were available at the District Office and on the District’s website.

Chairperson Houdersheldt opened the public hearing at 7:33 p.m. He then turned the hearing over to Marie Krausnick, Water Department Manager.

HOUDERSHELDT: Alright, we’ll open the Rule 4 Public Hearing. Do I have a motion to do that?

MILLER: So moved.

DICKINSON: Second.

BRISK: You don’t need a motion to open the hearing.

HOUDERSHELDT: We don’t need a motion to open; just to close it? Alright. Marie have at it.

KRAUSNICK: Alright, I would like to enter into the record as Exhibit 1 the Notice of Public Hearing for the hearing scheduled for this evening. I would like to enter into the record as Exhibit 2 the drafted rules changes to Rule 4 – Rules and Regulations for the Enforcement of the Groundwater Management and Protection Act. Throughout the document there are a few grammatical errors that are being corrected, but the primary change is on page, is on 4-5 where it talks about the issuance of cease and desist orders. At the time of violation, we send out a schedule of compliance where a person can elect to have, request, a public hearing or they can elect to comply to the stipulations that are on the schedule of compliance. They have 7 days to do so. If they do not return that schedule of compliance, in the past we have typically scheduled a public hearing for them automatically. These changes would allow the board of directors to, without public hearing, if one is not requested, to directly issue a cease and desist order.

HOUDERSHELDT: Marie?

KRAUSNICK: Yes?

HOUDERSHELDT: Is that on [paragraph] 5.3? Is that the one you're talking about on [page] 4-5?

KRAUSNICK: Uh, no. It starts at [paragraph] 5.3 but then it goes down into chapter 6.

HOUDERSHELDT: Well you said 7 days and it says 10 days in the ...

KRAUSNICK: Oh, I apologize. Yes, it is 7 days, err, 10 days excluding Saturdays and Sundays. And it carries on then into ...

HOUDERSHELDT: Into chapter 6 then?

KRAUSNICK: Yah.

HOUDERSHELDT: It shows in [paragraph] 8.1 there too. On, toward the bottom of [page] 4-6. Under [Chapter 8] Board Action Subsequent to Request for Hearing.

KRAUSNICK: I may have erred and given you guys the wrong copy. Okay, Nancy; what do we do?

EIGENBERG: I can go make copies of it.

HOUDERSHELDT: Well, hold on a minute.

KRAUSNICK: Well, I need to go print it off my computer.

HOUDERSHELDT: Okay, uhm, we're gonna suspend the hearing until after the Water Committee, or till we have the right copy here.

KRAUSNICK: I apologize

HOUDERSHELDT: Alright.

BRISK: We're gonna do that at 7:38 p.m.?

HOUDERSHELDT: Yep.

BRISK: Okay.

Houdersheldt reconvened the Rule 4 Public Hearing at 8:21 p.m., following action taken on the Projects and Programs Committee Report items.

HOUDERSHELDT: Okay were back on the, we're gonna reopen the formal adjudicatory hearing on the Rule 4 changes. So, you have the floor Marie.

KRAUSNICK: Okay, I apologize. The copy that you have is correct. Okay, in [paragraph] 5.3....

BRISK: Marie?

HOUDERSHELDT: Marie?

BRISK: Did you push the button on the mic?

KRAUSNICK: It's green.

BRISK: Okay, thank you.

KRAUSNICK: In [paragraph] 5.3 we changed from 3 days to 10 days.

HOUDERSHELDT: Yah, I thought that was right.

KRAUSNICK: And that's where I was getting off. And in [paragraph] 8.1 we did the same thing. From 3 to 10 [days]. Then the language that changes the people who fail to respond or request a public hearing is in [paragraph] 9.1. And we say that, uhm, that pertinent, or "inspector's report as well as other pertinent information and issue such order or orders in accordance with these rules and regulations as are deemed appropriate." So that would mean that you guys would be able to forego scheduling a public hearing, without, if one is not requested to move directly to a cease and desist order.

HOUDERSHELDT: Alright, is that everything you have Marie?

KRAUSNICK: Yes.

HOUDERSHELDT: Guys; do we have any questions from the Board? I thought the 10 days was right, but when you said 7 and it said 10, I thought gees I thought we discussed 7 and Merlin [Volkmer] said he'd like to see it a little longer and it went to 10.

KRAUSNICK: Well, I think it was actually Bill [Stahly] who said ..

HOUDERSHELDT: Okay, well somebody did. I knew somebody did.

KRAUSNICK: And so, I went back to my computer and went back to the first draft that showed all the edits and that helped me track it.

HOUDERSHELDT: Okay. Okay. Any questions? David?

ROBOTHAM: So, this will help speed things along?

KRAUSNICK: Yes, and with the hope that it would save a lot of paper and a lot of staff time and board meeting time.

HOUDERSHELDT: And funds.

KRAUSNICK: Yes.

HOUDERSHELDT: By the time we go through all the lawyers and all this good stuff sending out the ...

KRAUSNICK: Well we don't, we don't go, this would just hurry us to the lawyer.

HOUDERSHELDT: But we don't have to send them certified letters and all that good stuff. Any other questions from the board? Any public testimony? I don't see a lot of public here, but, alright. Do I have a motion to close the hearing?

BRISK: We don't need a motion to close the hearing.

HOUDERSHELDT: We don't?

BRISK: You can just close it.

HOUDERSHELDT: Okay then I will close the hearing.

BRISK: Okay it's 8:23 p.m.

Chairperson Houdersheldt officially closed the hearing at 8:23 p.m.

ITEM 8. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Water & Regulations Committee met April 9, 2019 and presented the committee's recommendations.

ITEM 9. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

One Aquifer Quality Well Abandonment Cost-Share Assistance Program application has been approved for final payment, totaling \$500.00.

It was moved by Rich and seconded by Bethune to make cost-share payment for one well abandonment, as reviewed by the Committee, at a cost of \$500.00. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bohaty, Kuehner

ITEM 10. TRI-CITY METERS, INC. PAYMENT FOR ROUTINE METER MAINTENANCE.

Tri-City Meters has completed inspection of 318 meters, installed 18 canopy covers and 10 Vic gaskets to date. An invoice for services totaling \$14,780.00 was received.

It was moved by Rich and seconded by Luebbe to pay Tri-City Meters for the routine flow meter maintenance to date totaling \$14,780.00. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bohaty, Kuehner

ITEM 11. FLOW METER REPAIR COST-SHARE PAYMENT.

Eight flow meter repair cost-share applications have been approved for final payment totaling \$1,156.50.

It was moved by Rich and seconded by Stahly to pay eight flow meter repair cost-share claims totaling \$1,156.50. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bohaty, Kuehner

ITEM 12. LATE WELL CONSTRUCTION PERMIT – RC CHICKEN RANCH OF NEBRASKA, LLC.

Julie Schmid has constructed three chicken barns in Butler County. The facility is complete and populated with chickens. Three wells have been constructed on the property. Two livestock wells for the facility and one for domestic use. All three are connected underground. Two are wired into the backup generator for the facility. All three wells when joined together pump over 50 GPM, and the wells are constructed in the High-Risk Groundwater Area. Ms. Schmid has applied for a late well construction permit for the wells.

The Water and Regulations Committee recommended that the late permit be approved, provided the domestic well was separated from the other two wells for the chicken barns.

Ms. Schmid was present at the meeting and requested that the Board consider letting her leave the three wells joined rather than making her separate the domestic house well from the other two wells.

It was moved by Rich and seconded by Moore to approve the late well construction permit with the stipulation that the domestic well be disconnected from the other two facility wells. The motion was approved.

AYE: Bruns, Dickinson, Eberle, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Houdersheldt
NAY: Bethune, Luebbe, Miller, Yates
NOT PRESENT: Bohaty, Kuehner

ITEM 13. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the irrigated acres certification for 412 parcels totaling 42,273.67 acres, yielding an increase in irrigated acres of 773.24. This brings the total irrigated acres to 1,240,273.57.

It was moved by Rich and seconded by Luebbe to certify the acre changes as presented to the Board. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None
NOT PRESENT: Bohaty, Kuehner

ITEM 14. ROUTINE FLOW METER MAINTENANCE CONTRACT.

Three bids were submitted for the five-year contract for routine flow meter maintenance to mechanical flow meters in the District. The three bidders were Seim Ag Technologies, of Chapman; Ken Kohl, of Utica, and Tri-City Meters, of Alda.

It was moved by Rich and seconded by Yates to contract with Tri City Meters for the 2020-2025 routine flow meter maintenance contract. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None
NOT PRESENT: Bohaty, Kuehner

ITEM 15. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on April 11, 2019 and presented the committee's recommendations.

ITEM 16. WATER QUALITY MANAGEMENT PLAN AND VOLUNTARY INTEGRATED MANAGEMENT PLAN.

The Upper Big Blue NRD received an invoice from JEO Consulting Group for the WQMP/VIMP for services from February 24, 2019 through March 22, 2019. An open house was held the evening of April 2, 2019 at the NRD Office.

AGENCY	WQMP	VIMP	TOTAL
Nebraska Department of Environmental Quality	6,224.12	0.00	6,224.12
Nebraska Department of Natural Resources	0.00	0.00	0.00
Upper Big Blue Natural Resources District	3,890.88	0.00	3,890.88
Total	\$10,115.00	0.00	\$10,115.00

It was moved by Robotham and seconded by Rich that the Upper Big Blue NRD approve payment of \$10,115.00 to JEO Consulting Group Inc. for services provided for the Water Quality Management Plan and Voluntary Integrated Management Plan from February 24, 2019 through March 22, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: Miller
NOT PRESENT: Bohaty, Kuehner

ITEM 17. HAZARD MITIGATION PLAN PAYMENT.

The Upper Big Blue NRD received an invoice from JEO Consulting Group for the Seward-York-Hamilton County Hazard Mitigation Plan services from February 24, 2019 through March 22, 2019. The next round of meetings will be held on April 29th in Seward, April 30th in Aurora, and May 1st in York.

It was moved by Robotham and seconded by Rich that the Upper Big Blue NRD approve payment of \$10,976.00 to JEO Consulting Group Inc. for services provided for the Seward-York-Hamilton County Hazard Mitigation Plan update from February 24, 2019 through March 22, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None
NOT PRESENT: Bohaty, Kuehner

ITEM 18. DORCHESTER AND BULGRIN DAM CHANNEL CLEARING – PARTIAL PAYMENT REQUEST.

Pankoke Construction has completed the channel clearing at Bulgrin Dam, cleared the sediment on Dorchester Channel 3 extension, and placed rock on the sheet pile drop. Additional rock was placed at the sheet pile drop due to damage from recent storms. Remaining channel clearing will be completed after Fall harvest.

It was moved by Robotham and seconded by Bruns that the Upper Big Blue NRD approve partial payment of \$20,764.32 to Pankoke Construction for work completed on the Bulgrin channel, the Dorchester Channel 3 and sheet pile drop, as recommended by staff and reviewed by the Committee.
The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None
NOT PRESENT: Bohaty, Kuehner

ITEM 19. APPROVAL OF PROJECTS PRIORITY LIST.

Staff presented a list of possible future projects, with ranking, to assist in development of future budgets and to be used as guidance for future workloads.

It was moved by Robotham and seconded by X that the Upper Big Blue NRD approve the Projects Priority List as presented, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None
NOT PRESENT: Bohaty, Kuehner

ITEM 20. ADOPTION OF RULE 4 CHANGES.

It was moved by Moore and seconded by Yates to adopt *Rule 4 – Rules and Regulations for the Enforcement of the Groundwater Management and Protection Act* with the proposed changes. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None
NOT PRESENT: Bohaty, Kuehner

ITEM 21. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on April 11, 2019 and presented the committee's recommendations.

ITEM 22. DIRECTORS' FIRST QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors' per diem and expenses for this past quarter. Totals for the first quarter directors' per diem are \$9,100.00 and expenses are \$4,884.75 for a total expenditure of \$13,984.75. Individual expense vouchers were available for review.

It was moved by Miller and seconded by Stahly to approve payment of first quarter 2019 directors' per

diem of \$9,100.00 and expenses of \$4,884.75 for a total of \$13,984.75, and to publish these approved expenditures in the March financial report, except that each director, who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Houdersheldt

NAY: Yates

NOT PRESENT: Bohaty, Kuehner

ITEM 23. DIRECTOR EXPENSE REIMBURSEMENT - PRE-2020 GMDA CONFERENCE PLANNING.

Linda Luebbe is the Vice President of the Groundwater Management Districts Association (GMDA). As Vice President, she oversees planning conferences. The 2020 winter conference will be in Florida. She traveled to Florida to arrange for hotel and conference venues. She is requesting reimbursement for expenses for this trip. These expenses are reimbursable from GMDA once post conference accounting is complete.

It was moved by Miller and seconded by Yates to approve payment of \$1,364.77 claimed by Linda Luebbe for expenses incurred during the 2020 GMDA Pre-Conference Planning trip (2/27/19 – 3/2/19). These expenses will be reimbursed to the District by GMDA after final accounting is completed for the 2020 Winter Conference. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT VOTING: Luebbe

NOT PRESENT: Bohaty, Kuehner

ITEM 24. GMDA REQUEST FOR VENUE GUARANTEE DEPOSIT FOR 2020 WINTER CONFERENCE.

Linda Luebbe, as the Vice President of the Groundwater Management Districts Association (GMDA), is requesting the District assist in providing a venue deposit. The 2020 winter conference will be in Fort Lauderdale, Florida at Riverside Hotel. This venue requires a deposit of \$2,500.00 to insure use of the facilities. This expense is reimbursable from GMDA once post conference accounting is complete.

It was moved by Miller and seconded by Nuss to approve payment to Riverside Hotel in Fort Lauderdale, Florida of \$2,500.00 as a venue guarantee deposit for the 2020 Winter GMDA Conference. This expense will be reimbursed to the District by GMDA after final accounting is completed for the 2020 Winter Conference. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT VOTING: Luebbe

NOT PRESENT: Bohaty, Kuehner

ITEM 25. FINANCIAL REPORT MARCH 1 - 31, 2019 AND CONSIDERATION OF EXPENDITURES FOR MARCH 2019.

Eigenberg reviewed the financial report for the period March 1, 2019 to March 31, 2019 that was distributed. It was moved by Volkmer and seconded by Yates to accept the financial report for March 2019 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bohaty, Kuehner

ITEM 26. MOTION TO ADJOURN.

It was moved by Miller and seconded by Dickinson to adjourn the meeting at 9:02 p.m. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bohaty, Kuehner

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held April 18, 2019, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Linda L. Luebbe, Secretary

:ndb

BOARD OF DIRECTORS MEETING

May 16, 2019

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, May 16, 2019 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Bill Kuehner, Roger Houdersheldt, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Marie Krausnick, Ken Feather, Nancy Beach, and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Houdersheldt reported that we published the legal notice of the board of directors' meeting on May 9, 2019 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairperson Houdersheldt advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call. Kuehner arrived at 7:34 p.m.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Gary Eberle requested that his absence from the May 16, 2019 board of directors meeting be excused.

It was moved by Stahly and seconded by Volkmer to excuse the absence of Eberle from the May 16, 2019 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle, Kuehner

ITEM 5. ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Rich to approve the agenda for the May 16, 2019 board of directors meeting as presented. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle, Kuehner

ITEM 6. APPROVAL OF MINUTES OF THE APRIL 18, 2019 BOARD OF DIRECTORS MEETING AND RULE 4 PUBLIC HEARING.

It was moved by Rich and seconded by Yates to approve the minutes of the April 18, 2019 Board of Directors meeting and Rule 4 Public Hearing. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle, Kuehner

ITEM 7. STAFF RECOGNITION.

Assistant Manager, Rod DeBuhr, was presented with a framed print in recognition of 40 years of dedicated service to the District.

ITEM 8. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Water & Regulations Committee met May 7, 2019 and presented the committee's recommendations.

ITEM 9. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Six Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments, totaling \$1,739.36.

It was moved by Kuehner and seconded by Luebbe to make cost-share payments for six well abandonments, as reviewed by the Committee, at a cost of \$1,739.36. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle

ITEM 10. FLOW METER REPAIR COST-SHARE PAYMENT.

Nine flow meter repair cost-share applications have been approved for final payments totaling \$1,296.78.

It was moved by Kuehner and seconded by Luebbe to pay nine flow meter repair cost-share claims totaling \$1,296.78. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle

ITEM 11. TRI-CITY METERS, INC. PAYMENT FOR ROUTINE METER MAINTENANCE.

Tri-City Meters has completed field work for the routine meter maintenance program. An invoice for 316 meter inspections, installation of 35 canopy covers and 19 vic gaskets totaling \$15,125.00 was received.

It was moved by Kuehner and seconded by Rich to pay Tri-City Meters for the routine flow meter maintenance to date, totaling \$15,125.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle

ITEM 12. PAYMENT TO WISH NEBRASKA, INC. FOR MATERIALS FOR RESALE.

The District has purchased 310 Seametric batteries from WISH Nebraska Inc. for the electronic meter maintenance program. Three invoices totaling \$32,860.00 were received upon delivery.

It was moved by Kuehner and seconded by Luebbe to pay WISH Nebraska Inc. for 310 Seametric batteries totaling \$32,860.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle

ITEM 13. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the acres' certification for 35 parcels totaling 2,718.57 acres, yielding an increase in irrigated acres of 89.91. This brings the total irrigated acres to 1,240,596.44.

It was moved by Kuehner and seconded by Stahly to certify the acre changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle

ITEM 14. UNIVERSITY OF NEBRASKA EXTENSION FUNDING REQUEST – TAPS PROGRAM ENTRY FEE.

Jenny Rees, University of Nebraska Extension, has two teams of producers participating in the Testing Ag Performance Solutions competition in 2019. "The University of Nebraska Testing Ag Performance Solutions (UNL-TAPS) is an innovative program developed by University of Nebraska research and extension specialists and educators. Rather than the typical teacher and student paradigm, the program facilitates a number of interactive real-life farm management competitions. These competitions bring together UNL scientists and extension professionals, producers, industry leaders, agriculture students, government regulators and agency personnel to become part of a highly engaged network focused on evolving profitability and input-use efficiency. This low-risk environment offers participants the ability to test a large variety of strategies and technologies, as well as gives them access to a large dataset from the competitions at the end of the year." Jenny is asking that the District cover the \$500.00 per team entrance fee into the TAPS Program.

It was moved by Kuehner and seconded by Moore to sponsor two TAPS Teams, not to exceed \$1,000.00. In return the team members agree to participate in educational opportunities sponsored by the District to share their experience.

Krausnick informed the board that one of the team participants was in violation of District rules and regulation for failure to submit Phase II and III Reports by the April 1, 2019 deadline. She asked if the Board still wanted to fund the team that he was a member of.

It was moved by Yates and seconded by Stahly to amend the motion to add that if any team member is in violation of any of our policies that we not support that team or pay for that team. The amendment carried.

AYE: Bethune, Kuehner, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: Bohaty, Bruns, Dickinson, Nuss

NOT PRESENT: Eberle

The question was called on the original motion as amended.

AYE: Bethune, Bruns, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: Bohaty, Dickinson, Kuehner, Nuss

NOT PRESENT: Eberle

ITEM 15. WATER SUSTAINABILITY FUND APPLICATION – ALLOCATION MODULE.

In February 2018 staff requested the construction of an allocation/pooling module to aid in tracking water withdrawals across the District. After reviewing the proposals, the Water and Regulations Committee decided to delay any action on the allocation module until the following year.

It was later brought to the staffs' attention that this project would be eligible for Water Sustainability Funds. The funds would cover 60% of the cost to develop the module. The application deadline for the Water Sustainability Funds is July 31, 2019. Krausnick proposed to prepare an application for the Water Sustainability Funds with assistance from Olsson and Associates in hopes of securing 60% of the cost to

develop the module. The Water and Regulations Committee took no action and did not forward a recommendation to the Board.

It was moved by Moore and seconded by Rich to direct staff to proceed to prepare an application, with the assistance of Olsson Associates, for Water Sustainability Funds to develop an allocation module. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Moore, Nuss, Rich, Robotham, Stahly, Yates, Houdersheldt

NAY: Bohaty, Kuehner, Luebbe

NOT VOTING: Miller, Volkmer, Weiss

NOT PRESENT: Eberle

ITEM 16. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on May 9, 2019 and presented the committee's recommendations.

ITEM 17. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Robotham and seconded by Rich that the Upper Big Blue NRD approve payment of \$11,192.54 for two completed NSWCP land treatment applications, and \$3,631.02 for one completed NRD land treatment application, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle

ITEM 18. SEWARD LEVEE EVALUATION UPDATE AND PAYMENT.

It was moved by Robotham and seconded by Rich that the Upper Big Blue NRD approve payment of \$248.00 (50% OF \$496.00) to the City of Seward for services provided by JEO Consulting Group Inc., for work completed on the Seward Levee Evaluation Project from January 19, 2019 through April 19, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle

ITEM 19. WATER QUALITY MANAGEMENT PLAN AND VOLUNTARY INTEGRATED MANAGEMENT PLAN PAYMENT.

Rick Wilson and Adam Rupe of JEO Consulting Group presented an update on the Water Quality Management Plan and Voluntary Integrated Management Plan to the Water and Regulations

Committee. JEO Consulting Group submitted an invoice for \$ 22,892.90 for the WQMP/VIMP.

Agency	WQMP	VIMP	Total
Nebraska Department of Environmental Quality	\$13,735.74	\$0.00	\$13,735.74
Nebraska Department of Natural Resources	0.00	0.00	0.00
Upper Big Blue Natural Resources District	9,157.16	0.00	9,157.16
Total	\$22,892.90	\$0.00	\$22,892.90

It was moved by Robotham and seconded by Yates that the Upper Big Blue NRD approve payment of \$22,892.90 to JEO Consulting Group Inc. for services provided for the Water Quality Management Plan and Voluntary Integrated Management Plan from March 23, 2019 through April 19, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: Miller, Volkmer

NOT PRESENT: Eberle

ITEM 20. HAZARD MITIGATION PLAN UPDATE AND PAYMENT.

Meetings to discuss potential Hazard Mitigation Projects were held on April 29th in Seward, April 30th in Aurora, and May 1st in York.

It was moved by Robotham and seconded by Stahly that the Upper Big Blue NRD approve payment of \$7,040.00 to JEO Consulting Group Inc. for services provided for the Seward-York-Hamilton County Hazard Mitigation Plan update from March 23, 2019 through April 19, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle

ITEM 21. RECHARGE LAKE ACCESS ROAD AND DRAINAGE IMPROVEMENT UPDATE AND PAYMENT.

Mid Nebraska Land Developers has completed the work at Recharge Lake. The original contract was for \$44,876.19. Their final invoice was in the amount of \$44,178.70 after one change order and adjustments to quantities.

It was moved by Robotham and seconded by Rich that the Upper Big Blue NRD approve payment of \$44,178.70 to Mid Nebraska Land Developers, LLC for work completed on the Recharge Lake Access Road / Drainage Improvement Project, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle

ITEM 22. PIONEER TRAILS QUOTE FOR ROCK PLACEMENT ON FACE OF DAM.

Staff contacted four local contractors about submitting quotes for placing 276 tons of rip rap on the dam face at Pioneer Trails. Two contractors submitted quotes – Pankoke Construction (\$25,392.00) and Mid Nebraska Land Developers (\$19,868.00). Work is to be completed by June 30, 2019.

It was moved by Robotham and seconded by Yates that the Upper Big Blue NRD accept the quote of \$19,868.00 from Mid Nebraska Land Developers, LLC for placing 276 tons of Rip Rap on the dam face at Pioneer Trails, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle

ITEM 23. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on May 9, 2019 and presented the committee's recommendations.

ITEM 24. GROUNDWATER MODEL DEVELOPMENT.

The Executive Committee was advised that efforts continue with the Nebraska Department of Natural Resources (NeDNR) and Basin NRDs to develop a Blue Basin Regional Groundwater Model. A meeting was held with the NeDNR leadership to discuss contracting with Brown & Caldwell and Flat-Water Group. It has been determined that Brown & Caldwell is not on the State of Nebraska's current preferred engineering contractor list. If work is to continue in a timely manner with existing engineers and consulting firms, the Basin Districts will need to develop a contract with Brown & Caldwell. This contract would name the Upper Big Blue NRD as the Lead Agency. Flat-Water Group would work under Brown & Caldwell as a subcontractor. Flat-Water Group would evaluate watershed model input files. This contract will cover the entire project and delivery of a completed, calibrated basin-wide model. The Upper Big Blue NRD will be billed for all completed work by the contractor and their subcontractors. Upper Big Blue NRD will then bill out NeDNR at 50%, Little Blue NRD at 16.5%, Lower Big Blue NRD at 11.5%, Tri-Basin NRD at 2.5% of the contract expenditures. The remaining 19.5% will be the Upper Big Blue NRD's responsibility. A separate Intergovernmental Agreement will be entered into by NeDNR and Upper Big Blue NRD outlining the financial commitment of the NeDNR, as it relates to this project, given availability of state funding. This should allow the continuation of the development of a Blue Basin Regional Groundwater Model.

It was moved by Miller and seconded by Rich to authorize the General Manager to enter into an agreement with Brown & Caldwell, the Little Blue, Lower Big Blue, and Tri-Basin NRDs that will cover the entire project and delivery of a completed, calibrated basin-wide model, with a total fiscal limit of \$531,618.00. And further-more, authorize the General Manager to enter into a contract labeled NeDNR #1113 with the Nebraska Department of Natural Resource (NeDNR) outlining the financial commitment

of 50% total project cost, not to exceed \$531,618.00 to be covered by NeDNR, given the availability of state funding. The motion was approved.

AYE: Bethune, Dickinson, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: Bohaty, Bruns, Kuehner, Volkmer

NOT VOTING: Luebbe

NOT PRESENT: Eberle

ITEM 25. AUTHORITY TO MAKE PAYMENT OF JUNE 2019 FACILITY MORTGAGE PAYMENT.

The Executive Committee was advised that the mortgage loan payment of \$243,292.37 for the NRD office and storage facility is due June 16, 2019. This payment represents both principle and interest payment.

It was moved by Miller and seconded by Yates to authorize the General Manager to make payment to Cornerstone Bank of \$243,292.37 for the June 2019 NRD mortgage loan payment. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle

ITEM 26. REQUEST FOR PROPOSALS (RFP) FOR FUTURE AUDITS.

Requests for Proposals to conduct the Fiscal Years 2019 – 2021 Audits were sent out in March to twenty accounting firms that conduct financial audits of governmental entities. The deadline for submitting a proposal was May 6, 2019. Of the 20 firms, only 5 have submitted proposals. Romans, Wiemer & Associates have conducted our annual audits for many years. Audit fees for the past three years have been \$4,200; \$4,450; and \$4,700.

Following are the quotes for conducting the audits for three fiscal years, beginning with the year ending June 30, 2019.

Romans, Wiemer & Associates – York, Nebraska

- FY 2019 \$ 4,975
- FY 2020 \$ 5,250
- FY 2021 \$ 5,525

Almquist, Maltzahn, Galloway & Luth – Grand Island, Nebraska

- FY 2019 \$ 8,150
- FY 2020 \$ 8,300
- FY 2021 \$ 8,450

BerganKDV – Omaha, Nebraska

- FY 2019 \$17,500
- FY 2020 \$18,100
- FY 2021 \$18,750

HBE Becker Meyer Love, LLP – Lincoln, Nebraska

- FY 2019 \$20,650

- FY 2020 \$21,250
- FY 2021 \$21,850

Tonniges & Associates – Kearney, Nebraska

- FY 2019 \$ 4,371
- FY 2020 \$ 4,371
- FY 2021 \$ 4,371

It was recommended that we contract with Almquist, Maltzahn, Galloway & Luth for the Fiscal Years 2019, 2020, and 2021 at the costs outlined in their proposal. Their extensive audit experience with NRDs, and the Nebraska Association of Resources District and NARD Intergovernmental Risk Management Pool Association audits, their ability to utilize data from our existing accounting software, and the fast turn-around time in presenting the audit report were key factors.

It was moved by Miller and seconded by Yates to authorize the General Manager to enter into a contract with Almquist, Maltzahn, Galloway & Luth for the Fiscal Years 2019, 2020, and 2021 at the costs of: FY 2019 - \$ 8,150; FY 2020 - \$8,300; and FY 2021 - \$8,450 as outlined in their proposal. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Luebbe, Moore, Nuss, Rich, Stahly, Yates, Houdersheldt

NAY: Bohaty, Miller, Robotham, Volkmer, Weiss

NOT VOTING: Kuehner

NOT PRESENT: Eberle

ITEM 27. BURKE SCHOLARSHIP SELECTION.

Four applications were received for the 2019 Burke Scholarship and an interim committee was appointed to review and rank all applications. The interim committee recommended that two applicants be awarded scholarships and that one alternate be named.

\$2,000 Scholarship: Madison T. Baker, Stromsburg, Nebraska. Graduate from Cross County High School, Attending Concordia University

\$2,000 Scholarship: Caden D. Theis, Osceola, Nebraska. Graduate from Osceola High School, Attending Doane University.

Alternate: Nicole D. Mittman, York, Nebraska. Graduate from York High School, Attending University of Nebraska, Kearney

It was moved by Miller and seconded by Stahly to award a \$2,000 scholarship to Madison T. Baker, of Stromsburg, Nebraska; a \$2,000 scholarship to Caden D. Theis, of Osceola, Nebraska; and to further name Nicole D. Mittman, of York, Nebraska as the alternate. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle

ITEM 28. FY 19 SALARY SCHEDULE.

The General Manager recommended changes to the FY20 Salary Schedule. Eigenberg explained the logic behind this recommendation and answered questions. This schedule has been developed to provide guidance on FY20 salary structure. Midpoints were calculated by taking the average of 5 NRDs with similar property valuations, annual payrolls, and staffing numbers. Midpoints were then used to develop minimum (80%) and maximum (120%) wage limits. Salary Schedule will be used in accordance with the Operating Policy.

It was moved by Miller and seconded by Yates to approve FY20 Salary Schedule as presented. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle

ITEM 29. FISCAL YEAR 2020 WAGE INCREASES.

FY2020 salaries and wages of the employees were discussed with the Executive Committee. Eigenberg asked that the board authorize \$45,782 (3.5% of total FY19 payroll) for salary increases for the staff in the FY2020 budget.

It was moved by Miller and seconded by Dickinson to adjust the annual FY20 salaries of the district staff, except for the General Manager, by an amount not to exceed \$45,782 (3.5% of total FY19 payroll), and to authorize the General Manager to determine and make the salary and wage adjustments, in accordance with the Operating Policy. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle

ITEM 30. FINANCIAL REPORT APRIL 1 - 30, 2019 AND CONSIDERATION OF EXPENDITURES FOR APRIL 2019.

Eigenberg reviewed the financial report for the period April 1, 2019 to April 30, 2019 that was distributed. It was moved by Stahly and seconded by Rich to accept the financial report for April 2019 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle

ITEM 31. MOTION TO ADJOURN.

It was moved by Rich and seconded by Yates to adjourn the meeting at 9:12 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Eberle

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held May 16, 2019, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Linda L. Luebbe, Secretary

:ndb

BOARD OF DIRECTORS MEETING

June 20, 2019

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, June 20, 2019 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Bill Kuehner, Roger Houdersheldt, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Marie Krausnick, Ken Feather, Ben Royal of Cornerstone Insurance, Steve Moseley of York News-Times and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Houdersheldt reported that we published the legal notice of the board of directors' meeting on June 13, 2019 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairperson Houdersheldt advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absences.

ITEM 5. ADOPTION OF AGENDA.

It was moved by Dickinson and seconded by Yates to approve the agenda for the June 20, 2019 board of directors meeting as presented. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 6. APPROVAL OF MINUTES OF THE MAY 16, 2019 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Volkmer to approve the minutes of the May 16, 2019 Board of Directors meeting. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Water & Regulations Committee met June 11, 2019 and presented the committee's recommendations.

ITEM 8. COVER CROP DEMONSTRATION OPPORTUNITY.

A contract between the Nature Conservancy and the Upper Big Blue Natural Resources District was drafted for the Water and Regulations Committee to review. Legal Counsel for the Nature Conservancy has given their approval of the contract. Jacob Fritton, with the Nature Conservancy, was on hand to answer any questions from the Committee. The three-year contract would allow the Nature Conservancy to purchase an inter-seeder for use on demonstration plots and provides funding for District staff to administer the demonstration.

It was moved by Kuehner and seconded by Rich to accept the contract between the Nature Conservancy and the Upper Big Blue Natural Resources District. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT VOTING: Miller

ITEM 9. UNIVERSITY OF NEBRASKA-LINCOLN DATA REQUEST.

Dr. Trenton Franz, with the University of Nebraska-Lincoln, is requesting the use of a dataset previously released to Dr. Patricio Grassini, also with the University of Nebraska-Lincoln. The dataset was released in 2017 and does not contain any personal information. Dr. Franz explained that his use of the information would be in aggregated form, not looking at individual fields, but at larger groups of data. Dr. Franz also agreed to present his project findings to the Board before releasing the final documents to the public.

It was moved by Kuehner and seconded by Rich to grant Dr. Trenton Franz use of the existing dataset released to Dr. Patricio Grassini with the commitment to release any publications or presentations to the Board before release to the public. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: Volkmer

ITEM 10. MUNICIPAL WATER SYSTEM ASSISTANCE PROGRAM – VILLAGE OF MCCOOL JUNCTION REQUEST.

The Village of McCool Junction is applying for Municipal Water System Assistance funding for the construction of a new municipal well. The Village is also applying for a Water Sustainability Fund Grant to offset 60% of the cost. The Village is asking the District to attach a letter of support to their grant application. The total cost of the project is \$858,500.00. If grant funds are awarded, the local share would be \$339,400.00. The Village is eligible for \$16,650.00 in Municipal Water System Assistance Program funding.

It was moved by Kuehner and seconded by Luebbe to provide a letter of support for the Village of McCool Junction Water Sustainability Fund Grant application. To approve the Village of McCool Junction Municipal Water System Assistance Program application, contingent on approval of the Water Sustainability Fund Grant for work to be completed by June 30, 2021, not to exceed \$16,650.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 11. UNIVERSITY OF NEBRASKA-LINCOLN MESONET PAYMENT – RECHARGE LAKE WEATHER STATION.

The University of Nebraska-Lincoln Mesonet has submitted an invoice for the annual hosting and maintenance of the Recharge Lake Weather Station, totaling \$2,600.00. This is the only weather station in the District. Mesonet has a system of weather stations across the State and hosts the data on a Mesonet website. The data is used to calculate daily crop water use, groundwater modeling and mapping.

It was moved by Kuehner and seconded by Bruns to pay the University of Nebraska-Lincoln \$2,600.00 for the annual hosting and maintenance fees for the Recharge Lake Weather Station. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 12. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Two Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments, totaling \$1,000.00.

It was moved by Kuehner and seconded by Volkmer to make cost-share payments for two well abandonments, as reviewed by the Committee, at a cost of \$1,000.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 13. FLOW METER REPAIR COST-SHARE PAYMENT.

Twelve flow meter repair cost-share applications have been approved for final payments totaling \$1,751.00.

It was moved by Kuehner and seconded by Luebbe to pay twelve flow meter repair cost-share claims totaling \$1,751.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 14. TRI-CITY METERS, INC. PAYMENT FOR ROUTINE METER MAINTENANCE.

Tri-City Meters has completed field work for the routine meter maintenance program. Three invoices for 832 meter inspections and installation of 90 canopy covers and 51 vic gaskets totaling \$39,810.00 were received.

It was moved by Kuehner and seconded by Yates to pay Tri-City Meters for the routine flow meter maintenance to date, totaling \$39,810.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 15. CERTIFICATION OF IRRIGATED ACRES.

The Water and Regulations Committee reviewed the acres' certification for 40 parcels totaling 2,531.97 acres, yielding an increase in irrigated acres of 116.90. This brings the total irrigated acres to 1,240,713.34.

It was moved by Kuehner and seconded by Rich to certify the acre changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 16. BEEHIVE ONLINE PRODUCER INPUT UPDATE & PAYMENT.

The Online Producer Input has been set up in a testing environment for staff to review and provide feedback. The online interface will be ready for withdrawal reporting this Fall. Beehive has submitted an invoice totaling \$26,240.00 to cover the remaining balance due for the project.

It was moved by Kuehner and seconded by Yates to pay Beehive Industries the remaining balance of \$26,240.00 for work completed on the Online Producer Input. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt
NAY: None

ITEM 17. ORDERS OF CEASE AND DESIST FOR PHASE II & III MANAGEMENT AREA TRAINING AND GROUNDWATER QUALITY REPORTING.

Krausnick reminded the Board that since the revisions on April 18, 2019 to Rule 4 – Rules and Regulations for the Enforcement of the Groundwater Management and Protection Act, which went into effect June 15, 2019, we no longer have to hold a public hearing for violators of the District’s Rules and Regulations unless the person in violation requests a public hearing.

Krausnick informed the Board that Guy Leif, Robert D. Nunnenkamp, Greg Gerkenmeyer, and Kevin R. Bellows were sent Schedules of Compliance giving them the option to take the certification test to renew their nitrogen management certification or to request a public hearing. Only Guy Leif responded saying that he would bring his test into the office by June 21, 2019. Staff recommended proceeding with the Order of Cease and Desist against all four individuals. If Guy Leif complies as stated, no further action would be taken against him.

Jeary E. Morgan is in violation of both the requirement to obtain his nitrogen management certification and the requirement to file his Phase II & III Groundwater Quality Report by the April 1 deadline. He was sent a Schedule of Compliance giving him the option to take the certification test to renew his nitrogen management certification and file his report or request a public hearing. He failed to respond. Staff recommended proceeding with the Order of Cease and Desist against him.

It was moved by Kuehner and seconded by Rich to adopt the Cease and Desist Order against Robert D. Nunnenkamp, as presented to the Board on June 20, 2019. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Volkmer, Weiss
NOT VOTING: Nuss

It was moved by Kuehner and seconded by Yates to adopt the Cease and Desist Order against Kevin R. Bellows, as presented to the Board on June 20, 2019. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Volkmer, Weiss
NOT VOTING: Nuss

It was moved by Kuehner and seconded by Rich to adopt the Cease and Desist Order against Greg Gerkenmeyer, as presented to the Board on June 20, 2019. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Volkmer, Weiss

NOT VOTING: Nuss

It was moved by Kuehner and seconded by Moore to adopt the Cease and Desist Order against Jeary E. Morgan, as presented to the Board on June 20, 2019. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt

NAY: Bohaty, Kuehner, Volkmer, Weiss

NOT VOTING: Nuss

It was moved by Kuehner and seconded by Eberle to adopt the Cease and Desist Order against Guy Leif, as presented to the Board on June 20, 2019. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt

NAY: Bohaty, Kuehner, Volkmer, Weiss

NOT VOTING: Nuss

ITEM 18. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Weiss reported that the Projects & Programs Committee met on June 13, 2019 and presented the committee's recommendations.

ITEM 19. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Weiss and seconded by Robotham that the Upper Big Blue NRD approve payment of \$13,210.28 for two completed NSWCP Land Treatment applications, and \$32,507.73 for nine completed NRD Land Treatment applications, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 20. NEBRASKA BUFFER STRIP PROGRAM.

It was moved by Weiss and seconded by Luebbe that the Upper Big Blue Natural Resources District approve payment of \$7,585.57 for seven Buffer Strips established under the Nebraska Buffer Strip Program, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 21. CORNERS FOR WILDLIFE PAYMENTS.

The Corners for Wildlife sites are pivot corners or portions of a pivot corner that have been developed for wildlife habitat. These payments are being made with funds from the Environmental Trust through the Pheasants Forever Chapters.

It was moved by Weiss and seconded by Robotham that the Upper Big Blue Natural Resources District make payments of \$262.50 to Dale Nunns for development of one pivot corner and payment of \$252.00 to Joe Keenan for one pivot corner, and \$150.00 to Thomas Menze for the development of one pivot corner, as recommended by staff and reviewed by the Committee for a total of \$664.50. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 22. WILD NEBRASKA WILDLIFE HABITAT PAYMENT – RON & PEGGY HINRICHS GRASSLANDS RESTORATION ENHANCEMENT PROJECT.

On November 15, 2018, the Upper Big Blue Natural Resources District Board of Directors voted to fund the Wild Nebraska Habitat Agreement with Ron & Peggy Hinrichs and the Nebraska Game & Parks Commission in the amount of \$1,150.00 for restoring, developing, and enhancing the lands located in the SW1/4 of Section 9, T9N, R7W, Hamilton County, Nebraska, for the purpose of developing upland habitat. Total cost submitted for completing the project came to \$1,744.89. The additional cost will be paid by the cooperator.

It was moved by Weiss and seconded by Stahly that the Upper Big Blue Natural Resources District make payment of \$1,150.00 to Ron & Peggy Hinrichs for restoring, developing, and enhancing the lands located in the SW1/4 of Section 9, T9N, R7W, Hamilton County, Nebraska for the purpose of developing upland habitat. The District will file a claim with the Nebraska Game & Parks Commission for the amount of \$862.50. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 23. CITY OF YORK DRAINAGE STUDY ASSISTANCE REQUEST.

Joe Frei, York City Administrator presented a request for assistance for the development of a grant application for a drainage/flood evaluation study for the City of York. Initial cost estimate for the study is \$80,000.00 - \$100,000.00. York will have consultants bid on the study. York will submit a Notice of Intent for the study to the Nebraska Emergency Management Agency. NEMA will then advise York which assistance program to apply through. Federal assistance would provide 75% of the funding and the local cost-share would provide 25%. Joe requested that NRD staff assist with drafting the application, and that the NRD provide 50% of the local cost-share.

It was moved by Weiss and seconded by Rich that the Upper Big Blue Natural Resources District enter into an Interlocal Agreement with the City of York to provide technical assistance in drafting a grant proposal application for a drainage/flood evaluation study for the City of York, and to provide 50% of the

local cost-share requirement not to exceed \$20,000.00. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Houdersheldt

NAY: Bruns, Kuehner, Yates

NOT VOTING: Volkmer

ITEM 24. SEWARD LEVEE EVALUATION UPDATE AND PAYMENT.

The City of Seward submitted the final payment request for the Levee Evaluation Project. The City Council accepted the evaluation report at the May 21, 2019 City Council Meeting.

It was moved by Weiss and seconded by Robotham that the Upper Big Blue NRD approve payment of \$707.00 (50% of \$1,414.00) to the City of Seward for services provided by JEO Consulting Group Inc., for work completed on the Seward Levee Evaluation Project from April 20, 2019 through May 17, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 25. WATER QUALITY MANAGEMENT PLAN AND VOLUNTARY INTEGRATED MANAGEMENT PLAN PAYMENT.

JEO Consulting Group has submitted a draft of the Water Quality Management Plan to the NRD for comments. Staff has submitted comments to JEO. The next step in the process will be to submit the plan to the Environmental Protection Agency. JEO Consulting Group submitted an invoice for the WQMP/VIMP.

AGENCY	WQMP	VIMP	TOTAL
Nebraska Department of Environmental Quality	\$3,678.84	\$0.00	\$3,678.84
Nebraska Department of Natural Resources	0.00	0.00	0.00
Upper Big Blue Natural Resources District	2,452.56	0.00	2,452.56
Total	\$6,131.40	\$0.00	\$6,131.40

It was moved by Weiss and seconded by Yates that the Upper Big Blue NRD approve payment of \$6,131.40 to JEO Consulting Group Inc. for services provided for the Water Quality Management Plan and Voluntary Integrated Management Plan from April 20, 2019 through May 17, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bruns, Eberle, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: Bohaty, Dickinson, Kuehner, Luebbe, Miller, Volkmer

ITEM 26. HAZARD MITIGATION PLAN UPDATE AND PAYMENT.

Local participants have submitted mitigation actions and JEO will incorporate these into the Hazard Mitigation Plan. JEO is planning on hosting a grant funding workshop at the NRD office in late July or early August.

It was moved by Weiss and seconded by Nuss that the Upper Big Blue NRD approve payment of \$2,688.00 to JEO Consulting Group Inc. for services provided for the Seward-York-Hamilton County Hazard Mitigation Plan update from April 20, 2019 through May 17, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 27. HAZARD MITIGATION PROJECTS NOTICE OF INTENT.

The first step for submitting hazard mitigation projects is to submit a Notice of Intent (NOI). Funding for the Hazard Mitigation Grant Program was approved on March 21, 2019. Participating agencies are to submit Notices of Intent for hazard projects by July 1st. Nebraska Emergency Management Agency will review NOIs and will select which projects should proceed to the application process in 30-45 days. Federal funds will provide 75% of costs for selected projects. There was concern expressed about how installing sirens and/or storm shelters could affect insurance rates. Staff asked our local agent, Ben Royal, to attend the June Board meeting so that he might answer questions.

It was moved by Weiss and seconded by Nuss that the Upper Big Blue NRD submit Notices of Intent for four warning sirens at \$25,000 each (Pioneer Trails, Recharge Lake, Smith Creek, Oxbow Trail), for two storm shelters at \$80,000 each (Pioneer Trails, Recharge Lake), and one remote reservoir level monitor at Hastings Northwest Flood Control Structure (High Hazard Dam). The motion was approved.

AYE: Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Houdersheldt

NAY: Bohaty, Bruns, Yates

ITEM 28. PAYMENT TO NEBRASKA ASSOCIATION OF RESOURCES DISTRICTS FOR TREES.

The District purchased 11,050 trees and shrubs from the Nebraska Association of Resources District for the planting of farmstead windbreaks, wildlife plantings, field windbreaks, timber plantings, and riparian plantings at a cost of \$8,673.58 (78 cents/tree). Total cost includes tree and shrub materials, wood chips, plastic liners, and shipping.

It was moved by Weiss and seconded by Bruns that the District make payment of \$8,673.58 to the Nebraska Association of Resources District for 11,050 tree seedlings, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 29. TREE AND BRUSH CLEARING – BAILEY DAM.

It was moved by Miller and seconded by Rich to accept the quote from Henry Thompson Tree Service in the amount of \$18,000 for tree and brush clearing at the Bailey Dam. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: Weiss

ITEM 30. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on June 13, 2019 and presented the committee's recommendations.

ITEM 31. FY 2020 LIABILITY, FIRE & CASUALTY INSURANCE RENEWAL.

Staff has been working with Cornerstone Insurance to obtain quotes for the FY 2020 insurance renewal package. Due to the liability for the District owned dams, it has been difficult to get insurers to quote the complete package. We have 1 high-hazard dam (Hastings Northwest); 2 significant-hazard dams (Recharge Lake and Oxbow Trails); and 42 low-hazard dams that the District owns and maintains.

The renewal quote for the District's insurance package through Glatfelter has been received from Cornerstone Insurance and The Harry A. Koch Company of Omaha. The quote for FY 2020 is \$64,107.00, and the FY19 quote was \$66,362.00. The workmen's compensation premiums are based on actual payroll, so a payroll audit is done by BITCO at the end of each fiscal year to determine any additional premium due.

	FY19	FY 20
Liability, Auto, Fire & Casualty	\$ 50,372.00	\$ 49,559.00
Workers Compensation	\$ 15,990.00	\$ 14,548.00
Estimated Total	\$ 66,362.00	\$ 64,107.00

ITEM 32. PAYMENT REQUEST FROM HARRY A. KOCH CO. INSURANCE.

An invoice totaling \$64,107.00 was received from Harry A. Koch Co. for insurance coverage for liability, auto, workmen's compensation, fire and casualty insurance for FY 2020. The effective date of the policy is July 1, 2019.

It was moved by Miller and seconded by Dickinson to make payment of \$64,107.00 to Harry A. Koch Co. for liability, auto, workmen's compensation, fire and casualty insurance for FY 2020. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich,

Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 33. APPROVAL FOR OUT-OF-STATE TRAVEL.

The Executive Committee discussed the 2019 Water & Natural Resources Tour to be held September 15-19, 2019. The tour will focus on the Missouri River Basin in Southern Montana and Northwest Wyoming.

It was moved by Miller and seconded by Luebbe to approve out-of-state travel for any director to attend the 2019 Water & Natural Resources Tour. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: Kuehner

NOT VOTING: Nuss

ITEM 34. REVIEW OF GENERAL MANAGER'S JOB PERFORMANCE AND COMPENSATION.

The Executive Committee recommended that the board consider the General Manager's job performance and any salary adjustment at the June 20, 2019 Board Meeting.

It was moved by Miller and seconded by Rich to go to closed session at 8:45 p.m. to prevent needless injury and to protect the reputation of the General Manager while conducting an evaluation of his job performance. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bohaty, Volkmer

It was moved by Miller and seconded by Bethune to return to open session at 9:27 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

It was moved by Yates and seconded by Rich to set the General Manager's salary at \$115,000 effective July 1, 2019. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Miller, Moore, Nuss, Rich, Stahly, Yates, Houdersheldt

NAY: Bohaty, Kuehner, Luebbe, Robotham, Volkmer

NOT VOTING: Weiss

ITEM 35. FINANCIAL REPORT MAY 1 - 31, 2019 AND CONSIDERATION OF EXPENDITURES FOR MAY 2019.

Eigenberg reviewed the financial report for the period May 1, 2019 to May 31, 2019 that was distributed. It was moved by Stahly and seconded by Volkmer to accept the financial report for May 2019 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Moore

ITEM 36. MOTION TO ADJOURN.

It was moved by Miller and seconded by Rich to adjourn the meeting at 9:51 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Moore

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held June 20, 2019, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Linda L. Luebbe, Secretary

:ndb

Attachments (5)

BOARD OF DIRECTORS MEETING

July 18, 2019

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, July 18, 2019 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Bill Kuehner, Roger Houdersheldt, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Marie Krausnick, Ken Feather, Steve Moseley of York News-Times, Josh Bowers of York County NRCS, and Leann Nelson of York County FSA.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Houdersheldt reported that we published the legal notice of the board of directors' meeting on July 11, 2019 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairperson Houdersheldt advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Merlin Volkmer requested that his absence from the July 18, 2019 board of directors meeting be excused for medical reasons.

It was moved by Kuehner and seconded by Stahly to excuse the absence of Volkmer from the July 18, 2019 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 5. ADOPTION OF AGENDA.

It was moved by Yates and seconded by Dickinson to approve the agenda for the July 18, 2019 board of directors meeting as presented. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 6. APPROVAL OF MINUTES OF THE JUNE 20, 2019 BOARD OF DIRECTORS MEETING.

It was moved by Rich and seconded by Yates to approve the minutes of the June 20, 2019 Board of Directors meeting. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Water & Regulations Committee met July 9, 2019 and presented the committee's recommendations.

ITEM 8. CITY OF AURORA MUNICIPAL WATER SYSTEM ASSISTANCE PROGRAM PAYMENT.

In October 2018, the City of Aurora applied for Municipal Water System Assistance Program funds for the construction of a new municipal well, with completion before June 2019. The total cost of the project was estimated at \$900,000.00. To date, the project has been substantially completed. The City is asking for payment of \$50,000.00 as part of the Municipal Water System Assistance Program.

It was moved by Kuehner and seconded by Miller to pay the City of Aurora \$50,000.00 for the construction of a new municipal well as part of the Municipal Water System Assistance Program. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 9. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Seventeen Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments, totaling \$8,500.00.

It was moved by Kuehner and seconded by Luebbe to make cost-share payments for seventeen well abandonments, as reviewed by the Committee, at a cost of \$8,500.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 10. FLOW METER REPAIR COST-SHARE PAYMENT.

Five flow meter repair cost-share applications have been approved for final payments totaling \$723.39.

It was moved by Kuehner and seconded by Luebbe to pay five flow meter repair cost-share claims totaling \$723.39. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 11. PROPOSED CHANGES TO DISTRICT RULE 5.

The Water and Regulations Committee reviewed a draft of Rule 5 which incorporated the first five items from the Director Ranking Survey which were:

- (1) Require inhibitors with all pre-plant fertilizer applications in Phase II & III Areas;
- (2) Split application - Limit pre-plant application to 100 lbs./ac.; (or an amount based on a percentage of total needed)
- (3) Require the submission of annual reports to the NRD prior to fertilizer application in Phase II & III Areas;
- (4) Require inhibitors with pre-plant fertilizer applications, other than anhydrous, between March 1 and March 31; and
- (5) Set maximum nitrogen application rate at 150 lbs./ac., unless farmer(s) can provide proof that more is needed based on the UNL formula and past yields.

After lengthy discussion concerning the limitation of pre-plant applications of nitrogen the committee recommended the rate be set at 120 lbs./ac and that the draft Rule 5 changes be forwarded to the board for the purpose of conducting a public hearing.

It was moved by Kuehner and seconded by Moore to approve the proposed changes to Rule 5 for the purpose of conducting a Public Hearing.

It was moved by Bohaty and seconded by Bethune to amend the motion to include paragraph 06 "Approved Nitrification Inhibitor Required" and sub-paragraphs 06.01 and 06.02 from pages 5-41 and 5-42 of Chapter 20 – Phase II Requirements in page 5-39 of Chapter 18 – Phase I Requirements. The amendment carried.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Moore, Rich, Robotham, Weiss

NAY: Dickinson, Miller, Nuss, Stahly, Yates

NOT VOTING: Houdersheldt

NOT PRESENT: Volkmer

It was moved by Kuehner and seconded by Bohaty to amend the motion to change Paragraph 05 Split Application on page 5-41 of Chapter 20 pre-plant application of nitrogen fertilizer from 120 lbs. per acre to 150 lbs. per acre. The amendment failed.

AYE: Bohaty, Kuehner, Moore, Stahly

NAY: Bethune, Bruns, Dickinson, Eberle, Luebbe, Miller, Nuss, Rich, Robotham, Weiss, Yates

NOT VOTING: Houdersheldt

NOT PRESENT: Volkmer

The question was called on the original motion as amended. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Luebbe, Moore, Rich, Robotham, Weiss

NAY: Bohaty, Kuehner, Miller, Stahly, Yates

NOT VOTING: Nuss, Houdersheldt

NOT PRESENT: Volkmer

ITEM 12. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on July 11, 2019 and presented the committee's recommendations.

ITEM 13. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Robotham and seconded by Yates that the Upper Big Blue NRD approve payment of \$15,583.29 for nine completed NRD Land Treatment applications, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 14. PRIVATE DAMS PROGRAM COST-SHARE PAYMENT.

The Candyce Widness private dam has been completed and approved by the NRCS.

It was moved by Robotham and seconded by Stahly that the Upper Big Blue NRD approve payment of \$6,750.00 for the Candyce Widness Private Dam project, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 15. SUTTON PEDESTRIAN TRAIL BRIDGE AMENDMENT TO EXTEND INTERLOCAL AGREEMENT.

The City of Sutton did not receive the Nebraska Game and Parks Commission Recreational Trails Program Grant, but the project was ranked high. Sutton plans on re-applying this year and requested an extension of the Interlocal Agreement with the NRD.

It was moved by Robotham and seconded by Rich that the Upper Big Blue NRD approve Amendment #1 to the Interlocal Agreement with City of Sutton for the Pedestrian Trail Bridge, which extends the agreement to June 30, 2020, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: Kuehner

NOT PRESENT: Volkmer

ITEM 16. WATER QUALITY MANAGEMENT PLAN / VOLUNTARY INTEGRATED MANAGEMENT PLAN – PAYMENT.

JEO Consulting Group has addressed the NRD comments on the draft Water Quality Management Plan. JEO will be addressing comments from NDEQ and will then submit the plan to the Environmental Protection Agency. JEO Consulting Group submitted an invoice of \$17,014.00 for the WQMP/VIMP.

Agency	WQMP	VIMP	TOTAL
Nebraska Department of Environmental Quality	7,127.59	0.00	7,127.59
Nebraska Department of Natural Resources	0.00	0.00	0.00
Upper Big Blue Natural Resources District	9,886.41	0.00	9,886.41
TOTAL	\$17,014.00	\$0.00	\$17,014.00

It was moved by Robotham and seconded by Yates that the Upper Big Blue NRD approve payment of \$17,014.00 to JEO Consulting Group Inc. for services provided for the Water Quality Management Plan and Voluntary Integrated Management Plan from May 18, 2019 through June 27, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: Miller

NOT PRESENT: Volkmer

ITEM 17. HAZARD MITIGATION PLAN UPDATE AND PAYMENT.

JEO Consulting Group continues to incorporate planned mitigation actions into the Hazard Mitigation Plan. JEO is hosting a grant funding workshop at the NRD office on August 7, 2019.

It was moved by Robotham and seconded by Stahly that the Upper Big Blue NRD approve payment of \$2,960.00 to JEO Consulting Group Inc. for services provided for the Seward-York-Hamilton County Hazard Mitigation Plan update from May 18, 2019 through June 27, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 18. JOHNSON CREEK 46 SLIP LINING PIPE PAYMENT.

The Snap-Tite pipe for Johnson Creek 46 slip lining project has been delivered to Willard Meyer Recreation Area, located northeast of Tobias

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD approve payment of \$16,853.00 to ISCO Industries for the riser, pipe, and drawdown pipe for Johnson Creek 46 Slip Lining project, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 19. MENTINK DAM PIPE ORDER.

Staff presented a quote from ISCO Industries for the riser, pipe, and drawdown pipe needed to slip line the outlet pipe at Mentink Dam. The initial quote was \$25,301.67, which included \$21,183.67 for materials and \$4,118.00 for shipping. Costs may change slightly pending final design and actual shipping costs.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD proceed with ordering the pipe necessary for the slip lining project at Mentink Dam, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 20. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on July 16, 2019 and presented the committee's recommendations.

ITEM 21. DIRECTORS' SECOND QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the directors' per diem and expenses for this past quarter. Totals for the second quarter per diem are \$10,150.00 and expenses are \$5,924.99, for a total expenditure of \$16,074.99. Individual expense vouchers were available for review.

It was moved by Miller and seconded by Yates to approve payment of second quarter 2019 directors' per diem of \$10,150.00 and expenses of \$5,924.99 for a total of \$16,074.99, and to publish these approved expenditures in the June 2019 Financial Report, except that each director, who has per diem and/or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and/or expense reimbursement. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Weiss, Yates, Houdersheldt

NAY: Stahly

NOT VOTING: Bohaty

NOT PRESENT: Volkmer

ITEM 22. LITTLE BLUE NRD SALARY REIMBURSEMENTS.

The Little Blue NRD submitted an invoice for \$4,942.48 for the Clay County NRCS clerk's salary and benefits and \$10,263.14 for the Adams County NRCS clerk's salary and benefits for a combined total of \$15,205.62. This invoice is for work performed in FY 2019 (July 1, 2018 - June 30, 2019).

It was moved by Miller and seconded by Luebbe to approve payment of \$15,205.62 to the Little Blue NRD for NRCS Clerks salaries in Clay and Adams County for FY 2019. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 23. LOWER BIG BLUE NRD SALARY REIMBURSEMENTS.

The Lower Big Blue NRD submitted an invoice for \$5,764.00 for the Saline County NRCS clerk's salary and benefits and \$4,904.13 for the Saline County technician's salary and benefits for a combined total of \$10,668.13. The Lower Big Blue NRD hired a full-time technician during FY 2019. The annual salary plus benefits for this position is \$44,704.90 per year. In past years, technical needs were supplied on an hourly basis by a Lower Big Blue staff member and the annual cost was substantially lower. The current Interlocal Cooperative Agreement between the Upper Big Blue and the Lower Big Blue states "*That the Lower Big Blue and the Upper Big Blue NRD will provide secretarial and technical assistance to each of the Natural Resources Conservation Service county field offices within the boundaries of the respective DISTRICT as determined appropriate by the Board of Directors of those DISTRICTS.*" The Interlocal Cooperative Agreement states that the Upper Big Blue NRD is responsible for 10.967% of the costs of such employees. This invoice is for work performed in FY 2019 (July 1, 2018 - June 30, 2019).

It was moved by Miller and seconded by Luebbe to approve payment of \$10,668.13 to the Lower Big Blue NRD for NRCS Clerk and Technician salaries in Saline County for FY 2019. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates

NAY: Miller, Houdersheldt

NOT PRESENT: Volkmer

ITEM 24. LOWER PLATTE NORTH NRD SALARY REIMBURSEMENT.

The Lower Platte North NRD submitted an invoice totaling \$14,580.70 for the Butler County NRCS clerk's salary and benefits. This invoice is for work performed in FY 2019 (July 1, 2018 - June 30, 2019).

It was moved by Miller and seconded by Bruns to approve payment of \$14,580.70 to the Lower Platte North NRD for NRCS Clerks salaries in Butler County for FY 2019. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 25. CONSIDERATION OF REVISIONS TO INTERLOCAL COOPERATIVE AGREEMENTS RELATIVE TO SHARED PERSONNEL SERVICES.

The Executive Committee reviewed the current Interlocal Cooperative Agreements between this District and neighboring Districts that currently have Shared Personnel Services. Discussion focused on the shared technicians with other districts.

It was moved by Miller and seconded by Yates to notify Lower Big Blue Natural Resources District that effective September 1, 2019 the Upper Big Blue Natural Resources District will no longer be a party to the Interlocal Cooperative Agreement relative to Shared Personnel Services dated April 26, 2001. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

It was moved by Miller and seconded by Dickinson to revise the Interlocal Cooperative Agreements relative to Shared Personnel Services between Little Blue (April 19, 2001), Lower Big Blue (April 26, 2001), Lower Platte North (May 14, 2001), Lower Platte South (May 22, 2001), and Central Platte (April 26, 2001) Natural Resources Districts removing all language supporting paying any shared technical assistance personnel services. The Upper Big Blue Natural Resources District will continue to support shared secretarial assistance personnel services. And to provide neighboring NRDs copies of revised Interlocal Cooperative Agreement for their consideration. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 26. PAYMENT TO YORK PRINTING COMPANY FOR THE BLUEPRINT NEWSLETTER.

The Executive Committee reviewed an invoice from York Printing Company in the amount of \$6,837.49 for printing the Spring 2019 issue of the BLUEPRINT newsletter.

It was moved by Miller and seconded by Yates to approve payment of \$6,837.49 to York Printing Company for printing the Spring 2019 edition of the BLUEPRINT newsletter. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 27. FISCAL YEAR 2020 CONSOLIDATED BUDGET.

Eigenberg reviewed the lid calculations with the Board, and the District is in compliance. He recommended that the Board approve the additional 1% restricted funds authority. Three-fourths majority of the Board present and voting is required for approval.

It was moved by Miller and seconded by Nuss to approve an increase in the total budgeted restricted funds authority by an additional 1%. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

The final draft of the FY20 Consolidated Budget was presented to the Board. The total tax request for Fiscal Year 20 is down 0.22% as compared to the Fiscal Year 19 budget. Eigenberg provided a brief presentation outlining the budgeting process and rationale behind the proposed budget.

It was moved by Miller and seconded by Yates to approve the Fiscal Year 20 Budget for the purpose of public hearing. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

The dates for two public hearings need to be set so that the proper public notices can be published. In the past, public hearings have coincided with August and September Board meetings. Staff recommended the Board schedule the FY20 Budget Hearing for 7:30 p.m., Thursday, August 15, 2019, and the Special Public Hearing for the FY20 Tax Request for 7:30 p.m., Thursday, September 19, 2019.

It was moved by Miller and seconded by Nuss to schedule the FY20 Budget Hearing for 7:30 p.m., Thursday, August 15, 2019 and the Special Public Hearing for the FY20 Tax Request for 7:30 p.m., Thursday, September 19, 2019. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich,
Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 28. FINANCIAL REPORT JUNE 1 - 30, 2019 AND CONSIDERATION OF EXPENDITURES FOR JUNE 2019.

Eigenberg reviewed the financial report for the period June 1, 2019 to June 30, 2019 that was distributed. It was moved by Rich and seconded by Luebbe to accept the financial report for June 2019 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich,
Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

ITEM 29. MOTION TO ADJOURN.

It was moved by Rich and seconded by Yates to adjourn the meeting at 9:30 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich,
Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Volkmer

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held July 18, 2019, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Linda L. Luebbe, Secretary

:ndb

**BOARD OF DIRECTORS MEETING
and
FISCAL YEAR 2020 BUDGET HEARING
August 15, 2019**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, August 15, 2019 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska. Directors present were Paul Bethune, Jeff Bohaty, Doug Dickinson, Gary Eberle, Bill Kuehner, Roger Houdersheldt, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Marie Krausnick, Ken Feather, Nancy Beach, Josh Bowers and Mark Hoferer of York County NRCS, Lynn Oberg, Roy Smith, Corben J. Fagan, Mitchell T. Fagan, Jonathan Rempel, Duane Grotz, Cleon Schwartz, Delmer Grotz, Marlin Rempel, Ronald Janzen, Daniel Grotz, Jason Abell, Kim Siebert, Kendall Siebert, Bob Friesen, Mark Kaliff, Jeff Peters, Tom Petersen, Todd Danhauer, Craig Quiring, Jeremiah Ochsner, Jeff Huber, Dan Baumert, Greg Boehr, Matt Siebert, Bret Jost, Tom Jensen, Aarick Jensen, Dustin Clark, Justin Goertzen, Steve Hiebner, Andrew Nunnenkamp, Gary Nunnenkamp, Burch Breazeale, Kevin Williams, Corey Thiezen, Jeremy Janzen, Troy Hiebner, Brian Peters, Aaron Heiden, Greg Nuttleman, Delayne Eberspacher, Mike Ratzliff, Jeff Due, Robbie Petersen, Kellen Jorgensen, Tom Petersen, Joseph Potts, and Ken Janzen. There were a number of other area agriculture producers present who did not sign the attendance roster.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Houdersheldt reported that we published the legal notice of the board of directors' meeting on August 8, 2019 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairperson Houdersheldt advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 5. ADOPTION OF AGENDA.

It was moved by Moore and seconded by Volkmer to approve the agenda for the August 15, 2019 board of directors meeting and FY20 Budget Hearing as presented. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bruns

ITEM 6. APPROVAL OF MINUTES OF THE JULY 18, 2019 BOARD OF DIRECTORS MEETING.

It was moved by Stahly and seconded by Yates to approve the minutes of the July 18, 2019 Board of Directors meeting. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bruns

ITEM 7. PUBLIC COMMENT FORMAT FOR RULE 5 HEARING.

Director Paul Weiss had requested that the board discuss the format, or manner in which the open forum and testimony on proposed changes to Rule 5 would be handled at the August 19, 2019 public hearing. Due to the large number of area producers who showed up to discuss this agenda item chairperson Houdersheldt moved the item up on the agenda to accommodate them.

Comments were received from a number of those present expressing their desire to be able to address the full board during a question and answer session prior to the actual public hearing on the proposed changes to Rule 5. They expressed their desire for everyone, board members included, to hear all of the comments, questions that were asked, and board members answers to those questions.

The public hearing and informational open house are set for 7:00 p.m., Monday, August 19, 2019 at the Holthus Convention Center in York, Nebraska. Verbal and written testimony will be taken from 7:00 p.m. to 8:00 p.m. while the information session is being conducted in an adjacent meeting room. The full board will convene at 8:15 p.m. to receive additional testimony from the public. However, the board will not be able to answer questions during the hearing.

In an effort to address the producers' concerns it was moved by Weiss and seconded by Bohaty to hold a special board meeting on September 10, 2019 at 7:00 p.m. to discuss Rule 5. The motion was approved

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss

NAY: Moore, Yates

NOT VOTING: Houdersheldt

NOT PRESENT: Bruns

ITEM 8. FISCAL YEAR 2020 BUDGET HEARING.

The Notice of Budget Hearing and Budget Summary was published in the York News-Times on August 6, 2019. The purpose of the hearing is to hear support, opposition, criticism, suggestions or observations of taxpayers relating to this budget. Houdersheldt officially opened the hearing at 8:55 p.m.

Eigenberg briefly reviewed the proposed Fiscal Year 2020 Budget. A tax request of \$3,755,302.84 is needed to fund the proposed budget. The budget includes a transfer of \$206,000 from the sinking fund to the general fund to offset capital improvements. The change from last year's budget to this year is a decrease of .22%. The proposed budget complies with the lid limits. There were no questions or comments from the public. Houdersheldt closed the hearing at 9:00 p.m.

ITEM 9. ADOPTION OF FISCAL YEAR 2020 BUDGET.

It was moved by Rich and seconded by Bethune to adopt the FY 2020 Budget as presented. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bruns

ITEM 10. ISSUANCE OF CEASE AND DESIST FOR PHASE II & III MANAGEMENT AREA REPORTING.

Krausnick advised the board that there are 15 individuals in violation of District Rule 5 for failure to report best management practices for fields operated in Phase II and Phase III Management Areas. These individuals were given the opportunity to request a public hearing before the board regarding the alleged violation and subsequent issuance of a cease and desist order but did not respond.

It was moved by Yates and seconded by Rich to adopt the Cease and Desist Order against AF Farms Inc., as presented to the board on August 15, 2019. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt

NAY: Bohaty, Kuehner, Volkmer, Weiss

NOT VOTING: Nuss

NOT PRESENT: Bruns

It was moved by Yates and seconded by Eberle to adopt the Cease and Desist Order against Mike Campbell, as presented to the board on August 15, 2019. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt

NAY: Bohaty, Kuehner, Volkmer, Weiss

NOT VOTING: Nuss

NOT PRESENT: Bruns

It was moved by Yates and seconded by Bethune to adopt the Cease and Desist Order against Terry I. Coats, as presented to the board on August 15, 2019. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Volkmer, Weiss
NOT VOTING: Nuss
NOT PRESENT: Bruns

It was moved by Eberle and seconded by Yates to adopt the Cease and Desist Order against Scott C. Harmon, as presented to the board on August 15, 2019. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Volkmer, Weiss
NOT VOTING: Nuss
NOT PRESENT: Bruns

It was moved by Yates and seconded by Bethune to adopt the Cease and Desist Order against Fredrick D. Heuermann, as presented to the board on August 15, 2019. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Volkmer, Weiss
NOT VOTING: Nuss
NOT PRESENT: Bruns

It was moved by Yates and seconded by Robotham to adopt the Cease and Desist Order against Chad A. Hoffman, as presented to the board on August 15, 2019. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Volkmer, Weiss
NOT VOTING: Nuss
NOT PRESENT: Bruns

It was moved by Yates and seconded by Eberle to adopt the Cease and Desist Order against Ben Leif, as presented to the board on August 15, 2019. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Luebbe, Miller, Rich, Robotham, Stahly, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Volkmer, Weiss
NOT VOTING: Moore, Nuss
NOT PRESENT: Bruns

It was moved by Yates and seconded by Eberle to adopt the Cease and Desist Order against Allen J. Luebbe as presented to the board on August 15, 2019. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Volkmer, Weiss
NOT VOTING: Nuss
NOT PRESENT: Bruns

It was moved by Yates and seconded by Bethune to adopt the Cease and Desist Order against Gareth J. Peters as presented to the board on August 15, 2019. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Volkmer, Weiss
NOT VOTING: Nuss
NOT PRESENT: Bruns

It was moved by Yates and seconded by Rich to adopt the Cease and Desist Order against Jason Preissler as presented to the board on August 15, 2019. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Volkmer, Weiss
NOT VOTING: Nuss
NOT PRESENT: Bruns

It was moved by Yates and seconded by Rich to adopt the Cease and Desist Order against Jeff Roth as presented to the board on August 15, 2019. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Volkmer, Weiss
NOT VOTING: Nuss, Stahly
NOT PRESENT: Bruns

It was moved by Eberle and seconded by Yates to adopt the Cease and Desist Order against Kelvin Schulze as presented to the board on August 15, 2019. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Volkmer, Weiss
NOT VOTING: Nuss
NOT PRESENT: Bruns

It was moved by Yates and seconded by Bethune to adopt the Cease and Desist Order against Matthew C. Snoberger as presented to the board on August 15, 2019. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Lubbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Volkmer, Weiss
NOT VOTING: Nuss
NOT PRESENT: Bruns

It was moved by Yates and seconded by Robotham to adopt the Cease and Desist Order against Gale Stevens as presented to the board on August 15, 2019. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Volkmer, Weiss
NOT VOTING: Nuss
NOT PRESENT: Bruns

It was moved by Yates and seconded by Eberle to adopt the Cease and Desist Order against Benton Worman as presented to the board on August 15, 2019. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Luebbe, Miller, Moore, Rich, Robotham, Stahly, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Volkmer, Weiss
NOT VOTING: Nuss
NOT PRESENT: Bruns

ITEM 11. SPECIAL RECOGNITION.

The Board presented Mark Hoferer of the Natural Resource Conservation Service with a plaque in appreciation of his partnership with the Upper Big Blue NRD. He has been very instrumental in promoting our Small Dams Program, as well as other activities. Mark is retiring as a Civil Engineering Technician (CET) for the Natural Resources Conservation Service after 38 years, 20 of which were spent at the York County NRCS Office. Mark will be missed.

ITEM 12. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Water & Regulations Committee met August 6, 2019 and presented the committee's recommendations.

ITEM 13. WATER SUSTAINABILITY FUND APPLICATION PAYMENT TO OLSSON INC.

Olsson submitted a Water Sustainability Fund Application on behalf of the UBBNRD for the development of a software application to aid in tracking water use across the District. An invoice for \$3,000.00 for the drafting and submission of the application was submitted.

It was moved by Rich and seconded by Luebbe to pay Olsson for services in submitting a Water Sustainability Fund Application totaling \$3,000.00. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt
NAY: Bohaty, Kuehner, Weiss
NOT VOTING: Miller
NOT PRESENT: Bruns

ITEM 14. FLOW METER REPAIR COST-SHARE PAYMENT.

Three flow meter repair cost-share applications have been approved for final payments totaling \$438.69.

It was moved by Rich and seconded by Luebbe to pay three flow meter repair cost-share claims totaling \$438.69. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bruns

ITEM 15. CERTIFICATION OF ACRES.

The Water and Regulations Committee reviewed the acres' certification for 176 parcels totaling 17,221.72 acres, yielding an increase in irrigated acres of 133.01. This brings the total irrigated acres to 1,240,379.23. The committee also reviewed certified acres' changes for one cemetery for 16 acres, and one wetland for 15.76 acres. The grand total certified acres' changes for August is 164.77 acres.

It was moved by Rich and seconded by Nuss to certify the acres' changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bruns

ITEM 16. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on August 8, 2019 and presented the committee's recommendations.

ITEM 17. LAND TREATMENT PROGRAM COST-SHARE PAYMENTS.

It was moved by Robotham and seconded by Miller that the Upper Big Blue NRD approve payment of \$7,249.16 for four completed NRD Land Treatment applications, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bruns

ITEM 18. PAYMENT TO HENRY THOMPSON TREE SERVICE FOR SPRAYING BAILEY DAM.

Henry Thompson Tree Service has completed spraying trees and shrubs at Bailey Dam. They will return to do shredding on the dam in late August or September.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD approve payment of \$4,500.00 to Henry Thompson Tree Service for spraying trees and shrubs at Bailey Dam, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: Bohaty, Weiss

NOT PRESENT: Bruns

ITEM 19. PAYMENT TO JEO FOR HAZARD MITIGATION PLAN.

JEO hosted a grant funding workshop at the NRD office on August 7, 2019. Agencies presenting information included the Nebraska Department of Environment and Energy, USDA Rural Development, the Nebraska Environmental Trust, and the Nebraska Department of Economic Development. JEO should be finalizing the Hazard Mitigation Plan in September.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD approve payment of \$1,840.00 to JEO Consulting Group Inc. for services provided for the Hamilton-Seward-York County Hazard Mitigation Plan update from June 28, 2019 through July 19, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bruns

ITEM 20. CEDAR VIEW RECREATION AREA APPRAISAL.

The Projects and Programs Committee discussed the options of purchasing or leasing the Cedar View Recreation Area near Milligan. The depth of the lake is a concern and staff will investigate options for removing silt. Cleanup of the area and access are other issues to be considered. An appraisal is needed to evaluate land purchase and if further investment in silt removal would be beneficial. A local appraisal company estimated the cost of the appraisal at \$950.00.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD proceed with obtaining an appraisal of the Cedar View Recreation Area near Milligan in order to further evaluate options of purchasing or leasing this area, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Miller, Moore, Nuss, Yates, Houdersheldt

NAY: Luebbe, Rich, Robotham, Stahly, Volkmer, Weiss

NOT PRESENT: Bruns

ITEM 21. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Executive Committee met on August 8, 2019 and presented the committee's recommendations.

ITEM 22. GREENHOUSE FUNDING REQUEST – SHELBY-RISING CITY SCHOOLS.

Chip Kay, Superintendent, Shelby-Rising City Schools, provided an application to the Education Capital Projects Fund (ECAP) to construct a greenhouse. He requested \$4,750 in assistance to fund this project. The K-12 greenhouse and environmental studies lab would be located on school property and be used for Precision Agricultural and Environmental Science, Biological and General Agricultural instruction.

Estimated price for the project is \$75,000. Funding sources would include School District Building Fund, Shelby-Rising City Schools FFA Fundraisers and Grants, Private Donations and Grants. FY 2020 Budget has dollars allocated for the support of this project.

It was moved by Dickinson and seconded by Nuss to approve funding of \$4,750 to support the construction of a K-12 greenhouse and environmental studies lab on the property of Shelby-Rising City Schools, to be paid after all construction is complete. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bruns

ITEM 23. LITTLE BLUE NRD SALARIES REIMBURSEMENTS.

Invoice # 16422 dated June 18, 2019 totaling \$15,205.62 was received for salaries for the Clay and Adams County NRCS Clerks from the Little Blue NRD. Payment was approved in July 2019. This bill is for work performed in FY 2019 (July 1, 2018 - June 30, 2019).

Clay County Clerk salary and benefits:	\$ 4,942.48
Adams County Clerk salary and benefits:	<u>\$10,263.14</u>
Total Due:	\$15,205.62

An error was made in the calculation of this invoice. Billing is determined by land area of each district. UBBNRD contains 12.633% of Adams County and 43.158% of Clay County. Invoice #16422 had the two counties' land area percentages switched. Corrected invoice #16499, dated August 1, 2019 was received with adjustments. Correct charges for work performed in FY 2019 (July 1, 2018 - June 30, 2019) are:

Clay County Clerk salary and benefits:	\$16,884.97
Adams County Clerk salary and benefits:	<u>\$ 3,004.18</u>
Total Due:	\$19,889.15

The difference between invoice #16442 and invoice #16499 is \$4,683.53.

Adjustments:	
Clay County Clerk salary and benefits:	\$11,942.49
Adams County Clerk salary and benefits:	<u>\$ -7,258.96</u>
Total Due:	\$ 4,683.53

It was moved by Dickinson and seconded by Nuss to approve payment of \$4,683.53 to the Little Blue NRD for corrective adjustments for NRCS Clerks' salaries in Clay and Adams County for FY 2019. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bruns

ITEM 24. 2020 NEBRASKA ASSOCIATION OF RESOURCES DISTRICT'S DUES.

It was moved by Dickinson and seconded by Stahly to approve payment of \$34,123.00 to the NARD for the FY 20 dues. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: Volkmer

NOT PRESENT: Bruns

ITEM 25. NARD LEGISLATIVE RESOLUTIONS.

The Executive Committee was updated on the process of submitting NARD Legislative Resolutions for Association consideration at the 2019 Fall Conference. Deadline for submission to NARD is August 16, 2019. A draft of the NARD resolution 2019-1 was provided to the committee. This resolution was submitted by Upper Niobrara-White NRD. This resolution seeks changes in the Nebraska statutes to ensure all serving Nebraska Natural Resources Commission members be residents of the state of Nebraska.

It was moved by Dickinson and seconded by Moore to support NARD resolution 2019-1 that seeks changes in the Nebraska statutes to ensure all serving Nebraska Natural Resources Commission members be residents of the state of Nebraska. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bruns

ITEM 26. FINANCIAL REPORT JULY 1 - 31, 2019 AND CONSIDERATION OF EXPENDITURES FOR JULY 2019.

Eigenberg reviewed the financial report for the period July 1, 2019 to July 31, 2019 that was distributed. It was moved by Volkmer and seconded by Yates to accept the financial report for July 2019 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bruns

ITEM 27. MOTION TO ADJOURN.

It was moved by Miller and seconded by Rich to adjourn the meeting at 10:37 p.m. The motion was approved.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Bruns

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held August 15, 2019, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Linda L. Luebbe, Secretary

:ndb

Attachments (15)

SPECIAL BOARD OF DIRECTORS MEETING

September 10, 2019

The Board of Directors of the Upper Big Blue Natural Resources District met Tuesday, September 10, 2019 at 7:00 p.m. in the Campbell Student Activity Center at York College located at 925 Mayhew, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Nancy Beach, Josh Bowers of York County NRCS, Steve Moseley of York News-Times, Andy Raun of the Hastings Tribune, Steve Buller, Max Ronne, Kim Siebert, Dan Baumert, Jessica Walsh, Geoff Ruth, Bruce Hudson, Wendy Hudson, Mike Bergen, John Lovegrove, Troy Hiebner, Jonathan Rempel, Stan Boehr, Kurt Bulgrin, Kendall Siebert, Burch Breazeale, Dennis Elge, Jerry L. Stahr, Paul J. Buller, Daniel Grotz, Marc Peters of Central Valley Ag, Duane Grotz, Jason Perdue and Hank McGowan. There were a number of other area agriculture producers present who did not sign the attendance roster.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairman Houdersheldt reported that we published the legal notice of the board of directors' meeting on September 3, 2019 in the York News-Times. The purpose of this special meeting was to discuss proposed changes to Rule 5 – Groundwater Management Rules & Regulations and allow discussion between the board members, ag producers, and other concerned citizens.

ITEM 2. OPEN MEETINGS ACT.

Chairman Houdersheldt advised those in attendance that the Open Meetings Act was posted by the entrance.

ITEM 3. ROLL CALL OF DIRECTORS.

Seventeen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

There were no requests for excused absence.

ITEM 5. ADOPTION OF AGENDA.

It was moved by Miller and seconded by Yates to adopt the agenda for the September 10, 2019 special board of directors meeting presented. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

ITEM 6. RULE 5 – GROUNDWATER MANAGEMENT RULES AND REGULATIONS PROPOSED CHANGES.

It was moved by Moore and seconded by Luebbe to send the proposed changes to Rule 5 back to the Water and Regulations Committee.

It was moved by Volkmer and seconded by Weiss to table the matter. The motion failed.

AYE: Volkmer, Weiss

NAY: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Yates, Houdersheldt

At this time Chairman Houdersheldt recognized members of the public who had expressed a desire to address the board. He asked that individuals, and members of the board, limit their comments to five minutes to allow everyone a chance to speak.

Thirteen members of the public addressed the board regarding the proposed changes to Rule 5. The proposed changes would require the use of a nitrification inhibitor in all management zones and limit pre-plant application of nitrogen fertilizer to 120 lbs. per acre in Phase II and Phase III Management Zones.

No one from the public was in favor of the proposed changes. Most of those who spoke indicated that they have already implemented changes to their farming practices to address the residual nitrogen in the soil through various methods. Many of those who spoke to the board said they already split apply their nitrogen fertilizer and some were using a nitrification inhibitor, although the effectiveness of a nitrification inhibitor was questioned.

A common theme was partnership between ag producers and the NRD. Many expressed a willingness to participate in on-farm trials to provide data to show what impact, if any, their current farming practices might be having on the nitrates in the groundwater.

Lynn Yates expressed a desire to see more data from producers, such as when they are applying nitrogen, rate of application, nitrogen yield ratio, and soil tests following harvest to show the residual nitrogen in the soil. This isn't currently mandatory, but he would like it to be on a voluntary basis. It would help the board to know how well our producers are doing at limiting leaching of nitrates into the groundwater. It might also be an educational opportunity. If someone is overapplying you could show them what others are achieving with less nitrogen fertilizer.

Marc Peters of Central Valley Ag told the board that if these proposed changes are implemented many producers wouldn't be able to justify going across their fields twice, which would result in a large shift to liquid fertilizer. Not only might cost be a concern, but his company doesn't currently have the storage facilities to meet producer demand. They estimate that it would cost 20 million dollars to add 8 half-million-gallon storage tanks, upgrade facilities, add semis, applicators and additional employees.

The issue of municipal water supplies was discussed. Currently several communities in our district are dealing with water quality problems due to high nitrates in the drinking water. They are faced with having to find alternate sites for municipal wells or put in extremely expensive water treatment facilities.

The question was called on the motion to refer back to committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: Weiss

ITEM 7. MOTION TO ADJOURN.

It was moved by Miller and seconded by Yates to adjourn the meeting at 8:25 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held September 10, 2019, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Linda L. Luebbe, Secretary

:ndb

**BOARD OF DIRECTORS MEETING
and
FISCAL YEAR 2020 TAX REQUEST HEARING
September 19, 2019**

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, September 19, 2019 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Bill Kuehner, Roger Houdersheldt, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, David Robotham, Bill Stahly, Paul Weiss, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Ken Feather, Nancy Beach, Josh Bowers of York County NRCS, Kyle Overturf with AMGL, Anthony Bohaty, and Kendall Siebert.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Houdersheldt reported that we published the legal notice of the board of directors' meeting on September 12, 2019 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Chairperson Houdersheldt advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Ronda Rich and Merlin Volkmer requested that their absences from the September 19, 2019 board of directors meeting be excused to allow them to attend the 2019 Water and Natural Resources Tour in Billings, Montana.

It was moved by Stahly and seconded by Miller to approve the excused absences of Rich and Volkmer from the September 19, 2019 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

ITEM 5. ADOPTION OF AGENDA.

It was moved by Yates and seconded by Dickinson to approve the agenda for the September 19, 2019 board of directors meeting and FY20 Tax Request Hearing as presented. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

ITEM 6. APPROVAL OF MINUTES OF THE AUGUST 15, 2019 BOARD OF DIRECTORS MEETING.

It was moved by Luebbe and seconded by Yates to approve the minutes of the August 15, 2019 Board of Directors meeting and FY 2020 Budget Hearing. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

ITEM 7. APPROVAL OF MINUTES OF THE SEPTEMBER 10, 2019 SPECIAL BOARD OF DIRECTORS MEETING.

It was moved by Dickinson and seconded by Bethune to approve the minutes of the September 10, 2019 Special Board of Directors Meeting. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

ITEM 8. FISCAL YEAR 2020 TAX REQUEST HEARING.

Houdersheldt opened the fiscal year 2020 tax request hearing at 7:36 p.m. The Notice of Special Meeting to Set Final Tax Request was published in the York News-Times on August 28, 2019. Houdersheldt asked general manager, Dave Eigenberg, to review the final valuations and the property tax levy required to fund the budget that was adopted August 15, 2019. Eigenberg advised the board that after the Hearing is closed, the board will need to adopt a resolution to set the property tax request for FY2020. After a few questions from the board regarding the valuations and change in tax request from last year Houdersheldt closed the hearing at 7:39 p.m.

ITEM 9. ADOPT RESOLUTION SETTING THE FISCAL YEAR 2020 PROPERTY TAX REQUEST.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the governing body of the Upper Big Blue Natural Resources District passes by a majority vote a resolution setting the tax request; and

WHEREAS, a special public hearing was held on September 19, 2019 as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the governing body of the Upper Big Blue Natural Resource District resolves that:

1. The Fiscal Year 2020 property tax request be set at \$3,755,302.84.
2. The total assessed value of property differs from last year's total assessed value by a decrease of 1.95%
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$0.025041 per \$100 of assessed value.
4. The Upper Big Blue Natural Resources District proposes to adopt a property tax request that will cause its tax rate to be \$0.024986 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the Upper Big Blue Natural Resources District will exceed last year's proposed operating budget by 9.57%.
6. A copy of this resolution shall be certified and forwarded to the County Clerk on or before October 13, 2019.

It was moved by Miller and seconded by Yates to adopt the resolution to set the fiscal year 2020 property tax request. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: Kuehner

NOT PRESENT: Rich, Volkmer

ITEM 10. FISCAL YEAR 2019 AUDIT.

Kyle Overturf with AMGL of Grand Island, Nebraska was present at the meeting to review the fiscal year 2019 audit with the board.

It was moved by Stahly and seconded by Yates to accept the fiscal year 2019 Audit as presented to the board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

ITEM 11. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Water & Regulations Committee met September 12, 2019 and presented the committee's recommendations.

ITEM 12. GROUNDWATER TRANSFER AUTHORIZATION – PAUL SEGNER.

Paul Segner has a grandfathered transfer to move water from the W1/2 SW1/4 of Section 33, Township 9 North, Range 1 East (Source Tract, 69.99 acres) to the E1/2 SE1/4 of Section 32, Township 9 North, Range 1 East (Destination Tract, 24 acres) with well G-002175. Mr. Segner has increased the total number of irrigated acres by adding a second pivot to the property. The total number of irrigated acres is now 50.45. Mr. Segner is also watering a small number of acres in the tract adjacent to the destination tract. The transfer does meet the District's rules for groundwater transfer for development of irrigated acres. The acres that Mr. Segner's second pivot water on the neighboring property do not fit within the District's groundwater transfer rules. The District will consider those acres uncertified.

It was moved by Kuehner and seconded by Moore to approve the groundwater transfer T-099 for Paul Segner, with the condition that the acres watered on the property adjacent to the destination tract be left uncertified. The motion failed.

AYE: Eberle, Kuehner, Moore, Nuss, Robotham, Stahly, Weiss

NAY: Bethune, Bohaty, Bruns, Dickinson, Luebbe, Miller, Yates, Houdersheldt

NOT PRESENT: Rich, Volkmer

ITEM 13. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Two Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments, totaling \$1,000.00.

It was moved by Kuehner and seconded by Robotham to make cost-share payments for two well abandonments, as reviewed by the Committee, at a cost of \$1,000.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

ITEM 14. FLOW METER REPAIR COST-SHARE PAYMENT.

One flow meter repair cost-share application has been approved for final payment totaling \$150.00.

It was moved by Kuehner and seconded by Luebbe to pay one flow meter repair cost-share claim totaling \$150.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

ITEM 15. ANNUAL BEEHIVE MAINTENANCE CONTRACT PAYMENT.

Beehive Industries has submitted an invoice for annual license renewal totaling \$25,740.00. Beehive provides the data management solution for the District and is utilized for all water department field and office work, as well as land treatment and dam inventory.

It was moved by Kuehner and seconded by Stahly to pay Beehive Industries for the annual license renewal totaling \$25,740.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: Dickinson

NOT PRESENT: Rich, Volkmer

ITEM 16. CERTIFICATION OF ACRES.

The Water & Regulations Committee reviewed the acres' certification for 924 parcels totaling 84,506.22 acres, yielding a decrease in irrigated acres of 342.92. This brings the total irrigated acres to 1,240,503.43.

It was moved by Kuehner and seconded by Bruns to certify the acres' changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT VOTING: Eberle

NOT PRESENT: Rich, Volkmer

ITEM 17. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on September 12, 2019 and presented the committee's recommendations.

ITEM 18. NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Robotham and seconded by Moore that the Upper Big Blue NRD approve payment of \$7,524.98 for five Nebraska Buffer Strip contracts, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

ITEM 19. FISCAL YEAR 2020 TREE & PLANTING PRICES.

The District has received the tree prices for FY 2020 from Bessey Nursery. The prices for 2-0 conifers and 2-0 hardwoods have increased from .75/tree to .78/tree; 1-0 hardwoods have increased from .70/tree to .73/tree, rooted cuttings have increased from .90/tree to .95/tree, and the small acre packages have stayed the same at @ \$55/package.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue Natural Resources District set the purchase price for trees at \$1.18 per tree and set the planting cost at \$1.18 per tree, as reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

ITEM 20. AUTOCAD LICENSE RENEWAL.

The annual AutoCAD license is up for renewal and there is a 10% discount with a three-year subscription. The annual subscription for two users is \$2,044.70 and a three-year subscription for two users would be \$5,519.72.

It was moved by Robotham and seconded by Yates that the Upper Big Blue NRD approve payment of \$5,519.72 to cover three years of AutoCAD Civil 3D subscription for two users, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

ITEM 21. WATER QUALITY MANAGEMENT PLAN AND VOLUNTARY INTEGRATED MANAGEMENT PLAN.

JEO Consulting Group has submitted the Water Quality Management Plan to the Environmental Protection Agency (EPA). EPA will return it with their comments by October 7, 2019.

It was moved by Robotham and seconded by Yates that the Upper Big Blue NRD approve payment of \$5,473.80 to JEO Consulting Group Inc. for services provided for the WQMP/VIMP from June 22, 2019 through August 23, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: Miller

NOT PRESENT: Rich, Volkmer

ITEM 22. HAZARD MITIGATION PLAN UPDATE AND PAYMENT.

JEO has posted the Hazard Mitigation Plan for public review. The Upper Big Blue NRD will send letters to

all plan participants with notice of the review. Comments are due by October 14, 2019.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD approve payment of \$320.00 to JEO Consulting Group Inc. for services provided for the Seward-York-Hamilton County Hazard Mitigation Plan update from July 20, 2019 through August 23, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

ITEM 23. PIONEER TRAILS ROCK PLACEMENT -PARTIAL PAYMENT.

High water levels at Pioneer Trails have delayed the rock placement on the face of the dam. Mid-Nebraska Land Developers has delivered the rock to the site.

It was moved by Robotham and seconded by Stahly that the Upper Big Blue NRD approve partial payment of \$11,316.00 to Mid-Nebraska Land Developers for rock hauled to Pioneer Trails, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

ITEM 24. MENTINK DAM SLIP LINING REQUEST FOR QUOTES.

The Upper Big Blue NRD staff is recommending that quotes be obtained for slip lining at the Mentink Dam, located approximately three miles east of Stromsburg.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD staff prepare specifications and request quotes from contractors for slip lining the outlet pipe at Mentink Dam, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

ITEM 25. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on September 12, 2019 and presented the committee's recommendations.

ITEM 26. NARD LEGISLATIVE RESOLUTIONS.

The Executive Committee was updated on the process of submitting NARD Legislative Resolutions for Association consideration at the 2019 Fall Conference. The deadline for submission to NARD was August 16, 2019.

Action was taken at the August board meeting to support NARD resolution 2019-1. This resolution was submitted by Upper Niobrara-White NRD. The resolution seeks changes in the Nebraska statutes to ensure all serving Nebraska Natural Resources Commission members are residents of the state of Nebraska.

NARD Resolution 2019-2 – Enhance Bonding Authorities was submitted by the Lower Elkhorn Natural Resources District after our August Board Meeting. This resolution seeks to amend Nebraska statutes to enhance the financial authorities of all natural resources districts to issue general obligation bonds to finance projects related to flood control, water quality projects and water quantity projects for the public benefits.

It was moved by Miller and seconded by Dickinson to support NARD resolution 2019-2 that seeks changes in the Nebraska statute to enhance the financial authorities of the natural resources districts to issue general obligation bonds to finance projects related to flood control, water quality projects and water quantity projects for the public benefits. The motion was approved.

AYE: Bethune, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Houdersheldt

NAY: Bohaty, Bruns, Kuehner, Yates

NOT PRESENT: Rich, Volkmer

ITEM 27. YORK HIGH SCHOOL OUTDOOR LEARNING CENTER FUNDING REQUEST.

Brian Maronde, the York High School science teacher, applied to the Education Capital Projects Fund (ECAP) to construct an outdoor learning center. He requested \$1,000 in assistance to fund this project. The learning center would be located on school property and be used for biology class instruction. Estimated price for the project is \$1,500. The project would utilize funds from the York High School Budget and York Public Schools Foundation. The project would renovate an existing retention pond, clearing out cattails and other vegetation. Banks would be lined with rock and concrete would be poured, making the water edge more accessible. Projected completion date for this project would be in our FY2021 budget cycle. The current FY 2020 budget has funds budgeted for ECAP that that could be obligated to support this project.

It was moved by Miller and seconded by Luebbe to approve funding of \$1,000 to support the construction of an outdoor learning center for biological studies lab on the property of York High School, to be paid after all construction is complete. The motion was approved.

AYE: Bethune, Bohaty, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Stahly, Yates, Houdersheldt

NAY: Bruns, Dickinson, Robotham, Weiss

NOT PRESENT: Rich, Volkmer

ITEM 28. REVIEW OF GENERAL AND PRIMARY ELECTION VOTING PROCESS.

Management provided a briefing on the election options for NRDs. There are three options that can be followed. Currently, the Upper Big Blue NRD has 8 subdistricts and one at-large position. The current election method for the Upper Big Blue NRD is option 1

Options are:

1. Nominated from subdistricts, and from the District at-large, but elected by voters of the entire District. (2 directors from each subdistrict and an at-large position.)
2. Nominated and elected from the District at-large (no subdistricts)
3. Nominated and elected from the individual subdistricts except any at-large candidates would be nominated and elected by all the voters of the District; (2 directors from each subdistrict and an at-large position, or 1 director from each subdistrict, but no at-large director which would require 17 subdistricts, unless the number of Directors is changed)

It was moved by Miller and seconded by Stahly to send the option 3 to the full Board for consideration that would nominate and elect the individual from each of the subdistricts, except one at-large candidate would be nominated and elected by all the voters of the District.

Moore raised concerns that the motion didn't reflect the intent of having two directors in each of the 8 subdistricts, and one director in the at-large position. He also felt the board should consider the matter further before making a change.

It was moved by Moore and seconded by Luebbe to refer the matter back to the Executive Committee.
The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Moore, Nuss, Robotham, Yates,
Houdersheldt

NAY: Kuehner, Miller, Stahly, Weiss

NOT PRESENT: Rich, Volkmer

ITEM 29. OCTOBER 2019 FACILITY MORTGAGE PAYMENT.

The Executive Committee was advised that the mortgage loan payment of \$243,292.37 for the NRD office facility is due October 16, 2019.

It was moved by Miller and seconded by Bethune to authorize the General Manager to make payment of \$243,292.37 to Cornerstone Bank for the October 2019 NRD mortgage loan payment. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham,
Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

ITEM 30. ADDITIONAL FY20 BUDGETED FACILITY MORTGAGE PAYMENT.

The recently adopted FY20 budget included an additional \$75,000 loan payment on the NRD facility mortgage.

It was moved by Miller and seconded by Dickinson to authorize the General Manager to make an additional mortgage loan principal payment of \$75,000 to Cornerstone Bank. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

ITEM 31. FINANCIAL REPORT AUGUST 1 - 31, 2019 AND CONSIDERATION OF EXPENDITURES FOR AUGUST 2019.

Eigenberg reviewed the financial report for the period August 1, 2019 to August 31, 2019 that was distributed. It was moved by Yates and seconded by Eberle to accept the financial report for August 2019 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

ITEM 32. MOTION TO ADJOURN.

It was moved by Dickinson and seconded by Yates to adjourn the meeting at 9:11 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Robotham, Stahly, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Rich, Volkmer

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held September 19, 2019, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Linda L. Luebbe, Secretary

:ndb

BOARD OF DIRECTORS MEETING October 17, 2019

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, October 17, 2019 at 7:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Marie Krausnick, Chrystal Houston, Nancy Beach, Josh Bowers of York County NRCS, Jenny Rees of UNL Extension, and Kendall Siebert.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

In Roger Houdersheldt's absence Vice Chair John Miller conducted the meeting. Miller reported that we published the legal notice of the board of directors' meeting on October 10, 2019 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Miller advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Houdersheldt requested that his absence from the October 17, 2019 board of directors meeting be excused.

It was moved by Volkmer and seconded by Robotham to approve the excused absence of Houdersheldt from the October 17, 2019 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Houdersheldt

ITEM 5. ADOPTION OF AGENDA.

It was moved by Eberle and seconded by Stahly to approve the agenda for the October 17, 2019 board of directors meeting as presented. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None
NOT PRESENT: Houdersheldt

ITEM 6. APPROVAL OF MINUTES OF THE SEPTEMBER 19, 2019 BOARD OF DIRECTORS MEETING.

It was moved by Volkmer and seconded by Dickinson to approve the minutes of the September 19, 2019 Board of Directors meeting and FY 20 Tax Request Hearing. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None
NOT PRESENT: Houdersheldt

ITEM 7. EMPLOYEE RECOGNITION.

Rita Hoblyn, Projects Department Secretary, was recognized for 25 years of service to the District. Patty Connors, Secretary for the District, was recognized for 10 years of service to the District. Patty was presented with an engraved crystal vase.

ITEM 8. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Rich reported that the Water & Regulations Committee met October 8, 2019 and presented the committee's recommendations.

ITEM 9. FLOW METER REPAIR COST-SHARE PAYMENT.

One flow meter repair cost-share application has been approved for final payment totaling \$150.00.

It was moved by Rich and seconded by Luebbe to pay one flow meter repair cost-share claim totaling \$150.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates
NAY: None
NOT PRESENT: Houdersheldt

ITEM 10. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.

Work has begun on Phase 2 of the Regional Groundwater Model. An invoice totaling \$11,482.50 has been received for work completed as of August 2019. As the project lead, the District will cover 100% of the bill to Brown & Caldwell and request reimbursement from the three other basin districts and the Nebraska Department of Natural Resources.

It was moved by Rich and seconded by Yates to pay Brown & Caldwell for the August 2019 invoice totaling \$11,482.50. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Houdersheldt

ITEM 11. CERTIFICATION OF ACRES.

The Water and Regulations Committee reviewed the acres' certification for 9 parcels totaling 404.26 acres, yielding a decrease in irrigated acres of 27.77. This brings the total irrigated acres to 1,240,475.66.

It was moved by Rich and seconded by Volkmer to certify the acres' changes as presented to the Board. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Houdersheldt

ITEM 12. ON-FARM RESEARCH – 2020 GROWING SEASON.

Staff have been coordinating with the UNL Extension from York, Hamilton and Clay Counties as partners for On-Farm Research. Krausnick presented a document outlining the goals and objectives for the partnership. Staff is asking for \$4,500.00 in financial assistance for the lab analysis of soil, water and plant tissue. The District will also provide staff time for data collection and use of District owned equipment.

It was moved by Rich and seconded by Robotham to provide \$4,500.00 in financial assistance, District equipment and staff time to the On-Farm Research partnership. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Houdersheldt

ITEM 13. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on October 10, 2019 and presented the committee's recommendations.

ITEM 14. HAZARD MITIGATION PLAN UPDATE AND PAYMENT.

JEO has posted the Hazard Mitigation Plan online for review. Comments were due by October 14, 2019.

It was moved by Robotham and seconded by Yates that the Upper Big Blue NRD approve payment of \$440.00 to JEO Consulting Group Inc. for services provided for the Hamilton-Seward-York County Hazard Mitigation Plan update from August 24, 2019 through September 20, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Houdersheldt

ITEM 15. PAYMENT TO HENRY THOMPSON TREE SERVICE FOR BAILEY DAM TREE REMOVAL.

It was moved by Robotham and seconded by Bruns that the Upper Big Blue NRD approve payment of \$13,500.00 to Henry Thompson Tree Service for cutting trees and shredding at Bailey Dam, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Weiss

NOT PRESENT: Houdersheldt

ITEM 16. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Dickinson reported that the Executive Committee met on October 10, 2019 and presented the committee's recommendations.

ITEM 17. DIRECTORS' THIRD QUARTER PER DIEM & EXPENSES.

The Executive Committee reviewed the Directors' per diem and expenses for this past quarter. Totals for the third quarter directors' per diem are \$13,790.00 and expenses are \$6,441.50 for a total expenditure of \$20,231.50.

It was moved by Dickinson and seconded by Yates to approve payment of third quarter 2019 directors' per diem of \$13,790.00 and expenses of \$6,441.50 for a total of \$20,231.50, and to publish these approved expenditures in the September 2019 Financial Report, except that each director, who has per diem and or reimbursement of expenses included in such financial report, abstains from voting for the approval of his or her own per diem and or expense reimbursement. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: Kuehner

NOT PRESENT: Houdersheldt

ITEM 18. PAYMENT TO AMGL CPAS & ADVISORS FOR FY2019 AUDIT.

An invoice for \$8,150.00 has been received from AMGL CPAs & Advisors for conducting the FY2019

Audit.

It was moved by Dickinson and seconded by Bethune to approve payment of \$8,150.00 to AMGL CPAs & Advisors for conducting the FY 2019 Audit. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Houdersheldt

ITEM 19. REQUEST FOR BIDS WATER DEPARTMENT PICKUP.

The Executive Committee discussed the need for a new Water Department pickup. Staff requested authorization to advertise for bids for a truck to meet the minimum specifications list as attached. Staff recommended that the 2012 half-ton extended cab Chevrolet truck (130K miles) be traded off on the purchase. The purchase was included in the FY20 budget.

It was moved by Dickinson and seconded by Rich to request bids for a 2019 or 2020 half-ton crew cab pickup truck that meets the minimum standards listed and to trade-in a 2012 half-ton extended cab Chevrolet truck on the transaction. The motion was approved.

AYE: Bethune, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates

NAY: Bohaty, Kuehner, Weiss

NOT PRESENT: Houdersheldt

ITEM 20. REQUEST FOR BIDS MAINTENANCE DEPARTMENT TRUCK.

The Executive Committee discussed the need for a replacement Maintenance Department truck. Staff requested authorization to advertise for bids on a truck to meet the minimum specifications list as attached. Staff recommended that the 2003 extended cab Ford truck (130K miles) be traded off on the purchase. The replacement was included in the FY20 Budget.

It was moved by Dickinson and seconded by Nuss to request bids for a 2019 or 2020 one-ton crew cab pickup truck that meets the minimum standards listed. And to trade-in the 2003 3/4 ton extended cab Ford truck on the transaction.

The specifications for this vehicle were for a V8 6.7L diesel. Several of the directors expressed concerns that the increased cost of a diesel pickup versus a pickup with a gas engine wasn't necessary.

It was moved by Weiss and seconded by Bohaty to amend the specifications to include a 6.2L or larger gas engine as an option. The amendment carried.

AYE: Bethune, Bohaty, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: Bruns

NOT PRESENT: Houdersheldt

The question was called on the original motion as amended. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich,
Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Houdersheldt

ITEM 21. OUT-OF-STATE TRAVEL – GMDA 2020 WINTER CONFERENCE.

The 2020 GMDA Winter Conference will be held January 12 -15, 2020 in Fort Lauderdale, Florida at the Riverside Hotel. Management and staff request approval to participate in this conference. Staff are encouraged to attend one major conference per year. Management also feels attendance, as a more cohesive group, will foster a more unified department. Staff attending this annual conference would not be allowed to attend any other out of state conference this year. Several Board members also showed interest in attending.

It was moved by Dickinson and seconded by Nuss to approve out-of-state travel for up to six Water Department Staff and any Board members that wish to attend the 2020 Groundwater Management District Association (GMDA) Annual Conference – January 12 -15, 2020 in Fort Lauderdale, Florida. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich,
Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Houdersheldt

ITEM 22. PERSONNEL UPDATE.

Eigenberg informed the Executive Committee that two long-time staff members will be retiring soon. Assistant Manager Rod DeBuhr, has announced his plans to retire on January 10, 2020. Rod has been with the District for 40 years. Parks and Forestry Department Manager Ken Feather, who has been with the District for 42 years announced his plans to retire as well. His last day will be February 14, 2020.

It was moved by Dickinson and seconded by Rich to instruct staff to organize and to hold two open houses honoring the two retirees. The open house for Rod DeBuhr will be held on December 19, 2019 from 4:00 – 6:00 PM at the NRD office building. The open house for Ken Feather will be held on January 16, 2020 from 4:00 – 6:00 PM at the NRD office building. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich,
Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Houdersheldt

ITEM 23. FINANCIAL REPORT SEPTEMBER 1 - 30, 2019 AND CONSIDERATION OF EXPENDITURES FOR SEPTEMBER 2019.

Eigenberg reviewed the financial report for the period September 1, 2019 to September 30, 2019 that was distributed. It was moved by Stahly and seconded by Volkmer to accept the financial report for September 2019 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Houdersheldt

ITEM 24. REVIEW OF GENERAL AND PRIMARY ELECTION PROCESS.

Eigenberg provided the Executive Committee with a briefing on the election options for NRDs. There are three options that can be followed.

1. Candidates file for election in one of 8 subdistricts and one at-large position but are elected by voters of the entire District. There are 2 directors representing the 8 subdistricts and 1 director representing the at-large position for a total of 17 board members.
2. Candidates file for election and are elected from the District at-large. There are no subdistricts.
3. Candidates file for election and are elected by the voters of the individual subdistricts, except any at-large candidates would be elected by all the voters of the District; (2 directors from each subdistrict and an at-large position, or 1 director from each subdistrict).

Currently, the UBBNRD has 8 subdistricts and one at-large position and the election method for the Upper Big Blue NRD is Option 1. The Executive Committee voted on a motion to change our election process to Option 3, but the motion failed, and no recommendation was forwarded to the board for consideration.

It was moved by Weiss and seconded by Bohaty that the Board revise the election process to elect two directors from each of the eight subdistricts and only voters from the subdistrict that those candidates wish to represent will cast votes on a subdistrict ballot, and one at-large candidate would be elected by all the voters of the District on a district-wide ballot. The motion failed.

AYE: Dickinson, Kuehner, Miller, Stahly, Weiss, Yates

NAY: Bethune, Bohaty, Bruns, Eberle, Luebbe, Moore, Nuss, Rich, Robotham, Volkmer

NOT PRESENT: Houdersheldt

ITEM 25. MOTION TO ADJOURN.

It was moved by Luebbe and seconded by Rich to adjourn the meeting at 9:22 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Weiss, Yates

NAY: None

NOT PRESENT: Houdersheldt

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held October 17, 2019, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Linda L. Luebbe, Secretary

:ndb
Attachment (1)

BOARD OF DIRECTORS MEETING

November 21, 2019

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, November 21, 2019 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Doug Dickinson, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, Bill Stahly, Merlin Volkmer, Paul Weiss, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Marie Krausnick, Ken Feather, Chrystal Houston, Nancy Beach, Abby Peterson, Josh Bowers of York County NRCS, and Seward County Commissioner Bob Vrbka.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Houdersheldt reported that we published the legal notice of the board of directors' meeting on November 14, 2019 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Houdersheldt advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Sixteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Robotham requested that his absence from the November 21, 2019 board of directors meeting be excused.

It was moved by Volkmer and seconded by Rich to approve the excused absence of Robotham from the November 21, 2019 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Robotham

ITEM 5. ADOPTION OF AGENDA.

It was moved by Rich and seconded by Stahly to approve the agenda for the November 21, 2019 board of directors meeting as presented. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Robotham

ITEM 6. APPROVAL OF MINUTES OF THE OCTOBER 17, 2019 BOARD OF DIRECTORS MEETING.

It was moved by Bruns and seconded by Dickinson to approve the minutes of the October 17, 2019 Board of Directors meeting. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Robotham

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Water & Regulations Committee met November 12, 2019 and presented the committee's recommendations.

ITEM 8. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

Three Aquifer Quality Well Abandonment Cost-Share Assistance Program applications have been approved for final payments, totaling \$1,480.00.

It was moved by Kuehner and seconded by Luebbe to make cost-share payments for three well abandonments, as reviewed by the Committee, at a cost of \$1,480.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Robotham

ITEM 9. FLOW METER REPAIR COST-SHARE PAYMENT.

One flow meter repair cost-share application has been approved for final payment totaling \$150.00.

It was moved by Kuehner and seconded by Luebbe to pay one flow meter repair cost-share claim totaling \$150.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Robotham

ITEM 10. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.

Work continues on Phase 2 of the Regional Groundwater Model. An invoice totaling \$18,229.00 has been received for work completed as of September 2019. As the project lead, the District will cover 100% of the bill to Brown & Caldwell and request reimbursement from the three other basin districts and the Nebraska Department of Natural Resources.

It was moved by Kuehner and seconded by Moore to pay Brown & Caldwell for the September 2019 invoice totaling \$18,229.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Robotham

ITEM 11. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Yates reported that the Projects & Programs Committee met on November 14, 2019 and presented the committee's recommendations.

ITEM 12. HAZARD MITIGATION PLAN PAYMENT TO JEO CONSULTING GROUP.

JEO Consulting Group submitted the updated hazard mitigation plan for Hamilton-Seward-York County to the Nebraska Emergency Management Agency (NEMA) on October 30, 2019. NEMA has 45 days to review. The Plan will be sent to the Federal Emergency Management Agency (FEMA) who also have 45 days to review.

JEO Consulting Group submitted an invoice for \$2,760 for services provided from September 21, 2019 through October 18, 2019 to update the Hamilton-Seward-York County Hazard Mitigation Plan.

It was moved by Yates and seconded by Volkmer that the Upper Big Blue NRD approve payment of \$2,760.00 to JEO Consulting Group Inc. for services provided for the Hamilton-Seward-York County Hazard Mitigation Plan update from September 21, 2019 through October 18, 2019, as recommended by staff and reviewed by the committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Robotham

ITEM 13. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on November 14, 2019 and presented the committee's recommendations.

ITEM 14. PAYMENT TO YORK PRINTING COMPANY FOR THE BLUEPRINT NEWSLETTER.

York Printing Company submitted an invoice in the amount of \$6,202.29 for printing the fall 2019 issue of the *BLUEPRINT* newsletter.

It was moved by Miller and seconded by Dickinson to approve payment of \$6,202.29 to York Printing Company for printing the fall 2019 edition of the *BLUEPRINT* newsletter. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Robotham

ITEM 15. AGRICULTURAL LAND EASEMENT (ALE) - WETLANDS AMERICA TRUST, INC. - KROEKER PARCEL.

At the September 2017 Board meeting, it was moved by Nuss and seconded by Eberle, to authorize the General Manager to enter into Agreement Number: A-6526-17-101 with the NRCS as the lead agency for the RCPP project - Divots in the Pivots. This easement is part of the project. The Kroeker tract is south of Sutton and is the SW1/4 of Section 11, Township 7 North, Range 5 West. Project elements included minor wetland restoration to remove fill material and fill abandoned irrigation reuse pits. Cultivated acres will increase slightly as the filled pits may be cropped. The easement language will preclude future wetland drainage and ensure that the tract remains under agriculture production. Facts regarding this easement; first, this easement ensures the land remains in private ownership under agriculture production. Second, the land use on these sites does not change as a result of the easement. Third, since land use will not change there will be no changes in tax valuation or impact on county revenue. The UBBNRD must provide the easement to the County Zoning/Planning Commission for comments regarding the conformity of the proposed acquisition to comprehensive planning for the area. State statute doesn't allow the County to do anything but comment when the receiving party is a political subdivision. Politically, it may be difficult to proceed with strong opposition from Zoning /Planning Commission; but on the same note, some conservation partnerships have worked very diligently on getting to where we are today.

It was moved by Miller and seconded by Nuss that the NRD refer the proposed Deed of Conservation Easement from Wetlands America Trust, Inc., with respect to the SW1/4 of Section 11, Township 7 North, Range 5, West of the 6th P.M., Clay County, Nebraska, to the Clay County Zoning/Planning Commission for comment; (2) That the proposed Deed of Conservation Easement be approved and accepted effective upon the earlier of the following: (a) upon receiving supportive or neutral comments from the Clay County Zoning/Planning Commission that the proposed Deed of Conservation Easement is in conformity with the comprehensive plan for the applicable area, or (b) 60 days after the date of referral to the Clay County Zoning/Planning Commission if no such comments have been received by the NRD; and (3) That upon the occurrence of the above condition(s), David A. Eigenberg, General Manager for the NRD, should be and hereby is authorized to execute the Acceptance of the Deed of Conservation Easement on behalf of the NRD and to cause such instrument to be recorded with the Office of the Clay County Clerk. HOWEVER, (4) if the opinion of the Clay County Zoning/Planning Commission is that this easement is not supportive of the County Zoning Plan, their comments will be presented to the District Board for consideration on final decision on the easement. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Robotham

ITEM 16. EDUCATIONAL CAPITAL PROJECTS FUND (ECAP) REVIEW.

The Executive Committee reviewed the written material and overall policy supporting ECAP. This fund assists with funding for capital items and the award of these funds would be on a case-by-case basis as determined by the Board. The census of the Committee was to have staff make edits to the guiding policy replacing contact information of David A. Eigenberg, General Manager with Chrystal Houston, Public Relations Manager, and to make written revisions informing candidates that applications will be collected throughout the entire year, however, the selection process made by the Board will only be held once per year (June Board meeting). Notifications to successful candidate(s) will be sent out after the June Board meeting. Building site location was also discussed. The consensus was to include the wording public property under the qualifications section of the application.

It was moved by Miller and seconded by Rich to approve edits to the guiding policy replacing contact information of David A. Eigenberg, General Manager with Chrystal Houston, Public Relations Manager, to make written revisions informing candidates that applications will be collected throughout the entire year, however, the selection process made by the Board will only be held once per year, and to include the wording "public property" to building site location section under the qualifications on the application. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Robotham

ITEM 17. CONSIDERATION OF MEMORANDUM OF AGREEMENT (MOA) BETWEEN USDA, NRCS AND UBBNRD.

The Executive Committee was provided the latest MOA draft that was submitted to the UBBNRD from NRCS. Staff has reviewed the current draft and believes the intent of the MOA is for NRCS and UBBNRD to agree to continue to work together in a cooperative nature as in the past. Staff recommends a formal signing ceremony with the State Conservationist be held, publicly showing the UBBNRD's willingness to continue to provide conservation opportunities for the producers of the District.

It was moved by Miller and seconded by Rich to approve adoption of the Memorandum of Agreement (MOA) between the UBBNRD and NRCS, agreeing to work together in cooperation ensuring the District conservation programing needs are continued to be met. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Robotham

ITEM 18. WATER DEPARTMENT HALF TON PICKUP BIDS.

Bids for a new Water Department truck were reviewed. The 2012 Chevrolet C1500 LT pickup will need to either be traded in on the purchase or sold privately. Bids were requested for a new truck which is either 2019 or 2020-year model with the minimum specifications listed on the bid sheet. Five area truck dealers submitted proposals for this procurement process. Bids were received from Chevrolet, Dodge and Ford dealers. Bid prices for trucks ranged from \$23,931 to \$33,995 per truck.

It was moved by Miller and seconded by Volkmer to purchase one 2020 Ford F150, gasoline powered, 4-wheel drive, crew cab truck from Gene Steffy Ford of Columbus, Nebraska for a total of \$31,431. To trade-in one 2012 Chevrolet C1500 LT pickup truck to Gene Steffy of Columbus, Nebraska for \$7,500. Total net cost of purchase is \$23,931. The motion was approved.

AYE: Bohaty, Bruns, Dickinson, Eberle, Miller, Moore, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: Bethune, Kuehner, Luebbe, Nuss

NOT PRESENT: Robotham

ITEM 19. PARKS DEPARTMENT ONE TON TRUCK BIDS.

Bids for a new Parks Department truck were reviewed. The 2003 Ford F250 will need to either be traded in on the purchase or sold privately. Bids were requested for a new truck which is either 2019 or 2020-year model with the minimum specifications listed on the bid sheet. Bids for both diesel and gasoline power drive options were requested. Bids were received from five area dealers for Chevrolet, Dodge and Ford trucks. Bid prices for diesel powered trucks ranged from \$32,993 to \$44,135 per truck. Bid prices for gasoline powered trucks ranged from \$23,931 to \$35,996 per truck.

It was moved by Miller and seconded by Dickinson to purchase a 2020 Chevrolet Silverado 3500 HD, gasoline powered, 4-wheel drive, crew cab truck from Sid Dillion of Wahoo, Nebraska for a total of \$32,082. To trade-in one 2003 Ford F250 truck to Sid Dillion of Wahoo, Nebraska for \$8,000. Total net cost of purchase is \$24,082. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Robotham

ITEM 20. RESOURCE CONSERVATION PARTNERSHIP PROGRAM (RCPP) GRANT APPLICATION.

Eigenberg informed the board that The Nature Conservancy and the NRCS have approached the Upper Big Blue and Central Platte NRDs about partnering together on an application through the Natural Resources Conservation Service for an RCPP grant for a soil health project titled Resilient Futures for Nebraska Soils. The application deadline is December 3, 2019. He told the board that due to timing of the request it was not on the board agenda so he is only asking for a general consensus of the board to allow him as general manager to write a letter of support to be included with The Nature Conservancy's application to NRCS. The Nature Conservancy would act as lead agency. This is just an application. If

the application is approved the District is not financially obligated until the board has given their final approval.

Krausnick said the grant would be for a 5-year period and would cover the cost of hiring one additional full-time employee for the Upper Big Blue NRD, one full-time employee for Central Platte NRD, and two additional full-time employees for NRCS to implement this sustainable ag and soil health project.

Eigenberg assured the board that if the grant is approved and an additional employee is hired, they will be advised that they are being hired with soft money. Meaning that when the grant funds are exhausted the position will be eliminated.

Eigenberg was directed to write the letter of support to The Nature Conservancy for inclusion in their application for RCPP funding.

ITEM 21. FINANCIAL REPORT OCTOBER 1 - 31, 2019 AND CONSIDERATION OF EXPENDITURES FOR OCTOBER 2019.

Eigenberg reviewed the financial report for the period October 1, 2019 to October 31, 2019 that was distributed. It was moved by Volkmer and seconded by Rich to accept the financial report for October 2019 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Robotham

ITEM 22. MOTION TO ADJOURN.

It was moved by Miller and seconded by Yates to adjourn the meeting at 2:42 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Dickinson, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Stahly, Volkmer, Weiss, Yates, Houdersheldt

NAY: None

NOT PRESENT: Robotham

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held November 21, 2019, that all of the subjects discussed at the meeting were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available

for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Linda L. Luebbe, Secretary

:ndb

MINUTES
BOARD OF DIRECTORS MEETING
December 19, 2019

The Board of Directors of the Upper Big Blue Natural Resources District met Thursday, December 19, 2019 at 1:30 p.m. in the NRD office, 319 East 25th Street, York, Nebraska.

Directors present were Paul Bethune, Jeff Bohaty, Doug Bruns, Gary Eberle, Roger Houdersheldt, Bill Kuehner, Linda Luebbe, John Miller, Larry Moore, Mike Nuss, Ronda Rich, David Robotham, Bill Stahly, Merlin Volkmer, and Lynn Yates.

Staff members and others in attendance were David Eigenberg, Rod DeBuhr, Nancy Brisk, Jack Wergin, Marie Krausnick, Ken Feather, Chrystal Houston, Abigail Peterson, Delton Grotz, Rodney Grotz, Kendall Siebert, Brent Grotz, and Josh Bowers of York County NRCS.

ITEM 1. PUBLICATION OF LEGAL NOTICE OF MEETING.

Chairperson Houdersheldt reported that we published the legal notice of the board of directors' meeting on December 12, 2019 in the York News-Times.

ITEM 2. OPEN MEETINGS ACT.

Houdersheldt advised those in attendance that the Open Meetings Act is posted by the entrance to the boardroom.

ITEM 3. ROLL CALL OF DIRECTORS.

Fifteen directors were present during roll call.

ITEM 4. REQUESTS FOR EXCUSED ABSENCE.

Dickinson and Weiss requested that their absence from the December 19, 2019 board of directors meeting be excused.

It was moved by Volkmer and seconded by Yates to excuse the absence of Dickinson and Weiss from the December 19, 2019 board of directors meeting as requested. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Weiss

ITEM 5. ADOPTION OF AGENDA.

It was moved by Rich and seconded by Volkmer to approve the agenda for the December 19, 2019 board of directors meeting as presented. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Weiss

ITEM 6. APPROVAL OF MINUTES OF THE NOVEMBER 21, 2019 BOARD OF DIRECTORS MEETING.

It was moved by Stahly and seconded by Volkmer to approve the minutes of the November 21, 2019 Board of Directors meeting. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Weiss

ITEM 7. REPORT OF WATER AND REGULATIONS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Kuehner reported that the Water & Regulations Committee met December 12, 2019 and presented the committee's recommendations.

ITEM 8. AQUIFER QUALITY WELL ABANDONMENT COST-SHARE ASSISTANCE PROGRAM.

One Aquifer Quality Well Abandonment Cost-Share Assistance Program application has been approved for final payment, totaling \$500.00.

It was moved by Kuehner and seconded by Luebbe to make cost-share payment for one well abandonment, as reviewed by the Committee, at a cost of \$500.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Weiss

ITEM 9. REGIONAL GROUNDWATER MODELING PAYMENT – BROWN & CALDWELL.

Work continues on Phase 2 of the Regional Groundwater Model. An invoice totaling \$42,231.62 has been received for work completed as of October 2019. As the project lead, the District will cover 100% of the bill to Brown & Caldwell and request reimbursement from the other three basin districts and the Nebraska Department of Natural Resources.

It was moved by Kuehner and seconded by Rich to pay Brown & Caldwell for the October 2019 invoice totaling \$42,231.62. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Weiss

ITEM 10. BEEHIVE 2020 MAINTENANCE PAYMENT - ONLINE PORTAL.

An invoice for the annual maintenance and hosting of the online portal has been received from Beehive Industries totaling \$7,600.00.

It was moved by Kuehner and seconded by Yates to pay Beehive Industries for the annual maintenance and hosting of the online portal totaling \$7,600.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Weiss

ITEM 11. PROJECT GROW WINTER WORKSHOP PAYMENT – KERRY’S RESTAURANT.

There were over 100 people in attendance for the Project GROW Winter Workshop. Part of the day was a lunch catered by Kerry’s Restaurant. An invoice totaling \$1,575.00 has been received for the catered lunch and breaks.

It was moved by Kuehner and seconded by Volkmer to pay Kerry’s Restaurant for catering the Project GROW Winter Workshop totaling \$1,575.00. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Weiss

ITEM 12. PAYMENT TO YORK PRINTING FOR PHASE II & III NEWSLETTER.

Two thousand four hundred and seventy-nine (2,479) Phase II & III Newsletters were sent out to all operators in the Upper Big Blue Natural Resources District. An invoice from York Printing was received for the printing totaling \$1,893.75.

It was moved by Kuehner and seconded by Luebbe to pay York Printing for the printing of 2,600 Phase II & III Newsletters totaling \$1,893.75. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Weiss

ITEM 13. MUNICIPAL WATER QUALITY ASSISTANCE PROGRAM.

Krausnick reviewed the changes to the Municipal Water Quality Assistance Program with the Committee. Changes included updating the Nebraska Department of Environmental Quality to the

Nebraska Department of Environment and Energy; including drinking water protection plans as a qualifying document and removing the \$25,000.00 assistance cap for small communities.

It was moved by Kuehner and seconded by Luebbe to accept the draft changes to the Municipal Water Quality Assistance Program as presented to the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Weiss

ITEM 14. PROJECT GROW WINTER WORKSHOP 2020.

The Project GROW Winter Workshop is scheduled for December 2, 2020 at the Holthus Event Center. The featured speaker will be Dr. Jill Clapperton, principal scientist and founder of Rhizoterra Incorporated. Dr. Clapperton is an internationally known soil health expert. While Dr. Clapperton is in Nebraska, staff would like to schedule a youth workshop lasting one to two hours to engage and educate students in the Upper Big Blue NRD.

It was moved by Kuehner and seconded by Rich to direct staff to reach out to area schools and UNL Extension staff within the District to gauge interest in scheduling a youth soil health workshop with Dr. Clapperton for December 2020. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Weiss

ITEM 15. REPORT OF PROJECTS & PROGRAMS COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Robotham reported that the Projects & Programs Committee met on December 12, 2019 and presented the committee's recommendations.

ITEM 16. NEBRASKA BUFFER STRIP PROGRAM PAYMENTS.

It was moved by Robotham and seconded by Yates that the Upper Big Blue Natural Resources District approve 2nd quarter payments totaling \$4,354.50 for five Nebraska Buffer Strip contracts, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Weiss

ITEM 17. LAND TREATMENT PROGRAM COST-SHARE PAYMENT.

It was moved by Robotham and seconded by Bruns that the Upper Big Blue NRD approve payment of \$7,500.00 for one completed NSWCP Land Treatment application, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Weiss

ITEM 18. HAZARD MITIGATION PLAN UPDATE AND PAYMENT.

The updated Hazard Mitigation Plan has been submitted to the Nebraska Emergency Management Agency (NEMA), who will forward the plan to the Federal Emergency Management Agency (FEMA). We are expecting comments and/or approval from FEMA by the end of January 2020.

It was moved by Robotham and seconded by Nuss that the Upper Big Blue NRD approve payment of \$480.00 to JEO Consulting Group Inc. for services provided for the Seward-York-Hamilton County Hazard Mitigation Plan update from October 19, 2019 through November 15, 2019, as recommended by staff and reviewed by the Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt

NAY: None

NOT PRESENT: Dickinson, Weiss

ITEM 19. REPORT OF EXECUTIVE COMMITTEE AND CONSIDERATION OF RECOMMENDATIONS.

Miller reported that the Executive Committee met on December 12, 2019 and presented the committee's recommendations.

ITEM 20. STAFFING DISCUSSION.

The Executive Committee was briefed on a proposal for restructuring the Forestry/Maintenance Department. The proposal would eliminate the Forestry Department Manager position and create a new job classification called "Lead Maintenance Worker". The Forestry/Maintenance Department would remain a four-person department, however, the two proposed lead maintenance positions would be mid-level pay grade, instead of management level pay grade.

One Lead Maintenance Worker would be assigned to direct and participate in work supporting forestry and wildlife programs. The other Lead Maintenance Worker would direct and participate in the maintenance of the District's facilities, vehicles, and recreation areas.

The two remaining entry level maintenance worker positions would perform seasonal tree planting duties and maintain District facilities and recreation areas, under the direction of the respective Lead Maintenance Worker. When the Lead Forestry Maintenance Worker is not busy with forestry programs, he or she would become the fourth member participating in all facility maintenance duties.

The responsibility for the overall supervision of the Forestry/Maintenance Department would remain with the Assistant General Manager.

It was moved by Miller and seconded by Eberle to approve the creation of two mid-level lead maintenance positions, with a pay range of \$18.44 to \$27.66 per hour. The duties for positions are outlined in the Job Descriptions for the Assistant Manager, Lead Forestry and Lead Maintenance Worker. To instruct staff to start job searches for an Assistant Manager and two Lead Maintenance Worker positions.

It was moved by Kuehner and seconded by Bohaty to amend the motion to approve the creation of 1 mid-level maintenance position and 1 lead forester position with a pay range of \$18.44 to \$27.66 per hour and to extinguish the position of Assistant Manager and to instruct the staff to start a search for 1 lead maintenance worker and 1 lead forestry worker.

After a lengthy discussion it was moved by Luebbe and seconded by Bohaty to refer the matter back to the Executive Committee. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Rich, Robotham, Volkmer, Yates

NAY: Miller, Moore, Nuss, Stahly, Houdersheldt

NOT PRESENT: Dickinson, Weiss

ITEM 21. FINANCIAL REPORT NOVEMBER 1 - 30, 2019 AND CONSIDERATION OF EXPENDITURES FOR NOVEMBER 2019.

Eigenberg reviewed the financial report for the period November 1, 2019 to November 30, 2019 that was distributed. It was moved by Yates and seconded by Rich to accept the financial report for November 2019 as presented, approve payments of the accounts payable and publish the expenditures. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt.

NAY: None

NOT PRESENT: Dickinson, Weiss

ITEM 22. MOTION TO ADJOURN.

It was moved by Yates and seconded by Luebbe to adjourn the meeting at 3:09 p.m. The motion was approved.

AYE: Bethune, Bohaty, Bruns, Eberle, Kuehner, Luebbe, Miller, Moore, Nuss, Rich, Robotham, Stahly, Volkmer, Yates, Houdersheldt.

NAY: None

NOT PRESENT: Dickinson, Weiss

I, the undersigned, Secretary of the Upper Big Blue Natural Resources District, hereby certify that these are true and correct minutes of the meeting of the Board of Directors of the District held December 19, 2019, that all of the subjects discussed at the meeting were contained in the agenda for the meeting,

kept continually current and readily available for public inspection at the principal office of the District during normal business hours, and except for items of an emergency nature, the agenda was not altered later than twenty-four (24) hours before the scheduled commencement of the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting for said body; and that all news media requesting notification of the meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Linda L. Luebbe, Secretary

:ndb